

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CIVIL SUIT NO. 135 OF 2014

SUNRISE RESORT APARTMENTS & SPA LIMITED.....PLAINTIFF

VERSUS

ECO BANK KENYA LIMITED.....DEFENDANTS

R U L I N G

1. Parties are unable to agree on a mutual auditor to reconcile the two audit report presented to court by each side hence as directed by court on 24/01/2019, the court now appoints:

Ms. Lobonyo & Associates

1st Floor, Super Contractors Building, Sotik Road

Off Bunyala Road

P.O. Box 62776 – 00200

Tel: 0711-956305, 0700883723

NAIROBI: To reconcile the two reports presented to court and compile own report within 30 days from the date this order and the two reports shall have been served upon them.

2. The audit fees to be agreed with the auditor will be borne equally between the parties and be paid within 7 days from the date the auditor shall have filed his report in court.

3. Mention on 13/5/2019 to confirm the progress made.

Dated and delivered at **Mombasa** on this **4th** day of **April 2019**.

P.J.O. OTIENO

JUDGE