

M u w e m a & C o . A d v o c a t e s

Firm Profile



Muwema & Co. Advocates & Solicitors
Plot 50 Windsor loop, Road-Kololo
P . O . Box 6074
Kampala
Tel: +256 414 257661
Web: www.madvocates.com
Email: info@madvocates.com



www.facebook.com/muwemaadvocat



[@comadvocates](https://twitter.com/comadvocates)



info@madvocates.com



0414257661

Who We Are

- *We are a full-service law firm, comprised of four Partners, Associates and Legal Assistant.*
- *The Firm is arguably one of the most sought after and fastest growing for over ten (10) years. It has grown to have a reputation of successfully handling very complex and ground breaking cases that has enriched the jurisprudence and practice of law in Uganda.*

OUR MISSION

To be a professional and highly efficient law firm of choice to our Clients; rendering accurate and prudent legal, tax and intellectual property protection services and adding value to our Clients' business and image.

OUR VISION

To be Uganda's Premier Commercial Law Firm, offering commercially sound legal solutions and consistent in meeting the dynamic needs of our Clients in the context of local, regional and international business.

OUR OBJECTIVE

We aim and commit to providing excellent Legal Services as the Hallmark of our Legal practice as a Law firm. We like challenges and have a track record of dealing with complex matters; we set out to understand the nature and operations of our clients' business and adopt a relevant, prudently practical, thorough and efficient approach to our clients needs.

We aim to deliver our services in a manner that makes commercial sense so that companies, institutions and individuals always see us as part of their solution when faced with difficult, innovative and novel challenges.



SCOPE OF PRACTICE

- ☐ *Constitutional Law*
- ☐ *Intellectual Property Law*
- ☐ *Commercial Litigation & legal Practice*
- ☐ *Mergers and Acquisitions.*
- ☐ *Criminal Law*
- ☐ *Insurance*
- ☐ *Corporate Law including company secretarial services, winding up, liquidation of companies and receivership*
- ☐ *Tax law*
- ☐ *Gas & Oil*
- ☐ *Debt Collection, Registration and enforcement of Securities*
- ☐ *Communications Law*
- ☐ *Alternative Dispute resolution; Negotiation.*
- ☐ *Banking & Finance*
- ☐ *Land conveyance*

It is our professional duty to give your affairs proper care, skill and attention. We handle each assignment on a strict confidentiality basis. Our services are demand driven and result oriented

M/S Muwema & Co. advocates will throughout the handling of your matters rely on you to supply all information needed in a timely manner, to act on your behalf and tell us promptly of any relevant change in circumstances. We will not be under any obligation to verify or check the factual accuracy of such information unless it is specifically agreed in writing that we should do so.



FIRM POLICY

Our fees are regulated by the Advocates Remuneration and Taxation of cost Rules 1996 as amended and payable on instructions or on demand thereafter. Where permissible by the said rules or appropriate, we negotiate and agree with the client on the formulation of the fees structure.

Any estimates of costs are given for guidance only on the basis of information available to us and are not to be regarded as quotations.

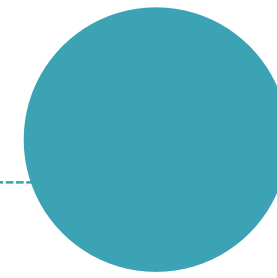
Our fees can also be paid on Retainers at periodic intervals agreed with client depending on the nature and complexity of the brief

Sums incurred by our selves on your behalf such as stamp duty, search fees, agent fees and all other disbursements will be chargeable in addition as will expenses incurred in faxes, couriers, telephone calls and copying.

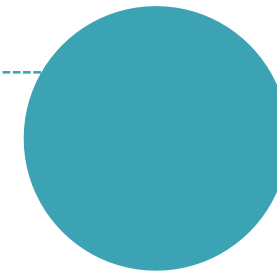
Quotation and estimates include Value Added tax as required by the Law



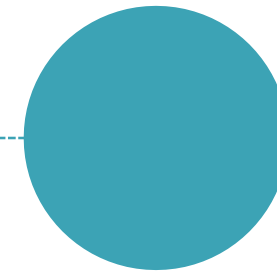
**We are
Members of:**



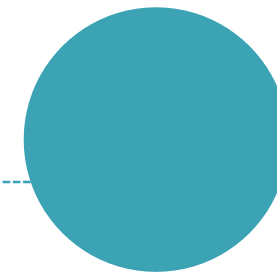
Uganda Law Society



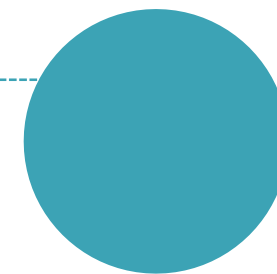
Uganda Manufacturers
Association



East African Law Society



OUNNA



International Trademark
Association

We Understand Your Business and Industry.

We take time to study and understand your business, the industry and environment in which you operate. This represents our dedication to accurately diagnose your legal and business needs, and to be your trusted, reliable insider, advisor and legal counsel.

Regular Reporting

We believe that our relation with you must be one based on communication and trust. We undertake to provide accurate, regular written reports on all the assignments we will handle for you.

We also propose to meet your top management team or your Board if appropriate at least twice a year to give a full account on all matters we shall handle for you.



WHY OUR FIRM

Performance Appraisal

We also propose to meet all our Corporate Clients' senior management at least once a year to appraise our performance. We will however, regularly seek your opinion on how we are handling your instructions and views on how we can do better.

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Skilled and Experienced Staff

Our staff is comprised of experienced Advocates in diverse areas of corporate and commercial law. Their training and professional experience in practical and complex transactions has informed their capacity to handle and resolve complex legal issues in contentious litigation proceedings at all tiers of our Court system.



WHY OUR FIRM

Some of Our Clientele



Some of Our Clientele



Some of Our Clientele





Our Legal Team

Fred Muwema

Fred is a founding Partner of Muwema & Co. Advocates, one of the premier law firms in Uganda and he has a working experience of over 25 years. He is a member of the International Bar Association, the International Trademark Association, the East African Law Society and the Uganda Law Society.

He is a forthright, focused and an independent minded legal practitioner who needs no introduction when it comes to the delivery of effective and creative legal solutions in various aspects of public and private law.

Fred has a strong bias in corporate and commercial law practice where he has gathered considerable experience in advising local and international companies. For example, he was local counsel in advising Wanainchi Group, a leading East African TV Broadcast and cable network company on competition and television broadcast copy right issues. This assignment was done in collaboration among others with Edward Wildman Palmer LLP, a leading UK Competition Law Firm.

He has handled several multi-million dollar mergers and acquisitions over the last 2 decades. Some of them include the mergers and acquisitions involving Trans Africa Bank/Orient Bank, the former Kigezi Bank of Commerce, the Crocodile Tool Company, Sure Telecom and Kisita Mining Co. Ltd, one of the largest gold mines in Uganda which was acquired by Horizon Energy LLC of Abu Dhabi.

Fred is an ardent litigator who stands out for handling complex cases in corporate finance, investment and tax administration, intellectual property, constitutional and administrative law among others.

In 2009, he was part of the team of local counsel that handled the first and only criminal libel case in Uganda by a foreign head of state (the late Col. Maummar Ghadafi, then leader of Libya).

He is also credited with enabling the development of jurisprudence in the regulation of anonymous defamation on social media when he filed the first case of its kind against Facebook in 2016, in Ireland. (Fred Muwema vs Facebook [2016]1 EHC 519).



Fred Muwema

Currently, he is leading the litigation team in the ground breaking case of Ham Enterprises vs Diamond Trust Bank which has put the legal regime of lending by foreign Banks in Uganda in sharp focus. This case will go a long way in improving the prudential regulation of the lucrative lending market in the region.

Outside legal practice, Fred was instrumental in the establishment of a legal regulatory regime for the Uganda Football Association. He is also a former President of Sports Club Villa, Uganda's biggest football club and he remains an active sports fan.

During his tenure in football, he was part of the team that introduced Ugandan Football on Satellite Television through a US\$5m Sponsorship Contract with SuperSport between 2009– 2013. Since then, the Digital Satellite Television market in Uganda has grown exponentially.

Fred is also a founding member of the Anti-Counterfeit Network (ACN), the leading entity that champions the fight against counterfeits and illicit trade in Africa. ACN continues to work for leading brands in the petroleum, cosmetics, beverages, agricultural and electronics sectors among others in this regard.

ACN is credited with increasing public awareness about the concealed dangers of counterfeits among those who affect and are affected by counterfeits.

Fred was one of the panelists at the first ever Uganda – Europe Business Forum held at Speke Resort Munyonyo on the 9th – 10th March 2020 where he talked about counterfeiting of Liquefied Petroleum Gas (LPG).

He is currently the host of an online anti-counterfeit production, the league of the Genuine conversations with Fred Muwema which airs on the ACN Facebook, Twitter and YouTube channels

Friday Roberts Kagoro



His practice encompasses commercial and Criminal litigation, insolvency, debt recovery, International Trade, Human Rights, land transactions and conveyance, Intellectual property, private investigation, Family law among others. He is a hands-on advocate in all his areas of practice and accords professional advice to clients as and when it is required.

He advises financial institutions such as banks on aspects of credit management and recovery as well as corporate debtors and directors.

As far as Intellectual Property Protection is concerned, he heads the legal support team in enforcement and raid actions which is very instrumental in co-ordinating the Police, apprehending culprits, seizing counterfeits, obtaining and securing evidence to be used in prosecutions. He has attained great experience through participating in various International Intellectual Property conferences like INTA.

He is an advocate of the High Court of Uganda and all subordinate courts thereto, is a member of the Uganda Law Society (ULS) and the East African Law Society.

Carolynn Kintu Bainomugisha

Carolynn is currently a Partner and in charge of the Management of the firm. She is an advocate of the High Court with over 11 years' experience in legal practice.



➡ *She is also a Chartered Secretary with the Institute of Chartered Secretaries and Administrators, with a wealth of knowledge and experience in a wide range of company issues and company secretarial work, corporate governance and management.*

➡ *She has a progressive track record in handling diverse areas of the law with a strong back ground in Banking law, perfection of securities and registration, commercial law, intellectual property and litigation.*

She also represented the firm in the International Trade Mark Association [INTA] Annual General Meeting in San Diego USA, 2015.

She is a member of:

Uganda Law Society (ULS)

East African Law Society (EALS)

International Institute of Chartered Secretaries (ICSA)

Charles Kevin Nsubuga Phillo



Kevin's interests lie in the aspects of criminal law, land transactions and conveyance as well as labor/ employment law. He advises corporate institutions and organizations on a wide range of legal, regulatory and transactional matters, working closely with their in-house counsel and will always provide the legal advice required since he appreciates all transactions from both the legal and financial perspective.

He is an advocate of the High Court and all subordinate courts thereto and is a member of the Uganda Law Society (ULS) and the East African Law Society.

Andrew Oluka

Andrew is an Advocate, member of Uganda Law Society and the East African Law Society. He holds an LLB (HONS) degree from Uganda Christian University and a Post Graduate Diploma from Law Development Centre

His practice areas include litigation, Constitutional Law, Commercial Transactions, Land Transactions and Conveyancing, Family Law, Intellectual Property Law, International Commercial Contracts, Sports Law and Arbitration, Mediation and Negotiation, Employment mergers and acquisitions, Due diligence and related areas.



Matthew Kiwunda



➡ *Mathew is an Advocate, member of Uganda Law Society and the East African Law Society. He has been with the firm since 2015.*

➡ *His practice areas include litigation, Commercial Transactions, Land Transactions and Conveyancing, debt collection Family Law and Arbitration, Mediation and Negotiation and Employment law.*

Ramla Nalugya



- *Ramla holds an LL.B (Hons.) degree from Makerere University and a Postgraduate Diploma in Legal Practice from the Law Development Centre.*
- *She handles Civil & Criminal Litigation, Public Procurement and Disposal, Domestic relations with particular preference in custody and maintenance, Employment and Land dispute resolution.*

Pearl Bekunda

Pearl is an Advocate in the firm. Her practice focuses on International Humanitarian law, Criminal & Labour Law with particular expertise in Employment practice

She holds an LL.B (Hons) degree from Makerere University Kampala (MUK) and a Post Graduate Diploma in Legal Practice from the Law Development Centre (LDC).




Jane Nabirye

Jane is a Legal Assistant in the firm. Her practice focuses on Corporate and Commercial law, Criminal & Labour Law, Land transactions and Litigation plus domestic relations.

She holds an LL.B (Hons) degree from Makerere University Kampala (MUK) and a Post Graduate Diploma in Legal Practice from the Law Development Centre (LDC).



Anthony Tomusange

A circular portrait of Anthony Tomusange, a young Black man with short dark hair, wearing a dark blue suit, white shirt, and a patterned tie. He is looking directly at the camera with a neutral expression. The background of the portrait is a light grey gradient.

Anthony is a Legal Assistant in the firm. His practice focuses on Criminal & Labour Law, Corporate and Commercial Law with particular expertise in Land transactions and litigation.

He holds an LL.B (Hons) degree from Uganda Christian University (UCU) and a Post Graduate Diploma in Legal Practice from the Law Development Centre (LDC).

Kyomugisha Linnet Sarah

Linnet is a Legal Assistant in the firm. Her practice focuses on International Humanitarian law, Criminal & Labour Law together with banking, with particular expertise in Human Rights.

She holds an LL.B (Hons) degree from Uganda Cristian University (UCU) and a Post Graduate Diploma in Legal Practice from the Law Development Centre (LDC), plus a Certificate from International Justice Mission.



Gloria Nagami

Gloria is a Legal Assistant in the firm. Her practice focuses on International Humanitarian law, Criminal & Labour Law with particular expertise in advocating for Human Rights.

She holds an LL.B (Hons) degree from Makerere University Kampala (MUK) and a Post Graduate Diploma in Legal Practice from the Law Development Centre (LDC).



Kiwalabye Arnold

Arnold is a Legal Assistant in the firm. His practice focuses on Corporate Law, Insolvency, Land Transactions and Conveyance, Criminal Law, Banking with particular expertise company matters.

He holds an LL.B (Hons) degree from Islamic University in Uganda (IUIU) and a Post Graduate Diploma in Legal Practice from the Law Development Centre (LDC).

Constitutional cases

DAVID MUHWEZI vs AG & Anor

Filed constitutional Petition challenging the decision of the Judge to issue injunction orders against the petitioner with out a hearing.

EUTAW vs UNRA & AG

Filed constitutional Petition challenging the Constitutionality of the unilateral cancellation of EUTAW's contract by UNRA.

ESO CORNER vs AG

Filed a constitutional Petition challenging the blacklisting of service providers by PPDA on grounds that they had been blacklisted by the world Bank or IMF.

JOSHUA TUMWINE vs AG

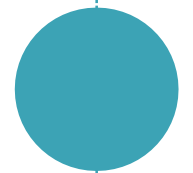
Filed constitutional Petition challenging the constitutionality of levy 10% tax on mobile money transactions when mobile money business is not founded in Law.

UGANDA FRIEGHT FORWARDERS ASSOCIATION & ANOR vs AG & ANOR

We were defence counsel in the above matter where the Petitioner sought to challenge the constitutionality of the acts of the respondent by which a monopoly contract was entered between Government and Greak lakes ltd for the management of Tororo inland port.

HUMPHREY NZEYI vs BANK OF UGANDA & ANOR

Filed constitutional Petition challenging the arbitrary closure of National Bank of Commerce by Bank of Uganda.



ESO



Challenging the PPDA Act

ALLAN MULINDWA

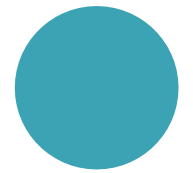


Challenging the Traffic and Road Act



DAVIS WESLEY TUSINGWIRE
v s AG

Challenged the constitutionality of the Anti
Corruption Court





FRED MUWEMA vs
AG

Challenging the Advocates Act



HUMPHREY NZEI

Challenging the F.I.A Act



BASABOSA

Challenging Anti- corruption Act



Commercial cases

Ezera Transporters vs KCB

Successfully defended the bank against a claim on a countermanded cheque.

HCCS No. 43/2020 Ham Enterprises & 2 Ors Vs. DTB (U) Ltd & Anor.

Plaintiffs (Ham) instituted this suit challenging, among others, the legality of the credit facilities advanced to them by the defendants. They also filed an Application seeking to have the Defendants joint Written Statement Defence struck out on account of the illegalities committed jointly which was subsequently granted. The Defendants have since filed an Appeal against the ruling and Judgment of the lower court which is pending determination in the Court of Appeal.

Mathew Kiwunda Vs AG-Mobile Money

Applicant petitioned Court by way of Judicial review seeking a declaration that the failure / omission of Government to pass a Law for the operation, licensing and regulation of mobile money services is unlawful and unreasonable. He wants court to order the minister to originate and present a bill to Parliament for regulation the mobile money service. He wants a further order prohibiting the respondents from continuing to levy, impose and / or collect any taxes on mobile money services until proper legislation has been put in place

Criminal cases

Uganda vs Sheikh Siraje

Kawooya cc no. HCT-00-ICD-SC-NO. 004 OF 2015

We represented 11 out of 14 accused persons in this case which was famously known as the “Nostem Cleric case” or “kamoga case”.

They were initially jointly charged with crime against humanity, a charge we objected to causing the amendment of the indictment to drop the same. Five of our clients were acquitted and set free and we have lodged an appeal on behalf of the ones who were convicted.

2015

Fred Muwema vs Facebook Ireland Limited

Record No. (2016) 4637 P

We successfully worked with Lavelle Solicitors in Dublin Ireland to obtain a “Norwich Pharmacal Order” against Facebook for the disclosure of the identity and details of TVO (Tom Voltaire Okwalinga) an anonymous user of Facebook.

The case application being the first of its kind contributed greatly to the cyber law Jurisprudence. Key legal points discussed in the case included:

- Defamation by an anonymous user on social media
- Innocent Publication as a Statutory Defence to ISP
- Discretion of statutory remedies
- Jurisdiction for claims against Facebook.

2016

Some Litigation/Legal Consultancies

Over the last 10 years, we have handled several trademark infringement litigation involving the following:

Wax matches

Hair dye

Rubber tires

Beverages

Ball point pens (Societe Bic)

Some Litigation/Legal Consultancies

We handled a landmark case between the Pharmaceutical Society of Uganda and the National Drug Authority which intended to check dispensation of counterfeit medicines through appointment and deployment of inspectors of drugs (2011).

Some Litigation/Legal Consultancies

We have done consultancy for the Uganda Communications Commission in streamlining the video and cinematography industry in Uganda. (2013)

We have also done a consultancy for the Pharmaceutical Society of Uganda on the by-laws and statutory fees to foster protection of pharmacy practice and IP.

THANK YOU!

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