

IN THE FEDERAL HIGH COURT OF NIGERIA  
IN THE LAGOS JUDICIAL DIVISION  
HOLDEN AT LAGOS  
BEFORE HIS LORDSHIP,  
HON JUSTICE A. LEWIS-ALLAGOA

SUIT NO: FHC/L/CS/887/2024

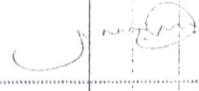
BETWEEN:

AUGUUSTINE OYAREKHUA ALEGEH, SAN - PLAINTIFF/APPLICANT

AND

1. CHIEF ADEBOYEGA SOLOMON  
AWOMOLO, SAN
2. THE BODY OF BENCHERS


DEFENDANTS

|  |                |
|--|----------------|
| CERTIFY TRUE COPY  |                |
| SIGN.  | DATE: 27/05/24 |
| OSAWA CYNTHIA<br>CHIEF EXECUTIVE OFFICER<br>FEDERAL HIGH COURT (KC VI), LAGOS              |                |

ORDER

UPON THIS MOTION EX-PARTE dated 21<sup>st</sup> day of May, 2024 and filed on the 22<sup>nd</sup> day of May, 2024 praying this Honourable Court for the following Orders:-

1. AN ORDER OF INTERIM INJUNCTION restraining the Defendants from removing the Plaintiff/Applicant and/or interfering with his duties as Chairman of the Body of benchers appointment Committee during his tenure from 28<sup>th</sup> March, 2024 to 27<sup>th</sup> March, 2027, pending the hearing and determination of the Motion on Notice for Interlocutory Injunction.
2. AN ORDER OF INTERIM INJUNCTION restraining the 1<sup>st</sup> Defendant from further acting as Chairman of the Body off Benchers,

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| SIGN.  | DATE: 27/5/24 |
| OSAWA CYNTHIA<br>CHIEF EXECUTIVE OFFICER<br>FEDERAL HIGH COURT (KC VI), LAGOS             |               |

pending the hearing and determination of the Motion on Notice for Interlocutory Injunction.

3. **AND FOR SUCH FURTHER ORDER OR OTHER ORDERS** as this Honourable Court may deem fit to make in the circumstances of this case.

**AND AFTER READING** the Affidavit in Support of the Motion sworn to by Augustine Oyarekhua Alegeh, Male, Adult, Christian, Legal Practitioner of No. 16, Emezie Drive, Off Delta Crescent, GRA Benin City, Edo State, filed in this Court Registry, Ikoyi, Lagos.

**AFTER HEARING** the submission of Augustine O. Alegeh SAN, with O. Ayela Uwanguie Esq. and E. Emordi Esq. counsel for the Plaintiff/Applicant move in terms of the Motion paper.

**THE COURT AFTER** careful consideration of the application and submission of counsel.

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. That an Order of Interim Injunction is granted restraining the Defendants from removing the Plaintiff/Applicant and/or interfering with his duties as Chairman of the Body of benchers appointment Committee during his tenure from 28<sup>th</sup> March, 2024 to 27<sup>th</sup> March, 2027, pending the hearing and determination of the Motion on Notice for Interlocutory Injunction.
2. That the second prayer will be considered on Notice at the Interlocutory stage.

CERTIFY TRUE COPY

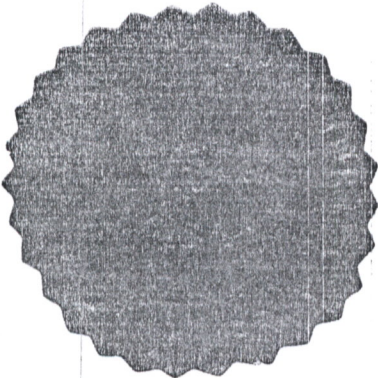
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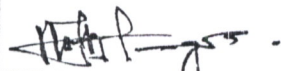
  
OSAWWE CYNTHIA

CHIEF EXECUTIVE OFFICER  
FEDERAL HIGH COURT IKOYI, LAGOS

DATE

27/5/24







HON. JUSTICE A. LEWIS-ALLAGOA  
PRESIDING JUDGE

3. That the matter is further adjourned to 8<sup>th</sup> day of July, 2024 for Motion on Notice.

ISSUED AT LAGOS UNDER THE SEAL OF THE COURT AND THE HAND OF THE PRESIDING JUDGE THIS 27<sup>TH</sup> DAY OF MAY, 2024.

CERTIFY TRUE COPY  
SIGN:  DATE: 27/5/24  
OSAWA CYNTHIA  
CHIEF EXECUTIVE OFFICER  
FEDERAL HIGH COURT IKOGYI, LAGOS

CERTIFY TRUE COPY  
SIGN:  DATE: 27/5/24  
OSAWA CYNTHIA  
CHIEF EXECUTIVE OFFICER  
FEDERAL HIGH COURT IKOGYI, LAGOS

  
BARUWA OLUBODUN YUSUF  
REGISTRAR.

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**IN THE FEDERAL HIGH COURT OF NIGERIA**  
**IN THE LAGOS JUDICIAL DIVISION**  
**HOLDEN AT LAGOS**

FHC/LCS/887/24  
SUIT NO.

**BETWEEN:**

**AUGUSTINE OYAREKHUA ALEGEH, SAN**

**] PLAINTIFF**

**AND**

**1. CHIEF ADEBOYEGA SOLOMON AWOMOLO, SAN**

**] DEFENDANTS**

**2. THE BODY OF BENCHERS**

**]**

**ORIGINATING SUMMONS**

Let the Defendants herein within **Thirty [30] days** after service of this Originating Summons on them, inclusive of the day of such service, cause an appearance to be entered for them to this summons which is issued upon the application of the Plaintiff whose address within jurisdiction is **c/o A.O. ALEGEH & CO**, 35 Cameron Road, Ikoyi, Lagos, Lagos State and who claims to be entitled to the determination of questions hereinafter set out and the reliefs thereafter appearing.

**Questions for Determination**

1. Whether having regard to the clear, lucid and unambiguous provisions of **Regulation 11 (7)** of the Body of Benchers Regulations, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended], the 1<sup>st</sup> Defendant can unilaterally and maliciously remove the Plaintiff as Chairman of the Appointments Committee of the 2<sup>nd</sup> Defendant before the expiration of the term of three [3] years that the Plaintiff was appointed to serve.
2. Whether the Plaintiff's appointment as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant by the Letter of Appointment dated 28<sup>th</sup> March, 2024 issued by the 2<sup>nd</sup> Defendant and the Plaintiff's Acceptance of the aforesaid Appointment can be unilaterally and maliciously determined by the 1<sup>st</sup> Defendant.
3. Whether having regard to the clear, lucid and unambiguous provisions of **Regulation 11 (6)** of the Body of Benchers Regulations, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended], the 1<sup>st</sup> Defendant can unilaterally and in breach of the said Benchers Regulations alter,

shorten and/or reduce the tenure of office of Committee members of the 2<sup>nd</sup> Defendant from three [3] years to two [2] years.

4. Whether having regards to the Body of Benchers Regulations, 2024, the 1<sup>st</sup> Defendant can unilaterally and in breach of the Regulations, alter and rename the Standing Committees of the 2<sup>nd</sup> Defendant listed and set out in **Regulation II (3)** of the Body of Benchers Regulations 2024.
5. Whether having regards to the clear provisions of the Benchers Regulations 2024, the 1<sup>st</sup> Defendant can unilaterally constitute “the Executive Committee of the Body of Benchers” or any other Standing Committee for the 2<sup>nd</sup> Defendant.
6. Whether the 1<sup>st</sup> Defendant is not estopped from acting and discharging the functions of the Office of Chairman of the 2<sup>nd</sup> Defendant based on the following indubitable acts motivated by malice and/or constituting professional misconduct:
  - a) The 1<sup>st</sup> Defendant has consistently breached the extant provisions of the Regulations of the Body of Benchers, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended];
  - b) The 1<sup>st</sup> Defendant acting unlawfully and unilaterally purported to reconstitute the Membership of the Standing Committees of the Body of Benchers, the 2<sup>nd</sup> Defendant herein, in utter violation and total disregard of the extant provisions of the Regulations of the 2<sup>nd</sup> Defendant;
  - c) The 1<sup>st</sup> Defendant acting unlawfully and unilaterally purported to reduce the tenure of office of Members of Standing Committees of the 2<sup>nd</sup> Defendant from three (3) years to two (2) years, contrary to the provisions of the 2<sup>nd</sup> Defendant’s Regulations;
  - d) The 1<sup>st</sup> Defendant had stated severally that he is not bound by the Regulations of the 2<sup>nd</sup> Defendant and will neither respect and/or implement the aforesaid Regulations as the Chairman of the Body of Benchers;
  - e) The 1<sup>st</sup> Defendant has been accused of forgery, criminal misrepresentation, impersonation and fraud by the Body of Senior Advocates of Nigeria [BOSAN], which said allegations have ridiculed, brought dishonor, disrepute and odium to the revered Office of

Chairman of the Body of Benchers and may likely lead to disciplinary measures against the 1<sup>st</sup> Defendant.

**WHEREOF THE PLAINTIFF SEEKS THE FOLLOWING RELIEFS:**

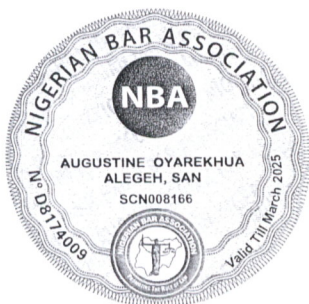
Where this Honourable Court answers Questions 1, 2, 3, 4 and 5 above in the negative, and Question 6 in the affirmative, the Plaintiff prays this Honourable Court for the following reliefs:

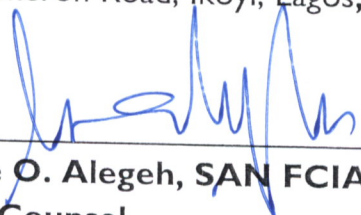
1. **A DECLARATION** that the Plaintiff's appointment as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant is valid and subsisting, for a period of three [3] years from the date of his Letter of Appointment dated 28<sup>th</sup> March, 2024 issued by the 2<sup>nd</sup> Defendant and the Plaintiff's Acceptance of the aforesaid Appointment and cannot be determined by the 1<sup>st</sup> Defendant.
2. **A DECLARATION** that the 1<sup>st</sup> Defendant's purported unilateral and unlawful removal of the Plaintiff as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant contrary to the clear, lucid and unambiguous provisions of **Regulation 11 (7)** of the Body of Benchers Regulations, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended], is unlawful, illegal, null void and of no effect whatsoever.
3. **A DECLARATION** that the 1<sup>st</sup> Defendant cannot unilaterally, unlawfully and in flagrant breach of the Benchers Regulations reduce the tenure of Committee members of the 2<sup>nd</sup> Defendant from three [3] years to two [2] years.
4. **A DECLARATION** that the 1<sup>st</sup> Defendant cannot unilaterally, unlawfully and in flagrant breach of the Benchers Regulations rename and reconfigure and or disband any of the Standing Committees of the 2<sup>nd</sup> Defendant set out and contained in the Body of Benchers Regulations.
5. **A DECLARATION** that the 1<sup>st</sup> Defendant cannot unilaterally, unlawfully and in flagrant breach of the Benchers Regulations create a Standing Committee christened as "The Executive Committee" for the 2<sup>nd</sup> Defendant.
6. **A DECLARATION** that the 1<sup>st</sup> Defendant is not a fit and proper person to function and act as the Chairman of the 2<sup>nd</sup> Defendant following the 1<sup>st</sup> Defendant's continuous breach of the Regulations of the 2<sup>nd</sup> Defendant; his public statement that he is not bound by the Benchers Regulations and in the face of the allegations of forgery, criminal misrepresentation, impersonation and fraud made by the Body of Senior Advocates of Nigeria [BOSAN] against the 1<sup>st</sup> Defendant.

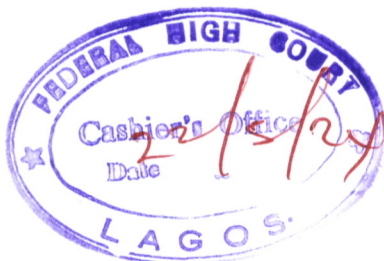
7. **AN ORDER OF PERPETUAL INJUNCTION** restraining the 1<sup>st</sup> Defendant and or any person acting at his behest and/or instructions from interfering with or attempting to interfere with and/or disrupt, hamper or hinder the Plaintiff in any way or manner from exercising his functions and duties as the Chairman of the Appointments Committee of the 2<sup>nd</sup> Defendant.
8. **AN ORDER OF PERPETUAL INJUNCTION** restraining the 1<sup>st</sup> Defendant from occupying the office of Chairman of the 2<sup>nd</sup> Defendant in the face of the 1<sup>st</sup> Defendant's continuous breach of the Regulations of the 2<sup>nd</sup> Defendant; his public statement that he is not bound by the Benchers Regulations and in the face of criminal allegations of forgery, impersonation and fraud made by the Body of Senior Advocates of Nigeria [BOSAN] against the 1<sup>st</sup> Defendant.
9. **AN ORDER OF THIS HONOURABLE COURT** setting aside the unilateral and unlawful pronouncements of the 1<sup>st</sup> Defendant, to wit: [a] purported reconstitution by the 1<sup>st</sup> Defendant of the Standing Committees of the 2<sup>nd</sup> Defendant [b] reduction of tenure of Committee Members of the 2<sup>nd</sup> Defendant from three [3] years to two [2] years; and [c] the creation of '**The Executive Committee**' for the 2<sup>nd</sup> Defendant.

Dated the 21<sup>st</sup> day of May, 2024

This Summons was taken out by **Augustine Alegeh, SAN CON**, whose address for service is **c/o A.O. ALEGEH & CO**, 35 Cameron Road, Ikoyi, Lagos, Lagos State.



  
Augustine O. Alegeh, SAN FCI Arb [UK] CON  
Plaintiffs' Counsel  
A.O. Alegeh & Co  
Legal Practitioners & Notaries Public  
35 Cameron Road  
Ikoyi  
LAGOS



**FOR SERVICE ON:**

1. **Chief Adegboyega Solomon Awomolo SAN**

Citec Villas, Victoria Court

Plot 182 44 Crescent

Gwarinpa Estate

Abuja.

#2009d

2. **The Body of Benchers**

Plot 688, Institute & Research

District FCC, Phase III

Abuja.

2010-5238-0890

27 22/8/24



**IN THE FEDERAL HIGH COURT OF NIGERIA**  
**IN THE LAGOS JUDICIAL DIVISION**  
**HOLDEN AT LAGOS**



FHC/LCS/887/20  
SUIT NO.

**BETWEEN:**

**AUGUSTINE OYAREKHUA ALEGEH, SAN**

**] PLAINTIFF**

**AND**

**1. CHIEF ADEBOYEGA SOLOMON AWOMOLO, SAN**

**] DEFENDANTS**

**2. THE BODY OF BENCHERS**

**]**

**AFFIDAVIT IN SUPPORT OF ORIGINATING SUMMONS**

I, **AUGUSTINE OYAREKHUA ALEGEH**, Male, Adult, Christian, Legal Practitioner of No. 16, Emezie Drive, Off Delta Crescent, GRA Benin-City, Edo State, do hereby make Oath and depose as follows that:

**A. INTRODUCTION**

1. I am the Plaintiff herein by virtue of which position I am conversant with the facts and circumstances of this case.
2. The facts deposed herein are within my personal knowledge except as otherwise stated.

**Parties**

3. I am a Senior Advocate of Nigeria; former President of the Nigerian Bar Association; a Trustee of the Nigerian Bar Association; a Life Bencher of the Body of Benchers; and currently the Chairman, Appointment Committee of the Body of Benchers.
4. The 1<sup>st</sup> Defendant is a Senior Advocate of Nigeria and currently the Chairman of the Body of Benchers, the 2<sup>nd</sup> Defendant herein.
5. The 2<sup>nd</sup> Defendant is a body of Legal Practitioners of the highest distinction in the legal profession of Nigeria, created by the Legal Practitioners Act, 2014 [As Amended].

## **B. BRIEF STATEMENT OF FACTS**

6. On 21<sup>st</sup> March, 2024, the 2<sup>nd</sup> Defendant under the leadership of Honourable Justice Mary Ukaego Odili [JSC Rtd.] amended and adopted the Body of Benchers Regulations, 2024.
7. On 28<sup>th</sup> March, 2024, I was appointed by the 2<sup>nd</sup> Defendant, during the administration of Hon. Justice Mary Ukaego Odili [JSC Rtd.] as the Chairman of the 2<sup>nd</sup> Defendant, as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant as its Chairman. A copy of the 2<sup>nd</sup> Defendant's Letter dated 28<sup>th</sup> March, 2024 is pleaded and herewith exhibited as **EXHIBIT P1**.
8. The 2<sup>nd</sup> Defendant's letter of 28<sup>th</sup> March, 2024 stated clearly that my appointment and tenure as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant was with immediate effect and for a fixed term of three (3) years.
9. I wrote officially to the 2<sup>nd</sup> Defendant accepting my new appointment as Chairman of the 2<sup>nd</sup> Defendant's Appointment Committee. A copy of my Letter of Acceptance dated 28<sup>th</sup> March, 2024 is pleaded and herewith exhibited as **EXHIBIT P2**.
10. Following my appointment, I travelled to Abuja and visited the Secretariat of the 2<sup>nd</sup> Defendant to familiarize and acquaint myself with the demands and functions of the Office of Chairman, Appointment Committee of the 2<sup>nd</sup> Defendant.

## **C. 1<sup>st</sup> DEFENDANT'S BREACH OF 2<sup>nd</sup> DEFENDANT'S REGULATIONS**

11. The 1<sup>st</sup> Defendant assumed leadership of the 2<sup>nd</sup> Defendant as its Chairman on 1<sup>st</sup> April, 2024.
12. Prior to the 1<sup>st</sup> Defendant's appointment as Chairman in April, 2024, the 1<sup>st</sup> Defendant had served as Vice-Chairman to Honourable Justice Mary Odili [JSC Rtd.].
13. On 29<sup>th</sup> April, 2024, an email was forwarded to all Benchers by the 2<sup>nd</sup> Defendant's Secretary on the instructions of the 1<sup>st</sup> Defendant notifying all Benchers of the 1<sup>st</sup> Defendant's unilateral and unlawful reconstitution of the membership of the 2<sup>nd</sup> Defendant's Standing Committees and the shortening and/or reduction of the tenure of office of the Committee Members from three (3) years to two (2) years in flagrant breach and violation of the Benchers Regulation. A copy of the aforesaid email dated 29<sup>th</sup> April, 2024 issued on the instructions of the 1<sup>st</sup> Defendant is pleaded and herewith exhibited as **EXHIBIT P3**.

14. In the aforesaid email under reference, the 1<sup>st</sup> Defendant unilaterally and maliciously purported to remove me as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant before the expiration of the term of three [3] years that I was appointed to serve.
15. I wrote to the Secretary of the 2<sup>nd</sup> Defendant via email, drawing his attention to the obvious illegality of the 1<sup>st</sup> Defendant's actions and the apparent breach of the Benchers Regulations. A copy of my Letter dated 2<sup>nd</sup> May, 2024 is pleaded and herewith attached as **EXHIBIT P4**.
16. When I did not receive any response from the 2<sup>nd</sup> Defendant's Secretary regarding my email, I forwarded the aforesaid email directly to the 1<sup>st</sup> Defendant for his attention and immediate action.
17. When I still did not receive any response from the 1<sup>st</sup> Defendant to my email, on 10<sup>th</sup> day of May, 2024, I sent a copy of my letter in reply to all the Benchers copied in the 2<sup>nd</sup> Defendant's email of 29<sup>th</sup> April, 2024.
18. Following my email of 10<sup>th</sup> May, 2024, the 1<sup>st</sup> Defendant sent a private response to me via email stating that he just read my email and was unaware of my appointment as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant, but rather sought my understanding and acceptance of his unilateral, unlawful and illegal decision on the matter. A copy of the 1<sup>st</sup> Defendant's email to me dated 10<sup>th</sup> May, 2024 is pleaded and herewith attached as **EXHIBIT P5**.
19. The 1<sup>st</sup> Defendant, in his aforesaid email response to me, also stated that he had unilaterally and unlawfully created an '**Executive Committee for the Body of Benchers**' which he claimed had approved all the projects and programs of his administration.
20. That I replied the 1<sup>st</sup> Defendant's email drawing his attention to his apparent breach of the Benchers Regulations, with particular emphasis on the creation of an '**Executive Committee**' for the Body outside the contemplation of the Benchers Regulation. A copy of my email to the 1<sup>st</sup> Defendant dated 13<sup>th</sup> May, 2024 is pleaded and herewith exhibited as **EXHIBIT P6**.
21. On Wednesday 15<sup>th</sup> May, 2024, the 1<sup>st</sup> Defendant sent me a text message inviting me for a meeting to discuss the matter. I responded via WhatsApp and we agreed to meet at his office at 10am on Thursday, 16<sup>th</sup> May, 2024. I visited the 1<sup>st</sup> Defendant's Office for the meeting, in the company of my Learned Brother Silk and Life Bencher, Joe Agi SAN and left at about 11am after the 1<sup>st</sup> Defendant failed to turn up for the meeting he fixed in his own office. The 1<sup>st</sup> Defendant was well aware

that I moved my flight from 8.40 am to 1pm to enable me meet with him to resolve the matter.

22. Surprisingly, shortly after I left the 1<sup>st</sup> Defendant's Office, I received a call from the 1<sup>st</sup> Defendant who said that he was now in his Office and that he would discuss the matter with me over the phone.
23. That Immediately the 1<sup>st</sup> Defendant called me I activated my speakerphone so that Joe Agi, SAN who was with me in the same vehicle would be fully aware of all our discussions.
24. The 1<sup>st</sup> Defendant informed me over the phone to the hearing of Joe Agi, SAN as follows:
  - a) That Honourable Justice Mary Odili [JSC Rtd.] did not inform him that I had been appointed the Chairman of the 2<sup>nd</sup> Defendant's Appointment Committee and consequently my appointment was not binding on him.
  - b) That as Vice Chairman to Honourable Justice Mary Odili [JSC Rtd.], he was informed of all appointments made by the latter. Hence, my appointment made during the tenure of Honourable Justice Mary Odili [JSC Rtd.] without his knowledge, was null and void as he was the center of power at the material time.
  - c) That he had personally interviewed all the people who he appointed as Chairmen of the various Committees and selected them on the basis of their commitment to help him achieve his projects and programs during his one [1] year tenure and had assigned them to the Committees they had indicated an interest in.
  - d) That he is not bound by the Benchers Regulations and that it is his decisions as Chairman that is important, not the Benchers Regulations.
  - e) That in his thirty [32] years as a member of the 2<sup>nd</sup> Defendant, no member of the 2<sup>nd</sup> Defendant had challenged any decision or action of a Chairman of the 2<sup>nd</sup> Defendant and I should do whatever I wanted but his decision cannot be challenged.
25. That my suggestion to the 1<sup>st</sup> Defendant that he is bound by the Benchers Regulations and the rule of law infuriated the 1<sup>st</sup> Defendant and he got very angry on the phone.

**D. GENESIS OF 1<sup>st</sup> DEFENDANT'S MALICE TOWARDS THE PLAINTIFF**

26. That I met the 1<sup>st</sup> Defendant in the course of conducting campaigns for election as President of the Nigerian Bar Association.

27. That I told the 1<sup>st</sup> Defendant that I was a son of a Policeman who served the Force meritoriously for 35 years and retired in 1985.
28. That the 1<sup>st</sup> Defendant told me that he was a former Policeman but did not tell me how long he served in the Police Force and/or the circumstances that led to his exit from the Police Force.
29. That when I became the President of the NBA in 2014, the 1<sup>st</sup> Defendant approached me and requested me to recognize him as a Past President of the NBA on the basis of his claim that during the period of interregnum of the Bar in 1991, he was the **Chairman of the Committee of Chairmen** that presided over the affairs of the Bar during the period of Interregnum.
30. I informed the 1<sup>st</sup> Defendant that I would consult with Past Presidents and Bar Leaders over the issue and that if his claim was correct, I would present the issue before the NBA National Executive Committee [NEC] for its decision on the matter.
31. Upon consultation with Past Presidents and Bar Leaders, I discovered that the 1<sup>st</sup> Defendant was not a Chairman of any branch of the NBA at the time. That the Bar could not have had a Past President during the period of Interregnum occasioned by a dispute over elections.
32. I informed the 1<sup>st</sup> Defendant of the result of my findings and he was clearly displeased with the outcome as he told me it his life ambition to be recognized as a Past President of the NBA.
33. In the heat of campaigns for the NBA Presidency in 2020, I was yet again approached by the 1<sup>st</sup> Defendant who informed me that he would deliver a political masterstroke which will guarantee Olumide Akpata's victory at the Polls.
34. That I dismissed his statement at the material time as I considered him to be an elder of the "**Egbe Amofin**" group of the NBA which had already endorsed Dele Adesina, SAN as their preferred candidate in the elections.
35. That I told the 1<sup>st</sup> Defendant of Dele Adesina SAN's endorsement by Egbe Amofin but he dismissed it as he stated that he was not in support of Dele Adesina, SAN's candidacy as Dele Adesina, SAN was Chief Wole Olanipekun SAN's stooge and would be unable to perform creditably in Office.
36. That a few weeks to the conduct of the NBA elections, the 1<sup>st</sup> Defendant authored a letter in which he claimed that the Presidency of the NBA be ceded and reserved exclusively for Senior Advocates of Nigeria. A copy of the 1<sup>st</sup> Defendant's aforesaid letter is pleaded and herewith exhibited as **EXHIBIT P7**.

37. That following Olumide Akpata's emergence as the President of the NBA, the 1<sup>st</sup> Defendant once again approached me to convince Olumide Akpata to recognize him as a Past President of the NBA. He stated that his letter according to him, was the master stroke that gave Olumide Akpata victory at the Polls and that I should put pressure on Olumide Akpata to grant his request. He stated that he believed Olu Akpata would accede to my request as he was very close to me.
38. That I immediately told the 1<sup>st</sup> Defendant that I could not raise such a request with Mr. Olu Akpata for the same reasons I declined to accede to his request during my tenure of office as NBA President between 2014 and 2016. The 1<sup>st</sup> Defendant was visibly displeased and unhappy with my position and stated that I had betrayed him a second time.
39. I firmly believe that the above-mentioned facts collectively constitute the basis for the malice and bad faith being exhibited by the 1<sup>st</sup> Defendant against me and which has led to 1<sup>st</sup> Defendant's unlawful and illegal move to remove me as Chairman of the 2<sup>nd</sup> Defendant's Appointment Committee.

**E. 1<sup>st</sup> DEFENDANT'S BRAZEN ACTS OF ILLEGALITY**

40. That I am aware that some of the persons including the wife of the 1<sup>st</sup> Defendant, Mrs. Victoria Awomolo, who were nominated to be made Benchers were rejected by the Appointments Committee of the 2<sup>nd</sup> Defendant under the Chairmanship of Honourable Justice Umaru Abdullahi [PCA Rtd.] on the ground that there was no space to accommodate them in the Body.
41. That the 1<sup>st</sup> Defendant as Vice Chairman of 2<sup>nd</sup> Defendant personally told the Committee members that Mallam Yusuf Alli was coming up with proposals to increase the number of Benchers so they should grant "anticipatory" approval for the appointment of his wife as a member of the Body of Benchers. The Committee members rejected his pleas and insisted in applying due process and respect the quota limit of the 2<sup>nd</sup> Defendant.
42. The 1<sup>st</sup> Defendant has now removed the members of the Appointment Committee of the 2<sup>nd</sup> Defendant who refused to bend the rules to appoint his wife as a Bencher and purported to appoint the same Mallam Yusuf Alli, whom he said would increase the membership number of the members of the 2<sup>nd</sup> Defendant, as Chairman of the 2<sup>nd</sup> Defendant's Appointment Committee.
43. That on 10<sup>th</sup> May, 2024, the 1<sup>st</sup> Defendant at the meeting of his "Executive Committee" attempted but failed to force through the appointment of his wife as

a member of the 2<sup>nd</sup> Defendant, without reference to the authentic Appointments Committee of the 2<sup>nd</sup> Defendant under my chairmanship.

44. That the 1<sup>st</sup> Defendant has fixed a meeting on Wednesday, 22<sup>nd</sup> May, 2024 for his illegal Appointment Committee to deliberate and approve the nomination of the 1<sup>st</sup> Defendant's wife as a member of the Body of Benchers.
45. That my purported removal as Chairman of the Appointment Committee by the 1<sup>st</sup> Defendant is actuated by malice and to ensure that due process is subverted to guarantee the admission of the 1<sup>st</sup> Defendant's wife as a member of the Body of Benchers.
46. That the Body of Senior Advocates of Nigeria BOSAN, on 6<sup>th</sup> May, 2024, issued a Public Notice on the 1<sup>st</sup> Defendant's unprofessional conduct which said Public Notice has tarnished the image and revered office of the Chairman of the Body of Benchers. A copy of the Public Notice issued by BOSAN dated 6<sup>th</sup> May, 2024, is pleaded and herewith exhibited as **EXHIBIT P9**.
47. That the Legal Practitioners Disciplinary Committee that is saddled with the responsibility of disciplining lawyers and vested with the powers to consider allegations of professional misconduct, is a Standing Committee of the Body of Benchers.
48. That the 1<sup>st</sup> Defendant has rejected all appeals and words of advice from leaders and elders of the 2<sup>nd</sup> Defendant to respect the Body of Benchers Regulations and to convene a meeting to discuss his unilateral action, knowing that his actions would be checked if he convened a full meeting of members of 2<sup>nd</sup> Defendant.
49. That It will be in the interest of justice for this Honourable Court to grant all the prayers and/or reliefs sought by the Plaintiff in this Originating Summons.
50. I make this deposition in good faith and in accordance with the Oaths Act.

  
DEPONENT

Sworn to at the Federal High Court Registry, Lagos  
this 22<sup>nd</sup> day of May, 2024

BEFORE ME



  
COMMISSIONER FOR OATHS

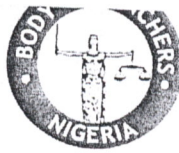


EXHIBIT P1

# BODY OF BENCHERS NIGERIA

28<sup>th</sup> March 2024

Mr. Augustine Alegeh, CON, SAN  
Life Bencher  
22 Zingunchor Close,  
Off Constatine Street,  
Wuse Zone 4,  
Abuja.

Dear Sir,

APPOINTMENT TO SERVE AS CHAIRMAN OF THE BODY OF BENCHERS  
APPOINTMENT COMMITTEE

The above subject refers, please.

I am directed to notify you of your appointment to serve as the Chairman of the Body of Benchers Appointment Committee.

The appointment which is with immediate effect, shall be for a period of three (3) years.

Kindly accept the assurance of the Chairman's highest regards.

Daniel M. Tela, Esq  
Secretary, Body of Benchers



# AUGUSTINE ALEGEH SAN, FCI Arb. [UK] CON

Lagos: 35, Cameron Road, Ikoyi | Abuja: 22 Ziguinchor Street, Wuse Zone 4 | Benin-City: 11, Emezie Street, Delta Crescent.

DL: 0906 000 6820

Email: alegeh@alegelaw.com

28<sup>th</sup> March, 2024

EXHIBIT P2

**The Secretary**

Body of Benchers

Plot 688 Institution and Research District

FCC Phase III

Abuja

FCT.

Dear Sir,

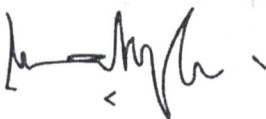
## ACCEPTANCE OF APPOINTMENT TO SERVE AS CHAIRMAN OF THE BODY OF BENCHERS APPOINTMENT COMMITTEE

Your letter dated 28<sup>th</sup> March, 2024 notifying me of my appointment as Chairman, Body of Benchers Appointment Committee, refers.

I hereby confirm my wholehearted acceptance of my appointment as Chairman, Body of Benchers Appointment Committee and firmly undertake to discharge the functions of the office with great responsibility and commitment to the ideals of the Body of Bencher.

I am deeply honoured by this appointment and do not take lightly the confidence reposed on me.

Yours faithfully,



**AUGUSTINE ALEGEH SAN, FCI Arb [UK] CON**  
Life Bencher

# EXHIBIT P3

**From:** Body of Benchers <[bodyofbenchersnigeria@gmail.com](mailto:bodyofbenchersnigeria@gmail.com)>  
**Subject:** RECONSTITUTION OF THE COMMITTEES OF THE BODY OF BENCHERS  
**Date:** 29 April 2024 at 2:46:22 PM WAT  
**To:** [ukaikpeghe@gmail.com](mailto:ukaikpeghe@gmail.com), Francis Chuka Agbu <[fcagbu@lexavierpartners.com](mailto:fcagbu@lexavierpartners.com)>, ADEGBOYEGA Awomolo <[adeawomolo1909@gmail.com](mailto:adeawomolo1909@gmail.com)>, [abdulkana@yahoo.com](mailto:abdulkana@yahoo.com), Joe Agi <[joeagi60@gmail.com](mailto:joeagi60@gmail.com)>, Arthur Nylander <[arthur@arthurnylander.com](mailto:arthur@arthurnylander.com)>, Nella Andem-Rabana <[nandemrabana@gmail.com](mailto:nandemrabana@gmail.com)>, JINGI JINGI <[akjingi@yahoo.com](mailto:akjingi@yahoo.com)>, Amina Augie <[justiceaugie@gmail.com](mailto:justiceaugie@gmail.com)>, Theresa Orji-Abadua <[tnorjiabadua@yahoo.com](mailto:tnorjiabadua@yahoo.com)>, [abduaboki@yahoo.com](mailto:abduaboki@yahoo.com), "Justice M. D. Abubakar" <[justicedanladi@yahoo.com](mailto:justicedanladi@yahoo.com)>, Munta Abimbola <[labima58@yahoo.com](mailto:labima58@yahoo.com)>, Fati Lami Abubakar <[fatilabubakar@yahoo.com](mailto:fatilabubakar@yahoo.com)>, [abdullahiyola2015@gmail.com](mailto:abdullahiyola2015@gmail.com), [abiodunaikomo@gmail.com](mailto:abiodunaikomo@gmail.com), "Z. Adangor" <[adazaky@yahoo.com](mailto:adazaky@yahoo.com)>, [adzira.mshelia@yahoo.com](mailto:adzira.mshelia@yahoo.com), [adeoguntade@yahoo.com](mailto:adeoguntade@yahoo.com), [obaf.adewale@gmail.com](mailto:obaf.adewale@gmail.com), Adetokunbo Kayode <[kaylaw1@yahoo.com](mailto:kaylaw1@yahoo.com)>, Adebayo Adelodun <[adelodunadebayo2000@gmail.com](mailto:adelodunadebayo2000@gmail.com)>, [adeyewole@yahoo.com](mailto:adeyewole@yahoo.com), Adeniji Kazeem SAN <[nkazeem@adenijikazeem.com](mailto:nkazeem@adenijikazeem.com)>, Olisa Agbakoba <[olisa@oal.law](mailto:olisa@oal.law)>, Chief Kanu Agabi <[kanugodwinagabi@yahoo.com](mailto:kanugodwinagabi@yahoo.com)>, Hon Justice Joel Philibus Agya <[joelagya@gmail.com](mailto:joelagya@gmail.com)>, Ahmed Mustapha <[barr.ahmedm@yahoo.com](mailto:barr.ahmedm@yahoo.com)>, Ahmad El-Marzuq <[lallomarzuq@gmail.com](mailto:lallomarzuq@gmail.com)>, Abdullahi Ahmed Yola <[takawayola@gmail.com](mailto:takawayola@gmail.com)>, [aidikko@yahoo.com](mailto:aidikko@yahoo.com), Michael Ajegbo <[majegbo@aol.com](mailto:majegbo@aol.com)>, [ajuyah@thompsonokpoko.com.ng](mailto:ajuyah@thompsonokpoko.com.ng), Sunday Akintan <[akinolaakintan@yahoo.com](mailto:akinolaakintan@yahoo.com)>, [akonikpeme@yahoo.com](mailto:akonikpeme@yahoo.com), [kb.akaahs@yahoo.com](mailto:kb.akaahs@yahoo.com), Lateef Akangbe <[loakangbe@sooblaw.com](mailto:loakangbe@sooblaw.com)>, Albert Akpomudje <[san@albertakpomudje.com](mailto:san@albertakpomudje.com)>, "CHIEF AKIN OLUJINMI, SAN" <[akinolujinmi@yahoo.com](mailto:akinolujinmi@yahoo.com)>, [akajibadesan@gmail.com](mailto:akajibadesan@gmail.com), [alloynwankwo@yahoo.com](mailto:alloynwankwo@yahoo.com)>, Justice Kulu Aliyu <[kulualiyu@yahoo.com](mailto:kulualiyu@yahoo.com)>, Alhamdu Bansi <[alhamdubansi@gmail.com](mailto:alhamdubansi@gmail.com)>, "Chief Yomi Alliyu SAN, FCI Arb, mpic" <[yomialliyu@yahoo.com](mailto:yomialliyu@yahoo.com)>, Augustine Alegeh <[alegeh@alegehlaw.com](mailto:alegeh@alegehlaw.com)>, Amiru Sanusi <[sanusiamiru@gmail.com](mailto:sanusiamiru@gmail.com)>, Aminu Waziri <[mutawallesk@gmail.com](mailto:mutawallesk@gmail.com)>, [aminay82@yahoo.com](mailto:aminay82@yahoo.com), [anthonysena2003@yahoo.com](mailto:anthonysena2003@yahoo.com), [okeywali\\_andco@yahoo.com](mailto:okeywali_andco@yahoo.com), [anachebelaw1@yahoo.com](mailto:anachebelaw1@yahoo.com), Benbella Anachebe <[thelegaladvocate@yahoo.com](mailto:thelegaladvocate@yahoo.com)>, [aobiokafor@gmail.com](mailto:aobiokafor@gmail.com), [apatadayo@yahoo.com](mailto:apatadayo@yahoo.com), [arthurlaw1@yahoo.com](mailto:arthurlaw1@yahoo.com), [attorneygeneral@crossriverstate.gov.ng](mailto:attorneygeneral@crossriverstate.gov.ng), Ibrahim Auta <[brahimauta@yahoo.com](mailto:brahimauta@yahoo.com)>, [ayaymalami@yahoo.co.uk](mailto:ayaymalami@yahoo.co.uk)>, Ayodeji Daramola <[daramolayodeji@gmail.com](mailto:daramolayodeji@gmail.com)>, [ayoomoadebara@gmail.com](mailto:ayoomoadebara@gmail.com), Zainab Bulkachuwa <[azainabab@gmail.com](mailto:azainabab@gmail.com)>, [azinge\\_azinge@yahoo.co.uk](mailto:azinge_azinge@yahoo.co.uk), [boro2012@gmail.com](mailto:boro2012@gmail.com), Muiz Banire <[muizbanire@yahoo.com](mailto:muizbanire@yahoo.com)>, Hairat Balogun <[hairatbalogun@aol.com](mailto:hairatbalogun@aol.com)>, Monica Mensem <[bolnaan@yahoo.com](mailto:bolnaan@yahoo.com)>, Badru Olaogun <[badrulaw@gmail.com](mailto:badrulaw@gmail.com)>, Bashir Dalhatu <[bmdalhatu479@gmail.com](mailto:bmdalhatu479@gmail.com)>, [bolaojo4@yahoo.com](mailto:bolaojo4@yahoo.com), Ishaya Banu <[ishayabanu@gmail.com](mailto:ishayabanu@gmail.com)>, Jimi Bada <[justicebada@gmail.com](mailto:justicebada@gmail.com)>, [wole\\_bada@aol.com](mailto:wole_bada@aol.com), [benodoh@yahoo.ca](mailto:benodoh@yahoo.ca), Becky Samuel <[beckysamuelmrs@yahoo.com](mailto:beckysamuelmrs@yahoo.com)>, [f.b.mnyimco@gmail.com](mailto:f.b.mnyimco@gmail.com), Rosaline Bozimo <[rosebozimo@gmail.com](mailto:rosebozimo@gmail.com)>, [carechambers@yahoo.co.uk](mailto:carechambers@yahoo.co.uk), Isa Chiroma <[chiroma\\_isa@yahoo.com](mailto:chiroma_isa@yahoo.com)>, Wole Olanipekun <[wole\\_olanipekun@yahoo.co.uk](mailto:wole_olanipekun@yahoo.co.uk)>, Clara Ogunbiyi <[claraogunbiyi@gmail.com](mailto:claraogunbiyi@gmail.com)>, [cocakaolisa62@gmail.com](mailto:cocakaolisa62@gmail.com), "Marshalumukoro@ymail Com" <[marshalumukoro@ymail.com](mailto:marshalumukoro@ymail.com)>, [cabayoojo@aol.com](mailto:cabayoojo@aol.com), Justice Daniel Iyobosa Okungbowa CJ Edo State <[justicediokungbowa@yahoo.co.uk](mailto:justicediokungbowa@yahoo.co.uk)>

"Chief T. J. O. Okpoko SAN" <okpoko@thompsonokpoko.com.ng>, charles.edosomwan@ekikhalochambers.com, "CHIEF REGISTRAR'S OFFICE" <credohct@gmail.com>, High Court Delta state <highcourtdeltastate@yahoo.com>, "ummahikima <ummahikima@gmail.com>" <ummahikima@gmail.com>, Abuja <abuja@woleolanipekun.com>, diaikpeze@yahoo.com, Lady Debbie <ladydebbie2k@yahoo.com>, deleadesinasan@yahoo.com, daudujb@hotmail.com, Dixon Orike <dcorike@gmail.com>, dentonwest2010@gmail.com, Hon Justice Suleiman Dikko <dikkochambers@gmail.com>, David Mann <gwongpere@yahoo.com>, Tajudeen Oladoja <deenladoja@gmail.com>, Deira Dubai <aabgumel@yahoo.com>, Mosunmola Dipeolu <madem59@yahoo.com>, dijeabdu@gmail.com, dodo@dddodo.cc, doyakubu@gmail.com, dodo@dddodo.com, Tijani Dutse <tidutse@gmail.com>, Sadiya Turaki <sadiyaturaki@gmail.com>, Josephine Tuktur <jtuktur@gmail.com>, Hon Justice MT Aliyu <tukurmuaz@gmail.com>, Dubem Okwuosa <dubemokwuosa@gmail.com>, durosinloun1958 <durosinloun1958@yahoo.com>, efefiomekong@yahoo.com, Ekaete Obot <ekaeteobot4christ@gmail.com>, Victor Ndoma-Egba <emos56@yahoo.com>, Ichie Linus Ezeofor <ichielezeofor@yahoo.com>, Tokunbo Kekere-Ekun JSC <kmok\_ekun@hotmail.com>, edward pwajok <egpwajok@yahoo.co.uk>, Joy Ezeilo <ezeilojoy@yahoo.co.uk>, Eko Ejembi <ejembieko@gmail.com>, "Emeka Ngige, SAN" <ngigelawfirm@gmail.com>, George Etomi <george@geplaw.com>, Ferdinand Orbih <ferdorbih@gmail.com>, fagblat@yahoo.com, fadimazara@hotmail.com, ferd.orbih@yahoo.com, J-K Gadzama <gadzama@j-kgadzamallp.com>, garbatetengi@yahoo.com, galinjeadamu@yahoo.com, goditerhembra@yahoo.com, glumoren@yahoo.com, "Godwin Omoaka, SAN" <godwin.omoaka@templars-law.com>, hmaogunwumiju@yahoo.com, Hakila Heman <hakilaheman@gmail.com>, highcourt nigerstate <nigerstatehighcourt@gmail.com>, hauwaabubakar7@hotmail.com, hussyibrahim@yahoo.com, Ibrahim Sanni muhammed <ibrahimmuhammedsolicitor@gmail.com>, isaayosalami@gmail.com, Tony Iroagalachi <tonyiroagalachi@yahoo.com>, Ita Mbaba <justiceitambaba@yahoo.com>, Kaka Shehu <kakashehulawan@gmail.com>, isaayosalami@yahoo.com, iyizobace@gmail.com, iyelamikanra@yahoo.com, joelkumuyi@yahoo.com, johnnyangokoro@yahoo.com, jaurua@yahoo.com, James Abiriyi <jamesabiriyi@gmail.com>, justiceogebe@aol.com, KALU UMEH <umehka@gmail.com>, kashim.zannah@courts.gov.ng, murtala kankiya <murtalakankiya@gmail.com>, kingsleyudeh@enugustate.gov.ng, koallogba@yahoo.com, PRISCILLA OLABORI KUYE <priscillaokuye@gmail.com>, lawrabana <lawrabana@yahoo.com>, Theo Osanakpo <lawyerosanakpo@gmail.com>, Lawyer Ukala <lawyerukala@yahoo.com>, lordshipeter@yahoo.com, lexglobalpartners@yahoo.com, OLANREWAJU ONADEKO <lonadeko@yahoo.com>, "Yakubu Maikyau, SAN" <yc.maikyau@nigerianbar.org.ng>, majebij@yahoo.com, mdanjuma1@gmail.com, mooreadumein@yahoo.com, mohammedbabangida@gmail.com, Gloria Umoren <mumstick93@gmail.com>, muhammadsaidu803@gmail.com, Paschal Nnadi <paschalnnadi2@gmail.com>, nwokoandco@yahoo.com, ngenelvis@gmail.com, Nuraddeen Umar <nuraddeenumar2@gmail.com>, oyebmsc@live.com, osuigweaj@yahoo.com, OFFIONG OFFIONG <offiongoffiong@hotmail.com>, Sir Ofodile Okafor

<ofodile.okafor@gmail.com>, osbby1@yahoo.co.uk, obiokwusogu@yahoo.com, okuonghaeikponmwencj <okuonghaeikponmwencj@gmail.com>, "Olusina Sofola, SAN" <sina.sofola@idowusofola.com>, omanyachebelu@yahoo.com, ONDO STATE JUDICIARY <ondostatejudiciary@yahoo.com>, Timothy Oyeyipo <timshine007@gmail.com>, oyijoleobeya@yahoo.co.uk, Oyelowo Oyewo <oyewoagcj2019@gmail.com>, ozekmike@yahoo.com, paul@paulusoro.com, peaceattorneys@gmail.com, rabitalatuumar@gmail.com, rahilacudjoe@yahoo.com, roisenalumhe@yahoo.com, tessyetower@gmail.com, taokuth@ymail.com, taniyusuf41@gmail.com, titiloyecharles@gmail.com, senior1010@yahoo.com, sibrahimtahir@gmail.com, smabelgore@gmail.com, solomonumoh@yahoo.com, solomonumoh234@gmail.com, smolakunri@yahoo.com, Sulaiman Usman <usmansulaiman@gmail.com>, uzoanyanwu@yahoo.co.uk, Yunus Ustaz Usman <yunusustazusmansan@gmail.com>, walinhaus@yahoo.com, waliyanshabu@gmail.com, INTERSWITCH <aobelgore2002@yahoo.co.uk>, Eddy Mark <markieddy@yahoo.com>, Ya Fatima Chambers <yafatimachambers2019@gmail.com>, "Hon. Justice Ngozi Emehelu" <ngoziemehelu@gmail.com>, tayo jegede <tayoeno@yahoo.com>, abmahmoud@dikkoandmahmoud.com, justiceuwa@yahoo.co.uk, miletuseze@yahoo.com, pemurita1@gmail.com, ubilalg@yahoo.com, Osagbemwonrhue uwensuyi-edosomwan <edosomwanlaw@gmail.com>, mohammed abubakar <maabubak@yahoo.com>, Funke Adekoya <funke.adekoya@funkeadekoya.com>, John Ochoga <agbajiochoga@gmail.com>, Olufunmi Oluyede <olufunmi.oluyede@triplaw.com>, ifeomajombofo@gmail.com, sumfahcons@gmail.com, kemasuode wodu <kemasuodewodu@yahoo.com>

My Lord/Sir/Ma,

I have been directed by the Chairman, Body of Benchers to notify all members of the reconstitution of the various Committees of the Body of Benchers. This is aimed at repositioning the Committees for optimal performance in line with the mandate of the Body.

Similarly, some of the Committees have been renamed while additional Standing and Ad-hoc Committees have been constituted.

All Committees shall serve for a period of two (2) years. However, members already serving in Committees and are being retained, shall serve the remaining term of office as indicated in their Appointment Letter earlier issued.

The Terms of Reference for each Committee shall be issued to the Members of the Committee while Letters of Appointment shall be issued to new members.

Please find attached the list of the reconstituted Committees.

- All the Chairmen and Vice Chairmen of the various Committees should kindly note that there will be a meeting with the Chairman, Body of Benchers on 10th May, 2024 at the Body of Benchers Complex by 10.00am.

Accept the assurances of the Chairman's esteemed regards.

Kindly acknowledge receipt of this email.

Daniel M. Tela, Esq

Secretary, Body of Benchers

## BODY OF BENCHERS COMMITTEES

### STATNDING COMMITTEES

#### 1. INFRASTRUCTURE DEVELOPMENT MANAGEMENT AND SECURITY COMMITTEE (FORMALLY CALLED BUILDING COMMITTEE)

1. Mr. RA Lawal-Rabana, SAN,  
Life Bencher - Chairman
2. Mr. Uwemedimo Nwoko, SAN  
Life Bencher - Vice Chairman
3. Mrs. H.A Turaki  
Life Bencher - member
4. H.E Ezenwo Nyesom Wike  
Life Bencher - member
5. Dr. Chuka Agbu, SAN  
Life Bencher - member
6. Chief. Ferdinand Orbih, SAN  
Life Bencher - member
7. Mr. Obafemi Adewale, SAN  
Life Bencher - member
8. (HE) Mohammed A. Abubakar, SAN  
Life Bencher - member
9. Hon. Justice Halima Ibrahim Abdulmalik  
Chief Judge, Niger State - member
10. Hon. Justice Mosunmola Dipeolu  
Chief Judge, Ogun State - member
11. Sen. Mike Ajegbo  
Bencher - member

**2. FINANCE BUDGET AND INVESTMENT (FORMALLY FINANCE COMMITTEE)**

- |   |   |               |
|---|---|---------------|
| 1. Olorogun Albert Akpomudje, SAN<br>Life Bencher             | - | Chairman      |
| 2. Hon. Justice P.O Nadi<br>Life Bencher                      | - | Vice Chairman |
| 3. Ichie L.M. E Ezeofor<br>Life Bencher                       | - | member        |
| 4. Hon. Edward G. Pwajok, SAN<br>Life Bencher                 | - | member        |
| 5. George Etomi, Esq<br>Life Bencher                          | - | member        |
| 6. Dr. Garba Tetengi, SAN, MNI<br>Life Bencher                | - | member        |
| 7. Hon. Justice Oyebola A. Ojo<br>Chief Judge, Osun State     | - | member        |
| 8. Hon. Justice Iyabo Yerima<br>Chief Judge, Oyo State        | - | member        |
| 9. Mr. Dayo Akpata, SAN<br>Hon. Attorney General, Ekiti State | - | member        |
| 10. Adebayo Oba Adelodun, SAN<br>Bencher                      | - | member        |

**3. PUBLICATION INFORMATION TECHNOLOGY COMMITTEE**

- |   |   |               |
|---|---|---------------|
| 1. Hon. Justice H. M.Ogunwumiju, JSC,<br>Justice, Supreme Court, Life Bencher | - | Chairman      |
| 2. Prof. Joy Ngozi Ezeilo, OON, SAN<br>Bencher                                | - | Vice Chairman |
| 3. Hon. Justice Chinwe Iyizoba, JCA (rtd)<br>Bencher                          | - | member        |

- |   |   |        |
|---|---|--------|
| 4. Hon. Justice Aisha Bashir Aliyu<br>Chief Judge, Nasarawa State | - | member |
| 5. Bukhari Bello, MFR, mni, Esq<br>Bencher                        | - | member |
| 6. Mr. Godwin Omoaka, SAN<br>Bencher                              | - | member |
| 7. Mr. Omoyemi Latef Akangbe, SAN<br>Bencher                      | - | member |
| 8. Mr. Usman Ogwu Sule, SAN<br>Bencher                            | - | member |
| 9. Mr. Lesley Artur Nyander, SAN<br>Bencher                       | - | member |
| 10. Hon. William Agwadza Atedze<br>Bencher                        | - | member |

4. **ELDERS COMMITTEE**

- |  |   |          |
|--|---|----------|
| 1. Mrs. H.A Balogun                          | - | Chairman |
| 2. All Past Chairmen of the Body of Benchers | - | members  |

5. **SCREENING COMMITTEE**

- |  |   |               |
|--|---|---------------|
| 1. Hon. Justice Olukayode Ariwoola, GCON, (CJN)<br>Vice Chairman, Body of Benchers | - | Chairman      |
|  | - | Vice Chairman |
| 2. Hon. Justice B.S Bansi. OFR<br>Life Bencher                                     | - | Vice Chairman |
| 3. Tijjani Inuwa-Dutse, mni, Esq<br>Life Bencher                                   | - | member        |
| 4. Mrs. Fatima Kwaku, MFR<br>Life Bencher  | - | member        |
| 5. Mr. Tajudeen Oladoja, SAN<br>Life Bencher                                       | - | member        |



- |  |   |        |
|--|---|--------|
| 6. Mr. C.A Ajuyah, SAN<br>Bencher                      | - | member |
| 7. Mr. Joe Abraham, SAN<br>Life Bencher                | - | member |
| 8. Chief. John A.A Ochoga<br>Life Bencher              | - | member |
| 9. Murtala Aliyu Kankia, Esq<br>Life Bencher           | - | member |
| 10. Hon. Justice Dije Aboki<br>Chief Judge, Kano State | - | member |

6. **Legal Practitioner Disciplinary Committee**

- |  |   |          |
|--|---|----------|
| 1. Hon. Justice. Dr. Ishaq Bello OFR (rtd)<br>Life Bencher                         | - | Chairman |
| 2. Hon. Justice M.B Dongban-Mensem CFR<br>President, Court of Appeal, Life Bencher | - | member   |
| 3. Ahmed Mustapha Goniri, Esq<br>Life Bencher                                      | - | member   |
| 4. Mr. Umeh Kalu, SAN<br>Life Bencher  | - | member   |
| 5. Ebenezer Obeya, Esq<br>Life Bencher   | - | member   |
| 6. Mr. Obafemi Adewale, SAN<br>Life Bencher  | - | member   |
| 7. Hon. Justice O.O Daniel Kalio<br>Presiding Justice, Court of Appeal, Awka       | - | member   |
| 8. Hon. Justice Aisha B Aliyu<br>Chief Judge, Nasarawa State                       | - | member   |
| 9. Hon. Justice Halima Ibrahim Abdulmalik<br>Chief Judge, Niger State              | - | member   |

- |  |   |        |
|--|---|--------|
| 10. Mr. Fidelis Mnyim, Esq<br>Hon. Attorney General, Benue State | - | member |
| 11. Dr. Ben Uruchi Odoh<br>Hon. Attorney General, Ebonyi State   | - | member |

**7. Human Resources Management Committee, (Formally Appointment, Promotion and Discipline)**

- |   |   |               |
|---|---|---------------|
| 1. Hon. Justice Umaru Eri (rtd)<br>Life Bencher                         | - | Chairman      |
| 2. Hon. Justice U. M. Abba Aji<br>Justice Supreme Court, Life Bencher   | - | Vice Chairman |
| 3. Hon. Justice A.N Nwankwo, CON<br>Life Bencher                        | - | member        |
| 4. Chief Charles Edosomwan, SAN<br>Life Bencher                         | - | member        |
| 5. S. Ibrahim Tahir, Esq<br>Life Bencher                                | - | member        |
| 6. Mr. D.D Dodo, OFR, SAN<br>Life Bencher                               | - | member        |
| 7. Prof. Abdulkareem Kana<br>Life Bencher                               | - | member        |
| 8. Hon. Justice Saidu Sifawu<br>Chief Judge, Sokoto State, Life Bencher | - | member        |
| 9. Mr. Adeniji Kazeem, SAN<br>Bencher                                   | - | member        |
| 10. Hon. Justice Ngozi Priscilia Emehelu<br>Bencher                     | - | member        |

8. **Benchers Appointment Committee**

- |   |   |               |
|---|---|---------------|
| 1. Prof. Yusuf O. Ali, SAN<br>Life Bencher            | - | Chairman      |
| 2. Hon. Justice Fati L. Abubakar, CON<br>Life Bencher | - | Vice Chairman |
| 3. Tijanni Inuwa Dutse, Esq, mni<br>Life Bencher      | - | member        |
| 4. Mr. Dele Adesina, SAN<br>Life Bencher              | - | member        |
| 5. Mr. Augustine Alegeh, CON, SAN<br>Life Bencher     | - | member        |
| 6. Mr. Okey Wali, SAN<br>Life Bencher                 | - | member        |
| 7. Sen. Victor Ndoma-Egba, CON, SAN<br>Life Bencher   | - | member        |
| 8. Hon. Justice P. A. Galumje<br>Life Bencher         | - | Member        |
| 9. Lady Debbie N. Obodoukwu<br>Life Bencher           | - | member        |
| 10. Prof. Oguguwa V. C. Ikpeze<br>Life Bencher        | - | member        |

9. **Ethics, Compliance and Disciplinary Committee**

- |  |   |               |
|--|---|---------------|
| 1. Mrs. Funke Adekoya, SAN<br>Life Bencher                       | - | Chairman      |
| 2. Hon. Justice Simon Chibuzo Amadi<br>Chief Judge, Rivers State | - | Vice chairman |
| 3. Mr. Olumuyiwa Akinboro, SAN<br>Life Bencher                   | - | member        |
| 4. Mazi Afam Osigwe, SAN<br>Life Bencher                         | - | member        |

- |   |   |        |
|---|---|--------|
| 5. Mr. Ibrahim Sani Mohammed, SAN<br>Life Bencher               | - | member |
| 6. Mr. Paul Usoro, SAN<br>Life Bencher                          | - | member |
| 7. Hon. Justice Hafsat Abdulraman<br>Chief Judge, Adamawa State | - | member |
| 8. Ikechukwu Uwanna, Esq<br>Hon. Attorney General, Abia State   | - | member |
| 9. Mrs. Hauwa Abubakar<br>Hon. Attorney General, Borno State    | - | member |
| 10. Prof. Isa Hayatu Chiroma, SAN<br>Bencher                    | - | member |

**10. Special Duties/ Historical and Archives Committee**

- |   |   |               |
|---|---|---------------|
| 1. Mrs. H.A Turaki<br>Life Bencher                              | - | Chairman      |
| 2. Chief Ibrahim Eddy Mark<br>Life Bencher                      | - | Vice Chairman |
| 3. Mr. Olushina Sofola, SAN<br>Life Bencher                     | - | member        |
| 4. Oluwasina Ogunbade, Esq<br>Hon. Attorney General, Ogun State | - | member        |
| 5. Mrs. Fadila M. Dikko<br>Hon. Attorney General, Katsina State | - | member        |
| 6. Mrs. Gloria Umoren<br>Bencher                                | - | member        |
| 7. Mr. Solomon Umoh, SAN<br>Bencher                             | - | member        |
| 8. Mr. Jonathan Taidi, SAN<br>Bencher                           | - | member        |
| 9. Gweke Akudihor, Esq  | - | member        |

- Bencher
10. Anozie Obi, Esq, mni - member  
Bencher
- 11. Mentoring Committee**
1. Chief Joe-Kyari Gadzama, OFR, SAN - Chairman  
Life Bencher
2. Prof. Epiphany C. Azinge, SAN - Vice Chairman  
Vice Chairman
3. Dr. Kayode Ajulo, SAN - member  
Bencher
4. Dr. Onyechi Ikpeazu, SAN - member  
Hon. Attorney General, Ondo State
5. Philemon Daffi - member  
Hon. Attorney General, Plateau State
6. Oluwole Jimi-Bada, Esq - member  
Hon. Attorney General, Osun State
7. Chief Offiong E.B Offiong, SAN - member  
Bencher
8. Rasak Osayande Isenalumhe, Esq - member  
Bencher
9. Anthony Iroagalachi, Esq - member  
Bencher
10. Ufon Usoro - member  
Bencher
- 12 Rules and Regulation Committees**
1. Hon. Justice John Inyang Okoro, JSC - Chairman  
Justice Supreme Court, Life Bencher
2. Prince Adetokunbo Kayode, SAN - Vice Chairman  
Life Bencher

3. Hon. Justice Rabi Umar  
Chief Judge, Bauchi State - member
4. Hon. Justice Ngene Anagu Elvis  
Chief Judge, Ebonyi State - member
5. Mr. Lawal Pedro, SAN  
Hon. Attorney General, Lagos State - member
6. Dr. Abdulaziz M Sani, SAN  
Hon. Attorney General, Zamfara State - member
7. Rt. Hon. Yakubu Dogara, CFR  
Bencher - member
8. Mr. Awa Uma Kalu, SAN  
Bencher - member
9. Mr. Tayo Oyetibo, SAN  
Bencher - member
10. Dr. Roland Otaru, SAN  
Bencher - member

**13 Judiciary Advisory Committee**

1. Hon. Justice Mahmud Mohammed, GCON  
Former Chairman, Body of Benchers - Chairman
2. Hon. Justice Abdu Aboki  
Life Bencher - Vice Chairman
3. Hon. Justice Roseline Bozimo, OFR  
Life Bencher - member
4. Hon. Justice J.H Sankey, JSC  
Justice Supreme Court - member
5. Hon. Justice A.A.B Gumel JCA  
Presiding Justice, Court of Appeal, Gombe - member
6. Hon. Justice O. E Williams-Daudu JCA  
Presiding Justice, Court of Appeal, Port Harcourt - member
7. Hon. Justice Kazeem Alogba - member

- Chief Judge, Lagos State
8. Hon. Justice Abiodun Adebara - member  
Chief Judge, Kwara State
9. Chief Akin Olunjinmi, SAN - member  
Bencher
10. Chief Kanu Agabi, SAN - member  
Bencher

**14 Welfare, Events and Benchers Programmes committee**

1. Hon. Justice Uzo Anyanwu, JCA (rtd) - Chairman  
Life Bencher
2. Mr. Augustine Alegeh, CON, SAN - Vice Chairman  
Life Bencher
3. Ebenezer Obeya, Esq - member  
Life Bencher
4. Hon. Justice Yargata Nimpa, JCA - member  
Presiding Justice, Court of Appeal, Ibadan
5. Hon. Justice Theresa Obiajulu Diali - member  
Chief Judge, Delta State
6. Hon. Justice Ekiatte Fabian Obot - member  
Chief Judge, Akwa Ibom State)
7. A. K. Jingi, Esq - Member  
Hon. Attorney General, Adamawa State
8. Sule Shuaibu, Esq - member  
Bencher
9. Olori Olufumi Oluyede - member  
Bencher

## **ADHOC COMMITEES**

### **1. Committee on Review of Salaries and Condition of Service for Judicial officers, Serving and Retired**

1. Dr. Muiz Banire, SAN  
Life Bencher - Chairman
2. Hon. Justice Hussieni Baba Yusuf  
Chief Judge, F.C.T - Vice Chairman
3. Mrs. Nella Andem Rabana, SAN  
Life Bencher - member
4. Hon. Justice O.A Otisi, JCA  
Presiding Justice, Court of Appeal, Sokoto - member
5. Hon. Justice M.L Shuaibu, JCA  
Presiding Justice, Court of Appeal, Sokoto - member
6. Hon. Justice Daniel Iyobosa Okungbowa  
Chief Judge, Edo State - member
7. Hon. Justice J.J Majebi  
Chief Judge, Kogi State - member
8. Senior Ibrahim Suleman  
Hon. Attorney General, Kwara State - member
9. Dr. Junaidu M Bello  
Hon. Attorney General, Kebbi State - member
10. Chief A. B. Anachebe, SAN  
Bencher - member

### **2. Constitutional and Statute Reform Committee**

1. Hon. Justice B.B Kanyip, OFR  
President, National Industrial Court of Nigeria - Chairman
2. Dr. Muiz Banire, SAN  
Life Bencher - Vice Chairman



- |   |   |        |
|---|---|--------|
| 3. Hon. Edward G. Pwajok, SAN<br>Life Bencher   | - | member |
| 4. Hon. Justice Abdu Aboki<br>Life Bencher  | - | member |
| 5. Hon. Justice C.N Uwa<br>Justice Supreme Court, Life Bencher                        | - | member |
| 6. Chief. Emeka Ngige, OFR, SAN<br>Chairman, Council of Legal Education, Life Bencher | - | member |
| 7. Hon. Justice Ita George Mbaba<br>Presiding Justice, Court of Appeal, Yola          | - | member |
| 8. Hon. Justice Hussien Baba Yusuf<br>Chief Judge, FCT                                | - | member |
| 9. Sen. Michael Opeyemi Bamidele, CON<br>Bencher                                      | - | member |
| 10. Sen. Mohammed Tahir Monguno<br>Bencher  |   |        |
| 11. Hon. Oluwole Oke<br>Bencher   |   |        |
| 12. Dr. Kayode Ajulo, SAN<br>Hon. Attorney General, Ondo State                        |   |        |
| 13. Dr. Kingsley Tochukwu Ude<br>Hon. Attorney General, Enugu State                   | - | member |
| 14. Mr. Offiong E. B. Offiong, SAN<br>Bencher   |   |        |

# AUGUSTINE ALEGHEH SAN, FCI Arb. [UK] CON

Lagos: 35, Cameron Road, Ikoyi | Abuja: 22 Ziguinchor Street, Wuse Zone 4 | Benin-City: 11, Emezie Street, Delta Crescent.

DL: 0906 000 6820

Email: alegeh@aleghehlaw.com

EXHIBIT P4

2<sup>nd</sup> May, 2024

## The Secretary

Body of Benchers

Plot 688 Institutions & Research District

FCC Phase III

Abuja

FCT.

Dear Sir,

## RE: RECONSTITUTION OF THE COMMITTEES OF THE BODY OF BENCHERS

I write in respect of your email of 29<sup>th</sup> April, 2024 on the "Reconstitution" of the Committees of the Body of Benchers and trust that you will bring the issues raised in this letter to the attention of the Chairman and other distinguished Benchers.

### Preamble

The Body of Benchers was established by section 3 of the Legal Practitioners Act, Cap LII LFN as a "**body of legal practitioners of the highest distinction in the Legal profession in Nigeria**". The legal profession is in the forefront of the promotion of Rule of Law in Nigeria.

I was appointed into the Body of Benchers as a representative of the Nigerian Bar Association [NBA] and subsequently, by God's grace, I became the 27<sup>th</sup> President of the NBA. The NBA stands in the forefront of the enthronement and defence of rule of Law; "**Promoting the Rule of Law**" is the mantra of the NBA. All Legal Practitioners are indeed, expected to be avid proponents and defenders of the Rule of Law.

Consequently, I have always seen the Body of Benchers as the apex body in the promotion and defence of the Rule of Law.

### Body of Benchers Regulations

On 21<sup>st</sup> of March, 2024, just over a month before your email under reference, the Body of Benchers passed unanimously the new Regulations, made pursuant to the Legal Practitioners Act, 2014 [as Amended].

The Regulations are sacrosanct and binding on all members of this distinguished body. It is important to draw attention to some critical provisions of the Regulations, which are reproduced below as follows:

**Regulation II – Standing Committees**

- 1) The Body of Benchers shall have power to setup Committees from time to time.
- 2) The Committees shall be known as Standing Committees, Adhoc Committees or such other names that the Body may deem fit to give the Committee.
- 3) The following shall be the Standing Committees of the Body of Benchers:
  - a. Screening Committee
  - b. Legal Practitioners Disciplinary Committee
  - c. Regulations Committee
  - d. Elders Committee
  - e. Recruitment, Promotion and Disciplinary Committee on Staff matters
  - f. Benchers Appointment Committee
  - g. Ethics and Compliance Committee
  - h. Mentoring Committee
  - i. Publicity Committee
  - j. Special Duties Committee
  - k. Judiciary Advisory Committee
  - l. Body of Benchers Complex Management Committee
  - m. Finance Committee
- 4) The Committees shall have and may exercise such functions and powers as the Body may determine or direct, from time to time.
- 5) Membership of any Standing Committee of the Body shall not exceed thirteen at any material time.
- 6) The tenure of members of all Standing Committees shall be for a single term of three years.
- 7) Membership and tenure of any Adhoc Committee of the Body of Benchers shall be determined by the Body as the need arises.
- 8) Any member who absents himself from the meeting of either a Standing or Adhoc Committee twice consecutively shall be deemed to have voluntarily withdrawn his membership of the Committee, except with cogent and satisfactory reasons.
- 9) No member shall serve in more than two Standing Committees of the Body at the same time.
- 10) Membership of all the Committees of the Body shall be based on recommendation by the Secretariat of the Body of Benchers. Provided that the Chairman, Body of Benchers shall have the powers to appoint Committee members.

- 11) Each Committee shall hold its meetings and carry out its functions at such times and place (physical or virtual) to be determined by the Chairman of the Committee.
- 12) The quorum for the Committee meeting shall be one-third of the members of the Committee.

The above Regulations show clearly that the power to create Committees rests with the entire Body. The practice has been for proposals to establish any Committee to be discussed and approved on the floor of the Body. I am not aware of any committee of this distinguished Body that has been created in a different manner.

The Regulations clearly set out and define the Standing Committees of the Body of Benchers and the names so ascribed to the Committees cannot be changed as if the Regulations have no effect whatsoever. The renaming of the Standing Committees clearly violates the Regulations.

In your email, under reference, you stated that the membership of the Committees was now to be for a period of two [2] years only, whereas Regulation 11[6] states clearly that membership of Committees is for a period of three [3] years. I wonder how the tenure of members can be shortened to two [2] years, contrary to the clear stipulations of the Regulations.

#### **Chairmanship of Body of Benchers Appointment Committee**

I was appointed as the Chairman of the Body of Benchers Appointment Committee and my letter of appointment, which I duly accepted, stated clearly that I was to serve for a term of three [3] years. I am surprised to see that whereas my tenure has not expired, my respected big brother and Life Bencher, Mallam Yusuf Ali, SAN, whom I hold in very high esteem, and who has a rich history of respect for the Rule of Law, was published in your email as the "Chairman" of the same Committee. Please note that I accepted to serve the full term of three [3] years and I have not resigned my appointment as the Chairman of the Body of Benchers Appointment Committee. I believe there must be an error which I respectfully request should be corrected immediately.

This error is made more apparent by the statement in your email under reference as follows:

**"However, members already serving in Committees and are being retained, shall serve the remaining term of office as indicated in their letter of appointment earlier issued"**

In the list attached to your email under reference, I am supposed to have been retained as a "member" of the Body of Benchers Appointment Committee whereas my letter of appointment states clearly that I was appointed as the Chairman of the Committee for a term of three [3] years. I therefore would continue to act as Chairman of the Committee in the terms stated in my Letter of Appointment.

### **Stability of the Body of Benchers**

I believe that the efficacy, stability and sanctity of decisions of the Body of Benchers must be based on decisions taken on the floor of the Body and it would portend grave danger if each year the decisions made in the last year are overturned when a new Chairman assumes the mantle of leadership. I believe that the Regulations passed and all decisions made under the leadership of Honourable Justice Mary Ukaego Peter-Odili, JSC [Rtd] must be respected as they are decisions of the Body of Benchers.

It will not be in the best interest of this distinguished Body for decisions to be changed when the Chairman hands over. We should not allow such a precedent to be set in this Body.

### **Prayers**

I believe that the clear provisions of the Regulations may not have been brought to the attention of the Chairman before you sent the email under reference. I urge you, as a matter of urgency, to draw the attention of the Chairman to the provisions of the extant Body of Benchers Regulations, 2024 and ensure compliance and respect for the said Regulations.

I close this my appeal for the need to respect the Rule of Law with the often-quoted dictum of **Late Niki Tobi, JCA** (as he then was) in **Onagoruwa vs IGP (1991) 5 NWLR (Pt. 193) 593 at 650**.

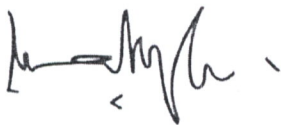
**"Nigeria is a democracy and by the grace of the Almighty God, it will remain a democracy for all times.**

**The foundation of any democracy is anchored on the Rule of Law both in its conservative and contemporary meeting. Putting it naively, we are paid mainly and essentially to uphold the Rule of Law in the entire polity.**

**And so, once we fail to uphold Rule of Law, anarchy, despotism and totalitarianism will pervade the entire society. The social equilibrium will be broken. Law and order breaks down. Everybody will be his own keeper and God for us all"**

Please accept the assurances of my warm regards and very high esteem.

**Yours Faithfully,**



**Augustine O. Alegeh, SAN FCI Arb [UK] CON**  
**Life Bencher**  
**27<sup>th</sup> President of the NBA**  
**Member, Board of Trustees of the Nigerian Bar Association**  
**Chairman, Body of Benchers Appointment Committee [2024-2027]**

# EXHIBIT P5

**From:** ADEGBOYEGA Awomolo <[adeawomolo1909@gmail.com](mailto:adeawomolo1909@gmail.com)>

**To:** Augustine Alegeh <[alegeh@yahoo.com](mailto:alegeh@yahoo.com)>

**Sent:** Friday, May 10, 2024 at 07:36:57 PM GMT+1

**Subject:** Re: RECONSTITUTION OF THE COMMITTEES OF THE BODY OF BENCHERS

My brother Augustine, I have just read your email on the above subject matter.

As my friend and one in whom i believe i had long years of mutual respect my expectation is that this is a matter we could discuss and resolve on phone.

Be that at it may, the spirit of service to our noble profession and my desire to raise the bar of the BOB propelled the changes.

I was not aware of the change of the Chairmanship of the Membership Committee from Hon Justice Umaru Abdullahi PCA rtd to your goodself on the 28th of March 2024

I had no intention to hurt your feelings. Membership of Committees is a call to service and I know you are competent to serve in any Committee of the Body.

I ask in the circumstances for your understanding. If I had wronged you, I apologise and plead for cooperation and support for my projects presented today to the Executive Committee of the Body.

I believe all hands must be on the deck for successful implementation of the programmes and projects.

I thank you for understanding my brother

# EXHIBIT P 6

**From:** Augustine Alegeh <alegeh@yahoo.com>  
**To:** ADEGBOYEGA Awomolo <adeawomolo1909@gmail.com>  
**Sent:** Monday, May 13, 2024 at 05:32:59 PM GMT+1  
**Subject:** Re: RECONSTITUTION OF THE COMMITTEES OF THE BODY OF BENCHERS

Good evening, my respected Chairman,

I am in receipt of your email of Friday, 10th May, 2024.

I have always considered you an older brother in the profession, and you know how much respect I have for you.

However, the email on the reconstitution of the BOB Committees was sent by the Secretary of BOB, and I felt the response should go through the Secretary. When I got no response after sending it to the Secretary, I thereafter sent a copy directly to you by email. I also got no response from you, hence my decision to share my letter on the BOB email platform. My initial expectation was that there was a simple error that would have been corrected without much ado.

I thank you most sincerely for your kind words. I also want to assure you of my commitment to your success as Chairman of BOB. We come from the same constituency, the NBA, and your success is of great importance to me, personally, both as a Past President of the NBA and your younger brother.

It is that commitment to your success that motivates me to respectfully appeal to you to have respect for the decisions of your predecessor in office and also the BOB Regulations, 2024. I consider it a duty to draw your attention to any issues that may have a negative effect on the BOB. I also will not want your successor in the office to jettison all your decisions as Chairman when you leave office on 31st March 2025. I plead with you to dispassionately consider all the issues raised in my letter.

I must hasten to add that the issues raised in my letter are not personal but issues of due process and respect for the Rule of Law. The crux of the matter is respect for the Regulations and the rights of all Benchers.

On the point raised in your email that you were not aware of my appointment as Chairman of the BOB Appointment Committee; the BOB Secretariat has records of all appointments of Committee Chairmen and members as well as of their tenures. These records were supposed to have been available to you at the time you considered "reconstituting" the BOB Committees. The Regulations were passed when you were the Vice Chairman of the BOB and are also available at the BOB Secretariat.

I also note the reference in your email to the "Executive Committee" of BOB when no such body is recognised by the LPA and the BOB Regulations.

My respected Chief, I plead with you to consider these words of advise from a younger brother,

knowing that they come from a good place and are aimed at ensuring you have a smooth and successful tenure as BOB Chairman.

**Augustine O. Alegeh, FCI Arb [UK] CON**

**Senior Advocate of Nigeria**

**Alegeh & Co.**

**Legal Practitioners & Notaries Public**

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**[www.aleghehlaw.com](http://www.aleghehlaw.com)**



EXHIBIT P7

*Asiwaju Adegboyega Solomon Awomolo, SAN, FCI Arb, FNIALS*  
*Life Bencher/Notary Public*

CHIEF T.J.O OKPOKO SAN, LIFE BENCHER

NBA. HER FUTURE.

Good morning my Senior and High Chief. Peace of God be with you Sir. I am sure you are following the developments in the NBA concerning the forthcoming election of officers in July. Permit me to remind you of your often reference to the prime importance of the Legal Profession and its leadership.

You have never failed at all public speeches at formal functions to extol the virtue of leaders past and present of the NBA. Legal profession is one of the oldest, most respected and revered professions in this country. Lawyers by culture and ethics cherish rank and seniority. You will recall sir that Dr Mudiaga Odje, SAN (of blessed memory) Past President of the Nigeria Bar Association, at the Jos Plenary Conference in 1998 called and challenged the members of the Inner Bar, to take hold of the leadership of the Bar to avoid the occurrence of what happened in Port Harcourt in 1992 that paralyzed the Bar Association from 1992-1998. Since you became the President of the reformed NBA in 1998, and to avoid what happened in Port Harcourt in 1992, all successors to the office of the President have been Senior Advocates of Nigeria.

The gains are enormous both at national and international fora. NBA is not just a social club or ordinary society, it is a conservative professional body with strong ethical values of seniority, integrity, respectability and good name as core values to the profession for leadership position not wealth or other primordial sentiment.

Since the death of Chief Richard O Akinjide, SAN you are the most active Senior, Past President of the Bar and one of the surviving senior members of the Inner Bar who has good knowledge of the culture and values of the Bar. I believe you cannot afford to look away or be unconcerned about the future and the leadership of the NBA.

With respect, I believe you need to urgently call a meeting of the Past Presidents of the NBA and do all within your powers to preserve the integrity,

honour and respectability of the Office of the President of the NBA. In recent time, unfortunately the Government did a grave damage to the integrity of the office of the NBA President, by initiating criminal prosecution against the holder of the office of the President.

What I hear is unannounced but powerful and potent revolutionary move by our junior colleagues who are very much in larger numbers to wrestle the office of the NBA from the rank of SAN. That in my view will be unfortunate for the rank. To the members of the public a ridicule of the rank and office of the President of the NBA. We can see other professions who followed our precedent of putting their first eleven to lead their Associations. You may have noticed that the member of the inner Bar do not contest for the office of Chairmen of over 120 branches Nation Wide.

I very sincerely bless God, the most High and most able father, who gave me and other committed and dedicated members of the legal profession, from all the branches to revive and restore the Bar Association back to life after its "death" from 1992-1998 following the inconclusive Annual Bar conference in Port Harcourt.

Permit me the modesty of saying that: God in His infinite mercies gave you the opportunity to lead the Bar Association after my time as Chairman of all Chairmen and Secretaries of the then 44 branches. It is on record that you and your team performed excellently well as leaders of the foremost professional Organization in Nigeria. You, courageously as a SAN and President of the Bar, looked at the powers that be directly in the face. You asserted your rank and leadership of the Bar at NJC and other fora. You successfully conducted election of officers and handed over to another Senior Advocate of Nigeria. The Bar has since then been led by SAN.

Sir, I am of the strong belief that you must do your best to keep the tradition of the rank and seniority that helped you and all those who came after you. It will be a great failure of leadership for the Senior Advocate to surrender leadership to outer Bar when there are willing and able Senior Advocates.

May God help you Sir.

EXHIBIT PG



**BODY OF BENCHERS REGULATIONS**

**MADE PURSUANT TO THE**

**LEGAL PRACTITIONERS ACT, 2014  
(AS AMENDED)**

**LAWS OF THE FEDERATION OF NIGERIA**

## BODY OF BENCHERS REGULATIONS

Made pursuant to Section 3 (5) of the Legal Practitioners Act, 2014  
(As Amended)

Commencement: .....

### 1. Membership

(1) Without prejudice to the provisions of subsection (1) of Section 3 of the Legal Practitioners Act, the Body of Benchers (herein after in these Regulations referred to as "the Body"), shall comprise of the following members:

- a) the Chief Justice of Nigeria and all the Justices of the Supreme Court;
- b) the President of the Court of Appeal;
- c) the Attorney General of the Federation and Minister of Justice;
- d) the Presiding Justices of Court of Appeal Divisions;
- e) the Chief Judge of the Federal High Court;
- f) the Chief Judge of the Federal Capital Territory, Abuja;
- g) President, National Industrial Court of Nigeria;
- h) the Chief Judges of the States of the Federation;
- i) the Attorneys General of the States of the Federation;
- j) President of the Senate (where he or she is a lawyer);
- k) Speaker of the House of Representatives (where he or she is a lawyer);
- l) Chairmen of the National Assembly Committees on Judiciary (where he or she is a lawyer);
- m) Chairman of the Council of Legal Education;
- n) the President of the Nigerian Bar Association;
- o) thirty legal practitioners nominated by the Nigerian Bar Association; and
- p) such number of persons, not exceeding thirty, who appear to the Body of Benchers to be eminent members of the legal profession in Nigeria of not less than 15 years post-call standing. Provided that such appointment is spread across the Bar and the Bench.

(2) A Bencher shall cease to be a member of the Body if:

- a) he is dismissed or suspended by the Body for misconduct;

- b) he resigns his membership;
- c) he no longer occupies the position through which he became a Bencher.

2. **Chairman and Vice Chairman of the Body**

(1) Subject to Paragraph (2) and (4) of this Regulation, there shall be a Chairman and Vice Chairman of the Body of Benchers.

(2) The Chairman and Vice Chairman shall each hold office for one year beginning in April of the one year and ending in March of the next year.

(3) Upon the completion of the term of office of the Chairman or upon the Chairman ceasing to be Chairman, the Vice Chairman shall succeed him as Chairman.

(4) Upon the Vice Chairman becoming Chairman of the Body as stated in the preceding paragraph, the office of the Vice Chairman shall become vacant, and shall be filled by election by members present and voting at the meeting of the Body of Benchers called for that purpose or such other mode as the Body may deem fit to adopt:

Provided that any election to the office of the Vice Chairman shall be made in such a manner that in any year in which the Chairman is a member of the Bench, the Vice Chairman shall be from the Bar; and where the Chairman is a member of the Bar, the Vice Chairman shall be from the Bench.

(5) Eligibility for appointment as Chairman and Vice Chairman shall be on the basis of seniority among the active Life Benchers. Seniority shall be determined by the date a Bencher becomes a Life Bencher.

(6) In addition to the offices of the Chairman and Vice Chairman, the Body may from time to time create and designate such other offices as it may consider necessary for the purposes of performing its functions.

(7) A former Chairman who ceases to hold office, may, so long as he remains a member, be conferred with such functions and facilities as the Body may from time to time direct.

3. **Vacancy in the Office of Chairman and Vice Chairman.**

- 1) Where an incumbent Chairman dies in office, resigns or is removed from office or becomes permanently incapacitated, the Vice Chairman shall automatically become the Chairman and there shall be an election for a new Vice Chairman.

- 2) The Chairman who emerges in accordance with the paragraph 3 (1) above shall hold the office for the un-expired term of the Chairman and thereafter serve his own term.
- 3) Where an incumbent Vice Chairman dies in office, resigns or is removed from office or becomes permanently incapacitated, there shall be an election for a new Vice Chairman to complete the tenure of the Vice Chairman and thereafter appointed to serve as the Chairman of the Body.

#### 4. **Life Membership**

- 1) There shall be such number of Life Benchers as the Body may decide.
- 2) Where the Chief Justice of Nigeria is not a Life Bencher, he shall automatically become a Life Bencher.
- 3) Appointment of Life Benchers and increase in the number of Life Benchers shall be at the discretion of the Body of Benchers.
- 4) Appointment shall be made subject to the availability of vacancies or at such a time that the Body deems it fit to make.
- 5) The appointment shall be in such a manner that any member whether from the Bench or the Bar who is qualified would be given due consideration.
- 6) The relevant Committee of the Body shall recommend persons who are eligible for appointment as Life Benchers.
- 7) For a member to be qualified for consideration for appointment as a Life Bencher, such a member must have:
  - a) Served as an active Bencher consistently, conscientiously and meritoriously for five consecutive years;
  - b) Attained a minimum of:
    - i. Fifty percent (50%) of attendance in all meetings of the Body for a period of at least five years
    - ii. One Call to Bar ceremony in each year for a period of at least five years
    - iii. 50 percent (50%) attendance at Traditional Law Dinners held at the various campuses of the Nigerian Law School for a period of at least five years.
  - c) Contributed immensely to the development of the Body.

d) Notwithstanding the provision of Regulation 4 (7) above, the Body may in its discretion alter the qualifications above where the circumstances require so.

**5. Tenure of Office for Benchers**

- 1) Persons appointed Benchers under Paragraph 1 (1) (a) to (n) of this Regulation shall serve as Benchers for the period of which they occupy the office by virtue of which they were appointed Benchers. Such persons shall cease to be Benchers at the expiration of their term of office or upon retirement whichever comes earlier.
- 2) Persons appointed as Benchers pursuant to Paragraph 1 (1) (o) and (p) of this Regulation shall serve as members for a period three (3) years. The tenure of office may be renewed for a further term of three years and no more.
- 3) Subject to the provisions of paragraph 1 (2) of this Regulation, a person appointed a Life Bencher shall remain so for life.
- 4) For a Bencher to be so qualified for renewal of tenure, he or she must have participated actively in the activities of the Body and fulfilled the minimum requirement as the Body may provide by resolution.

**6. Secretary of the Body of Benchers**

- (1) The Body shall appoint a Secretary who shall be the head of the Secretariat and shall be responsible for the execution of policy and the day to day running of the affairs of the Body.
- (2) The appointment of the Secretary shall be carried out by the Body of Benchers upon recommendation by the relevant Committee on Staff Matters.
- (3) The Committee shall determine the mode and criteria for the appointment giving due consideration to merit, competence and accountability.
- (4) The Secretary shall be placed on a consolidated remuneration and the applicable condition of service shall be in line with extant rules and regulations governing the Judiciary.
- (5) The Secretary shall be the accounting officer responsible for the administration of the Secretariat, keeping of the books and

records, ensure statutory compliance and render financial returns to relevant authorities.

- (6) The Secretary shall perform such other duties and functions as outlined in the Body of Benchers Regulations or as may be assigned to him by the Body.

#### 7. **Staff of the Body of Benchers**

- (1) The Body shall have powers to employ such number of staff as it deemed necessary for the performance of its duties. The designation for the categories of staff shall be determined by the Secretary.
- (2) The manner of employment shall be determined by the relevant Committee of the Body of Benchers on Staff Matters.
- (3) All staff of the Body shall be under the supervision of the Secretary.
- (4) The Body may make rules and regulations, including but not limited to the Scheme of Service and Condition of Service in line with extant laws.

#### 8. **Meetings of the Body**

- (1) The Body shall meet at least four times in a year.
- (2) Where in the opinion of the Chairman there is need to hold an emergency meeting of the Body, the Chairman shall direct the Secretary to issue notices of such meeting.
- (3) The Chairman shall preside over all meetings of the Body and in his absence or at his instance the Vice Chairman shall preside. In the absence of both the Chairman and Vice Chairman, the members shall elect one of them to preside over the meeting giving due consideration to seniority.
- (4) The Notice and Agenda for each meeting shall be prepared by the Secretary in consultation with the Chairman of the Body of Benchers and be circulated to all members prior to the date of meeting.
- (5) The Minutes of the previous meeting shall be circulated by the Secretary to all members prior to, and in the course of the meeting.



- (6) The Secretary shall maintain a register of attendance of members at meetings.
- (7) The meetings of the Body shall be conducted at the Body of Benchers Complex or such other place and time as may be determined from time to time.
- (8) The Body may adopt virtual meeting procedure where it is necessary.

#### 9. Quorum

- (1) For the purposes of the meetings of the Body, the quorum of members shall be fifty (50).

##### **Procedure at Meetings**

- (1) Subject to the provisions of this Regulation, the procedure for the regulation of the meetings of the Body shall be such as the Body may at its discretion determine at each meeting.
- (2) Every decision or resolution of a meeting of the Body or Committee thereof, shall except otherwise prescribed by the Body, be by a majority of the members present.

#### 10. Appointment of Benchers

- (1) Recommendation for appointment of Benchers shall be made by the relevant Committee from the list of eligible persons as nominated.
- (2) Where the tenure of members appointed under paragraph 1 (1) (o) of this Regulations has expired or any vacancy occurs under the paragraph, the Secretary shall notify the Nigerian Bar Association of the vacancies.
- (3) The Nigerian Bar Association, shall upon receipt of the notice forward a list of its members for consideration by the Body. The list shall be accompanied by the curriculum vitae of each person and a resolution by the National Executive Council of the Association.
- (4) The Secretary shall, in consultation with the Chairman of the Body, forward the list of the nominees to the relevant Committee for consideration.

- (5) The Committee shall consider the list and forward its report to the Body on the suitability or otherwise of the nominees. In addition to the qualification spelt out in paragraph 1 (1) (o) of this Regulation, due consideration shall be given to merit and geopolitical zones.
- (6) Where the tenure of members appointed under paragraph 1 (1) (p) of this Regulations has expired or any vacancy occurs under the paragraph, the Secretary shall notify the Chairman of the vacancies.
- (7) The Chairman shall upon receipt of the notice in (6) above nominate suitable persons for consideration by the relevant Committee. The Committee shall consider the list and make recommendations to the Body on the suitability or otherwise of the persons nominated.
- (8) Where the members of the Body of Benchers, by a simple majority, are satisfied with the nominees presented for appointment under paragraph 1 (1) (o) and (p) of this Regulation, the nominees shall be appointed as Benchers with effect from the date of the meeting.
- (9) The Secretary shall issue Appointment Letters to the persons appointed in (8) above.

#### 11. Standing Committees

- 1) The Body of Benchers shall have power to setup Committees from time to time.
- 2) The Committees shall be known as Standing Committees, Adhoc Committees or such other names that the Body may deem fit to give the Committee.
- 3) The following shall be the Standing Committees of the Body of Benchers:
  - a. Screening Committee
  - b. Legal Practitioners Disciplinary Committee
  - c. Regulations Committee
  - d. Elders Committee
  - e. Recruitment, Promotion and Disciplinary Committee on Staff matters

- f. Benchers Appointment Committee
- g. Ethics and Compliance Committee
- h. Mentoring Committee
- i. Publicity Committee
- j. Special Duties Committee
- k. Judiciary Advisory Committee
- l. Body of Benchers Complex Management Committee
- m. Finance Committee

- 4) The Committees shall have and may exercise such functions and powers as the Body may determine or direct, from time to time.
- 5) Membership of any Standing Committee of the Body shall not exceed thirteen at any material time.
- 6) The tenure of members of all Standing Committees shall be for a single term of three years.
- 7) Membership and tenure of any Adhoc Committee of the Body of Benchers shall be determined by the Body as the need arises.
- 8) Any member who absents himself from the meeting of either a Standing or Adhoc Committee twice consecutively shall be deemed to have voluntarily withdrawn his membership of the Committee, except with cogent and satisfactory reasons.
- 9) No member shall serve in more than two Standing Committees of the Body at the same time.
- 10) Membership of all the Committees of the Body shall be based on recommendation by the Secretariat of the Body of Benchers. Provided that the Chairman, Body of Benchers shall have the powers to appoint Committee members.
- 11) Each Committee shall hold its meetings and carry out its functions at such times and place (physical or virtual) to be determined by the Chairman of the Committee.
- 12) The quorum for the Committee meeting shall be one-third of the members of the Committee.

### **13) Contracts and Agreements**

All agreements made on behalf of the Body and all other instruments shall be in the name of the Body of Benchers and

signed by either the Chairman and the Secretary or the Secretary and one management staff.

**14) Traditional Law Dinners**

- (1) There shall be three (3) Traditional Law Dinners to be held at the various campuses of the Nigerian Law School during each Academic Session. The dinner shall be a prerequisite for Call to the Nigerian Bar in addition to other requirements.
- (2) The dining terms shall be classified as follows:
  - a) First Term Traditional Law Dinner
  - b) Second Term Traditional Law Dinner
  - c) Third Term Traditional Law Dinner
- (3) Members of the Body of Benchers are to attend the dinners at each of the campuses and the most senior Bencher present shall preside over the Dinner.
- (4) The date for each dinner shall be determined by the Body of Benchers.
- (5) The order of programme and dress code during dinners shall be in line with the provisions as contained in the Benchers Handbook.
- (6) The Body may charge such fees to be known as *dinner fee* to be paid by each student prior to the dining date. The amount to be paid shall be determined by the Finance Committee from time to time.
- (7) Subject to the discretion of the Body, a student shall not be eligible for Call to Bar where he fails to participate in the three dining terms.

**15) Call to the Bar**

- (1) The Body of Benchers shall be responsible for the formal Call to the Bar of persons desirous of being admitted to the Nigerian Bar.
- (2) The Nigerian Law School shall forward the names of successful candidates at its examination to the Body of Benchers for consideration for Call to the Bar.

- (3) Each student shall be sponsored by two (2) members of the Body as prerequisite for Call to the Bar. The manner of sponsorship shall be as contained in the Benchers Handbook.
- (4) The Body of Benchers shall screen each aspirant to the Bar to ensure that all academic qualifications and such other requirements for Call to the Bar have been duly satisfied.
- (5) The Body of Benchers, through its relevant Committee shall screen each aspirant to the Bar to ensure that the aspirant is fit and proper for Call to the Bar and devoid of disqualifying factors.
- (6) The relevant Committee shall forward its report to the Body of Benchers for consideration at a meeting of the Body. The report shall amongst other things give a breakdown of the list of aspirants to the Bar as well as the particulars for those considered ineligible for Call if any.
- (7) Where the Body is satisfied with the names forwarded, it shall grant an approval for the aspirants to be called to the Nigerian Bar. Where the Body is of the view that any aspirant is not fit and proper for Call to the Bar, it shall decline calling the aspirant to the Bar until such a time that the disqualification on the part of the aspirant has been remedied.
- (8) The date, time and manner of Call to the Bar shall be determined by the Body of Benchers putting into consideration the surrounding circumstances. The manner of Call to Bar shall be as contained in the *Procedure at Call to Bar* to be published by the Body from time to time.
- (9) The order of programme and dress code during Call to Bar ceremonies shall be in line with the provisions contained in the Benchers Handbook and such other instruments published by the Body.
- (10) The Chairman of the Body shall preside over Call to Bar Ceremonies and in his absence, the Vice Chairman shall preside. Where both the Chairman and Vice Chairman are not available, the Benchers shall designate one of them to preside putting into consideration the issue of seniority.
- (11) The entire processes of preparing for Call to Bar Ceremonies, including pre and post Call to Bar activities shall be handled by the Body of Benchers Secretariat.

- (12) The Body may charge such fees to be known as *Call processing fee* to be paid by each student prior to the Call date. The amount to be paid shall be determined by the Body from time to time.
- (13) Where the Body is satisfied, and if it considers it necessary, may Call an aspirant to the Bar in absentia.
- (14) The Chairman of the Body or such designated person shall shake the hands of the new wig.
- (15) Call to Bar Certificate shall be issued by the Body to the aspirants after being successfully called to the Bar.

**16) Discipline**

- (1) The discipline of Legal Practitioners in professional respect shall be carried out by the Body in accordance with the provisions of the Legal Practitioners Act.
- (2) The discipline of students of the Nigerian Law School shall be the responsibility of the Council of Legal Education.

**17) Delegation of Chairman's functions**

The Chairman may generally or in relation to any particular matter delegate any of his functions under these Regulations to the Vice Chairman or such other Bencher as the circumstance may demand. Provided nothing here shall preclude the Chairman from exercising any such functions as may be so delegated.

**18) Interpretation**

In these Regulations: -

“Act” means the Legal Practitioners Act (the Principal Act);

“Association” means the Nigerian Bar Association;

“Bencher” means a member of the Body of Benchers as provided under the Act and these Regulations;

“Body” means the Body of Benchers established by the principal Act;

“functions” includes power and duties;

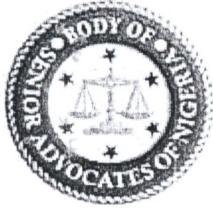
“member” means a member of the Body or of a Committee of the Body;

“prescribed” means an instrument in writing by the resolutions of the Body;

“Secretary” means the Secretary of the Body of Benchers

19) **Short Title**

These Regulations may be cited as the Body of Benchers Regulations



# BODY OF SENIOR ADVOCATES OF NIGERIA

SECRETARIAT: Room 18, Nigerian Law School, Lagos Campus, Victoria Island, Lagos.  
TEL: +234-704-4444124, +234-809-8828282

*The Nigerian Lawyer*

## PUBLIC NOTICE

### THERE IS ONLY ONE BODY OF SENIOR ADVOCATES OF NIGERIA (BOSAN)

The attention of the Body of Senior Advocates of Nigeria (BOSAN) has been drawn to the recent activities of a body which describes itself as BODY OF SENIOR ADVOCATES OF NIGERIA PRACTISING IN ABUJA or BODY OF SENIOR ADVOCATES OF NIGERIA, ABUJA, under the leadership of Chief Adegboyega Solomon Awomolo, SAN. The said body has continued to organise seminars, lectures, dinners, and such array of activities without recourse to the leadership of BOSAN. These activities have continued, notwithstanding the fact that the constitution of BOSAN does not provide for the existence of branches, groups or chapters anywhere in Nigeria.

For instance, on Saturday, 22<sup>nd</sup> October, 2022, BOSAN organised a befitting dinner/lecture for the present Chief Justice of Nigeria in Lagos, and a good number of Justices of the Supreme Court and Senior Advocates were in attendance, including Chief Adegboyega Solomon Awomolo, SAN. Immediately thereafter, Chief Adegboyega Solomon Awomolo, SAN, championed the organisation/staging of another dinner and lecture for some retired Justices of the Supreme Court, without any recourse to the Leader of the Body or the Secretariat. Apart from the myriad of parallel activities being organised by the said body, it has also gone ahead with a corrupted adaptation of the BOSAN logo, with the caption "Body of Senior Advocates of Nigeria" appearing underneath. The logo, which is grossly misleading, has been imposed on the several letters of invitation being distributed to various senior members of the legal profession, as invitation to one of its lecture series scheduled for May 23, 2024 titled "2023 ELECTIONS: A POST-MORTEM." The Chief Justice of Nigeria, Justices of the Supreme Court, President and Justices of the Court of Appeal, all Heads of Courts and their Judges, all Senior Advocates of Nigeria, and retired Justices/Judges to whom Chief Adegboyega Solomon Awomolo, SAN has extended his invitation should disregard that invitation.

This disturbing development which is unpretentiously targeted at polarising and disintegrating the age-long Body, is, to state the least, illegal, in breach of the constitution of BOSAN and antithetical to the philosophical ideals underpinning the establishment of the Body.

A brief historical foray into the genesis of BOSAN will put the foregoing concerns into perspective. Right from the formation of BOSAN by Chief Fredrick Rotimi Alade SAN, OFR and his contemporaries about forty years ago, it was designed to be free of all governmental and other external influences. This explains why till today, it remains a private organisation with the principal aim of promoting professional responsibility, integrity and the highest standards of professional ethics, etiquette, and discipline amongst its members; while ensuring the independence of the Judiciary, the rule of law and promotion of the highest standards of professional practice in Nigeria.

At the time BOSAN was founded, its Leader (in the absence of the Attorney-General of the Federation, where he was a Senior Advocate of Nigeria) was Chief Rotimi Williams, SAN, CFR, as he was the first Nigerian to be conferred with the prestigious rank in 1975 along with Dr. Nabo Graham-Douglas, SAN, Chief Rotimi Williams, SAN, CFR, chaired most meetings in the absence of the Attorney-General of the Federation or where the latter was present but had a specific role to play in his official capacity. In fact, a good number of BOSAN meetings were held in Chief Rotimi Williams' Chambers at Ilupeju, Lagos. In the absence of Chief Rotimi Williams, SAN, OFR, the available Senior Advocate of Nigeria who was next in rank after him would stand in his stead at the meeting or event. At the risk of restating the obvious, maintaining seniority has always been sacrosanct in terms of preserving the honour and privilege of the rank of Senior Advocate of Nigeria. With the passing of Professor Ben Nwabueze, SAN in October 2023, the leadership of BOSAN fell to my lot, as the highest-ranking Senior Advocate of Nigeria.

Though the afore-stated tradition far predates the incorporation of the Body and enactment of a constitution in May 2011, same has been codified by the constitution, thus, providing for the Attorney-General of the Federation as Chairman (provided he is a Senior Advocate of Nigeria) and the most senior living Senior Advocate of Nigeria as Vice-Chairman and Leader. Other officers are the Secretary, the Assistant Secretary, the Treasurer, the Financial Secretary and the Programme and Publicity Secretary. The Permanent Office of the Secretariat or Headquarters of the Body is situated in Lagos, as provided for in the constitution of the Body. There has never been any rancour within the Body since its formation.

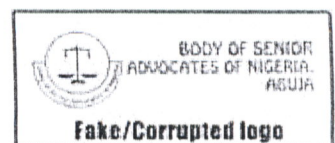
It is rather unfortunate that the activities of the purported body led by Chief Adegboyega Solomon Awomolo, SAN have continued unabated, despite the admonitions of Mr. Egun Solunde, SAN at the Special Court Session organised for the conferment of the rank of Senior Advocate of Nigeria at the Supreme Court of Nigeria on 27<sup>th</sup> November, 2023. It will be recalled that Mr. Egun Solunde, SAN, who presented the address of BOSAN, being the most senior of the SANs present at the event, not only gave a summary of how BOSAN was founded, its traditions and lofty heritage, right from the time of Chief Rotimi Williams, SAN to date, but also emphasized the need to preserve BOSAN as one, in order for it not to lose its respect and credibility as a result of different groups from different cities or towns in Nigeria waking up, not only to establish their own branches but presenting and addressing matters and national issues from different perspectives, contrary to the intention of BOSAN's founding fathers. One would have thought that that address would lay to rest the activities of any splinter group within BOSAN, as being led by Chief Adegboyega Solomon Awomolo, SAN. As recently as 10<sup>th</sup> February, 2024, BOSAN held its meeting and annual dinner in Abuja, under the chairmanship of the Attorney-General of the Federation, Prince L. O. Fagbemi, SAN. It is noteworthy that the events were attended by Chief Adegboyega Solomon Awomolo, SAN, who did not raise, even in hush tones, any plan of a seminar, lecture series or the intention of the 'Abuja Branch' to hold or host such a seminar or lecture series.

While I plead with all members of BOSAN to continue to ensure a coherent Body as handed over to us by our past leaders, it is necessary to draw the attention of all Senior Advocates and lovers of the Legal Profession to the likely fallout of any polarisation, division or dismemberment of BOSAN. We should never let it happen. Thus, we trust that the Chief Justice of Nigeria, Justices of the Supreme Court, President and Justices of the Court of Appeal, all Heads of Courts and their Judges, all Senior Advocates of Nigeria and retired Justices/Judges to whom Chief Adegboyega Solomon Awomolo, SAN has extended his invitation should disregard such invitation, and be wary of lending any credibility to the activities of any splinter group within BOSAN, either through any encouragement or attendance at any event, ceremony or activity organised by Chief Adegboyega Solomon Awomolo, SAN under the name of BOSAN. BOSAN also advises and pleads with members of the public, particularly Legal Practitioners, not to give or accord any recognition whatsoever to the illegal group and its activities.

DATED THIS 6<sup>th</sup> DAY OF MAY 2024

*Alfred Bandele Kasunmu*

PROFESSOR ALFRED BANDELE KASUNMU, SAN  
LEADER, BODY OF SENIOR ADVOCATES OF NIGERIA





**IN THE FEDERAL HIGH COURT OF NIGERIA**  
**IN THE LAGOS JUDICIAL DIVISION**  
**HOLDEN AT LAGOS**

FHC/L/CS/887/24  
SUIT NO.

**BETWEEN:**

**AUGUSTINE OYAREKHUA ALEGEH, SAN**

**] PLAINTIFF**

**AND**

**1. CHIEF ADEBOYEGA SOLOMON AWOMOLO, SAN**

**] DEFENDANTS**

**2. THE BODY OF BENCHERS**

**]**

**WRITTEN ADDRESS IN SUPPORT OF ORIGINATING SUMMONS**

**1.0 Introduction**

1.1 By this Originating Summons brought pursuant to Regulations 11 (3), (6) and (7) of the Body of Benchers Regulations, 2024 made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended] and under the inherent jurisdiction of the Honourable Court, the Plaintiff invites this Honourable Court for a determination of the following questions to wit:

- i. Whether having regard to the clear, lucid and unambiguous provisions of **Regulation 11 (7)** of the Body of Benchers Regulations, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended], the 1<sup>st</sup> Defendant can unilaterally and maliciously remove the Plaintiff as Chairman of the Appointments Committee of the 2<sup>nd</sup> Defendant before the expiration of the term of three [3] years that the Plaintiff was appointed to serve.
- ii. Whether the Plaintiff's appointment as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant by the Letter of Appointment dated 28<sup>th</sup> March, 2024 issued by the 2<sup>nd</sup> Defendant and the Plaintiff's Acceptance of the aforesaid Appointment can be unilaterally and maliciously determined by the 1<sup>st</sup> Defendant.

- iii. Whether having regard to the clear, lucid and unambiguous provisions of **Regulation 11 (6)** of the Body of Benchers Regulations, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended], the 1<sup>st</sup> Defendant can unilaterally and in breach of the said Benchers Regulations alter, shorten and/or reduce the tenure of office of Committee members of the 2<sup>nd</sup> Defendant from three [3] years to two [2] years.
- iv. Whether having regards to the Body of Benchers Regulations, 2024, the 1<sup>st</sup> Defendant can unilaterally and in breach of the Regulations, alter and rename the Standing Committees of the 2<sup>nd</sup> Defendant listed and set out in **Regulation 11 (3)** of the Body of Benchers Regulations 2024.
- v. Whether having regards to the clear provisions of the Benchers Regulations 2024, the 1<sup>st</sup> Defendant can unilaterally constitute “the Executive Committee of the Body of Benchers” or any other Standing Committee for the 2<sup>nd</sup> Defendant.
- vi. Whether the 1<sup>st</sup> Defendant is not estopped from acting and discharging the functions of the Office of Chairman of the 2<sup>nd</sup> Defendant based on the following indubitable acts motivated by malice and/or constituting professional misconduct:
  - f) The 1<sup>st</sup> Defendant has consistently breached the extant provisions of the Regulations of the Body of Benchers, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended];
  - g) The 1<sup>st</sup> Defendant acting unlawfully and unilaterally purported to reconstitute the Membership of the Standing Committees of the Body of Benchers, the 2<sup>nd</sup> Defendant herein, in utter violation and total disregard of the extant provisions of the Regulations of the 2<sup>nd</sup> Defendant;
  - h) The 1<sup>st</sup> Defendant acting unlawfully and unilaterally purported to reduce the tenure of office of Members of Standing Committees of the 2<sup>nd</sup> Defendant from three (3) years to two (2) years, contrary to the provisions of the 2<sup>nd</sup> Defendant’s Regulations;
  - i) The 1<sup>st</sup> Defendant had stated severally that he is not bound by the Regulations of the 2<sup>nd</sup> Defendant and will neither respect and/or

implement the aforesaid Regulations as the Chairman of the Body of Benchers;

- j) The 1<sup>st</sup> Defendant has been accused of forgery, criminal misrepresentation, impersonation and fraud by the Body of Senior Advocates of Nigeria [BOSAN], which said allegations have ridiculed, brought dishonor, disrepute and odium to the revered Office of Chairman of the Body of Benchers and may likely lead to disciplinary measures against the 1<sup>st</sup> Defendant.

And where this Honourable Court answers Questions 1, 2, 3, 4 and 5 above in the negative, and Question 6 in the affirmative, the Plaintiff prays this Honourable Court for the following reliefs:

- i. **A DECLARATION** that the Plaintiff's appointment as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant is valid and subsisting, for a period of three [3] years from the date of his Letter of Appointment dated 28<sup>th</sup> March, 2024 issued by the 2<sup>nd</sup> Defendant and the Plaintiff's Acceptance of the aforesaid Appointment and cannot be determined by the 1<sup>st</sup> Defendant.
- ii. **A DECLARATION** that the 1<sup>st</sup> Defendant's purported unilateral and unlawful removal of the Plaintiff as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant contrary to the clear, lucid and unambiguous provisions of **Regulation 11 (7)** of the Body of Benchers Regulations, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended], is unlawful, illegal, null void and of no effect whatsoever.
- iii. **A DECLARATION** that the 1<sup>st</sup> Defendant cannot unilaterally, unlawfully and in flagrant breach of the Benchers Regulations reduce the tenure of Committee members of the 2<sup>nd</sup> Defendant from three [3] years to two [2] years.
- iv. **A DECLARATION** that the 1<sup>st</sup> Defendant cannot unilaterally, unlawfully and in flagrant breach of the Benchers Regulations rename and reconfigure and or disband any of the Standing Committees of the 2<sup>nd</sup> Defendant set out and contained in the Body of Benchers Regulations.

- v. **A DECLARATION** that the 1<sup>st</sup> Defendant cannot unilaterally, unlawfully and in flagrant breach of the Benchers Regulations create a Standing Committee christened as “The Executive Committee” for the 2<sup>nd</sup> Defendant.
- vi. **A DECLARATION** that the 1<sup>st</sup> Defendant is not a fit and proper person to function and act as the Chairman of the 2<sup>nd</sup> Defendant following the 1<sup>st</sup> Defendant’s continuous breach of the Regulations of the 2<sup>nd</sup> Defendant; his public statement that he is not bound by the Benchers Regulations and in the face of the allegations of forgery, criminal misrepresentation, impersonation and fraud made by the Body of Senior Advocates of Nigeria [BOSAN] against the 1<sup>st</sup> Defendant.
- vii. **AN ORDER OF PERPETUAL INJUNCTION** restraining the 1<sup>st</sup> Defendant and or any person acting at his behest and/or instructions from interfering with or attempting to interfere with and/or disrupt, hamper or hinder the Plaintiff in any way or manner from exercising his functions and duties as the Chairman of the Appointments Committee of the 2<sup>nd</sup> Defendant.
- viii. **AN ORDER OF PERPETUAL INJUNCTION** restraining the 1<sup>st</sup> Defendant from occupying the office of Chairman of the 2<sup>nd</sup> Defendant in the face of the 1<sup>st</sup> Defendant’s continuous breach of the Regulations of the 2<sup>nd</sup> Defendant; his public statement that he is not bound by the Benchers Regulations and in the face of criminal allegations of forgery, impersonation and fraud made by the Body of Senior Advocates of Nigeria [BOSAN] against the 1<sup>st</sup> Defendant.
- ix. **AN ORDER OF THIS HONOURABLE COURT** setting aside the unilateral and unlawful pronouncements of the 1<sup>st</sup> Defendant, to wit: [a] purported reconstitution by the 1<sup>st</sup> Defendant of the Standing Committees of the 2<sup>nd</sup> Defendant [b] reduction of tenure of Committee Members of the 2<sup>nd</sup> Defendant from three [3] years to two [2] years; and [c] the creation of ‘*The Executive Committee*’ for the 2<sup>nd</sup> Defendant.

## 2.0 **Brief Statement of Facts**

- 2.1 The Plaintiff shall adopt and rely on all the averments contained in the 50 paragraph supporting affidavit attached to this Summons.

### 3.0 Issues for Determination

3.1 The Plaintiff respectfully submits that the issues for determination in this matter are as follows:

- i. Whether having regard to the clear, lucid and unambiguous provisions of **Regulation 11 (7)** of the Body of Benchers Regulations, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended], the 1<sup>st</sup> Defendant can unilaterally and maliciously remove the Plaintiff as Chairman of the Appointments Committee of the 2<sup>nd</sup> Defendant before the expiration of the term of three [3] years that the Plaintiff was appointed to serve.
- ii. Whether the Plaintiff's appointment as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant by the Letter of Appointment dated 28<sup>th</sup> March, 2024 issued by the 2<sup>nd</sup> Defendant and the Plaintiff's Acceptance of the aforesaid Appointment can be unilaterally and maliciously determined by the 1<sup>st</sup> Defendant.
- iii. Whether having regard to the clear, lucid and unambiguous provisions of **Regulation 11 (6)** of the Body of Benchers Regulations, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended], the 1<sup>st</sup> Defendant can unilaterally and in breach of the said Benchers Regulations alter, shorten and/or reduce the tenure of office of Committee members of the 2<sup>nd</sup> Defendant from three [3] years to two [2] years.
- iv. Whether having regards to the Body of Benchers Regulations, 2024, the 1<sup>st</sup> Defendant can unilaterally and in breach of the Regulations, alter and rename the Standing Committees of the 2<sup>nd</sup> Defendant listed and set out in **Regulation 11 (3)** of the Body of Benchers Regulations 2024.
- v. Whether having regards to the clear provisions of the Benchers Regulations 2024, the 1<sup>st</sup> Defendant can unilaterally constitute "the Executive Committee of the Body of Benchers" or any other Standing Committee for the 2<sup>nd</sup> Defendant.
- vi. Whether the 1<sup>st</sup> Defendant is not estopped from acting and discharging the functions of the Office of Chairman of the 2<sup>nd</sup> Defendant based on the following indubitable acts motivated by malice and/or constituting professional misconduct:
  - a) The 1<sup>st</sup> Defendant has consistently breached the extant provisions of the Regulations of the Body of Benchers, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended];

- b) *The 1<sup>st</sup> Defendant acting unlawfully and unilaterally purported to reconstitute the Membership of the Standing Committees of the Body of Benchers, the 2<sup>nd</sup> Defendant herein, in utter violation and total disregard of the extant provisions of the Regulations of the 2<sup>nd</sup> Defendant;*
- c) *The 1<sup>st</sup> Defendant acting unlawfully and unilaterally purported to reduce the tenure of office of Members of Standing Committees of the 2<sup>nd</sup> Defendant from three (3) years to two (2) years, contrary to the provisions of the 2<sup>nd</sup> Defendant's Regulations;*
- d) *The 1<sup>st</sup> Defendant had stated severally that he is not bound by the Regulations of the 2<sup>nd</sup> Defendant and will neither respect and/or implement the aforesaid Regulations as the Chairman of the Body of Benchers;*
- e) *The 1<sup>st</sup> Defendant has been accused of forgery, criminal misrepresentation, impersonation and fraud by the Body of Senior Advocates of Nigeria [BOSAN], which said allegations have ridiculed, brought dishonor, disrepute and odium to the revered Office of Chairman of the Body of Benchers and may likely lead to disciplinary measures against the 1<sup>st</sup> Defendant.*

### 3.0 **Plaintiff's Arguments**

- 3.1 The case of the Plaintiff is a call for the interpretation of the extant provisions of the Body of Benchers Regulations, 2024, made pursuant to **Section 3 (5)** of the Legal Practitioners Act, 2014 [As Amended], and whether the Chairman of the Body of Benchers is bound by the aforesaid Regulations, same being a subsidiary legislation.
- 3.2 The Plaintiff has, in the paragraphs of the Supporting Affidavit copiously outlined the 1<sup>st</sup> Defendant's unilateral, unlawful and illegal acts which are in breach of the unambiguous provisions of the Body of Benchers Regulations, 2024.
- 3.3 The Plaintiff's Supporting Affidavit clearly sets out the current position of the matter and urges this Honourable Court to take steps to ensure that the 1<sup>st</sup> Defendant's illegal and unlawful acts are contained to prevent a further breach and/or violation of the law.

**A consideration of relevant Provisions.**

3.4 The Plaintiff's would be better appreciated by a review of the salient provisions of the Regulations which the Plaintiff humbly requests this Honourable Court to interpret in the resolution of this dispute.

The provisions are Regulation 11 (3), (6) and (7) of the Body of Benchers Regulations, 2024. For purpose of completeness, the provisions of the aforesaid Regulations are outlined below:

3.5 **Regulation 11(3), (6) and (7):**

***“(3) The following shall be the Standing Committees of the Body of Benchers:***

- a. Screening Committee***
- b. Legal Practitioners Disciplinary Committee***
- c. Regulations Committee***
- d. Elders Committee***
- e. Recruitment, Promotion and Disciplinary Committee on Staff matters***
- f. Benchers Appointment Committee***
- g. Ethics and Compliance Committee***
- h. Mentoring Committee***
- i. Publicity Committee***
- j. Special Duties Committee***
- k. Judiciary Advisory Committee***
- l. Body of Benchers Complex Management Committee***

***(6) The tenure of members of all Standing Committees shall be for a single term of three years.***

***(7) Membership and tenure of any Adhoc Committee of the Body of Benchers shall be determined by the Body as the need arises.***

3.6 The essence of the above provisions of the Regulations is to establish the power of the overall Body to set-up Standing Committees to carry out its activities, as well as provide for the tenure and membership of such committees to guard against any form of tyranny and arbitrariness.

- 3.7 The Plaintiff respectfully submits that it is the general Body, not the Chairman of the Body, that is imbued with the powers of constituting Standing Committees listed in **Regulation 11(3)** aforesaid.
- 3.8 The Plaintiff further contends that the tenure of membership of the Standing Committees of the Body, as clearly and unambiguously stated under **Regulation 11(6)** is for a fixed term of three (3) years. The appointments once made are appointments with a statutory flavour and must be accorded full respect in accordance with the Law.
- 3.9 The Plaintiff contends that the aforesaid provisions of the Regulations are clear, unambiguous and sacrosanct. Consequently, any action on the contrary is unlawful and illegal, thus null and void.
- 3.10 The Plaintiff respectfully submits that a literal interpretation of the above clear, lucid and unambiguous provisions of **Regulation 11(3), (6) and (7)** is to the obvious and irresistible conclusion that the Chairman of the Body cannot unilaterally alter, shorten and/or reduce the tenure and term of office of Committee members from the mandatory **three (3) years** provided by the Regulations, to **two (2) years**.
- 3.11 The Plaintiff respectfully contends that the aforesaid provisions of the Regulations are sacrosanct and all members, including the Chairman, are bound by the Regulations and owe a duty, responsibility and an obligation to ensure that the aforesaid provisions are respected and implemented.

#### Interpretation of Statutory provisions

- 3.12 Over the years, the Supreme Court has consistently stated the principles for the interpretation of statutory provisions.
- 3.13 The court, in a plethora of cases, has stated that once the provisions of a statute are so clear and devoid any form of ambiguity then they should be given or accorded their natural meaning without any embellishments. In other words, provisions of the Body of Benchers Regulations, which is a subsidiary legislation, must always be interpreted to achieve the obvious ends for which the Regulations were promulgated.

**See A.G Bendel State vs. A.G Federation (1982) 3 NCLR 1.**



3.14 In **A.G Kano State v. A.G Federation (2007) 6 NWLR (Pt. 1029) 164**, the Supreme Court, relying on the strength of its earlier decisions, held inter alia as follows:

*“The Court has a duty to interpret the words contained in the Constitution and any Statute in their ordinary and literal meaning. In other words, it is not the duty of the court to go outside the words used in a statute to import an interpretation which may be or is convenient to the court or to the parties to one of the parties”*

3.15 Indeed in the case of **NYAME V. FEDERAL REPUBLIC OF NIGERIA (2010) All FWLR (Pt. 527) 618**, the Supreme Court dwelling on how plain and unambiguous provisions of the Constitution are to be interpreted stated per Adekeye, JSC; at page 662 thus: -

*"In the interpretation of the provision of a statute or Constitution, where the language used is plain and unambiguous, effect must of necessity be given to its plain and ordinary meaning. It is that clear and unambiguous language best conveys the intention of the lawmaker. The lawmaker must be taken to have intended the meaning expressed in such clear and unambiguous language and the court will not be at liberty to go outside the very provision in an attempt to ascertain the intendment and purpose of the provision. The obvious duty of the court in such a situation therefore is not the determination of what the lawmaker meant, but the meaning of the plain language used which best expresses his intention..."*

3.16 The point being made is that the provisions of **Regulations 11(3), (6) and (7)** of the Body of Benchers, 2024 are so plain, simple and unambiguous that there is or should be no difficulty in interpreting them. Indeed, it is submitted that the only interpretation which this Honourable Court should come up with and which is the one which accords with the intention of the drafters is that the power to constitute the membership and determine the tenure of members of Standing Committees of the 2<sup>nd</sup> Defendant lies with the 2<sup>nd</sup> Defendant alone and not its Chairman, as stated in the Regulations. The Court is so urged to hold!

## Effect of 1<sup>st</sup> Defendant's Breach of the 2<sup>nd</sup> Defendant's Regulations

- 3.17 The Plaintiff has set out in the affidavit in support of the Originating Summons, the various unilateral, unlawful and illegal actions of the 1<sup>st</sup> Defendant which has violated and breached the 2<sup>nd</sup> Defendant's Regulations.
- 3.18 The Plaintiff, in addition, also furnished sufficient documentary proof of the 1<sup>st</sup> Defendant's breach and violation of the 2<sup>nd</sup> Defendant's Regulations and states unequivocally that unless this Honourable Court takes steps to restrain the 1<sup>st</sup> Defendant, the revered Office of the Chairman of the 2<sup>nd</sup> Defendant would be ridiculed beyond measure.
- 3.19 The Plaintiff respectfully urges that in the face of the arguments set out above, this Honourable Court should determine all the issues formulated by the Plaintiff in the Plaintiff's favour and grant all the reliefs claimed therein by the Plaintiff in this Originating Summons.

### 4.0 Summary of Plaintiff's Arguments

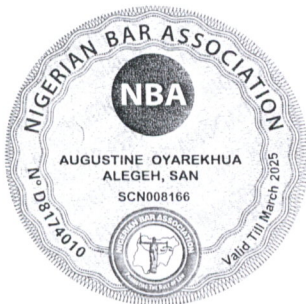
- 4.1 **Regulation 11(3)** of the Body of Benchers Regulations, 2024 lists out all the Standing Committees. The 1<sup>st</sup> Defendant is estopped by law from unilaterally setting up and/or creating any Committee outside the Committees listed under this Regulation.
- 4.2 The '**Executive Committee**' created and/or set-up by the 1<sup>st</sup> Defendant is illegal and contravenes the express provisions of the 2<sup>nd</sup> Defendant's Regulations.
- 4.3 **Regulation 11(6)** provides for the tenure of members of Standing Committees and fixes same at **three (3) years**. The 1<sup>st</sup> Defendant is estopped by law from unilaterally altering, reducing and/or shortening the tenure of Committee members from **three (3) years** to **two (2) years** in breach of the Regulations.
- 4.4 **Regulation 11(7)** empowers the 2<sup>nd</sup> Defendant alone to determine the membership of its Standing Committees. The 1<sup>st</sup> Defendant is therefore estopped by law from altering the membership of the 2<sup>nd</sup> Defendant's Standing Committees.
- 4.5 The 1<sup>st</sup> Defendant's purported removal of the Plaintiff as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant is illegal, unlawful and amounts to a flagrant breach of the extant provisions of the 2<sup>nd</sup> Defendant's Regulations.

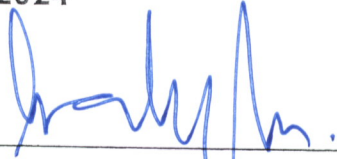
- 4.6 The Plaintiff was appointed to serve for a term of three [3] years and same cannot be determined or truncated and Plaintiff is by law entitled to serve his full tenure of three [3] years.
- 4.7 The 1<sup>st</sup> Defendant is the Chairman of the Body charged with the regulation and discipline of the legal profession in Nigeria. The 2<sup>nd</sup> Defendant is a creation of statute whose members are lawyers of the highest distinction in the legal profession of Nigeria. The 1<sup>st</sup> Defendant is therefore expected to lead by example in his conduct first as a member of the 2<sup>nd</sup> Defendant, and especially as Chairman of the 2<sup>nd</sup> Defendant. The 1<sup>st</sup> Defendant's unilateral, unlawful, illegal and despicable conduct which are succinctly outlined in the paragraphs of the Supporting Affidavit have brought ridicule and disrespect to the revered Office of Chairman of the 2<sup>nd</sup> Defendant, particularly in the face of the recent allegations of criminal impersonation and fraud contained in the Public Notice issued by the Body of Senior Advocates of Nigeria [BOSAN] against the 1<sup>st</sup> Defendant. This Honourable Court is urged to hold that the 1<sup>st</sup> Defendant is unfit to occupy the exalted position of Chairman of the 2<sup>nd</sup> Defendant.

5. **Conclusion**

- 5.1 The Plaintiff urges this Honourable Court, on the strength of the Plaintiff's arguments, to grant all the reliefs sought by the Plaintiff in this Originating Summons.

Dated the 21<sup>st</sup> day of May, 2024



  
Augustine O. Alegeh, SAN FCI Arb [UK] CON  
Kelechi Onwuegbuchulem, Esq.  
Osaruyi Ayela-Uwangue, Esq.  
Plaintiffs' Counsel  
A.O. Alegeh & Co  
Legal Practitioners & Notaries Public  
35 Cameron Road  
Ikoyi  
LAGOS



**FOR SERVICE ON:**

**3. Chief Adegboyega Solomon Awomolo SAN**

Citec Villas, Victoria Court  
Plot 182 44 Crescent  
Gwarinpa Estate  
Abuja.

**4. The Body of Benchers**

Plot 688, Institute & Research  
District FCC, Phase III  
Abuja.

*Fred S. Oluwa*

**IN THE FEDERAL HIGH COURT OF NIGERIA**  
**IN THE LAGOS JUDICIAL DIVISION**  
**HOLDEN AT LAGOS**

*FHC/LCS/887/24*  
**SUIT NO.**

**BETWEEN:**

**AUGUSTINE OYAREKHUA ALEGEH, SAN**

**] PLAINTIFF/  
APPLICANT**

**AND**

**1. CHIEF ADEBOYEGA SOLOMON AWOMOLO, SAN**

**] DEFENDANTS/  
RESPONDENTS**

**2. THE BODY OF BENCHERS**

**]**

**MOTION ON NOTICE**  
**BROUGHT PURSUANT TO ORDER 28 RULE 1 (1) OF THE FEDERAL**  
**HIGH COURT (CIVIL PROCEDURE) RULES OF 2019 AND UNDER THE**  
**INHERENT JURISDICTION OF THIS HONOURABLE COURT**

**TAKE NOTICE** that this Honourable Court will be moved on the *8<sup>th</sup>* day of *July* 2024 at the hour of 9 0' clock in the forenoon or so soon thereafter as counsel on behalf of the Plaintiff/Applicant may be heard praying this court for the grant of the following Orders:

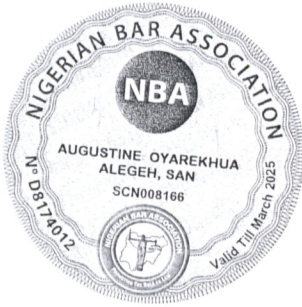
1. **AN ORDER OF INTERLOCUTORY INJUNCTION** restraining the Defendants from removing the Plaintiff/Applicant and/or interfering with his duties as Chairman of the Body of Benchers Appointment Committee during his tenure from 28<sup>th</sup> March, 2024 to 27<sup>th</sup> March, 2027, pending the hearing and determination of this Suit.
2. **AN ORDER OF INTERLOCUTORY INJUNCTION** restraining the 1<sup>st</sup> Defendant from further acting as Chairman of the Body of Benchers, pending the hearing and determination of this Suit.

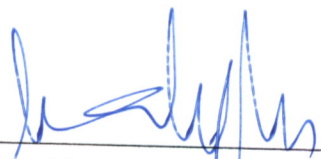
**AND FOR SUCH FURTHER ORDERS OR OTHER ORDERS** as this Honourable Court may deem fit to make in the circumstances of this case.

## **GROUND IN SUPPORT OF MOTION**

1. On the 28<sup>th</sup> of March, 2024, the Plaintiff/Applicant was appointed by the 2<sup>nd</sup> Defendant, under the administration of Hon. Justice Mary Ukaego Odili [JSC Rtd.], to serve as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant, for a term of 3 years. The said appointment was duly and formally accepted by the Plaintiff/Applicant on the same day.
2. On 29<sup>th</sup> of April, 2024, in an email forwarded to all Benchers by the 2<sup>nd</sup> Defendant's Secretary on the instructions of the 1<sup>st</sup> Defendant, the 1<sup>st</sup> Defendant unilaterally and unlawfully reconstituted membership of the 2<sup>nd</sup> Defendant's standing Committees and shortened and/or reduced the tenure of office of the Committee Members from three (3) years to two (2) years in flagrant breach and violation of the Body of Benchers Regulation.
3. In the aforesaid email under reference, the 1<sup>st</sup> Defendant unilaterally, unlawfully and maliciously purported to remove the Plaintiff as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant before the expiration of the term of three [3] years that he was appointed to serve.
4. The Plaintiff/Applicant wrote to several emails and letters to the 1<sup>st</sup> Defendant, drawing his attention to the illegality and arbitrariness in the purported attempt to remove him as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant, however the 1<sup>st</sup> Defendant has remained adamant and resolute.
5. The 1<sup>st</sup> Defendant is now attempting to convene a meeting of the Appointment Committee of the 2<sup>nd</sup> Defendant on Wednesday, the 23<sup>rd</sup> of May, 2024, without any recourse to the Plaintiff/Applicant.
6. The actions of the 1<sup>st</sup> Defendant are unlawful, illegal, arbitral and vindictive with calamitous overriding implications for the Nigerian Bar Association and Judiciary at large.
7. It is in the overriding interest of justice that the arbitral and unlawful actions of the 1<sup>st</sup> Defendant be checked and halted timeously.

DATED THIS 28<sup>th</sup> DAY OF MAY, 2024



  
Augustine O. Alegeh, SAN FCI Arb [UK] CON  
Kelechi Onwuegbuchulem, Esq.  
Osaruyi Ayela-Uwangue, Esq.  
Plaintiffs' Counsel  
A.O. Alegeh & Co  
Legal Practitioners & Notaries Public  
35 Cameron Road  
Ikoyi  
LAGOS

**FOR SERVICE ON:**



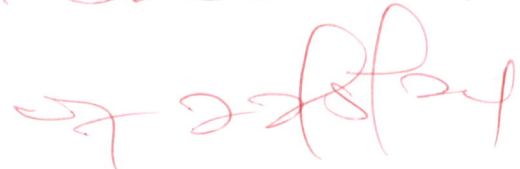
1. **Chief Adegboyega Solomon Awomolo SAN**

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2. **The Body of Benchers**

Plot 688, Institute & Research  
District FCC, Phase III  
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2010-SD38-0890  


**IN THE FEDERAL HIGH COURT OF NIGERIA**  
**IN THE LAGOS JUDICIAL DIVISION**  
**HOLDEN AT LAGOS**



*Fetc/LCS/887/24*  
**SUIT NO.**

**BETWEEN:**

**AUGUSTINE OYAREKHUA ALEGEH, SAN**

**] PLAINTIFF/  
APPLICANT**

**AND**

**1. CHIEF ADEBOYEGA SOLOMON AWOMOLO, SAN**

**] DEFENDANTS/  
RESPONDENTS**

**2. THE BODY OF BENCHERS**

**]**

**AFFIDAVIT IN SUPPORT OF MOTION ON NOTICE**

I, **AUGUSTINE OYAREKHUA ALEGEH**, Male, Adult, Christian, Legal Practitioner of No. 16, Emezie Drive, Off Delta Crescent, GRA Benin-City, Edo State, do hereby make Oath and depose as follows that:

**A. INTRODUCTION**

1. I am the Plaintiff herein by virtue of which position I am conversant with the facts and circumstances of this case.
2. The facts deposed herein are within my personal knowledge except as otherwise stated.

**Parties**

3. I am a Senior Advocate of Nigeria; former President of the Nigerian Bar Association; a Trustee of the Nigerian Bar Association; a Life Bencher of the Body of Benchers; and currently the Chairman, Appointment Committee of the Body of Benchers.
4. The 1<sup>st</sup> Defendant is a Senior Advocate of Nigeria and currently the Chairman of the Body of Benchers, the 2<sup>nd</sup> Defendant herein.



5. The 2<sup>nd</sup> Defendant is a body of Legal Practitioners of the highest distinction in the legal profession of Nigeria, created by the Legal Practitioners Act, 2014 [As Amended].

**B. BRIEF STATEMENT OF FACTS**

6. On 21<sup>st</sup> March, 2024, the 2<sup>nd</sup> Defendant under the leadership of Honourable Justice Mary Ukaego Odili [JSC Rtd.] amended and adopted the Body of Benchers Regulations, 2024.
7. On 28<sup>th</sup> March, 2024, I was appointed by the 2<sup>nd</sup> Defendant, during the administration of Hon. Justice Mary Ukaego Odili [JSC Rtd.] as the Chairman of the 2<sup>nd</sup> Defendant, as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant as its Chairman. A copy of the 2<sup>nd</sup> Defendant's Letter dated 28<sup>th</sup> March, 2024 is pleaded and herewith exhibited as **EXHIBIT P1**.
8. The 2<sup>nd</sup> Defendant's letter of 28<sup>th</sup> March, 2024 stated clearly that my appointment and tenure as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant was with immediate effect and for a fixed term of three (3) years.
9. I wrote officially to the 2<sup>nd</sup> Defendant accepting my new appointment as Chairman of the 2<sup>nd</sup> Defendant's Appointment Committee. A copy of my Letter of Acceptance dated 28<sup>th</sup> March, 2024 is pleaded and herewith exhibited as **EXHIBIT P2**.
10. Following my appointment, I travelled to Abuja and visited the Secretariat of the 2<sup>nd</sup> Defendant to familiarize and acquaint myself with the demands and functions of the Office of Chairman, Appointment Committee of the 2<sup>nd</sup> Defendant.

**C. 1<sup>st</sup> DEFENDANT'S BREACH OF 2<sup>nd</sup> DEFENDANT'S REGULATIONS**

11. The 1<sup>st</sup> Defendant assumed leadership of the 2<sup>nd</sup> Defendant as its Chairman on 1<sup>st</sup> April, 2024.
12. Prior to the 1<sup>st</sup> Defendant's appointment as Chairman in April, 2024, the 1<sup>st</sup> Defendant had served as Vice-Chairman to Honourable Justice Mary Odili [JSC Rtd.].
13. On 29<sup>th</sup> April, 2024, an email was forwarded to all Benchers by the 2<sup>nd</sup> Defendant's Secretary on the instructions of the 1<sup>st</sup> Defendant notifying all Benchers of the 1<sup>st</sup> Defendant's unilateral and unlawful reconstitution of the membership of the 2<sup>nd</sup> Defendant's Standing Committees and the shortening and/or reduction of the

tenure of office of the Committee Members from three (3) years to two (2) years in flagrant breach and violation of the Benchers Regulation. A copy of the aforesaid email dated 29<sup>th</sup> April, 2024 issued on the instructions of the 1<sup>st</sup> Defendant is pleaded and herewith exhibited as **EXHIBIT P3**.

14. In the aforesaid email under reference, the 1<sup>st</sup> Defendant unilaterally and maliciously purported to remove me as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant before the expiration of the term of three [3] years that I was appointed to serve.
15. I wrote to the Secretary of the 2<sup>nd</sup> Defendant via email, drawing his attention to the obvious illegality of the 1<sup>st</sup> Defendant's actions and the apparent breach of the Benchers Regulations. A copy of my Letter dated 2<sup>nd</sup> May, 2024 is pleaded and herewith attached as **EXHIBIT P4**.
16. When I did not receive any response from the 2<sup>nd</sup> Defendant's Secretary regarding my email, I forwarded the aforesaid email directly to the 1<sup>st</sup> Defendant for his attention and immediate action.
17. When I still did not receive any response from the 1<sup>st</sup> Defendant to my email, on 10<sup>th</sup> day of May, 2024, I sent a copy of my letter in reply to all the Benchers copied in the 2<sup>nd</sup> Defendant's email of 29<sup>th</sup> April, 2024.
18. Following my email of 10<sup>th</sup> May, 2024, the 1<sup>st</sup> Defendant sent a private response to me via email stating that he just read my email and was unaware of my appointment as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant, but rather sought my understanding and acceptance of his unilateral, unlawful and illegal decision on the matter. A copy of the 1<sup>st</sup> Defendant's email to me dated 10<sup>th</sup> May, 2024 is pleaded and herewith attached as **EXHIBIT P5**.
19. The 1<sup>st</sup> Defendant, in his aforesaid email response to me, also stated that he had unilaterally and unlawfully created an '**Executive Committee for the Body of Benchers**' which he claimed had approved all the projects and programs of his administration.
20. That I replied the 1<sup>st</sup> Defendant's email drawing his attention to his apparent breach of the Benchers Regulations, with particular emphasis on the creation of an '**Executive Committee**' for the Body outside the contemplation of the Benchers Regulation. A copy of my email to the 1<sup>st</sup> Defendant dated 13<sup>th</sup> May, 2024 is pleaded and herewith exhibited as **EXHIBIT P6**.
21. On Wednesday 15<sup>th</sup> May, 2024, the 1<sup>st</sup> Defendant sent me a text message inviting me for a meeting to discuss the matter. I responded via WhatsApp and we agreed

to meet at his office at 10am on Thursday, 16<sup>th</sup> May, 2024. I visited the 1<sup>st</sup> Defendant's Office for the meeting, in the company of my Learned Brother Silk and Life Bencher, Joe Agi SAN and left at about 11am after the 1<sup>st</sup> Defendant failed to turn up for the meeting he fixed in his own office. The 1<sup>st</sup> Defendant was well aware that I moved my flight from 8.40 am to 1pm to enable me meet with him to resolve the matter.

22. Surprisingly, shortly after I left the 1<sup>st</sup> Defendant's Office, I received a call from the 1<sup>st</sup> Defendant who said that he was now in his Office and that he would discuss the matter with me over the phone.
23. That Immediately the 1<sup>st</sup> Defendant called me I activated my speakerphone so that Joe Agi, SAN who was with me in the same vehicle would be fully aware of all our discussions.
24. The 1<sup>st</sup> Defendant informed me over the phone to the hearing of Joe Agi, SAN as follows:
  - a) That Honourable Justice Mary Odili [JSC Rtd.] did not inform him that I had been appointed the Chairman of the 2<sup>nd</sup> Defendant's Appointment Committee and consequently my appointment was not binding on him.
  - b) That as Vice Chairman to Honourable Justice Mary Odili [JSC Rtd.], he was informed of all appointments made by the latter. Hence, my appointment made during the tenure of Honourable Justice Mary Odili [JSC Rtd.] without his knowledge, was null and void as he was the center of power at the material time.
  - c) That he had personally interviewed all the people who he appointed as Chairmen of the various Committees and selected them on the basis of their commitment to help him achieve his projects and programs during his one [1] year tenure and had assigned them to the Committees they had indicated an interest in.
  - d) That he is not bound by the Benchers Regulations and that it is his decisions as Chairman that is important, not the Benchers Regulations.
  - e) That in his thirty [32] years as a member of the 2<sup>nd</sup> Defendant, no member of the 2<sup>nd</sup> Defendant had challenged any decision or action of a Chairman of the 2<sup>nd</sup> Defendant and I should do whatever I wanted but his decision cannot be challenged.
25. That my suggestion to the 1<sup>st</sup> Defendant that he is bound by the Benchers Regulations and the rule of law infuriated the 1<sup>st</sup> Defendant and he got very angry on the phone.

**D. GENESIS OF 1<sup>st</sup> DEFENDANT'S MALICE TOWARDS THE PLAINTIFF**

26. That I met the 1<sup>st</sup> Defendant in the course of conducting campaigns for election as President of the Nigerian Bar Association.
27. That I told the 1<sup>st</sup> Defendant that I was a son of a Policeman who served the Force meritoriously for 35 years and retired in 1985.
28. That the 1<sup>st</sup> Defendant told me that he was a former Policeman but did not tell me how long he served in the Police Force and/or the circumstances that led to his exit from the Police Force.
29. That when I became the President of the NBA in 2014, the 1<sup>st</sup> Defendant approached me and requested me to recognize him as a Past President of the NBA on the basis of his claim that during the period of interregnum of the Bar in 1991, he was the **Chairman of the Committee of Chairmen** that presided over the affairs of the Bar during the period of Interregnum.
30. I informed the 1<sup>st</sup> Defendant that I would consult with Past Presidents and Bar Leaders over the issue and that if his claim was correct, I would present the issue before the NBA National Executive Committee [NEC] for its decision on the matter.
31. Upon consultation with Past Presidents and Bar Leaders, I discovered that the 1<sup>st</sup> Defendant was not a Chairman of any branch of the NBA at the time. That the Bar could not have had a Past President during the period of Interregnum occasioned by a dispute over elections.
32. I informed the 1<sup>st</sup> Defendant of the result of my findings and he was clearly displeased with the outcome as he told me it his life ambition to be recognized as a Past President of the NBA.
33. In the heat of campaigns for the NBA Presidency in 2020, I was yet again approached by the 1<sup>st</sup> Defendant who informed me that he would deliver a political masterstroke which will guarantee Olumide Akpata's victory at the Polls.
34. That I dismissed his statement at the material time as I considered him to be an elder of the "**Egbe Amofin**" group of the NBA which had already endorsed Dele Adesina, SAN as their preferred candidate in the elections.
35. That I told the 1<sup>st</sup> Defendant of Dele Adesina SAN's endorsement by Egbe Amofin but he dismissed it as he stated that he was not in support of Dele Adesina, SAN's candidacy as Dele Adesina, SAN was Chief Wole Olanipekun SAN's stooge and would be unable to perform creditably in Office.

36. That a few weeks to the conduct of the NBA elections, the 1<sup>st</sup> Defendant authored a letter in which he claimed that the Presidency of the NBA be ceded and reserved exclusively for Senior Advocates of Nigeria. A copy of the 1<sup>st</sup> Defendant's aforesaid letter is pleaded and herewith exhibited as **EXHIBIT P7**.
37. That following Olumide Akpata's emergence as the President of the NBA, the 1<sup>st</sup> Defendant once again approached me to convince Olumide Akpata to recognize him as a Past President of the NBA. He stated that his letter according to him, was the master stroke that gave Olumide Akpata victory at the Polls and that I should put pressure on Olumide Akpata to grant his request. He stated that he believed Olu Akpata would accede to my request as he was very close to me.
38. That I immediately told the 1<sup>st</sup> Defendant that I could not raise such a request with Mr. Olu Akpata for the same reasons I declined to accede to his request during my tenure of office as NBA President between 2014 and 2016. The 1<sup>st</sup> Defendant was visibly displeased and unhappy with my position and stated that I had betrayed him a second time.
39. I firmly believe that the above-mentioned facts collectively constitute the basis for the malice and bad faith being exhibited by the 1<sup>st</sup> Defendant against me and which has led to 1<sup>st</sup> Defendant's unlawful and illegal move to remove me as Chairman of the 2<sup>nd</sup> Defendant's Appointment Committee.

**E. 1<sup>st</sup> DEFENDANT'S BRAZEN ACTS OF ILLEGALITY**

40. That I am aware that some of the persons including the wife of the 1<sup>st</sup> Defendant, Mrs. Victoria Awomolo, who were nominated to be made Benchers were rejected by the Appointments Committee of the 2<sup>nd</sup> Defendant under the Chairmanship of Honourable Justice Umaru Abdullahi [PCA Rtd.] on the ground that there was no space to accommodate them in the Body.
41. That the 1<sup>st</sup> Defendant as Vice Chairman of 2<sup>nd</sup> Defendant personally told the Committee members that Mallam Yusuf Alli was coming up with proposals to increase the number of Benchers so they should grant "anticipatory" approval for the appointment of his wife as a member of the Body of Benchers. The Committee members rejected his pleas and insisted in applying due process and respect the quota limit of the 2<sup>nd</sup> Defendant.
42. The 1<sup>st</sup> Defendant has now removed the members of the Appointment Committee of the 2<sup>nd</sup> Defendant who refused to bend the rules to appoint his wife as a Bencher and purported to appoint the same Mallam Yusuf Alli, whom he said would increase

the membership number of the members of the 2<sup>nd</sup> Defendant, as Chairman of the 2<sup>nd</sup> Defendant's Appointment Committee.

43. That on 10<sup>th</sup> May, 2024, the 1<sup>st</sup> Defendant at the meeting of his "Executive Committee" attempted but failed to force through the appointment of his wife as a member of the 2<sup>nd</sup> Defendant, without reference to the authentic Appointments Committee of the 2<sup>nd</sup> Defendant under my chairmanship.
44. That the 1<sup>st</sup> Defendant has fixed a meeting on Wednesday, 22<sup>nd</sup> May, 2024 for his illegal Appointment Committee to deliberate and approve the nomination of the 1<sup>st</sup> Defendant's wife as a member of the Body of Benchers.
45. That my purported removal as Chairman of the Appointment Committee by the 1<sup>st</sup> Defendant is actuated by malice and to ensure that due process is subverted to guarantee the admission of the 1<sup>st</sup> Defendant's wife as a member of the Body of Benchers.
46. That the Body of Senior Advocates of Nigeria BOSAN, on 6<sup>th</sup> May, 2024, issued a Public Notice on the 1<sup>st</sup> Defendant's unprofessional conduct which said Public Notice has tarnished the image and revered office of the Chairman of the Body of Benchers. A copy of the Public Notice issued by BOSAN dated 6<sup>th</sup> May, 2024, is pleaded and herewith exhibited as **EXHIBIT P9**.
47. That the Legal Practitioners Disciplinary Committee that is saddled with the responsibility of disciplining lawyers and vested with the powers to consider allegations of professional misconduct, is a Standing Committee of the Body of Benchers.
48. That the 1<sup>st</sup> Defendant has rejected all appeals and words of advice from leaders and elders of the 2<sup>nd</sup> Defendant to respect the Body of Benchers Regulations and to convene a meeting to discuss his unilateral action, knowing that his actions would be checked if he convened a full meeting of members of 2<sup>nd</sup> Defendant.
49. That I undertake to pay damages in the event that this application ought not to have been granted in the first place.
50. That It will be in the interest of justice for this Honourable Court to grant this application.

51. I make this deposition in good faith and in accordance with the Oaths Act.

  
DEPONENT

Sworn to at the Federal High Court Registry, Benin  
This 22<sup>nd</sup> day of May, 2024

BEFORE ME

*Original Signed*  
*Mrs. BUSARI (MRS)*  
\_\_\_\_\_  
COMMISSIONER FOR OATHS





EXHIBIT P1

# BODY OF BENCHERS NIGERIA

28<sup>th</sup> March 2024

Mr. Augustine Alegeh, CON, SAN  
Life Bencher  
22 Zingunchor Close,  
Off Constatine Street,  
Wuse Zone 4,  
Abuja.

Dear Sir,

APPOINTMENT TO SERVE AS CHAIRMAN OF THE BODY OF BENCHERS  
APPOINTMENT COMMITTEE

The above subject refers, please.

I am directed to notify you of your appointment to serve as the Chairman of the Body of Benchers Appointment Committee.

The appointment which is with immediate effect, shall be for a period of three (3) years.

Kindly accept the assurance of the Chairman's highest regards.

Daniel M. Tela, Esq  
Secretary, Body of Benchers



# AUGUSTINE ALEGEH SAN, FCI Arb. [UK] CON

Lagos: 35, Cameron Road, Ikoyi | Abuja: 22 Ziguinchor Street, Wuse Zone 4 | Benin-City: 11, Emezie Street, Delta Crescent.

DL: 0906 000 6820

Email: alegeh@alegehlaw.com

28<sup>th</sup> March, 2024

EXHIBIT P2

**The Secretary**

Body of Benchers

Plot 688 Institution and Research District

FCC Phase III

Abuja

FCT.

Dear Sir,

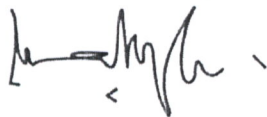
## **ACCEPTANCE OF APPOINTMENT TO SERVE AS CHAIRMAN OF THE BODY OF BENCHERS APPOINTMENT COMMITTEE**

Your letter dated 28<sup>th</sup> March, 2024 notifying me of my appointment as Chairman, Body of Benchers Appointment Committee, refers.

I hereby confirm my wholehearted acceptance of my appointment as Chairman, Body of Benchers Appointment Committee and firmly undertake to discharge the functions of the office with great responsibility and commitment to the ideals of the Body of Bencher.

I am deeply honoured by this appointment and do not take lightly the confidence reposed on me.

Yours faithfully,



**AUGUSTINE ALEGEH SAN, FCI Arb [UK] CON**  
Life Bencher

# EXHIBIT P3

**From:** Body of Benchers <[bodyofbenchersnigeria@gmail.com](mailto:bodyofbenchersnigeria@gmail.com)>  
**Subject:** RECONSTITUTION OF THE COMMITTEES OF THE BODY OF BENCHERS  
**Date:** 29 April 2024 at 2:46:22 PM WAT  
**To:** [ukaikpeghe@gmail.com](mailto:ukaikpeghe@gmail.com), Francis Chuka Agbu <[fcagbu@lexavierpartners.com](mailto:fcagbu@lexavierpartners.com)>, ADEGBOYEGA Awomolo <[adeawomolo1909@gmail.com](mailto:adeawomolo1909@gmail.com)>, [abdulkana@yahoo.com](mailto:abdulkana@yahoo.com), Joe Agi <[joeagi60@gmail.com](mailto:joeagi60@gmail.com)>, Arthur Nylander <[arthur@arthurnylander.com](mailto:arthur@arthurnylander.com)>, Nella Andem-Rabana <[nandemrabana@gmail.com](mailto:nandemrabana@gmail.com)>, JINGI JINGI <[akjingi@yahoo.com](mailto:akjingi@yahoo.com)>, Amina Augie <[justiceaugie@gmail.com](mailto:justiceaugie@gmail.com)>, Theresa Orji-Abadua <[tnorjiabadua@yahoo.com](mailto:tnorjiabadua@yahoo.com)>, [abduaboki@yahoo.com](mailto:abduaboki@yahoo.com), "Justice M. D. Abubakar" <[justicedanladi@yahoo.com](mailto:justicedanladi@yahoo.com)>, Munta Abimbola <[labima58@yahoo.com](mailto:labima58@yahoo.com)>, Fati Lami Abubakar <[fatilabubakar@yahoo.com](mailto:fatilabubakar@yahoo.com)>, [abdullahiyola2015@gmail.com](mailto:abdullahiyola2015@gmail.com), [abiodunaikomo@gmail.com](mailto:abiodunaikomo@gmail.com), "Z. Adangor" <[adazaky@yahoo.com](mailto:adazaky@yahoo.com)>, [adzira.mshelia@yahoo.com](mailto:adzira.mshelia@yahoo.com), [adeoguntade@yahoo.com](mailto:adeoguntade@yahoo.com), [obaf.adewale@gmail.com](mailto:obaf.adewale@gmail.com), Adetokunbo Kayode <[kaylaw1@yahoo.com](mailto:kaylaw1@yahoo.com)>, Adebayo Adelodun <[adelodunadebayo2000@gmail.com](mailto:adelodunadebayo2000@gmail.com)>, [adeyewole@yahoo.com](mailto:adeyewole@yahoo.com), Adeniji Kazeem SAN <[nkazeem@adenijkazeem.com](mailto:nkazeem@adenijkazeem.com)>, Olisa Agbakoba <[olisa@oal.law](mailto:olisa@oal.law)>, Chief Kanu Agabi <[kanugodwinagabi@yahoo.com](mailto:kanugodwinagabi@yahoo.com)>, Hon Justice Joel Philibus Agya <[joelagya@gmail.com](mailto:joelagya@gmail.com)>, Ahmed Mustapha <[barr.ahmedm@yahoo.com](mailto:barr.ahmedm@yahoo.com)>, Ahmad El-Marzuq <[lallomarzuq@gmail.com](mailto:lallomarzuq@gmail.com)>, Abdullahi Ahmed Yola <[takawayola@gmail.com](mailto:takawayola@gmail.com)>, [aidikko@yahoo.com](mailto:aidikko@yahoo.com), Michael Ajegbo <[majegbo@aol.com](mailto:majegbo@aol.com)>, [ajuyah@thompsonokpoko.com.ng](mailto:ajuyah@thompsonokpoko.com.ng), Sunday Akintan <[akinolaakintan@yahoo.com](mailto:akinolaakintan@yahoo.com)>, akon ikpeme <[akonikpeme@yahoo.com](mailto:akonikpeme@yahoo.com)>, [kb.akaahs@yahoo.com](mailto:kb.akaahs@yahoo.com), Lateef Akangbe <[loakangbe@sooblaw.com](mailto:loakangbe@sooblaw.com)>, Albert Akpomudje <[san@albertakpomudje.com](mailto:san@albertakpomudje.com)>, "CHIEF AKIN OLUJINMI, SAN" <[akinolujinmi@yahoo.com](mailto:akinolujinmi@yahoo.com)>, [akajibadesan@gmail.com](mailto:akajibadesan@gmail.com), [alloynwankwo@yahoo.com](mailto:alloynwankwo@yahoo.com)>, Justice Kulu Aliyu <[kulualiyu@yahoo.com](mailto:kulualiyu@yahoo.com)>, Alhamdu Bansi <[alhamdubansi@gmail.com](mailto:alhamdubansi@gmail.com)>, "Chief Yomi Aliyu SAN, FCIArb, mpic" <[yomialliyu@yahoo.com](mailto:yomialliyu@yahoo.com)>, Augustine Alegeh <[alegeh@alegehlaw.com](mailto:alegeh@alegehlaw.com)>, Amiru Sanusi <[sanusiamiru@gmail.com](mailto:sanusiamiru@gmail.com)>, Aminu Waziri <[mutawallesk@gmail.com](mailto:mutawallesk@gmail.com)>, [aminay82@yahoo.com](mailto:aminay82@yahoo.com), [anthonysena2003@yahoo.com](mailto:anthonysena2003@yahoo.com), [okeywali\\_andco@yahoo.com](mailto:okeywali_andco@yahoo.com), [anachebelaw1@yahoo.com](mailto:anachebelaw1@yahoo.com), Benbella Anachebe <[thelegaladvocate@yahoo.com](mailto:thelegaladvocate@yahoo.com)>, [aobiokafor@gmail.com](mailto:aobiokafor@gmail.com), [apatadayo@yahoo.com](mailto:apatadayo@yahoo.com), [arthurlaw1@yahoo.com](mailto:arthurlaw1@yahoo.com), [attorneygeneral@crossriverstate.gov.ng](mailto:attorneygeneral@crossriverstate.gov.ng), Ibrahim Auta <[brahimauta@yahoo.com](mailto:brahimauta@yahoo.com)>, ayaymalami <[ayaymalami@yahoo.co.uk](mailto:ayaymalami@yahoo.co.uk)>, Ayodeji Daramola <[daramolayodeji@gmail.com](mailto:daramolayodeji@gmail.com)>, [ayoomoadebara@gmail.com](mailto:ayoomoadebara@gmail.com), Zainab Bulkachuwa <[azainabab@gmail.com](mailto:azainabab@gmail.com)>, [azinge\\_azinge@yahoo.co.uk](mailto:azinge_azinge@yahoo.co.uk), [boro2012@gmail.com](mailto:boro2012@gmail.com), Muiz Banire <[muizbanire@yahoo.com](mailto:muizbanire@yahoo.com)>, Hairat Balogun <[hairatbalogun@aol.com](mailto:hairatbalogun@aol.com)>, Monica Mensem <[bolnaan@yahoo.com](mailto:bolnaan@yahoo.com)>, Badru Olaogun <[badrulaw@gmail.com](mailto:badrulaw@gmail.com)>, Bashir Dalhatu <[bmdalhatu479@gmail.com](mailto:bmdalhatu479@gmail.com)>, [bolaojo4@yahoo.com](mailto:bolaojo4@yahoo.com), Ishaya Banu <[ishayabanu@gmail.com](mailto:ishayabanu@gmail.com)>, Jimi Bada <[justicebada@gmail.com](mailto:justicebada@gmail.com)>, [wole\\_bada@aol.com](mailto:wole_bada@aol.com), [benodoh@yahoo.ca](mailto:benodoh@yahoo.ca), Becky Samuel <[beckysamuelmrs@yahoo.com](mailto:beckysamuelmrs@yahoo.com)>, [f.b.mnyimco@gmail.com](mailto:f.b.mnyimco@gmail.com), Rosaline Bozimo <[rosebozimo@gmail.com](mailto:rosebozimo@gmail.com)>, [carechambers@yahoo.co.uk](mailto:carechambers@yahoo.co.uk), Isa Chiroma <[chiroma\\_isa@yahoo.com](mailto:chiroma_isa@yahoo.com)>, Wole Olanipekun <[wole\\_olanipekun@yahoo.co.uk](mailto:wole_olanipekun@yahoo.co.uk)>, Clara Ogunbiyi <[claraogunbiyi@gmail.com](mailto:claraogunbiyi@gmail.com)>, [cocakaolisa62@gmail.com](mailto:cocakaolisa62@gmail.com), "Marshalumukoro@ymail Com" <[marshalumukoro@ymail.com](mailto:marshalumukoro@ymail.com)>, [cabayoojo@aol.com](mailto:cabayoojo@aol.com), Justice Daniel Iyobosa Okungbowa CJ Edo State <[justicediokungbowa@yahoo.co.uk](mailto:justicediokungbowa@yahoo.co.uk)>

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<ofodile.okafor@gmail.com>, osbby1@yahoo.co.uk, obiokwusogu@yahoo.com, okuonghaeikponmwencj <okuonghaeikponmwencj@gmail.com>, "Olusina Sofola, SAN" <sina.sofola@idowusofola.com>, omanyachebelu@yahoo.com, ONDO STATE JUDICIARY <ondostatejudiciary@yahoo.com>, Timothy Oyeyipo <timshine007@gmail.com>, oyijoleobeya@yahoo.co.uk, Oyelowo Oyewo <oyewoagcj2019@gmail.com>, ozekmike@yahoo.com, paul@paulusoro.com, peaceattorneys@gmail.com, rabitalatumar@gmail.com, rahilacudjoe@yahoo.com, roisenalumhe@yahoo.com, tessyetower@gmail.com, taokuth@ymail.com, taniyusuf41@gmail.com, titiloyecharles@gmail.com, senior1010@yahoo.com, sibrahimtahir@gmail.com, smabelgore@gmail.com, solomonumoh@yahoo.com, solomonumoh234@gmail.com, smolakunri@yahoo.com, Sulaiman Usman <usmansulaiman@gmail.com>, uzoanyanwu@yahoo.co.uk, Yunus Ustaz Usman <yunusustazusmansan@gmail.com>, walinhaus@yahoo.com, waliyanshabu@gmail.com, INTERSWITCH <aobelgore2002@yahoo.co.uk>, Eddy Mark <markieddy@yahoo.com>, Ya Fatima Chambers <yafatimachambers2019@gmail.com>, "Hon. Justice Ngozi Emehelu" <ngoziemehelu@gmail.com>, tayo jegede <tayoeno@yahoo.com>, abmahmoud@dikkoandmahmoud.com, justiceuwa@yahoo.co.uk, milletuseze@yahoo.com, pemurita1@gmail.com, ubilalg@yahoo.com, Osagbemwonrhue uwensuyi-edosomwan <edosomwanlaw@gmail.com>, mohammed abubakar <maabubak@yahoo.com>, Funke Adekoya <funke.adekoya@funkeadekoya.com>, John Ochoga <agbajiochoga@gmail.com>, Olufunmi Oluyede <olufunmi.oluyede@trlplaw.com>, ifeomajombofo@gmail.com, sumfahcons@gmail.com, kemasuode wodu <kemasuodewodu@yahoo.com>

My Lord/Sir/Ma,

I have been directed by the Chairman, Body of Benchers to notify all members of the reconstitution of the various Committees of the Body of Benchers. This is aimed at repositioning the Committees for optimal performance in line with the mandate of the Body.

Similarly, some of the Committees have been renamed while additional Standing and Ad-hoc Committees have been constituted.

All Committees shall serve for a period of two (2) years. However, members already serving in Committees and are being retained, shall serve the remaining term of office as indicated in their Appointment Letter earlier issued.

The Terms of Reference for each Committee shall be issued to the Members of the Committee while Letters of Appointment shall be issued to new members.

Please find attached the list of the reconstituted Committees.

All the Chairmen and Vice Chairmen of the various Committees should kindly note that there will be a meeting with the Chairman, Body of Benchers on 10th May, 2024 at the Body of Benchers Complex by 10.00am.

Accept the assurances of the Chairman's esteemed regards.

Kindly acknowledge receipt of this email.

Daniel M. Tela, Esq

Secretary, Body of Benchers

## BODY OF BENCHERS COMMITTEES

### STATNDING COMMITTEES

#### 1. INFRASTRUCTURE DEVELOPMENT MANAGEMENT AND SECURITY COMMITTEE (FORMALLY CALLED BUILDING COMMITTEE)

- |   |   |               |
|---|---|---------------|
| 1. Mr. RA Lawal-Rabana, SAN,<br>Life Bencher                          | - | Chairman      |
| 2. Mr. Uwemedimo Nwoko, SAN<br>Life Bencher                           | - | Vice Chairman |
| 3. Mrs. H.A Turaki<br>Life Bencher                                    | - | member        |
| 4. H.E Ezenwo Nyesom Wike<br>Life Bencher                             | - | member        |
| 5. Dr. Chuka Agbu, SAN<br>Life Bencher                                | - | member        |
| 6. Chief. Ferdinand Orbih, SAN<br>Life Bencher                        | - | member        |
| 7. Mr. Obafemi Adewale, SAN<br>Life Bencher                           | - | member        |
| 8. (HE) Mohammed A. Abubakar, SAN<br>Life Bencher                     | - | member        |
| 9. Hon. Justice Halima Ibrahim Abdulmalik<br>Chief Judge, Niger State | - | member        |
| 10. Hon. Justice Mosunmola Dipeolu<br>Chief Judge, Ogun State         | - | member        |
| 11. Sen. Mike Ajegbo<br>Bencher                                       | - | member        |

**2. FINANCE BUDGET AND INVESTMENT (FORMALLY FINANCE COMMITTEE)**

1. Olorogun Albert Akpomudje, SAN  
Life Bencher - Chairman
2. Hon. Justice P.O Nadi  
Life Bencher - Vice Chairman
3. Ichie L.M. E Ezeofor  
Life Bencher - member
4. Hon. Edward G. Pwajok, SAN  
Life Bencher - member
5. George Etomi, Esq  
Life Bencher - member
6. Dr. Garba Tetengi, SAN, MNI  
Life Bencher - member
7. Hon. Justice Oyebola A. Ojo  
Chief Judge, Osun State - member
8. Hon. Justice Iyabo Yerima  
Chief Judge, Oyo State - member
9. Mr. Dayo Akpata, SAN  
Hon. Attorney General, Ekiti State - member
10. Adebayo Oba Adelodun, SAN  
Bencher - member

**3. PUBLICATION INFORMATION TECHNOLOGY COMMITTEE**

1. Hon. Justice H. M.Ogunwumiju, JSC,  
Justice, Supreme Court, Life Bencher - Chairman
2. Prof. Joy Ngozi Ezeilo, OON, SAN  
Bencher - Vice Chairman
3. Hon. Justice Chinwe Iyizoba, JCA (rtd)  
Bencher - member

- |   |   |        |
|---|---|--------|
| 4. Hon. Justice Aisha Bashir Aliyu<br>Chief Judge, Nasarawa State | - | member |
| 5. Bukhari Bello, MFR, mni, Esq<br>Bencher                        | - | member |
| 6. Mr. Godwin Omoaka, SAN<br>Bencher                              | - | member |
| 7. Mr. Omoyemi Latef Akangbe, SAN<br>Bencher                      | - | member |
| 8. Mr. Usman Ogwu Sule, SAN<br>Bencher                            | - | member |
| 9. Mr. Lesley Artur Nyander, SAN<br>Bencher                       | - | member |
| 10. Hon. William Agwadza Atedze<br>Bencher                        | - | member |

**4. ELDERS COMMITTEE**

- |  |   |          |
|--|---|----------|
| 1. Mrs. H.A Balogun                          | - | Chairman |
| 2. All Past Chairmen of the Body of Benchers | - | members  |

**5. SCREENING COMMITTEE**

- |  |   |               |
|--|---|---------------|
| 1. Hon. Justice Olukayode Ariwoola, GCON, (CJN)<br>Vice Chairman, Body of Benchers | - | Chairman      |
|  | - | Vice Chairman |
| 2. Hon. Justice B.S Bansi. OFR<br>Life Bencher                                     | - | Vice Chairman |
| 3. Tijjani Inuwa-Dutse, mni, Esq<br>Life Bencher                                   | - | member        |
| 4. Mrs. Fatima Kwaku, MFR<br>Life Bencher  | - | member        |
| 5. Mr. Tajudeen Oladoja, SAN<br>Life Bencher                                       | - | member        |



6. Mr. C.A Ajuyah, SAN  
Bencher - member
7. Mr. Joe Abraham, SAN  
Life Bencher - member
8. Chief. John A.A Ochoga  
Life Bencher - member
9. Murtala Aliyu Kankia, Esq  
Life Bencher - member
10. Hon. Justice Dije Aboki  
Chief Judge, Kano State - member

**6. Legal Practitioner Disciplinary Committee**

1. Hon. Justice. Dr. Ishaq Bello OFR (rtd)  
Life Bencher - Chairman
2. Hon. Justice M.B Dongban-Mensem CFR  
President, Court of Appeal, Life Bencher - member
3. Ahmed Mustapha Goniri, Esq  
Life Bencher - member
4. Mr. Umeh Kalu, SAN  
Life Bencher - member
5. Ebenezer Obeya, Esq  
Life Bencher - member
6. Mr. Obafemi Adewale, SAN  
Life Bencher - member
7. Hon. Justice O.O Daniel Kalio  
Presiding Justice, Court of Appeal, Awka - member
8. Hon. Justice Aisha B Aliyu  
Chief Judge, Nasarawa State - member
9. Hon. Justice Halima Ibrahim Abdulmalik  
Chief Judge, Niger State - member

- |  |   |        |
|--|---|--------|
| 10. Mr. Fidelis Mnyim, Esq<br>Hon. Attorney General, Benue State | - | member |
| 11. Dr. Ben Uruchi Odoh<br>Hon. Attorney General, Ebonyi State   | - | member |

**7. Human Resources Management Committee, (Formally Appointment, Promotion and Discipline)**

- |   |   |               |
|---|---|---------------|
| 1. Hon. Justice Umaru Eri (rtd)<br>Life Bencher                         | - | Chairman      |
| 2. Hon. Justice U. M. Abba Aji<br>Justice Supreme Court, Life Bencher   | - | Vice Chairman |
| 3. Hon. Justice A.N Nwankwo, CON<br>Life Bencher                        | - | member        |
| 4. Chief Charles Edosomwan, SAN<br>Life Bencher                         | - | member        |
| 5. S. Ibrahim Tahir, Esq<br>Life Bencher                                | - | member        |
| 6. Mr. D.D Dodo, OFR, SAN<br>Life Bencher                               | - | member        |
| 7. Prof. Abdulkareem Kana<br>Life Bencher                               | - | member        |
| 8. Hon. Justice Saidu Sifawu<br>Chief Judge, Sokoto State, Life Bencher | - | member        |
| 9. Mr. Adeniji Kazeem, SAN<br>Bencher                                   | - | member        |
| 10. Hon. Justice Ngozi Priscilia Emehelu<br>Bencher                     | - | member        |

**8. Benchers Appointment Committee**

- |   |   |               |
|---|---|---------------|
| 1. Prof. Yusuf O. Ali, SAN<br>Life Bencher            | - | Chairman      |
| 2. Hon. Justice Fati L. Abubakar, CON<br>Life Bencher | - | Vice Chairman |
| 3. Tijanni Inuwa Dutse, Esq, mni<br>Life Bencher      | - | member        |
| 4. Mr. Dele Adesina, SAN<br>Life Bencher              | - | member        |
| 5. Mr. Augustine Alegeh, CON, SAN<br>Life Bencher     | - | member        |
| 6. Mr. Okey Wali, SAN<br>Life Bencher                 | - | member        |
| 7. Sen. Victor Ndoma-Egba, CON, SAN<br>Life Bencher   | - | member        |
| 8. Hon. Justice P. A. Galumje<br>Life Bencher         | - | Member        |
| 9. Lady Debbie N. Obodoukwu<br>Life Bencher           | - | member        |
| 10. Prof. Oguguwa V. C. Ikpeze<br>Life Bencher        | - | member        |

**9. Ethics, Compliance and Disciplinary Committee**

- |  |   |               |
|--|---|---------------|
| 1. Mrs. Funke Adekoya, SAN<br>Life Bencher                       | - | Chairman      |
| 2. Hon. Justice Simon Chibuzo Amadi<br>Chief Judge, Rivers State | - | Vice chairman |
| 3. Mr. Olumuyiwa Akinboro, SAN<br>Life Bencher                   | - | member        |
| 4. Mazi Afam Osigwe, SAN<br>Life Bencher                         | - | member        |

5. Mr. Ibrahim Sani Mohammed, SAN  
Life Bencher - member
6. Mr. Paul Usoro, SAN  
Life Bencher - member
7. Hon. Justice Hafsat Abdulraman  
Chief Judge, Adamawa State - member
8. Ikechukwu Uwanna, Esq  
Hon. Attorney General, Abia State - member
9. Mrs. Hauwa Abubakar  
Hon. Attorney General, Borno State - member
10. Prof. Isa Hayatu Chiroma, SAN  
Bencher - member

**10. Special Duties/ Historical and Archives Committee**

1. Mrs. H.A Turaki  
Life Bencher - Chairman
2. Chief Ibrahim Eddy Mark  
Life Bencher - Vice Chairman
3. Mr. Olushina Sofola, SAN  
Life Bencher - member
4. Oluwasina Ogunbade, Esq  
Hon. Attorney General, Ogun State - member
5. Mrs. Fadila M. Dikko  
Hon. Attorney General, Katsina State - member
6. Mrs. Gloria Umoren  
Bencher - member
7. Mr. Solomon Umoh, SAN  
Bencher - member
8. Mr. Jonathan Taidi, SAN  
Bencher - member
9. Gweke Akudihor, Esq - member

Bencher

10. Anozie Obi, Esq, mni - member

Bencher

**11. Mentoring Committee**

1. Chief Joe-Kyari Gadzama, OFR, SAN - Chairman  
Life Bencher
2. Prof. Epiphany C. Azinge, SAN - Vice Chairman  
Vice Chairman
3. Dr. Kayode Ajulo, SAN - member  
Bencher
4. Dr. Onyechi Ikpeazu, SAN - member  
Hon. Attorney General, Ondo State
5. Philemon Daffi - member  
Hon. Attorney General, Plateau State
6. Oluwole Jimi-Bada, Esq - member  
Hon. Attorney General, Osun State
7. Chief Offiong E.B Offiong, SAN - member  
Bencher
8. Rasak Osayande Isenalumhe, Esq - member  
Bencher
9. Anthony Iroagalachi, Esq - member  
Bencher
10. Ufon Usoro - member  
Bencher

**12. Rules and Regulation Committees**

1. Hon. Justice John Inyang Okoro, JSC - Chairman  
Justice Supreme Court, Life Bencher
2. Prince Adetokunbo Kayode, SAN - Vice Chairman  
Life Bencher

3. Hon. Justice Rabi Umar  
Chief Judge, Bauchi State - member
4. Hon. Justice Ngene Anagu Elvis  
Chief Judge, Ebonyi State - member
5. Mr. Lawal Pedro, SAN  
Hon. Attorney General, Lagos State - member
6. Dr. Abdulaziz M Sani, SAN  
Hon. Attorney General, Zamfara State - member
7. Rt. Hon. Yakubu Dogara, CFR  
Bencher - member
8. Mr. Awa Uma Kalu, SAN  
Bencher - member
9. Mr. Tayo Oyetibo, SAN  
Bencher - member
10. Dr. Roland Otaru, SAN  
Bencher - member

**13 Judiciary Advisory Committee**

1. Hon. Justice Mahmud Mohammed, GCON  
Former Chairman, Body of Benchers - Chairman
2. Hon. Justice Abdu Aboki  
Life Bencher - Vice Chairman
3. Hon. Justice Roseline Bozimo, OFR  
Life Bencher - member
4. Hon. Justice J.H Sankey, JSC  
Justice Supreme Court - member
5. Hon. Justice A.A.B Gumel JCA  
Presiding Justice, Court of Appeal, Gombe - member
6. Hon. Justice O. E Williams-Daudu JCA  
Presiding Justice, Court of Appeal, Port Harcourt - member
7. Hon. Justice Kazeem Alogba - member

- Chief Judge, Lagos State
8. Hon. Justice Abiodun Adebara - member  
Chief Judge, Kwara State
9. Chief Akin Olunjinmi, SAN - member  
Bencher
10. Chief Kanu Agabi, SAN - member  
Bencher

**14 Welfare, Events and Benchers Programmes committee**

1. Hon. Justice Uzo Anyanwu, JCA (rtd) - Chairman  
Life Bencher
2. Mr. Augustine Alegeh, CON, SAN - Vice Chairman  
Life Bencher
3. Ebenezer Obeya, Esq - member  
Life Bencher
4. Hon. Justice Yargata Nimpa, JCA - member  
Presiding Justice, Court of Appeal, Ibadan
5. Hon. Justice Theresa Obiajulu Diali - member  
Chief Judge, Delta State
6. Hon. Justice Ekiatte Fabian Obot - member  
Chief Judge, Akwa Ibom State)
7. A. K. Jingi, Esq - Member  
Hon. Attorney General, Adamawa State
8. Sule Shuaibu, Esq - member  
Bencher
9. Olori Olufumi Oluyede - member  
Bencher

## ADHOC COMMITEES

### 1. Committee on Review of Salaries and Condition of Service for Judicial officers, Serving and Retired

1. Dr. Muiz Banire, SAN  
Life Bencher - Chairman
2. Hon. Justice Hussieni Baba Yusuf  
Chief Judge, F.C.T - Vice Chairman
3. Mrs. Nella Andem Rabana, SAN  
Life Bencher - member
4. Hon. Justice O.A Otisi, JCA  
Presiding Justice, Court of Appeal, Sokoto - member
5. Hon. Justice M.L Shuaibu, JCA  
Presiding Justice, Court of Appeal, Sokoto - member
6. Hon. Justice Daniel Iyobosa Okungbowa  
Chief Judge, Edo State - member
7. Hon. Justice J.J Majebi  
Chief Judge, Kogi State - member
8. Senior Ibrahim Suleman  
Hon. Attorney General, Kwara State - member
9. Dr. Junaidu M Bello  
Hon. Attorney General, Kebbi State - member
10. Chief A. B. Anachebe, SAN  
Bencher - member

### 2. Constitutional and Statute Reform Committee

1. Hon. Justice B.B Kanyip, OFR  
President, National Industrial Court of Nigeria - Chairman
2. Dr. Muiz Banire, SAN  
Life Bencher - Vice Chairman



3. Hon. Edward G. Pwajok, SAN  
Life Bencher - member
4. Hon. Justice Abdu Aboki  
Life Bencher - member
5. Hon. Justice C.N Uwa  
Justice Supreme Court, Life Bencher - member
6. Chief. Emeka Ngige, OFR, SAN  
Chairman, Council of Legal Education, Life Bencher - member
7. Hon. Justice Ita George Mbaba  
Presiding Justice, Court of Appeal, Yola - member
8. Hon. Justice Hussien Baba Yusuf  
Chief Judge, FCT - member
9. Sen. Michael Opeyemi Bamidele, CON  
Bencher - member
10. Sen. Mohammed Tahir Monguno  
Bencher
11. Hon. Oluwole Oke  
Bencher
12. Dr. Kayode Ajulo, SAN  
Hon. Attorney General, Ondo State
13. Dr. Kingsley Tochukwu Ude  
Hon. Attorney General, Enugu State - member
14. Mr. Offiong E. B. Offiong, SAN  
Bencher

# AUGUSTINE ALEGEH SAN, FCI Arb. [UK] CON

Lagos: 35, Cameron Road, Ikoyi | Abuja: 22 Ziguinchor Street, Wuse Zone 4 | Benin-City: 11, Emezie Street, Delta Crescent.

DL: 0906 000 6820

Email: alegeh@alegehlaw.com

EXHIBIT P4

2<sup>nd</sup> May, 2024

## The Secretary

Body of Benchers

Plot 688 Institutions & Research District

FCC Phase III

Abuja

FCT.

Dear Sir,

## RE: RECONSTITUTION OF THE COMMITTEES OF THE BODY OF BENCHERS

I write in respect of your email of 29<sup>th</sup> April, 2024 on the “Reconstitution” of the Committees of the Body of Benchers and trust that you will bring the issues raised in this letter to the attention of the Chairman and other distinguished Benchers.

### Preamble

The Body of Benchers was established by section 3 of the Legal Practitioners Act, Cap LII LFN as a “**body of legal practitioners of the highest distinction in the Legal profession in Nigeria**”. The legal profession is in the forefront of the promotion of Rule of Law in Nigeria.

I was appointed into the Body of Benchers as a representative of the Nigerian Bar Association [NBA] and subsequently, by God’s grace, I became the 27<sup>th</sup> President of the NBA. The NBA stands in the forefront of the enthronement and defence of rule of Law; “**Promoting the Rule of Law**” is the mantra of the NBA. All Legal Practitioners are indeed, expected to be avid proponents and defenders of the Rule of Law.

Consequently, I have always seen the Body of Benchers as the apex body in the promotion and defence of the Rule of Law.

### Body of Benchers Regulations

On 21<sup>st</sup> of March, 2024, just over a month before your email under reference, the Body of Benchers passed unanimously the new Regulations, made pursuant to the Legal Practitioners Act, 2014 [as Amended].

The Regulations are sacrosanct and binding on all members of this distinguished body. It is important to draw attention to some critical provisions of the Regulations, which are reproduced below as follows:

**Regulation II – Standing Committees**

- 1) The Body of Benchers shall have power to setup Committees from time to time.
- 2) The Committees shall be known as Standing Committees, Adhoc Committees or such other names that the Body may deem fit to give the Committee.
- 3) The following shall be the Standing Committees of the Body of Benchers:
  - a. Screening Committee
  - b. Legal Practitioners Disciplinary Committee
  - c. Regulations Committee
  - d. Elders Committee
  - e. Recruitment, Promotion and Disciplinary Committee on Staff matters
  - f. Benchers Appointment Committee
  - g. Ethics and Compliance Committee
  - h. Mentoring Committee
  - i. Publicity Committee
  - j. Special Duties Committee
  - k. Judiciary Advisory Committee
  - l. Body of Benchers Complex Management Committee
  - m. Finance Committee
- 4) The Committees shall have and may exercise such functions and powers as the Body may determine or direct, from time to time.
- 5) Membership of any Standing Committee of the Body shall not exceed thirteen at any material time.
- 6) The tenure of members of all Standing Committees shall be for a single term of three years.
- 7) Membership and tenure of any Adhoc Committee of the Body of Benchers shall be determined by the Body as the need arises.
- 8) Any member who absents himself from the meeting of either a Standing or Adhoc Committee twice consecutively shall be deemed to have voluntarily withdrawn his membership of the Committee, except with cogent and satisfactory reasons.
- 9) No member shall serve in more than two Standing Committees of the Body at the same time.
- 10) Membership of all the Committees of the Body shall be based on recommendation by the Secretariat of the Body of Benchers. Provided that the Chairman, Body of Benchers shall have the powers to appoint Committee members.

- 11) Each Committee shall hold its meetings and carry out its functions at such times and place (physical or virtual) to be determined by the Chairman of the Committee.
- 12) The quorum for the Committee meeting shall be one-third of the members of the Committee.

The above Regulations show clearly that the power to create Committees rests with the entire Body. The practice has been for proposals to establish any Committee to be discussed and approved on the floor of the Body. I am not aware of any committee of this distinguished Body that has been created in a different manner.

The Regulations clearly set out and define the Standing Committees of the Body of Benchers and the names so ascribed to the Committees cannot be changed as if the Regulations have no effect whatsoever. The renaming of the Standing Committees clearly violates the Regulations.

In your email, under reference, you stated that the membership of the Committees was now to be for a period of two [2] years only, whereas Regulation 11[6] states clearly that membership of Committees is for a period of three [3] years. I wonder how the tenure of members can be shortened to two [2] years, contrary to the clear stipulations of the Regulations.

#### **Chairmanship of Body of Benchers Appointment Committee**

I was appointed as the Chairman of the Body of Benchers Appointment Committee and my letter of appointment, which I duly accepted, stated clearly that I was to serve for a term of three [3] years. I am surprised to see that whereas my tenure has not expired, my respected big brother and Life Bencher, Mallam Yusuf Ali, SAN, whom I hold in very high esteem, and who has a rich history of respect for the Rule of Law, was published in your email as the "Chairman" of the same Committee. Please note that I accepted to serve the full term of three [3] years and I have not resigned my appointment as the Chairman of the Body of Benchers Appointment Committee. I believe there must be an error which I respectfully request should be corrected immediately.

This error is made more apparent by the statement in your email under reference as follows:

**"However, members already serving in Committees and are being retained, shall serve the remaining term of office as indicated in their letter of appointment earlier issued"**

In the list attached to your email under reference, I am supposed to have been retained as a "member" of the Body of Benchers Appointment Committee whereas my letter of appointment states clearly that I was appointed as the Chairman of the Committee for a term of three [3] years. I therefore would continue to act as Chairman of the Committee in the terms stated in my Letter of Appointment.

### **Stability of the Body of Benchers**

I believe that the efficacy, stability and sanctity of decisions of the Body of Benchers must be based on decisions taken on the floor of the Body and it would portend grave danger if each year the decisions made in the last year are overturned when a new Chairman assumes the mantle of leadership. I believe that the Regulations passed and all decisions made under the leadership of Honourable Justice Mary Ukaego Peter-Odili, JSC [Rtd] must be respected as they are decisions of the Body of Benchers.

It will not be in the best interest of this distinguished Body for decisions to be changed when the Chairman hands over. We should not allow such a precedent to be set in this Body.

### **Prayers**

I believe that the clear provisions of the Regulations may not have been brought to the attention of the Chairman before you sent the email under reference. I urge you, as a matter of urgency, to draw the attention of the Chairman to the provisions of the extant Body of Benchers Regulations, 2024 and ensure compliance and respect for the said Regulations.

I close this my appeal for the need to respect the Rule of Law with the often-quoted dictum of **Late Niki Tobi, JCA** (as he then was) in **Onagoruwa vs IGP (1991) 5 NWLR (Pt. 193) 593 at 650**.

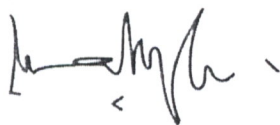
**"Nigeria is a democracy and by the grace of the Almighty God, it will remain a democracy for all times.**

**The foundation of any democracy is anchored on the Rule of Law both in its conservative and contemporary meeting. Putting it naively, we are paid mainly and essentially to uphold the Rule of Law in the entire polity.**

**And so, once we fail to uphold Rule of Law, anarchy, despotism and totalitarianism will pervade the entire society. The social equilibrium will be broken. Law and order breaks down. Everybody will be his own keeper and God for us all"**

Please accept the assurances of my warm regards and very high esteem.

**Yours Faithfully,**



**Augustine O. Alegeh, SAN FCIArb [UK] CON**  
**Life Bencher**  
**27<sup>th</sup> President of the NBA**  
**Member, Board of Trustees of the Nigerian Bar Association**  
**Chairman, Body of Benchers Appointment Committee [2024-2027]**

# EXHIBIT P5

**From:** ADEGBOYEGA Awomolo <adeawomolo1909@gmail.com>

**To:** Augustine Alegeh <alegeh@yahoo.com>

**Sent:** Friday, May 10, 2024 at 07:36:57 PM GMT+1

**Subject:** Re: RECONSTITUTION OF THE COMMITTEES OF THE BODY OF BENCHERS

My brother Augustine, I have just read your email on the above subject matter.

As my friend and one in whom i believe i had long years of mutual respect my expectation is that this is a matter we could discuss and resolve on phone.

Be that at it may, the spirit of service to our noble profession and my desire to raise the bar of the BOB propelled the changes.

I was not aware of the change of the Chairmanship of the Membership Committee from Hon Justice Umaru Abdullahi PCA rtd to your goodself on the 28th of March 2024

I had no intention to hurt your feelings. Membership of Committees is a call to service and I know you are competent to serve in any Committee of the Body.

I ask in the circumstances for your understanding. If I had wronged you, I apologise and plead for cooperation and support for my projects presented today to the Executive Committee of the Body.

I believe all hands must be on the deck for successful implementation of the programmes and projects.

I thank you for understanding my brother

# EXHIBIT P 6

**From:** Augustine Alegeh <alegeh@yahoo.com>  
**To:** ADEGBOYEGA Awomolo <adeawomolo1909@gmail.com>  
**Sent:** Monday, May 13, 2024 at 05:32:59 PM GMT+1  
**Subject:** Re: RECONSTITUTION OF THE COMMITTEES OF THE BODY OF BENCHERS

Good evening, my respected Chairman,

I am in receipt of your email of Friday, 10th May, 2024.

I have always considered you an older brother in the profession, and you know how much respect I have for you.

However, the email on the reconstitution of the BOB Committees was sent by the Secretary of BOB, and I felt the response should go through the Secretary. When I got no response after sending it to the Secretary, I thereafter sent a copy directly to you by email. I also got no response from you, hence my decision to share my letter on the BOB email platform. My initial expectation was that there was a simple error that would have been corrected without much ado.

I thank you most sincerely for your kind words. I also want to assure you of my commitment to your success as Chairman of BOB. We come from the same constituency, the NBA, and your success is of great importance to me, personally, both as a Past President of the NBA and your younger brother.

It is that commitment to your success that motivates me to respectfully appeal to you to have respect for the decisions of your predecessor in office and also the BOB Regulations, 2024. I consider it a duty to draw your attention to any issues that may have a negative effect on the BOB. I also will not want your successor in the office to jettison all your decisions as Chairman when you leave office on 31st March 2025. I plead with you to dispassionately consider all the issues raised in my letter.

I must hasten to add that the issues raised in my letter are not personal but issues of due process and respect for the Rule of Law. The crux of the matter is respect for the Regulations and the rights of all Benchers.

On the point raised in your email that you were not aware of my appointment as Chairman of the BOB Appointment Committee; the BOB Secretariat has records of all appointments of Committee Chairmen and members as well as of their tenures. These records were supposed to have been available to you at the time you considered "reconstituting" the BOB Committees. The Regulations were passed when you were the Vice Chairman of the BOB and are also available at the BOB Secretariat.

I also note the reference in your email to the "Executive Committee" of BOB when no such body is recognised by the LPA and the BOB Regulations.

My respected Chief, I plead with you to consider these words of advise from a younger brother,

knowing that they come from a good place and are aimed at ensuring you have a smooth and successful tenure as BOB Chairman.

**Augustine O. Alegeh, FCI Arb [UK] CON**  
**Senior Advocate of Nigeria**  
**Alegeh & Co.**  
**Legal Practitioners & Notaries Public**  
**Offices: Abuja. Benin. Lagos. Warri**  
**+234 906 0006820**  
**+234 906 0006828**  
**Mob: +234 803 300 0770**  
**[www.aleghehlaw.com](http://www.aleghehlaw.com)**



CHIEF T.J.O OKPOKO SAN, LIFE BENCHER

NBA. HER FUTURE.

Good morning my Senior and High Chief. Peace of God be with you Sir. I am sure you are following the developments in the NBA concerning the forthcoming election of officers in July. Permit me to remind you of your often reference to the prime importance of the Legal Profession and its leadership.

You have never failed at all public speeches at formal functions to extol the virtue of leaders past and present of the NBA. Legal profession is one of the oldest, most respected and revered professions in this country. Lawyers by culture and ethics cherish rank and seniority. You will recall sir that Dr Mudiaga Odje, SAN (of blessed memory) Past President of the Nigeria Bar Association, at the Jos Plenary Conference in 1998 called and challenged the members of the Inner Bar, to take hold of the leadership of the Bar to avoid the occurrence of what happened in Port Harcourt in 1992 that paralyzed the Bar Association from 1992-1998. Since you became the President of the reformed NBA in 1998, and to avoid what happened in Port Harcourt in 1992, all successors to the office of the President have been Senior Advocates of Nigeria.

The gains are enormous both at national and international fora. NBA is not just a social club or ordinary society, it is a conservative professional body with strong ethical values of seniority, integrity, respectability and good name as core values to the profession for leadership position not wealth or other primordial sentiment.

Since the death of Chief Richard O Akinjide, SAN you are the most active Senior, Past President of the Bar and one of the surviving senior members of the Inner Bar who has good knowledge of the culture and values of the Bar. I believe you cannot afford to look away or be unconcerned about the future and the leadership of the NBA.

With respect, I believe you need to urgently call a meeting of the Past Presidents of the NBA and do all within your powers to preserve the integrity,

honour and respectability of the Office of the President of the NBA. In recent time, unfortunately the Government did a grave damage to the integrity of the office of the NBA President, by initiating criminal prosecution against the holder of the office of the President.

What I hear is unannounced but powerful and potent revolutionary move by our junior colleagues who are very much in larger numbers to wrestle the office of the NBA from the rank of SAN. That in my view will be unfortunate for the rank. To the members of the public a ridicule of the rank and office of the President of the NBA. We can see other professions who followed our precedent of putting their first eleven to lead their Associations. You may have noticed that the member of the inner Bar do not contest for the office of Chairmen of over 120 branches Nation Wide.

I very sincerely bless God, the most High and most able father, who gave me and other committed and dedicated members of the legal profession, from all the branches to revive and restore the Bar Association back to life after its "death" from 1992-1998 following the inconclusive Annual Bar conference in Port Harcourt.

Permit me the modesty of saying that: God in His infinite mercies gave you the opportunity to lead the Bar Association after my time as Chairman of all Chairmen and Secretaries of the then 44 branches. It is on record that you and your team performed excellently well as leaders of the foremost professional Organization in Nigeria. You, courageously as a SAN and President of the Bar, looked at the powers that be directly in the face. You asserted your rank and leadership of the Bar at NJC and other fora. You successfully conducted election of officers and handed over to another Senior Advocate of Nigeria. The Bar has since then been led by SAN.

Sir, I am of the strong belief that you must do your best to keep the tradition of the rank and seniority that helped you and all those who came after you. It will be a great failure of leadership for the Senior Advocate to surrender leadership to outer Bar when there are willing and able Senior Advocates.

May God help you Sir.

EXHIBIT 78



**BODY OF BENCHERS REGULATIONS**

**MADE PURSUANT TO THE**

**LEGAL PRACTITIONERS ACT, 2014  
(AS AMENDED)**

**LAWS OF THE FEDERATION OF NIGERIA**

## BODY OF BENCHERS REGULATIONS

Made pursuant to Section 3 (5) of the Legal Practitioners Act, 2014  
(As Amended)

Commencement: .....

### 1. Membership

(1) Without prejudice to the provisions of subsection (1) of Section 3 of the Legal Practitioners Act, the Body of Benchers (herein after in these Regulations referred to as "the Body"), shall comprise of the following members:

- a) the Chief Justice of Nigeria and all the Justices of the Supreme Court;
- b) the President of the Court of Appeal;
- c) the Attorney General of the Federation and Minister of Justice;
- d) the Presiding Justices of Court of Appeal Divisions;
- e) the Chief Judge of the Federal High Court;
- f) the Chief Judge of the Federal Capital Territory, Abuja;
- g) President, National Industrial Court of Nigeria;
- h) the Chief Judges of the States of the Federation;
- i) the Attorneys General of the States of the Federation;
- j) President of the Senate (where he or she is a lawyer);
- k) Speaker of the House of Representatives (where he or she is a lawyer);
- l) Chairmen of the National Assembly Committees on Judiciary (where he or she is a lawyer);
- m) Chairman of the Council of Legal Education;
- n) the President of the Nigerian Bar Association;
- o) thirty legal practitioners nominated by the Nigerian Bar Association; and
- p) such number of persons, not exceeding thirty, who appear to the Body of Benchers to be eminent members of the legal profession in Nigeria of not less than 15 years post-call standing. Provided that such appointment is spread across the Bar and the Bench.

(2) A Bencher shall cease to be a member of the Body if:

- a) he is dismissed or suspended by the Body for misconduct;

- b) he resigns his membership;
- c) he no longer occupies the position through which he became a Bencher.

2. **Chairman and Vice Chairman of the Body**

- (1) Subject to Paragraph (2) and (4) of this Regulation, there shall be a Chairman and Vice Chairman of the Body of Benchers.
- (2) The Chairman and Vice Chairman shall each hold office for one year beginning in April of the one year and ending in March of the next year.
- (3) Upon the completion of the term of office of the Chairman or upon the Chairman ceasing to be Chairman, the Vice Chairman shall succeed him as Chairman.
- (4) Upon the Vice Chairman becoming Chairman of the Body as stated in the preceding paragraph, the office of the Vice Chairman shall become vacant, and shall be filled by election by members present and voting at the meeting of the Body of Benchers called for that purpose or such other mode as the Body may deem fit to adopt: Provided that any election to the office of the Vice Chairman shall be made in such a manner that in any year in which the Chairman is a member of the Bench, the Vice Chairman shall be from the Bar; and where the Chairman is a member of the Bar, the Vice Chairman shall be from the Bench.
- (5) Eligibility for appointment as Chairman and Vice Chairman shall be on the basis of seniority among the active Life Benchers. Seniority shall be determined by the date a Bencher becomes a Life Bencher.
- (6) In addition to the offices of the Chairman and Vice Chairman, the Body may from time to time create and designate such other offices as it may consider necessary for the purposes of performing its functions.
- (7) A former Chairman who ceases to hold office, may, so long as he remains a member, be conferred with such functions and facilities as the Body may from time to time direct.

3. **Vacancy in the Office of Chairman and Vice Chairman.**

- 1) Where an incumbent Chairman dies in office, resigns or is removed from office or becomes permanently incapacitated, the Vice Chairman shall automatically become the Chairman and there shall be an election for a new Vice Chairman.

- 2) The Chairman who emerges in accordance with the paragraph 3 (1) above shall hold the office for the un-expired term of the Chairman and thereafter serve his own term.
- 3) Where an incumbent Vice Chairman dies in office, resigns or is removed from office or becomes permanently incapacitated, there shall be an election for a new Vice Chairman to complete the tenure of the Vice Chairman and thereafter appointed to serve as the Chairman of the Body.

#### 4. **Life Membership**

- 1) There shall be such number of Life Benchers as the Body may decide.
- 2) Where the Chief Justice of Nigeria is not a Life Bencher, he shall automatically become a Life Bencher.
- 3) Appointment of Life Benchers and increase in the number of Life Benchers shall be at the discretion of the Body of Benchers.
- 4) Appointment shall be made subject to the availability of vacancies or at such a time that the Body deems it fit to make.
- 5) The appointment shall be in such a manner that any member whether from the Bench or the Bar who is qualified would be given due consideration.
- 6) The relevant Committee of the Body shall recommend persons who are eligible for appointment as Life Benchers.
- 7) For a member to be qualified for consideration for appointment as a Life Bencher, such a member must have:
  - a) Served as an active Bencher consistently, conscientiously and meritoriously for five consecutive years;
  - b) Attained a minimum of:
    - i. Fifty percent (50%) of attendance in all meetings of the Body for a period of at least five years
    - ii. One Call to Bar ceremony in each year for a period of at least five years
    - iii. 50 percent (50%) attendance at Traditional Law Dinners held at the various campuses of the Nigerian Law School for a period of at least five years.
  - c) Contributed immensely to the development of the Body.

d) Notwithstanding the provision of Regulation 4 (7) above, the Body may in its discretion alter the qualifications above where the circumstances require so.

**5. Tenure of Office for Benchers**

- 1) Persons appointed Benchers under Paragraph 1 (1) (a) to (n) of this Regulation shall serve as Benchers for the period of which they occupy the office by virtue of which they were appointed Benchers. Such persons shall cease to be Benchers at the expiration of their term of office or upon retirement whichever comes earlier.
- 2) Persons appointed as Benchers pursuant to Paragraph 1 (1) (o) and (p) of this Regulation shall serve as members for a period three (3) years. The tenure of office may be renewed for a further term of three years and no more.
- 3) Subject to the provisions of paragraph 1 (2) of this Regulation, a person appointed a Life Bencher shall remain so for life.
- 4) For a Bencher to be so qualified for renewal of tenure, he or she must have participated actively in the activities of the Body and fulfilled the minimum requirement as the Body may provide by resolution.

**6. Secretary of the Body of Benchers**

- (1) The Body shall appoint a Secretary who shall be the head of the Secretariat and shall be responsible for the execution of policy and the day to day running of the affairs of the Body.
- (2) The appointment of the Secretary shall be carried out by the Body of Benchers upon recommendation by the relevant Committee on Staff Matters.
- (3) The Committee shall determine the mode and criteria for the appointment giving due consideration to merit, competence and accountability.
- (4) The Secretary shall be placed on a consolidated remuneration and the applicable condition of service shall be in line with extant rules and regulations governing the Judiciary.
- (5) The Secretary shall be the accounting officer responsible for the administration of the Secretariat, keeping of the books and

records, ensure statutory compliance and render financial returns to relevant authorities.

- (6) The Secretary shall perform such other duties and functions as outlined in the Body of Benchers Regulations or as may be assigned to him by the Body.

#### **7. Staff of the Body of Benchers**

- (1) The Body shall have powers to employ such number of staff as it deemed necessary for the performance of its duties. The designation for the categories of staff shall be determined by the Secretary.
- (2) The manner of employment shall be determined by the relevant Committee of the Body of Benchers on Staff Matters.
- (3) All staff of the Body shall be under the supervision of the Secretary.
- (4) The Body may make rules and regulations, including but not limited to the Scheme of Service and Condition of Service in line with extant laws.

#### **8. Meetings of the Body**

- (1) The Body shall meet at least four times in a year.
- (2) Where in the opinion of the Chairman there is need to hold an emergency meeting of the Body, the Chairman shall direct the Secretary to issue notices of such meeting.
- (3) The Chairman shall preside over all meetings of the Body and in his absence or at his instance the Vice Chairman shall preside. In the absence of both the Chairman and Vice Chairman, the members shall elect one of them to preside over the meeting giving due consideration to seniority.
- (4) The Notice and Agenda for each meeting shall be prepared by the Secretary in consultation with the Chairman of the Body of Benchers and be circulated to all members prior to the date of meeting.
- (5) The Minutes of the previous meeting shall be circulated by the Secretary to all members prior to, and in the course of the meeting.



- (6) The Secretary shall maintain a register of attendance of members at meetings.
- (7) The meetings of the Body shall be conducted at the Body of Benchers Complex or such other place and time as may be determined from time to time.
- (8) The Body may adopt virtual meeting procedure where it is necessary.

#### 9. **Quorum**

- (1) For the purposes of the meetings of the Body, the quorum of members shall be fifty (50).

#### **Procedure at Meetings**

- (1) Subject to the provisions of this Regulation, the procedure for the regulation of the meetings of the Body shall be such as the Body may at its discretion determine at each meeting.
- (2) Every decision or resolution of a meeting of the Body or Committee thereof, shall except otherwise prescribed by the Body, be by a majority of the members present.

#### 10. **Appointment of Benchers**

- (1) Recommendation for appointment of Benchers shall be made by the relevant Committee from the list of eligible persons as nominated.
- (2) Where the tenure of members appointed under paragraph 1 (1) (o) of this Regulations has expired or any vacancy occurs under the paragraph, the Secretary shall notify the Nigerian Bar Association of the vacancies.
- (3) The Nigerian Bar Association, shall upon receipt of the notice forward a list of its members for consideration by the Body. The list shall be accompanied by the curriculum vitae of each person and a resolution by the National Executive Council of the Association.
- (4) The Secretary shall, in consultation with the Chairman of the Body, forward the list of the nominees to the relevant Committee for consideration.

- (5) The Committee shall consider the list and forward its report to the Body on the suitability or otherwise of the nominees. In addition to the qualification spelt out in paragraph 1 (1) (o) of this Regulation, due consideration shall be given to merit and geopolitical zones.
- (6) Where the tenure of members appointed under paragraph 1 (1) (p) of this Regulations has expired or any vacancy occurs under the paragraph, the Secretary shall notify the Chairman of the vacancies.
- (7) The Chairman shall upon receipt of the notice in (6) above nominate suitable persons for consideration by the relevant Committee. The Committee shall consider the list and make recommendations to the Body on the suitability or otherwise of the persons nominated.
- (8) Where the members of the Body of Benchers, by a simple majority, are satisfied with the nominees presented for appointment under paragraph 1 (1) (o) and (p) of this Regulation, the nominees shall be appointed as Benchers with effect from the date of the meeting.
- (9) The Secretary shall issue Appointment Letters to the persons appointed in (8) above.

#### **11. Standing Committees**

- 1) The Body of Benchers shall have power to setup Committees from time to time.
- 2) The Committees shall be known as Standing Committees, Adhoc Committees or such other names that the Body may deem fit to give the Committee.
- 3) The following shall be the Standing Committees of the Body of Benchers:
  - a. Screening Committee
  - b. Legal Practitioners Disciplinary Committee
  - c. Regulations Committee
  - d. Elders Committee
  - e. Recruitment, Promotion and Disciplinary Committee on Staff matters

- f. Benchers Appointment Committee
- g. Ethics and Compliance Committee
- h. Mentoring Committee
- i. Publicity Committee
- j. Special Duties Committee
- k. Judiciary Advisory Committee
- l. Body of Benchers Complex Management Committee
- m. Finance Committee

- 4) The Committees shall have and may exercise such functions and powers as the Body may determine or direct, from time to time.
- 5) Membership of any Standing Committee of the Body shall not exceed thirteen at any material time.
- 6) The tenure of members of all Standing Committees shall be for a single term of three years.
- 7) Membership and tenure of any Adhoc Committee of the Body of Benchers shall be determined by the Body as the need arises.
- 8) Any member who absents himself from the meeting of either a Standing or Adhoc Committee twice consecutively shall be deemed to have voluntarily withdrawn his membership of the Committee, except with cogent and satisfactory reasons.
- 9) No member shall serve in more than two Standing Committees of the Body at the same time.
- 10) Membership of all the Committees of the Body shall be based on recommendation by the Secretariat of the Body of Benchers. Provided that the Chairman, Body of Benchers shall have the powers to appoint Committee members.
- 11) Each Committee shall hold its meetings and carry out its functions at such times and place (physical or virtual) to be determined by the Chairman of the Committee.
- 12) The quorum for the Committee meeting shall be one-third of the members of the Committee.

**13) Contracts and Agreements**

All agreements made on behalf of the Body and all other instruments shall be in the name of the Body of Benchers and

signed by either the Chairman and the Secretary or the Secretary and one management staff.

14) **Traditional Law Dinners**

- (1) There shall be three (3) Traditional Law Dinners to be held at the various campuses of the Nigerian Law School during each Academic Session. The dinner shall be a prerequisite for Call to the Nigerian Bar in addition to other requirements.
- (2) The dining terms shall be classified as follows:
  - a) First Term Traditional Law Dinner
  - b) Second Term Traditional Law Dinner
  - c) Third Term Traditional Law Dinner
- (3) Members of the Body of Benchers are to attend the dinners at each of the campuses and the most senior Bencher present shall preside over the Dinner.
- (4) The date for each dinner shall be determined by the Body of Benchers.
- (5) The order of programme and dress code during dinners shall be in line with the provisions as contained in the Benchers Handbook.
- (6) The Body may charge such fees to be known as *dinner fee* to be paid by each student prior to the dining date. The amount to be paid shall be determined by the Finance Committee from time to time.
- (7) Subject to the discretion of the Body, a student shall not be eligible for Call to Bar where he fails to participate in the three dining terms.

15) **Call to the Bar**

- (1) The Body of Benchers shall be responsible for the formal Call to the Bar of persons desirous of being admitted to the Nigerian Bar.
- (2) The Nigerian Law School shall forward the names of successful candidates at its examination to the Body of Benchers for consideration for Call to the Bar.

- (3) Each student shall be sponsored by two (2) members of the Body as prerequisite for Call to the Bar. The manner of sponsorship shall be as contained in the Benchers Handbook.
- (4) The Body of Benchers shall screen each aspirant to the Bar to ensure that all academic qualifications and such other requirements for Call to the Bar have been duly satisfied.
- (5) The Body of Benchers, through its relevant Committee shall screen each aspirant to the Bar to ensure that the aspirant is fit and proper for Call to the Bar and devoid of disqualifying factors.
- (6) The relevant Committee shall forward its report to the Body of Benchers for consideration at a meeting of the Body. The report shall amongst other things give a breakdown of the list of aspirants to the Bar as well as the particulars for those considered ineligible for Call if any.
- (7) Where the Body is satisfied with the names forwarded, it shall grant an approval for the aspirants to be called to the Nigerian Bar. Where the Body is of the view that any aspirant is not fit and proper for Call to the Bar, it shall decline calling the aspirant to the Bar until such a time that the disqualification on the part of the aspirant has been remedied.
- (8) The date, time and manner of Call to the Bar shall be determined by the Body of Benchers putting into consideration the surrounding circumstances. The manner of Call to Bar shall be as contained in the *Procedure at Call to Bar* to be published by the Body from time to time.
- (9) The order of programme and dress code during Call to Bar ceremonies shall be in line with the provisions contained in the Benchers Handbook and such other instruments published by the Body.
- (10) The Chairman of the Body shall preside over Call to Bar Ceremonies and in his absence, the Vice Chairman shall preside. Where both the Chairman and Vice Chairman are not available, the Benchers shall designate one of them to preside putting into consideration the issue of seniority.
- (11) The entire processes of preparing for Call to Bar Ceremonies, including pre and post Call to Bar activities shall be handled by the Body of Benchers Secretariat.

- (12) The Body may charge such fees to be known as *Call processing fee* to be paid by each student prior to the Call date. The amount to be paid shall be determined by the Body from time to time.
- (13) Where the Body is satisfied, and if it considers it necessary, may Call an aspirant to the Bar in absentia.
- (14) The Chairman of the Body or such designated person shall shake the hands of the new wig.
- (15) Call to Bar Certificate shall be issued by the Body to the aspirants after being successfully called to the Bar.

**16) Discipline**

- (1) The discipline of Legal Practitioners in professional respect shall be carried out by the Body in accordance with the provisions of the Legal Practitioners Act.
- (2) The discipline of students of the Nigerian Law School shall be the responsibility of the Council of Legal Education.

**17) Delegation of Chairman's functions**

The Chairman may generally or in relation to any particular matter delegate any of his functions under these Regulations to the Vice Chairman or such other Bencher as the circumstance may demand. Provided nothing here shall preclude the Chairman from exercising any such functions as may be so delegated.

**18) Interpretation**

In these Regulations: -

“Act” means the Legal Practitioners Act (the Principal Act);

“Association” means the Nigerian Bar Association;

“Bencher” means a member of the Body of Benchers as provided under the Act and these Regulations;

“Body” means the Body of Benchers established by the principal Act;

“functions” includes power and duties;

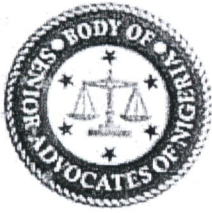
“member” means a member of the Body or of a Committee of the Body;

“prescribed” means an instrument in writing by the resolutions of the Body;

“Secretary” means the Secretary of the Body of Benchers

19) **Short Title**

These Regulations may be cited as the Body of Benchers Regulations



# BODY OF SENIOR ADVOCATES OF NIGERIA

SECRETARIAT: Room 18, Nigerian Law School, Lagos Campus, Victoria Island, Lagos.

TEL: +234-704-4444124, +234-809-8828282

## *The Nigerian Lawyer* PUBLIC NOTICE

### THERE IS ONLY ONE BODY OF SENIOR ADVOCATES OF NIGERIA (BOSAN)

The attention of the Body of Senior Advocates of Nigeria (BOSAN) has been drawn to the recent activities of a body which describes itself as BODY OF SENIOR ADVOCATES OF NIGERIA PRACTISING IN ABUJA or BODY OF SENIOR ADVOCATES OF NIGERIA, ABUJA, under the leadership of Chief Adegboyega Solomon Awomolo, SAN. The said body has continued to organise seminars, lectures, dinners, and such array of activities without recourse to the leadership of BOSAN. These activities have continued, notwithstanding the fact that the constitution of BOSAN does not provide for the existence of branches, groups or chapters anywhere in Nigeria.

For instance, on Saturday, 22<sup>nd</sup> October, 2022, BOSAN organised a befitting dinner/lecture for the present Chief Justice of Nigeria in Lagos, and a good number of Justices of the Supreme Court and Senior Advocates were in attendance, including Chief Adegboyega Solomon Awomolo, SAN. Immediately thereafter, Chief Adegboyega Solomon Awomolo, SAN, championed the organisation/staging of another dinner and lecture for some retired Justices of the Supreme Court, without any recourse to the Leader of the Body or the Secretariat. Apart from the myriad of parallel activities being organised by the said body, it has also gone ahead with a corrupted adaptation of the BOSAN logo, with the caption "Body of Senior Advocates of Nigeria" appearing underneath. The logo, which is grossly misleading, has been imposed on the several letters of invitation being distributed to various senior members of the legal profession, as invitation to one of its lecture series scheduled for May 23, 2024 titled "2023 ELECTIONS: A POST-MORTEM." The Chief Justice of Nigeria, Justices of the Supreme Court, President and Justices of the Court of Appeal, all Heads of Courts and their Judges, all Senior Advocates of Nigeria, and retired Justices/Judges to whom Chief Adegboyega Solomon Awomolo, SAN has extended his invitation should disregard that invitation.

This disturbing development which is unpretentiously targeted at polarising and disintegrating the age-long Body, is, to state the least, illegal, in breach of the constitution of BOSAN and antithetical to the philosophical ideals underpinning the establishment of the Body.

A brief historical foray into the genesis of BOSAN will put the foregoing concerns into perspective. Right from the formation of BOSAN by Chief Fredrick Rotimi Alade SAN, OFR and his contemporaries about forty years ago, it was designed to be free of all governmental and other external influences. This explains why till today, it remains a private organisation with the principal aim of promoting professional responsibility, integrity and the highest standards of professional ethics, etiquette, and discipline amongst its members; while ensuring the independence of the Judiciary, the rule of law and promotion of the highest standards of professional practice in Nigeria.

At the time BOSAN was founded, its Leader (in the absence of the Attorney-General of the Federation, where he was a Senior Advocates of Nigeria) was Chief Rotimi Williams, SAN, CFR, as he was the first Nigerian to be conferred with the prestigious rank in 1975 along with Dr. Nabo Graham-Douglas, SAN. Chief Rotimi Williams, SAN, CFR, chaired most meetings in the absence of the Attorney-General of the Federation or where the latter was present but had a specific role to play in his official capacity. In fact, a good number of BOSAN meetings were held in Chief Rotimi Williams' Chambers at Ilupeju, Lagos. In the absence of Chief Rotimi Williams, SAN, OFR, the available Senior Advocate of Nigeria who was next in rank after him would stand in his stead at the meeting or event. At the risk of restating the obvious, maintaining seniority has always been sacrosanct in terms of preserving the honour and privilege of the rank of Senior Advocate of Nigeria. With the passing of Professor Ben Nwabueze, SAN in October 2023, the leadership of BOSAN fell to my lot, as the highest-ranking Senior Advocate of Nigeria.

Though the afore-stated tradition far predates the incorporation of the Body and enactment of a constitution in May 2011, same has been codified by the constitution, thus, providing for the Attorney-General of the Federation as Chairman (provided he is a Senior Advocate of Nigeria) and the most senior living Senior Advocate of Nigeria as Vice-Chairman and Leader. Other officers are the Secretary, the Assistant Secretary, the Treasurer, the Financial Secretary and the Programme and Publicity Secretary. The Permanent Office of the Secretariat or Headquarters of the Body is situated in Lagos, as provided for in the constitution of the Body. There has never been any rancour within the Body since its formation.

It is rather unfortunate that the activities of the purported body led by Chief Adegboyega Solomon Awomolo, SAN have continued unabated, despite the admonitions of Mr. Egun Solufunde, SAN at the Special Court Session organised for the conferment of the rank of Senior Advocate of Nigeria at the Supreme Court of Nigeria on 27<sup>th</sup> November, 2023. It will be recalled that Mr. Egun Solufunde, SAN, who presented the address of BOSAN, being the most senior of the SANs present at the event, not only gave a summary of how BOSAN was founded, its traditions and lofty heritage, right from the time of Chief Rotimi Williams, SAN to date, but also emphasized the need to preserve BOSAN as one, in order for it not to lose its respect and credibility as a result of different groups from different cities or towns in Nigeria waking up, not only to establish their own branches but presenting and addressing matters and national issues from different perspectives, contrary to the intention of BOSAN's founding fathers. One would have thought that that address would lay to rest the activities of any splinter group within BOSAN, as being led by Chief Adegboyega Solomon Awomolo, SAN. As recently as 10<sup>th</sup> February, 2024, BOSAN held its meeting and annual dinner in Abuja, under the chairmanship of the Attorney-General of the Federation, Prince L. O. Fagbemi, SAN. It is noteworthy that the events were attended by Chief Adegboyega Solomon Awomolo, SAN, who did not raise, even in hush tones, any plan of a seminar, lecture series or the intention of the "Abuja Branch" to hold or host such a seminar or lecture series.

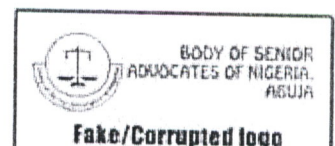
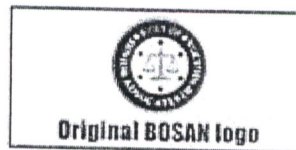
While I plead with all members of BOSAN to continue to ensure a coherent Body as handed over to us by our past leaders, it is necessary to draw the attention of all Senior Advocates and lovers of the Legal Profession to the likely fallout of any polarisation, division or dismemberment of BOSAN. We should never let it happen. Thus, we trust that the Chief Justice of Nigeria, Justices of the Supreme Court, President and Justices of the Court of Appeal, all Heads of Courts and their Judges, all Senior Advocates of Nigeria and retired Justices/Judges to whom Chief Adegboyega Solomon Awomolo, SAN has extended his invitation should disregard such invitation, and be wary of lending any credibility to the activities of any splinter group within BOSAN, either through any encouragement or attendance at any event, ceremony or activity organised by Chief Adegboyega Solomon Awomolo, SAN under the name of BOSAN. BOSAN also advises and pleads with members of the public, particularly Legal Practitioners, not to give or accord any recognition whatsoever to the illegal group and its activities.

DATED THIS 6<sup>th</sup> DAY OF MAY 2024

*Alfred Bandele Kasunmu*



PROFESSOR ALFRED BANDELE KASUNMU, SAN  
LEADER, BODY OF SENIOR ADVOCATES OF NIGERIA





**IN THE FEDERAL HIGH COURT OF NIGERIA**  
**IN THE LAGOS JUDICIAL DIVISION**  
**HOLDEN AT LAGOS**

FHC/LCS/887/24  
SUIT NO.

**BETWEEN:**

**AUGUSTINE OYAREKHUA ALEGEH, SAN**

] **PLAINTIFF/  
APPLICANT**

**AND**

**1. CHIEF ADEBOYEGA SOLOMON AWOMOLO, SAN**

] **DEFENDANTS/  
RESPONDENTS**

**2. THE BODY OF BENCHERS**

]

**WRITTEN ADDRESS IN SUPPORT OF MOTION ON NOTICE**

**1.0 INTRODUCTION**

1.1 This Written Address is filed in support of the Motion of Notice praying this Honourable Court for the following prayers:

1. **AN ORDER OF INTERLOCUTORY INJUNCTION** restraining the Defendants from removing the Plaintiff/Applicant and/or interfering with his duties as Chairman of the Body of Benchers Appointment Committee during his tenure from 28<sup>th</sup> March, 2024 to 27<sup>th</sup> March, 2027, pending the hearing and determination of this Suit.
2. **AN ORDER OF INTERLOCUTORY INJUNCTION** restraining the 1<sup>st</sup> Defendant from further acting as Chairman of the Body of Benchers, pending the hearing and determination of this Suit.

**AND FOR SUCH FURTHER ORDERS OR OTHER ORDERS** as this Honourable Court may deem fit to make in the circumstances of this case.

1.2 The Motion is supported by a 51 paragraph affidavit deposed to by Augustine Oyarekhua Alegeh SAN, the Plaintiff/Applicant herein.

## 2.0 **FACTS**

The facts grounding this application are already set forth in the supporting affidavit and same are adopted for the purposes of this legal argument.

## 3.0 **ISSUE FOR DETERMINATION**

Whether the Applicant is entitled to the grant of the reliefs sought on the Motion paper.

## 4.0 **LEGAL ARGUMENT**

4.1 **Order 28 Rule 1 (1) of the Federal High Court (Civil Procedure) Rules 2019** provides thus:

*“A party to an action may apply for the grant of an injunction before, during or after the trial of the action, whether or not a claim for injunction was included in that party’s action”*

4.2 To succeed in an application for interlocutory injunction, the Applicant needs to establish the following:

- a) A legal right;
- b) Serious issue to be tried at the trial;
- c) Balance of convenience being on its side;
- d) Damages would not be an adequate remedy;

See:

- **KOTOYE v. CENTRAL BANK OF NIGERIA (1989) 1 NWLR (PT.98) 419**
- **OBEYA MEMORIAL SPECIALIST HOSPITAL & ANOR V. A.G FED (1987) 3 NWLR (PT.60) 325**
- **AKINPELU v. ADEGBORE (2008) 10 NWLR (PT.1096) 531**

### **Legal right of the Claimant**

4.3 The Supreme Court in **AG, LAGOS STATE v. A.G FEDERATION (2004) 18 NWLR (Pt.904)** Per Tobi JSC on what connotes a legal right stated thus:

*“What is a legal right? A legal right, in my view, is a right recognisable in law. It means a right recognised by law and capable of being enforced by the plaintiff. It is a right of a party recognised and protected by a rule of law, the violation of which would be a legal wrong done to the interest of the plaintiff, even though no action is taken. The determination of the existence of a legal right is not whether the action will succeed at the trial but whether the action donates such a right by reference to the enabling law in respect of the commencement of the action.”*

4.4 My Lord, in the instant case the legal right of the Plaintiff/Applicant is primarily predicated on the fact that he was duly appointed and issued a letter of appointment dated 28<sup>th</sup> March, 2024, to serve as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant for a period of 3 years. The Plaintiff/Applicant duly accepted this appointment and physically visited the Secretariat of the 2<sup>nd</sup> Defendant on the said day.

4.5 The attempt of the 1<sup>st</sup> Defendant to unlawfully remove the Plaintiff/Applicant via the email sent out by the Secretary of the 2<sup>nd</sup> Defendant on the 29<sup>th</sup> of April, 2024, without completion of his 3 years tenure, is clearly an affront to his legal right pertaining to his appointment as Chairman of the Appointment Committee of the 2<sup>nd</sup> Defendant.

**Serious issues to be tried**

4.6 The Body of Benchers Regulations is made pursuant to Section 3(5) of the Legal Practitioners Act, 2014 (As Amended). The Body of Benchers Regulations creates the standing committees of the Body of Benchers and all appointments are statutorily flavoured. Thus the unilateral and arbitral attempt by the 1<sup>st</sup> Defendant to remove the Plaintiff/Applicant without recourse to the enabling statute presents a serious issue for trial

4.7 The Court in **OKOMO v. UMOETUK [2004] 10 NWLR (PT.882) 526** on function of the Court in respect of a legal issue in an application of this nature stated thus:

***"In application for injunction as in this case. It is only the function of the court to determine whether or not there is a serious issue to be tried at the hearing of the substantive suit and having determined that there is a serious issue to be tried and that the action is not frivolous and vexations, he will stop there and go to other aspects of the matter."***

4.8 My Lord, we submit that the existence of the serious legal issue to be tried by this Honourable Court during the final determination of this suit warrants the grant of this application.

### **Balance of convenience**

4.9 The Plaintiff/Applicant has been put in a disadvantaged position by actions of the 1<sup>st</sup> Defendant, who is bent on removing him from as Chairman of the Benchers Appointment Committee unlawfully.

### **Mere damages would not be adequate**

4.10 My Lord, mere damages would not be adequate for the damage that would occur to the Plaintiff/Applicant and the integrity of the Judiciary at large. There is a duty and need to prevent the calamitous effect of the 1<sup>st</sup> Defendant's actions.

4.11 The grant of this application is urgent and necessary in order to salvage the very precarious and dangerous situation the 1<sup>st</sup> Defendant wants to foist upon the Plaintiff/Applicant and the highly revered Body of Benchers.

4.12 We further submit that it is not in doubt that this Court has the powers under the Rules and its inherent jurisdiction to exercise its discretion one way or the other in its duties to do justice between parties before it. However, the exercise of such discretionary power is not a matter of course but one that must be guided with caution and exercised both judicially and judiciously.

4.13 In the case of **ADEBIYI V. SORINMADE & ORS (2004) ALL FWLR (PT.239) PG. 033. RI**, the Court held that:

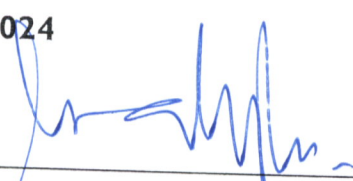
*“Discretion of Court must at all times be exercised not only judicially but also judiciously. In other words, according to justice and common sense based on sufficient materials before it.”*

### **CONCLUSION**

5.0 My Lord, in light of the arguments canvassed above, we humbly urge this Honourable Court to grant the prayers of the Claimant/Applicant as contained on the motion paper.

DATED THIS 24<sup>th</sup> DAY OF MAY, 2024



  
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