

REPUBLIC OF KENYA
IN THE SUPREME COURT OF KENYA
PRESIDENTIAL ELECTION PETITION NO. 1 OF 2017

H.E. RAILA ODINGA.....1ST PETITIONER
H.E. STEPHEN KALONZO MUSYOKA.....2ND PETITIONER

AND

**THE INDEPENDENT ELECTORAL
AND BOUNDARIES COMMISSION.....1ST RESPONDENT**

**THE CHAIRPERSON OF INDEPENDENT
ELECTORAL AND BOUNDARIES COMMISSION.....2ND RESPONDENT**

H.E UHURU MUIGAI KENYATTA.....3RD RESPONDENT

WINIFRED WACEKE GUCHU'S AFFIDAVIT
IN REPLY TO THE AFFIDAVIT OF OLGA KARANI

I **WINIFRED WACEKE GUCHU**, a resident of Nairobi and of Post Office Box Number 38601- 00623, Nairobi make oath and state as follows;

1. I am the Executive Director of Jubilee Party. I was the Deputy Chief Agent of Jubilee Party ("JP") during the recently concluded 2017 general election for purposes of Regulation 57 of the Elections (General) Elections, 2012. I am thus competent to make this affidavit.
2. I have read the affidavit of Olga Karani filed on 18th August 2017
3. I was at the National Tallying Center from 8th August, 2017 to 11th August 2017.
4. I am advised by the 3rd Respondent's Advocates on record, which advice I believe to be correct that none of the statements made by Olga Karani are verified by any evidence and the affidavit is in such general terms as to be of little probative value.
5. With regard to the allegations in paragraphs 4 to 14, I wish to state as follows in response:
 - a. The allegations are of such a generalised nature that it is not possible to respond to them with any specificity;
 - b. The IEBC Commissioners she is referring to at paragraphs 4,5,11, 12 and 13 are not identified. The Presiding Officers are not named either nor are the polling stations identified.
 - c. She does not say what the occurrences and events at Migori, Homabay and Kisumu were nor who the voters whose names were allegedly missing from the voter register were;
 - d. I am not aware of any law that requires presidential agents to be given any roles at the National Tallying Center.
 - e. The affidavit is contradictory. While she states in paragraph 11 that her concerns were never addressed, she goes on to depone at paragraph 12 the IEBC Commissioners "opted to convene a plenary session to address the issues raised".
 - f. It is totally untrue that there were few Forms 34A available on 10th August 2017. As at midnight on 9th August 2017 the information availed to political parties

through IEBC's API (Application Program Interface) showed that 39,426 Forms 34A results had been received.

6. No specific discrepancies or anomalies have been identified anywhere in the affidavit. Paragraph 14 cannot therefore be answered in any greater detail.
7. Unless otherwise stated and the source of information clearly identified, the facts deponed to herein are within my knowledge and are true.

SWORN at NAIROBI)
By WINIFRED WACEKE GUCHU)
This day of 2017)
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Before me)
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Commissioner for Oaths)

DRAWN AND FILED BY:

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