

ORIGINATING APPLICATION in respect of allegations against a Legal Practitioner.

Number BB/HPDC/901/2022

IN THE MATTER OF THE LEGAL PRACTITIONERS ACT 2004

THE INCORPORATED TRUSTEES OF  
THE NIGERIAN BAR ASSOCIATION

} APPLICANT

AND

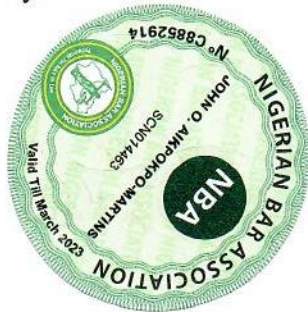
ADEKUNBI OGUNDE, ESQ.


} RESPONDENT

I, John Aikpokpo – Martins, the 1<sup>st</sup> Vice President of the Nigerian Bar Association, NBA House, Muhammadu Buhari Way, CBD, Abuja do apply on behalf of the Applicant that **ADEKUNBI OGUNDE** of WOLE OLANIPEKUN & CO of God's Grace House, 5, Maple Close, Osborne Foreshore Estate Phase 11, Ikoyi, Lagos be required to answer to the allegations contained in the Statement/Affidavit which accompanies this Application and that such Order be made as the Committee shall think right.

Dated this 19<sup>th</sup> day of July, 2022

SIGNED by:



  
John Aikpokpo – Martins Esq.  
NBA House, Plot 1101, Cadastral Zone,  
Central Business District,  
Abuja.  
08023063841  
E-mail: [omisessy@yahoo.com](mailto:omisessy@yahoo.com)

Address for service on the Respondent;  
WOLE OLANIPEKUN & CO  
God's Grace House, 5, Maple Close,  
Osborne Foreshore Estate, Phase 11,  
Ikoyi, Lagos  
E-mail: [kunbi@woleolanipekun.com](mailto:kunbi@woleolanipekun.com)



FORM OF NOTICE to accompany Statement of Evidence  
FORM OF ORIGINATING APPLICATION in respect of allegations against a  
Legal Practitioner

Number **BB/LPDC/901/2022**

**IN THE MATTER OF THE LEGAL PRACTITIONERS ACT 2004**

**THE INCORPORATED TRUSTEES OF  
THE NIGERIAN BAR ASSOCIATION**

⌋ **APPLICANT**

**AND**

**ADEKUNBI OGUNDE, ESQ.**

⌋ **RESPONDENT**

**TAKE NOTICE** that the Applicant proposes to rely upon the Statement(s)/Affidavit of Facts and accompanying documents on oath listed below, copies of which are served herewith.

If you wish any person who has made one of these statements to be required to attend the hearing as a witness you must, not less than 9 days before the date set down for the hearing of the application, notify me and the Secretary to the Committee to that effect. In the event of your failure to do so, the Committee may accept the Statement/Affidavit in question in evidence without more.

**LIST**

**Date of Statement**

**Name of Person who made  
the Statement/Affidavit**

1 19<sup>th</sup> July, 2022

John Aikpokpo Martins Esq.

Dated this 19<sup>th</sup> July, 2022

SIGNED:



John Aikpokpo-Martins Esq.  
NBA House, Plot 1101, Cadastral Zone,  
Central Business District,  
Abuja.  
08023063841  
E-mail: [omisessy@yahoo.com](mailto:omisessy@yahoo.com)

19<sup>th</sup> July, 2022.

The Chairman,  
Legal Practitioners' Disciplinary Committee  
No. 31 Lake Chad Crescent  
Maitama, Abuja.

Dear Sir,

**PETITION AGAINST ADEKUNBI OGUNDE, ESQ., A NIGERIAN LAWYER DULY CALLED TO THE NIGERIAN BAR WITH HER NAME ON THE ROLL OF LAWYERS KEPT IN THE SUPREME COURT FOR THE VIOLATION OF THE EXTANT RULES OF PROFESSIONAL CONDUCT FOR LEGAL PRACTITIONERS (RULE 1 OF THE RPC) BY SOLICITING FOR BRIEFS AND PEDDLING THE INFLUENCE OF THE PRINCIPAL PARTNER OF HER FIRM CHIEF WOLE OLANIPEKUN, SAN AS HAVING THE ABILITY TO EXTRA-LEGALLY INFLUENCE DECISIONS OF COURTS IN NIGERIA BEING THE CHAIRMAN OF THE VERY DISTINGUISHED BODY OF BENCHERS THEREBY PUTTING THE ENTIRE LEGAL PROFESSION TO NATIONAL AND INTERNATIONAL PUBLIC RIDICULE & ODIUM.**

My name is **John Aikpokpo-Martins Esq.** *the 1<sup>st</sup> Vice President of the Nigerian Bar Association* and I make this petition on behalf of the Nigerian Bar Association on her behest and firm authority.

### **STATEMENT OF FACTS**

1. Adekunbi Ogunde, Esq., against whom this petition is written, is a legal practitioner duly called to the Nigerian Bar with her name on the roll of lawyers kept at the Supreme Court. She is a private legal practitioner and a partner in the esteemed law firm of Wole Olanipekun & Co of God's Grace House, 5, Maple Close, Osborne Foreshore Estate Phase 11, Ikoyi, Lagos and is therefore expected to exhibit and maintain a very high standard of conduct, professionalism, respect for the integrity of court and the judicial process when discharging her professional duties and responsibilities to clients, the legal profession and members of the general public.
2. Sometime in the month of June, 2022, members of the legal profession and indeed the general public were rudely confronted with unbelievable reports in the social media of a letter alleged to have originated from the very esteemed and revered office of Wole

Olanipekun & Co and authored by the Respondent. In the said letter, the law firm of Wole Olanipekun & Co unprofessionally and surreptitiously solicited for a brief from Saipem SPA, an international conglomerate (knowing that another firm of lawyers was handling the said brief in the court) and further shamelessly touted the supposed overriding influence of the principal partner of her firm, Chief Wole Olanipekun, SAN, the current chairman of the very revered and distinguished Body of Benchers, and a very respected past President of the Applicant herein.

3. The said letter said to have been an email sent from the Respondent's email address; [kunbi@woleolanipekun.com](mailto:kunbi@woleolanipekun.com) was sent to a Mr. Francesco Ciao of Saipem SPA to his email address of; [Francesco.caio@saipem.com](mailto:Francesco.caio@saipem.com) and to (2) two directors of Saipem. The date of the email is stated on the email in Italian language but aptly shown to be; lunedì 20 giugno 2022 at 15:09.
4. In the said letter, the Respondent stated amongst other claims, the following;
  - a. "My name is Adekunbi Ogunde **and I am a Partner** leading the oil & gas practice area **in Wole Olanipekun & Co.**"
  - b. **"I am writing specifically in relation to the ongoing USD130 million case at the Rivers State High Court** brought by the Rivers State Government against Saipem SPA, Saipem Nigeria, and others."
  - c. **"It will also reveal that the presence of our lead partner, Chief Olanipekun SAN, OFR, in the matter will significantly switch things in favour of SAIPEM.** Chief Olanipekun SAN, OFR is currently the Chairman of the Body of Benchers....**in other words, Chief Olanipekun SAN, OFR, is the head of the entire legal profession in Nigeria.**"
  - d. **"We are aware that another law firm is currently in the matter** but you will agree that highly-sensitive and political matters require more influence."
5. Members of the legal profession particularly members of the Applicant were very disturbed by this infamous letter alleged to have originated from arguably one of the most successful, biggest, respected and most distinguished law firms in Nigeria, but hoped that

- the allegations were false, misleading and outright mischief orchestrated by some rabblers.
6. However, another e-mail said to have originated from the said office of Wole Olanipekun & Co. and authored by James Adesulu, an Associate Counsel in the firm was again published in the social media. The said email written to Mr. Francesco Caio on the express authority and consent of Chief Wole Olanipekun, SAN, OFR unequivocally retracted and disclaimed the content of the e-mail sent by the Respondent herein on the 20<sup>th</sup> of June, 2022. This email practically but sadly authenticated the social media reports to be credible and not a product of falsehood.
  7. A further letter from the office of Wole Olanipekun & Co, dated the 26<sup>th</sup> June, 2022 and signed by Bode Olanipekun, SAN., referencing the disclaimer made on the 24<sup>th</sup> June, 2022 by James Adesulu and further disclaiming the e-mail of the Respondent to Mr. Francesco Caio was written to Mr. Henry Ajumogobia, SAN, OFR. In the said letter, the office of Wole Olanipekun & Co also profusely apologized for the action of the Respondent. This letter was also regrettably caused to be published in the social media.
  8. While the members of the legal profession in particular and the national and international public were attempting to come to terms with what has now obviously become the most infamous letter ever written by a lawyer and/or a law firm in the history of the legal profession in Nigeria, the Respondent published a letter on the social media admitting the allegations, but sought only to exculpate her law firm from the now most infamous conduct allegations within the legal profession ever in Nigeria.
  9. The entire members of the Applicant arising from their comments on the social media and calls to the President of the Nigerian Bar Association have been feverishly and fervently demanding and calling on the Applicant to rise up and refer the Respondent and the partners of Wole Olanipekun & Co. to the Legal Practitioners' Disciplinary Committee for gross and grave professional misconduct that brought unprecedented shame, ridicule, opprobrium and odium on the entire administration of justice system and the legal profession in Nigeria.

10. Pursuant to all these calls, the National Executive Committee of the Applicant acting within the scope of her constitutional authority, power and mandate and the oaths of office subscribed to by the national officers i.e.; to discharge their duties faithfully and in accordance with the constitution of the NBA and always in the best interest, integrity and well-being of the Association; and not to allow their personal interest to influence their official decisions; and to strive in all circumstance to defend the ethics of the profession, the rule of law resolutely resolved to refer this matter to the Legal Practitioners' Disciplinary Committee and further directed me to present this petition before this august and most distinguished body for necessary action hence this petition. Accompanied herewith are copies of the petition, copies of my statement on oath in support of the petition and annexed exhibits.

### **PRAYER**

We respectfully urge the Committee to immediately commence the disciplinary process and prosecute **ADEKUNBI OGUNDE Esq.** for the violation of the sacred provisions of the Rules of Professional Conduct, particularly Rule 1 thereof. We further urge that the committee consider whether the partners of the firm of Wole Olanipekun & Co. are not liable to be disciplined by this august body seeing that the Respondent has the ostensible authority to act as a partner, and indeed acted for and on behalf of the said firm.

We hopefully look forward to your quick consideration of this Petition.

Yours respectfully



John Aikpokpo – Martins Esq.  
NBA House, Plot 1101, Cadastral Zone  
Central Business District,  
Abuja  
08023063841  
E-mail: [omisessy@yahoo.com](mailto:omisessy@yahoo.com)

Address for service on the Respondent;  
**WOLE OLANIPEKUN & CO**  
God's Grace House, 5, Maple Close,  
Osborne Foreshore Estate, Phase 11,  
Ikoyi, Lagos  
E-mail: [kunbi@woleolanipekun.com](mailto:kunbi@woleolanipekun.com)

**IN THE FEDERAL HIGH COURT OF NIGERIA**

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT ABUJA**

**AFFIDAVIT OF FACTS IN RE: THE PETITION OF THE NBA AGAINST ADEKUNBI OGUNDE, ESQ**

I, John Aikpokpo-Martins, male, Christian, Nigerian, Legal Practitioner and the 1<sup>st</sup> Vice President, Nigerian Bar Association of NBA House, Muhammadu Buhari Way, Central Business District, Abuja, do hereby make oath and state as follows:

1. That I am the 1<sup>st</sup> Vice President of the Nigerian Bar Association (hereinafter referred to simply as the **NBA**) and I have the consent, authority, concurrence and directive of the President of the NBA, and the National Executive Committee (hereinafter simply referred to as **NBA-EXCO**) to petition the Respondent to the very distinguished Legal Practitioners' Disciplinary Committee (hereinafter simply referred to as **the LPDC**) for acts bordering on professional misconduct.
2. That I am conversant with the facts of this matter.
3. That the distinguished body should immediately commence the disciplinary process and prosecute the Respondent, ADEKUNBI OGUNDE, Esq for the violation of the sacred provisions of the Rules of Professional Conduct and also determine in the light of the peculiar allegations and circumstances of this case whether the other partners of the firm of **Wole Olanipekun & Co.** are not jointly liable to be tried and disciplined by this august body seeing that the Respondent has the ostensible authority to act as a partner, and indeed acted for and on behalf of the said firm.
4. That Adekunbi Ogunde, Esq. is a legal practitioner duly called to the Nigerian Bar with her name on the roll of lawyers kept at the Supreme Court. She is a partner in the esteemed law firm of Wole Olanipekun & Co of God's Grace House, 5, Maple Close, Osborne Foreshore Estate Phase 11, Ikoyi, Lagos and is therefore expected to exhibit and maintain a very high standard of conduct, professionalism, respect for the integrity of court and the judicial process when discharging her professional duties and responsibilities to clients, the legal profession and members of the general public.



2806 82415650

5. That sometime in the month of June, 2022, members of the legal profession and indeed the general public were rudely confronted with unbelievable reports in the social media of a letter that was said to have originated from the very esteemed and revered office of Wole Olanipekun & Co and authored by the Respondent, soliciting for a brief from Saipem SPA, an international conglomerate knowing that another firm of lawyers was handling the said brief, and despicably touted the influence of the principal partner of her firm, **Chief Wole Olanipekun, SAN**, the current chairman of the very revered and distinguished Body of Benchers, and a very respected past President of the Applicant herein.
6. The said letter said to have been an email sent from the Respondent's email address; [kunbi@woleolanipekun.com](mailto:kunbi@woleolanipekun.com) was sent to a Mr. Francesco Caio of Saipem SPA to his email address of; [Francesco.caio@saipem.com](mailto:Francesco.caio@saipem.com) and 2 others. The date of the email is stated on the email in Italian language but aptly shown to be; lunedì 20 giugno 2022 sent at 15:09. A copy of the said document as downloaded from the social media is hereby annexed as **Exhibit NBA 1**.
7. That in the said letter, the Respondent stated amongst other things the following;
  - a. "My name is Adekunbi Ogunde and I am a Partner leading the oil & gas practice area in Wole Olanipekun & Co."
  - b. "I am writing specifically in relation **to the ongoing USD130 million case at the Rivers State High Court** brought by the Rivers State Government against Saipem SPA, Saipem Nigeria, and others."
  - c. "It will also reveal that the presence of our lead partner, Chief Olanipekun SAN, OFR, in the **matter will significantly switch things in favour of SAIPEM**. Chief Olanipekun SAN, OFR is currently the Chairman of the Body of Benchers.....**in other words, Chief Olanipekun SAN, OFR, is the head of the entire legal profession in Nigeria.**"
  - d. "**We are aware that another law firm is currently in the matter but you will agree that highly-sensitive and political matters require more influence.**"
8. That members of the legal profession were taken aback, disgusted, alarmed, pained and very disturbed by the infamous letter alleged to have originated from arguably one of the most successful, biggest, respected and



distinguished law firms in Nigeria. Members however hoped that the contents of the very infamous letter and the putrid consequential allegations arising from the said publication that went viral were false, misleading and outright mischief orchestrated by some rabblers against the firm of Wole Olanipekun & Co and the person of Chief Wole Olanipekun, SAN, OFR.

9. However, another e-mail said to have originated from the said office of Wole Olanipekun & Co and authored by James Adesulu, an Associate Counsel in the firm was again published on the social media. The email annexed a letter dated 24<sup>th</sup> June 2022, and written to Mr. Francesco Caio on the express authority and consent of Chief Wole Olanipekun, SAN, OFR to unequivocally retract and disclaim the content of the earlier email sent by the Respondent herein on the 20<sup>th</sup> June, 2022. This email and letter sadly authenticated the media reports to be credible and not a product of falsehood. A copy of the said letter signed by James Adesulu and Quam Owolabi Bisiriyu as downloaded from the social media is hereby annexed as **Exhibit NBA 2**.
10. That a further letter from the office of Wole Olanipekun & Co written to Mr. Henry Ajumogobia, SAN, OFR dated the 26<sup>th</sup> June, 2022 referencing the disclaimer made on the 24<sup>th</sup> June, 2022 by James Adesulu and Quam Owolabi Bisiriyu, further disclaiming the email of the Respondent to Mr. Francesco Caio, and also apologizing for the action of the Respondent was also published on the social media. This said letter was signed by Bode Olanipekun, SAN a partner in Wole Olanipekun & Co. A copy of the said document as downloaded from the social media is hereby annexed as **Exhibit NBA 3**.
11. That while the members of the legal profession in particular and the national and international public were attempting to come to terms with what has now obviously become the most infamous conduct ever alleged against a lawyer and a law firm in Nigeria, the Respondent published a letter in the social media admitting writing the document referred to herein as **exhibit NBA 1** as published on the social media, but sought to exculpate her law firm from "an honest but regrettable mistake." A copy of the said document as downloaded from the social media is hereby annexed as **Exhibit NBA 4**.
12. That the entire members of the Applicant arising from their comments on social media and calls to the President and other members of the National Executive including myself have been demanding and calling on the NBA-EXCO to rise up and refer the Respondent and the partners of the firm of Wole Olanipekun & Co. to the Legal Practitioners' Disciplinary Committee

for gross and grave professional misconduct that brought unprecedented shame, ridicule, opprobrium and odium on the entire administration of the justice system and the legal profession in Nigeria.

13. That pursuant to all these calls, the NBA-EXCO acting within the scope of her constitutional authority, power and mandate resolved to refer this matter to the Legal Practitioners' Disciplinary Committee for necessary action and further directed me to ensure that this petition is brought before this august and most distinguished body, hence this petition.
14. Pursuant to these calls, the NBA-EXCO acting within the scope of her constitutional authority, power and mandate and the oaths of office subscribed to by the national officers i.e.; to discharge their duties faithfully and in accordance with the constitution of the NBA and always in the best interest, integrity and well-being of the Association; and not to allow their personal interest to influence their official decisions; and to strive in all circumstance to defend the ethics of the profession, the rule of law resolutely resolved at a meeting to refer this matter to the Legal Practitioners' Disciplinary Committee and further directed me to ensure that this petition is presented and prosecuted diligently before this august and most distinguished body for necessary action.
15. That if it becomes necessary, I shall provide other documents and/or processes that may later become available in proof of this petition.
16. That I make this affidavit conscientiously and in good faith, believing same to be true and in accordance with the Oaths Act of the Federal Republic of Nigeria.

  
**DEPONENT**

Sworn to at the Registry of the Federal High  
Court, Abuja this 19<sup>th</sup> day of July, 2022.

**BEFORE ME:**  
  
**COMMISSIONER FOR OATHS**

EXH - NBA I

**Da:** Adekunbi Ogunde <[kunbi@woleolanipekun.com](mailto:kunbi@woleolanipekun.com)>

**Inviato:** lunedì 20 giugno 2022 15:09

**A:** Caio Francesco <[Francesco.Caio@saipem.com](mailto:Francesco.Caio@saipem.com)>

**Cc:** Merlo Silvia <[Silvia.Merlo@saipem.com](mailto:Silvia.Merlo@saipem.com)>; Puliti Alessandro <[Alessandro.Puliti@saipem.com](mailto:Alessandro.Puliti@saipem.com)>; CHINI SIMONE <[SIMONE.CHINI@saipem.com](mailto:SIMONE.CHINI@saipem.com)>

**Oggetto:** USD130million claim in Nigeria - Rivers State Government vs Saipem SPA, Saipem Contracting Nigeria Limited and Ors



Dear Mr. Caio,

I trust that you had a good weekend, and you are doing well, despite these somewhat challenging times at SAIPEM.

My name is **Adekunbi Ogunde** and I am a Partner leading the oil & gas practice area in **Wole Olanipekun & Co.**

I am writing specifically in relation to the ongoing **USD130 million case at the Rivers State High Court** brought by the **Rivers State Government** against **Saipem SPA, Saipem Nigeria**, and others.

I believe that, you need a more influential lawyer/law firm to prevent a potential huge pay out to the Rivers State Government and without a doubt, I believe that my law firm, **Wole Olanipekun & Co.**, can help in this regard.

A quick research about **Wole Olanipekun & Co.**, will show that the law firm is the leading litigation firm that has helped other multinationals in sensitive, highly political matters. It will also reveal that the presence of our lead partner, **Chief Olanipekun SAN, OFR**, in the matter will significantly switch things in favour of SAIPEM. **Chief Olanipekun SAN, OFR is currently the Chairman of the Body of Benchers**, which is the highest ruling body in the Nigerian legal profession, made up of Supreme Court Judges, Presiding Justices of the Court of Appeal and Chief Judges of all State High Courts, including the Rivers State High Court. **In order words, Chief Olanipekun SAN, OFR, is the head of the entire legal profession in Nigeria.**

**Wole Olanipekun & Co.** has also helped other multinationals, such as in the famous cases of MTN tax dispute, Shell Petroleum, Equinor (former Statoil) dispute etc. **avoid huge pay outs in more complex, sensitive and highly-political matters.**

We are aware that another law firm is currently in the matter but you will agree that highly-sensitive and political matters require more influence. We are happy to work with the current lawyers to achieve the desired results.

I hope that you consider this so as to help SAIPEM avoid a huge pay out in claims and I am happy to set up a meeting to discuss further.

Dear Mr. Francesco Caio,

I trust this email meets you well.

By way of introduction, my name is James Adesulu, an Associate Counsel in the law firm of **Wole Olanipekun & Co.** I have the express authority and consent of our **Principal Partner, Chief Wole Olanipekun SAN, OFR.**, to send this email and the attached letter to you and all the persons copied on this email.

In summary, on behalf of our **Principal Partner, Chief Wole Olanipekun SAN, OFR.**, and the law firm of **Wole Olanipekun & Co.**, we hereby disclaim and unequivocally retract the content of the email sent by Ms. Adekunbi Ogunde to you on **20th June, 2022**, as the said email was neither with the authority, consent, mandate, approval or knowledge of our Principal Partner nor did Ms. Ogunde show the contents of the email to any member/person at the firm before or after sending the email.

Our Principal Partner and the law firm of **Wole Olanipekun & Co.**, sincerely regrets this embarrassing and unfortunate situation, as our Principal Partner values and covets the very cordial and friendly relationship he has with the respected learned Silk, **H. Odein Ajumogobia SAN, OFR** and the entire law firm of **Ajumogobia & Okeke**, which has spanned over decades.

Be rest assured that we have taken internal measures to ensure that this sort of improper conduct does not reoccur.

Accordingly, please find attached our letter disclaiming and retracting Ms Ogunde's email of **20th June 2022**. Once again, we deeply regret this embarrassing situation.

Best regards,

**James Adesulu**

EXH-AR 2  
13 JUL 2022  
MAMAK ESQ

*Associate*

# WOLE OLANIPEKUN & CO

A: **Wole Olanipekun & Co**

God Grace's House

5, Maple Close

Osborne Foreshore Estate Phase II

Ikoyi, Lagos.

P: +234 (0) 812-1158-808

W: [www.woleolanipekun.com](http://www.woleolanipekun.com)

TheNigeriaLawyer

24<sup>th</sup> June, 2022

**Francesco Caio**

SAIPEM SpA

Via email to: Francesco.caio@saipem.com

Dear **Mr. Caio**

**DISCLAIMER**

**RE: USD 130MILLION CLAIM IN NIGERIA – RIVERS STATE GOVERNMENT VS. SAIPEM SPA, SAIPEM CONTRACTING NIGERIA LIMITED & ORS**

Our attention has just been drawn to a letter sent by mail to **Mr. Caio** of **SAIPEM Contracting Nigeria Limited** by **Adekunbi Ogunde**, purportedly acting on behalf of our law firm. The letter was brought to our attention by **H. Odein Ajumogobia, SAN, OFR**, a respected colleague of ours, and a close ally of our **Principal, Chief Wole Olanipekun, OFR, SAN**. We appreciate the candor of the learned **Senior Advocate** and his thoughtfulness in bringing the letter to our attention promptly.

First, let it be known without any equivocation that the said letter was written without the instruction, authority, mandate, approval or consent of **Wole Olanipekun & Co.**; it was also not brought to our attention by the writer. Second, it has never been the practice of our law firm to solicit for cases or clientele, and we shall never indulge ourselves in this disturbing practice and trend. Third, **H. Odein Ajumogobia, SAN, OFR** is one of the leading lights in our profession, sound in character and knowledge. He is intellectually adept, and we are proud to say that our **Principal** has very high regards for him. In other words, no client or company can have a better counsel to represent it than this icon of the **Bar**. Equally, we have always had, and we still have our high respect for the law firm of **Ajumogobia & Okeke**. Fourth, the practice in our law firm is that before any letter goes out, it must be cleared in-house, and jointly attested to or signed by **two counsel**. In effect, the writer of the letter under reference was on her own, and we do wholly dissociate ourselves from the letter and its contents; while internal measures would immediately be taken to address and redress this very unfortunate situation. The writer never discussed her intention to


write the letter or showed it to any person or counsel in the office, either before or after sending it to **Mr. Caio**.

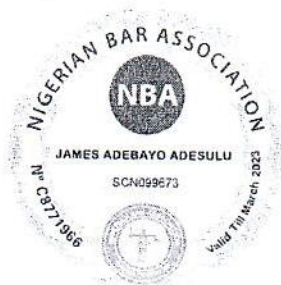
Our **Principal**, without being immodest, has never been known to indulge himself in the type of practice portrayed in the letter under reference. He is a very sober and humble person, and we believe learned Silk, **H. Odein Ajumogobia, SAN, OFR** can attest to this. He stands for the best in the profession, in terms of **ethics, honour, integrity, discipline, character and carriage**. Ditto for our office, which has been in existence since **1980**. As at now, our **Principal** is in the forefront of initiating reforms in the legal profession, in order to restore its age-long **discipline, ethics and honour**. Thus, on receipt of the letter under reference, he felt so much disgusted, disappointed and distressed.


To put it mildly, the entire scenario is highly embarrassing to the whole office. Our **Principal** was in utter shock when his attention was brought to **H. Odein Ajumogobia, SAN, OFR's** letter by his **Secretary**. The entire office was also very alarmed and greatly perturbed.

In parenthesis, we dissociate ourselves from the letter under reference, as the writer was on her own. As stated earlier, we will address this shortly. Put in other words, **the letter is hereby retracted unequivocally**; in spite of the fact that it was unauthorized and done without our permission, authority or consent. We unreservedly apologize to the highly respected **H. Odein Ajumogobia, SAN, OFR**, and the entire law firm of **Ajumogobia & Okeke** for the embarrassment which the letter might have caused them; but let it be known that the letter has also caused us a lot of embarrassment as well.

Pp: **Wole Olanipekun & Co.,**

  
**James Adesulu**  
Associate Counsel



  
**Quam Owolabi Bisiriyu**  
Associate Counsel



Cc:

H. Odein Ajumogobia, SAN, OFR

Dear highly respected Silk,

Above is for your information, in response to your email sent to our **Principal** on this subject. Once again, we reiterate the obvious that our **Principal** and the entire law firm of **Wole Olanipekun & Co.**, hold you and the law firm of **Ajumogobia & Okeke** in very high esteem, and we apologize for this very unfortunate incident, which was unauthorized; and was neither initiated, prompted, encouraged nor approved by our chambers. We are equally disturbed as you are.

Be assured that our Principal values and covets the very cordial professional and friendly relationship between both of you, a relationship that has stood the test of time for over three decades, where both of you have mutually and reciprocally shared and exchanged thoughts on some highly confidential issues and subjects. Therefore, this very unfortunate and unseemly unauthorized act by an equally unauthorized writer should not and cannot overshadow the long relationship and mutual respect between our Principal and your highly respected self. Same goes for the two law firms.

Pp: Wole Olanipekun & Co.,



James Adesulu  
Associate Counsel



Quam Owolabi Bisiriyu  
Associate Counsel

EXH-NBA 3

26 June, 2022

Mr. Henry O. Ajumogobia, OFR, SAN  
Ajumogobia & Okeke  
2<sup>nd</sup> Floor, Sterling Towers  
20 Marina, Lagos.



Dear Learned Silk,

**RE: USD 130MILLION CLAIM IN NIGERIA – RIVERS STATE GOVERNMENT VS. SAIPEM SPA, SAIPEM CONTRACTING NIGERIA LIMITED & ORS**

Kindly refer to the above subject, particularly, the disclaimer issued by our firm on 24<sup>th</sup> June, 2022 immediately the events necessitating the disclaimer were brought to the firm's attention.

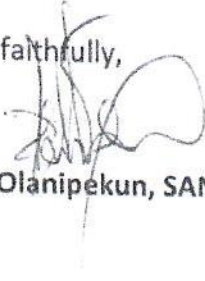
This letter serves as further reiteration that, the contents of the disclaimer represent the position of Wole Olanipekun & Co. in respect of the unauthorized correspondence that warranted the disclaimer. I was in Court outside Lagos on 24<sup>th</sup> June, 2022 when your email of the same date notifying our Chief Wole Olanipekun, OFR, SAN of the unauthorized correspondence was brought to my attention. I immediately put several calls through to your phone that rang free. I also sent you whatsapp messages apologizing for the correspondence and described it as "unauthorized, unfortunate and scandalous". I am aware our firm's founder, with whom you share significant history also reached out to you to apologize. I subsequently reached out to other partners of your firm to proffer our firm's profound disappointment and apologies and was made to realize you were out of Nigeria.

In the same manner that you subscribe to very high standards of ethics and decency, such standards are non-negotiable basics and uncompromisable for our firm. Indeed, in our firm's 42 years history, we have never solicited for client engagement in the manner of the unauthorized correspondence, neither do we give clients assurance(s) of judicial outcomes. We are also bold to assert that, there has also not been a single instance where we have attempted to influence

judicial outcomes by improper means, influence peddling or means outside our representations in court.

In the circumstance, once again, kindly take this letter as reconfirmation of our disclaimer of 24<sup>th</sup> June, 2022, both in terms of content and sincerity of purpose; as well as our immense respect for your person and the venerated law firm of Ajumogobia & Okeke.

Yours faithfully,



**Bode Olanipekun, SAN**



TheNigeriaLawyer

WOLE OLAYINKA & CO.  
LEGAL PRACTITIONERS

## Adekunbi Ogunde LL.B (Hull) /LL.M (Nottingham)

### The Email to Saipem

It was based on this commitment, and perhaps with great enthusiasm and exuberance, that I wrote an email to **Saipem** on **20<sup>th</sup> June, 2022**, without the consent or knowledge of either the Founding Partner or the Managing Partner of the firm, **Mr. Bode Olanipekun SAN**. I found out about the **Saipem** matter through an online article, and I unilaterally reached out to **Saipem** about the said matter, which unknown to me, was no longer before the court. My limited knowledge about the litigation space came to bare because, had I consulted with other persons conversant with the recent happenings in the litigation circles, I would have been informed that the matter between **Saipem** and the **Rivers State Government** had been settled out of court about two (2) months prior to my email of **20<sup>th</sup> June, 2022**. Therefore, as at the time of writing the said email, there was no such pending matter before the court.

Further, I made certain careless representations and inferences in my email of **20<sup>th</sup> June, 2022**, that could have been easily interpreted to mean that the firm could help secure some advantage in the court for **Saipem**. I must therefore retract such representations and state categorically that, since joining the law firm in **December 2021**, I have never seen any person at the firm (including its Founding and Managing Partners), engage in any unwholesome or unethical practice, in the manner that will suggest that the firm can somehow 'influence' judicial outcomes by improper means.

### The Steps I have taken

As it has turned out, given the barrage of calls and messages I have received in the last 24 hours, my email of **20<sup>th</sup> June, 2022** (although done in exuberance, but in good faith and with altruism) has caused great distress, embarrassment and trauma to the people I hold and will continue to very dearly – the Founding Partner of the firm, **Chief Wole Olanipekun SAN, OFR**, the Managing Partner of the firm, **Mr. Bode Olanipekun SAN**, and my dearest parents, **Mr. Oluwemimo Ogunde SAN** and **Mrs. Yinka Ogunde**.

In order to remedy the situation, I reached out personally to **H.Odein Ajumogobia, SAN, OFR**, via email and WhatsApp messages sent to the Learned Silk on **24<sup>th</sup> June, 2022**, to apologize to him for this error of judgment. My partners at the firm, **Chief Wole Olanipekun, SAN, OFR** and **Mr. Bode Olanipekun SAN**, also reached out to **H.Odein Ajumogobia SAN, OFR**, separately, via various messages sent to the Learned Silk on **24<sup>th</sup> June, 2022**, to apologize for the entire situation. My father, **Mr. Oluwemimo Ogunde SAN**, also reached out to **H.Odein Ajumogobia SAN, OFR**, to apologize on his daughter's behalf. I also reached out to persons that have personal relationships with the Learned Silk, including a classmate of mine at the University of Hull, United Kingdom, because of the Learned Silk's avowed reputation for mentoring younger lawyers. With those measures taken, I believed that the matter was already settled as the

Adekunbi Ogunde LL.B (Hull) ILL.M (Nottingham)

Learned Silk had represented to different persons, who had reached out to him to explain that I made an honest but regrettable mistake. I was therefore shocked and distressed to see and notice the unusual media attention the event had garnered in the last twenty-four (24) hours especially, considering the fact that the various correspondence were largely private.

Therefore, the aim of this statement is set the records straight for future references, and, hopefully, put to rest, once and for all, this entire event, by stating, to the best of my ability and in all truthfulness, the correct facts of the event. The firm of **Wole Olanipekun & Co.**, which I have been proud to be a part of, is not known, and has never been known, to engage in any unethical or corrupt practice to gain favours in respect of cases or matters in court.

I must not fail to use this medium to appreciate my friends, family, senior colleagues, and other concerned persons who have reached out to me regarding this event. The last 48 hours have, for me, been very disturbing, distressing and sobering. The unfortunate circumstances are regretted and difficult lessons have been learnt. I will continue to aspire to the most exemplary conduct in the legal profession.

Thank you all and God bless you.

Signed  
Adekunbi Ogunde

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