

**ELECTION PETITION BEFORE THE NIGERIAN BAR ASSOCIATION
NATIONAL OFFICERS ELECTION APPEALS COMMITTEE
HOLDEN AT ABUJA**

**IN THE MATTER OF THE ELECTION TO THE OFFICE OF THE
PRESIDENT OF THE NIGERIAN BAR ASSOCIATION HELD ON
SATURDAY, 18TH JULY 2026.**

PETITION NO:

BETWEEN:

LATEEF OMOYEMI AKANGBE, SAN

PETITIONER

AND

- | | | |
|---|---|--------------------|
| 1. INCORPORATED TRUSTEES OF THE NIGERIAN
BAR ASSOCIATION | } | RESPONDENTS |
| 2. ELECTORAL COMMITTEE OF THE NIGERIAN
BAR ASSOCIATION | | |
| 3. MRS. OYINKANSOLA BADEJO-OKUNSANYA, SAN | | |

**PETITIONER'S REPLY TO THE ANSWER OF THE 2ND RESPONDENT
DATED 3RD AUGUST 2026.**

PART I

The Petitioner hereby makes an abridged rejoinder to **PART A [NOTICE OF PRELIMINARY OBJECTION]** presented by the 2nd Respondent, which points the Petitioner intends to rely upon on or at the hearing of the substantive petition, as follows:

- (a) The petition before the Honourable Committee is predicated on Part X Paragraphs 1(a) and 11 of the Constitution of the Nigerian Bar Association, 2015 (as amended in 2025) (the “NBA Constitution”). In all the paragraphs/averments in the petition, the law referenced was the NBA Constitution [as amended]. The Petitioner is challenging the election for the office of President on the ground that the election

was invalid by reason of substantial non-compliance with the provisions of the NBA Constitution and the 2nd Respondent's Revised Guidelines 2026.

- (b) In addition to (a) above, if for the purpose of argument it is conceived that the Petitioner came under a wrongly cited law, the fact that it is a wrongly cited law is not relevant to doing justice to the matter. If a person is entitled to a remedy, the attitude of courts is to give no negative effect to the wrongly cited law, as that will defeat the ends of justice and amount to technical justice.
- (c) In relation to the obvious typographical error on the first page of the petition where the Petitioner inadvertently enumerated four respondents albeit the 2nd /3rd respondents are simply one person separated by the inadvertent use of the “enter key” in a computer, the Petitioner states that the typographical error appearing on the parties' clause on the petition's first page, is a mere misnomer and the 2nd Respondent is [i] properly described in the petition; [ii] accurately referenced in the parties' clause of the list of documents and witness statement on oath; and [iii] not misled in any way.
- (d) Contrary to the comments that the 1st, 2nd/3rd Respondents (in actual fact, the 2nd/3rd is just the 2nd Respondent now mischievously classified by the counsel for the 2nd respondent as though referring to two independent parties) are not statutorily recognised, the Petitioner states that the 1st Respondent is statutorily recognised and is a necessary party. In any event, a misjoinder of the 1st Respondent does not defeat the Petitioner's claims. With respect to the 2nd/3rd Respondents, the Petitioner states that the 2nd Respondent is the intended party and the seeming defect is curable by an amendment – which has been filed.
- (e) Further to (d) above, the Petitioner notes that the 2nd Respondent began making purported procedural jurisdictional arguments on behalf of the 1st Respondent. In actual sense, the law is settled that a counsel cannot, on behalf of another party, make a complaint that does not affect it in any manner as though a busybody.
- (f) Regarding the 2nd Respondent's point that the Petitioner's reliefs sought are inconsistent, the Petitioner states that the basis of the petition is that the 2nd Respondent failed to comply with the clear requirements of the NBA Revised Guidelines 2026, and the evidence of the non-compliance was in the eventual irregularities, etc.
- (g) The Petitioner states that the reliefs sought are clearly grantable, within the lens of the NBA Constitution.

PART II

SAVE AND IN SO FAR as it consists of admissions, the Petitioner join issues with the 2nd Respondent upon its answer, as follows.

1. The Petitioner admits paragraph 2 of the 2nd Respondent's answer.
2. The Petitioner denies paragraphs 3 and 4 of the 2nd Respondent's answer and states that the elections for office of President were neither free, fair and transparent, nor was the election conducted in accordance with the Code of Conduct and Operational Guidelines embodied in the Constitution of the Nigerian Bar Association, 2015 (as amended in 2025) (the "NBA Constitution"), as well as other national legislations.
3. The Petitioner denies paragraph 5 of the 2nd Respondent's answer and state that upon noticing that the website went down, the 2nd respondent did not invite the candidates or their ICT agents to see for themselves what was going on. As a matter of fact, the 2nd Respondent specifically asked the Petitioner's ICT agent to stay away and they were not open to any discussion or to respond to his enquiries. Whatever was the issue was only determined by the 2nd Respondent and stated in their email of 3:01am as a coordinated cyber attack which till date is unverified.
4. Furthermore, the 2nd Respondent's decision to migrate to another site did not follow the protocols of informing the candidates prior, or for the candidates to see transparently that the website was suitable and devoid of any manipulations before it was immediately deployed for use for the election.
5. The Petitioner denies paragraph 6 and states that the 2nd Respondent failed to exhibit any report of the supposed election monitors from different local and international organizations, notably INEC, YIAGA Africa, to show that these external bodies indeed monitored the election.
6. In response to paragraph 7 of the 2nd Respondent's answer, the Petitioner avers that by the 2nd Respondent's email dated 16 July 2026 (at 10:57pm), the 2nd Respondent categorically stated that election would commence on Saturday 18 May 2026, **at 12:00am to 11:59pm** of the same Saturday 2026 as stated in its Revised Guidelines of 2026. In breach of those Guidelines and without further recourse to the candidates or their agents or the National Executive Council, the 2nd Respondent

admits by this paragraph that it commenced voting from 07.35hr on 18.07.26 and terminating at 07.35hr on the following day, 19.07.26.

7. In response to paragraphs 8 and 9, the Petitioner avers that the results declared by the 2nd Respondent were marred by substantial non-compliance with the provisions of the 2nd Respondent's Guidelines. The 2nd Respondent published a list of voters which included the 2025 call set who were informed by the 2nd Respondent guidelines that they would be authenticated through their Supreme Court Call Numbers ("SCN Number").
8. Paragraph 6 of the 2nd Respondent 2026 Electronic Voting Guidelines 2026 was clear that for voting authentication to occur, there would be two stages. The first being the verification with SCN Numbers and the receipt of One-Time Passwords (OTPs). On election day, the entire 2025 call set comprising of mid-year ceremonies in July 2025 which called to bar about 5,728 candidates from preceding cohorts and another total of 4,437 candidates (4,429 from the February examinations and 8 from previous sessions) which were formally called in September 2025 making a combined figure of **10,166 members of eligible members** of the NBA, were disenfranchised to vote, as no member of that set could use his or her SCN number to vote. No formal notice from the 2nd Respondent was sent to them on how they could cast their votes. A few who were fortunate later got wind of the fact that they could rather use their examination numbers.
9. The Petitioner denies paragraphs 11 and 12 of the petition and state that the 2nd Respondent did not satisfy the requirements of the NBA Constitution and the 2026 Guidelines, given that the 2nd Respondent did not conduct election for the 2025 call set as stated in paragraph 8 above. In addition, the 2nd Respondent did not use a platform that would have sent OTPs at a seamless pace to allow eligible and willing voters to freely cast their votes, which fact is admitted by the 2nd Respondent in paragraph 25 of its answer to the petition. On account of the 2nd Respondent's failure to comply with the NBA Constitution and the 2nd Respondent's own Electronic Voting Guidelines 2026, about 10,166 eligible 2025 call members of the NBA were potentially shut out from voting.
10. The Petitioner further states that if the entire 10,166 from the 2025 call set were allowed to use their SCN Numbers and received their OTPs as and when due, the numbers of counted votes, in itself, would clearly and substantially affect the

eventual results that was declared by the 2nd Respondent declaring the 3rd Respondent as winner of the July 18, 2026, national elections.

11. In response to paragraph 13 of the answer, the Petitioner states that by an email dated July 11 2026 at 12:24 am, with the subject **“Publication of the Final Voters Register”** the 2nd Respondent posted the following link https://drive.google.com/file/d/1eqEOhqkEn8_98IDdywo8HyxfA5g7X5LR/view for everyone to view the list of final voters. Upon clicking the link, a summary of the data states “Total of Eligible Voters” to be **82, 213**. The 2nd Respondent by its averment has shown that there is another voter’s list that was used by its admission that there is instead **82, 172** total list of voters of which **26, 184** voted, showing **41** individuals less of the one published by the 2nd Respondent on July 11, 2026. This is just part of the inconsistencies.
12. The Petitioner vehemently denies paragraph 14 of the answer and do state that the remedy that the Petitioner seeks and the case it is stating is not whether the 2nd Respondent conducted the 18th July 2026 election in substantial compliance with the NBA Constitution or the 2026 Electoral Guidelines or not, but that the actions of the 2nd Respondent did not comply with the NBA Constitution and the 2026 Electoral Guidelines of which non-compliance led to effects that substantially affected the results of the election held on that day and upon which the Honorable Committee is being urged to nullify.
13. Furthermore, and at the risk of iteration, contrary to the Revised Electronic Guidelines of 2026 issued by the 2nd Respondent, which stated that members will only be able to vote by getting their SCN numbers authenticated and thereafter get OTPs via SMS, members of the 2025 call set were disenfranchised because the 2nd Respondent did not follow its guidelines as about 10,000 eligible voters did not know that they would instead be using their exam numbers to vote and that such amount of voters substantially affected the results of the election one way or another.
14. Also, by paragraph 25(iii) of the 2nd Respondent’s answer/reply to the petition, it is admitted that the election or voting progressed on 18.07.2026, but that the voting domain witnessed an unusual upsurge of voters intent on exercising their voting rights, and that this purported development naturally occasioned a frenzy on the voting platform with the sustained traffic resulted in delayed response time for the delivery of OTPs to registered voters (upon request). The 2nd Respondent also

admitted by its email of 18 July 2026 at 5:33pm, that there were delays in receiving OTPs. These issues led to a further disenfranchisement of voters which left more than 68% unaccounted for as to whether they voted or not.

15. The disenfranchisement is not merely a test case. It is actual and the metadata will reveal all the unsuccessful attempts on registered voters who made attempts to vote but could not because of no OTPs. The 2nd Respondent is required, by the express provisions of the NBA Constitution and the Guidelines 2026, to provide to the Petitioner and before the Committee all this critical information to show the election was free, seamless, and transparent.
16. In further response to paragraph 14 and the specific statement that there was no recorded case of voting outside the officially announced voting window and that the votes cast electronically match with the tally declared, by the 2nd Respondent's email dated 16 July 2026 at 10:57pm the 2nd Respondent mentioned that it would commence on Saturday 18 May 2026 at 12:00am to 11:59pm. This date and time were ratified by NEC, yet the 2nd Respondent did not invite the candidates or their agents to see what really was the problem (that prevented the election from running seamlessly at 12:00am on 18 May 2026) before deciding to alter the election duration which was prior to the period announced to the voting public. The 2nd Respondent unilaterally decided to migrate the voting public to another voting platform and commenced fresh elections at 7:35am without getting further ratification from NEC and extended the closure of the new election beyond 11:59pm of 18th July 2026 to 7:35am of 19th July 2026. This is non-compliant with paragraph 3 of the Revised Electoral Guidelines 2026.
17. The 2nd Respondent alleged that the voting website was undergoing coordinated cyber attacks via its email of 18 July 2026 at 3:01am and by paragraph 24(ii) (e) of its answer to the petition, stated that Cloudflare's own logs confirm the platform was targeted by outside scanning during this same period, thirty-four(34) times, and that within the period they received 34 automated requests, hunting for exposed configuration files, between roughly 01:40 and 05:29 WAT on 18 July, 2026, right in the middle of the deployment crisis. These are ludicrous stories paraded by the 2nd Respondent particularly as they are not supported by an iota of proof and the 2nd Respondent has, contrary to its obligations under the NBA Constitution, refused to provide proof and logs of what transpired at the backend, including comprehensive incident reports.

18. The Petitioner denies paragraph 15 of the answer and in response state that there is no transparency exhibited by the 2nd Respondent due to the fact that while the 2nd Respondent had in the name of transparency issued a **“Publication of the List of Members Who Voted – Sorted by Branch”** which stated the total number of persons who voted on the list as shown in the table below to be **25,901**. The 2nd Respondent has by paragraph 25 (viii) of its answer stated that the figure is higher, and that the actual figure is **26,184 persons**, representing **31.86%**, voted in the election.

19. The Petitioner avers that the discrepancy in the figures as shown in the paragraph 18 above provides further basis for the Petitioner’s complaints that the 2nd Respondent did not conduct the 18th July 2026 elections, in compliance with the NBA Constitution as well as the Revised ECNBA Voting Guidelines for 2026, which effect substantially affected the outcome of the elections.

Table: Count by Branch of "Those who Voted"

[source: the ECNBA PDF **Publication of the List of Members Who Voted – Sorted by Branch** published after the Elections]

	Branch	Those who Voted [from PDF Files]
1	Aba	255
2	Abakaliki	230
3	Abeokuta	157
4	Abuja	4,120
5	Ado-Ekiti	113
6	Afikpo	40
7	Agbor	61
8	Aguata	48
9	Ahoda	45
10	Akure	316
11	Anaocha	60
12	Ankpa	16
13	Asaba	392
14	Auchi	52
15	Awka	260
16	Badagry	64
17	Barnawa	153
18	Bauchi	224
19	Bende	17

	Branch	Those who Voted [from PDF Files]
20	Benin	677
21	Birnin-Kebbi	62
22	Biu	22
23	Bori	59
24	Bukuru	75
25	Bwari	356
26	Calabar	248
27	Damaturu	132
28	Degema	110
29	Dutse	92
30	Effurun	231
31	Eket	53
32	Ekpoma	52
33	Enugu	437
34	Epe	49
35	Eti-Osa	90
36	Ezeagu	55
37	Funtua	37
38	Garki	482
39	Gboko	53
40	Gombe	188
41	Gusau	64
42	Gwagwalada	174
43	Ibadan	700
44	Idah	44
45	Idemili	90
46	Igarra	15
47	Ihiala	24
48	Ijebu-Ode	62
49	Ikare-Akoko	41
50	Ikeja	1,338
51	Ikere-Ekiti	64
52	Ikirun	35
53	Ikole-Ekiti	25
54	Ikom	18
55	Ikorodu	147
56	Ikot-Ekpene	40
57	Ilaro	44

	Branch	Those who Voted [from PDF Files]
58	Ile-Ife	64
59	Ilesa	29
60	Ilorin	456
61	Iseyin	20
62	Isiala-Ngwa	16
63	Isiokpo	77
64	Iwo	6
65	Jalingo	174
66	Jos	593
67	Kabba	19
68	Kaduna	393
69	Kafanchan	17
70	Kano	609
71	Katagum	21
72	Katsina	97
73	Keffi	142
74	Kwale	37
75	Lafia	120
76	Lagos	3,470
77	Lokoja	168
78	Maiduguri	176
79	Makurdi	211
80	Mbaise	5
81	Mbano-Etiti	19
82	Minna	209
83	Mubi	13
84	Nike	48
85	Nnewi	67
86	Nsukka	70
87	Nyanya	33
88	Nyanya-Karu	111
89	Obollo-Afor	23
90	Offa	10
91	Ogbomoso	20
92	Ogoja	23
93	Ogwashi-Uku	18
94	Ohafia	16
95	Oji-River	85

	Branch	Those who Voted [from PDF Files]
96	Okehi	56
97	Okene	16
98	Okigwe	29
99	Okirika	30
100	Okitipupa	54
101	Oleh	46
102	Omoku	28
103	Ondo	36
104	Onitsha	348
105	Onueke	58
106	Orlu	57
107	Oron	16
108	Oru-Oguta	14
109	Osogbo	123
110	Ota	55
111	Otukpo	27
112	Otuocha	50
113	Owerri	547
114	Owo	20
115	Oyigbo	13
116	Oyo	46
117	Pankshin	45
118	Port-Harcourt	1,197
119	Potiskum	26
120	Sagamu	32
121	Sagbama	68
122	Saki	10
123	Sapele	47
124	Shendam	46
125	Sokoto	182
126	Suleja	97
127	Surulere	79
128	Udi	13
129	Udu	126
130	Ughelli	96
131	Ukwa	22
132	Umuahia	172
133	Ungogo	107

	Branch	Those who Voted [from PDF Files]
134	UNKNOWN	8
135	Uromi	11
136	Uyo	349
137	Wukari	21
138	Yenagoa	331
139	Yola	214
140	Zaria	140
		25,901

20. In response to paragraphs 18 and 19 of the answer, the Petitioner has filed an application to amend the misnomer and to correctly reflect the names of the parties for the Honorable Committee to reflect the proper parties before the Committee.
21. In response to paragraph 20, the documents required to prove paragraphs 3, 4, 9, 10, 11 and 12 of the petition are in the possession of the 2nd Respondent and for the Petitioner to conduct this proceeding, the Petitioner has already requested these documents from the 2nd Respondent to make available to the Petitioner.
22. The Petitioner repeats its averments in paragraph 22 above in response to paragraphs 21 and 22 of the 2nd Respondent's answer.
23. The Petitioner denies paragraph 23 and states that by paragraph 9 of the petition the Petitioner clearly puts forward that the ground for the petition is that the election which held on 18th July 2026, was invalid, by reason of non-compliance with the provisions of the NBA Constitution and the 2026 Guidelines issued by 2nd Respondent regarding the conduct of the 2026 National Officers election, as stipulated and provided for in Part X of the 2nd Schedule to the NBA Constitution, and by such non-compliance, the outcome of the election was substantially affected.
24. In response to paragraph 24, the petitioner's case is not whether the 2nd Respondent substantially complied with the NBA Constitution and the ECNBA Guidelines 2026, but that the 2nd Respondent's non-compliance with the NBA Constitution and its ENCBA Guidelines 2026, substantially affected the results of the election. The admittance of the cyberattack and the delay of eligible voters getting their OTP's leading to whether or not more than 68% of eligible voters were able to vote, substantially affected the outcome of the results that was declared by the 2nd Respondent on the 19th of July 2026 because in the absence of the non-compliance,

whatever percentage out of more than 68% of eligible voters (which is twice the number of the persons who voted in the election) would have determined the outcome of the results one way or another. The Petitioner further avers that because of not being able to determine whether more than 68% voted or not because of the non-compliance of the 2nd Respondent, the elections conducted by the 2nd Respondent on 18 July 2026 was not free, fair, transparent, credible and the outcome could not have reflected the wishes and aspirations of the members of the NBA.

25. In specific response, to paragraph 24(i), (ii) (a) – (f), (iii), (iv) and (v), and further to paragraph 17 above, facts of which are unverified to date, the Petitioner states that the 2nd Respondent have only averred but failed to provide basis that the alleged cyberattack events indeed happened. In paragraph 24(ii) (e) the 2nd Respondent did admit that it was given "logs" from Cloudflare, (a major global cloud platform and infrastructure company that acts as a middleman between a user and a website's server), and that there were "**four different source addresses**" that were purportedly used for the cyber-attack on the elections between " *roughly 01:40 and 05:29 WAT on 18 July, 2026*".
26. However, the 2nd Respondent have not provided both the logs from Cloudflare and the "**four different source addresses**" that were purportedly used for the cyber-attack on the Elections between " *roughly 01:40 and 05:29 WAT on 18 July 2026*" to substantiate the cyber-attack claims that warranted the migration to another platform by the 2nd Respondent, despite the issuance of Notice of Suspension of Voting issued on 18.07.2026. As earlier stated, the 2nd Respondent has failed to produce the technical records.
27. By that same paragraph (paragraph 24(ii)(e)) the 2nd Respondent has stated that its own automated controls blocked those requests and, in the same sentence, that those controls also prevented its own technical personnel from completing corrective work, which showed that the deployment and migration was ready for the conduct of the election. This is self-defeating as it establishes that the 2nd Respondent was also unable to determine and ensure that the portal was cyber-attack resistant.
28. The Petitioner avers that in the absence of any evidence of cyberattacks, which fact is denied and not acceptable in the absence of any iota of evidence, the obvious shortfall and the unexplained disenfranchisement was the instant effect, and with the percentage of registered (but disabled) voters being in stark majority, the election ought to be nullified on the basis of substantial non-compliance.

29. In specific response to paragraph 24(vi) of the answer, the Petitioner is not an alarmist and did not need to be on ground because his agent reported what the 2nd Respondent told the entire public which is that they were experiencing a cyberattack [which never happened]. Again, the 2nd Respondent is yet to provide any basis that such cyberattack occurred post-election, contrary to its obligations under the ENCBA Voting Guidelines 2026.
30. In specific response to paragraph 24(vii) of the answer, the Petitioner responds that the 2nd Respondent was non-compliant with the NBA Constitution and the ECNBA Guidelines 2026, and this is so because the 2nd Respondent's invitation was before the fact [the alleged cyberattack situation]. The 2nd Respondent did not invite the Petitioner or his agent or his IT consultants, and or other candidates or NEC [after the initial meeting and approvals from mock demonstrations] to satisfy and get approvals from them that the components and workings of the new platform the 2nd Respondent intended to migrate to, was in good order, or was free and fair for the resumption of the conduct of the election, after experiencing the initial difficulties they claimed to have experienced.
31. The Petitioner further states that the rush to migrate to a new platform without first making the exhaustive demonstration to the key stakeholders as mentioned in the paragraph above exhibited noncompliance by the 2nd Respondent of the NBA Constitution to conduct a seamless election for the Nigerian Bar Association and the failure of the OTP service as admitted by the 2nd Respondent in its notice of July 18, 2026, at 5:33pm evidence the specific non-compliance with paragraph 6 of the 2026 Electronic Voting Guidelines that led to whether more than 68% of eligible voters wanted to vote or not, and the difficulty in confirming whether or not 68% of eligible voters could vote, substantially affected the outcome of the results and the declaration by the 2nd Respondent that the 3rd Respondent emerged as winner of the elections of 18 July 2026.
32. In specific response to paragraph 24(viii) of the 2nd Respondent's answer, the 2nd Respondent only pleads that migration from the attacked server to the purported new one was [a] heavily secured and that it involved the same application; [b] the same database and the same audit trail; and [c] that what was demonstrated to the candidates, including the Petitioner, and agreed upon long before the election, was the same tools in place. Again, this is utterly false and must be subject to hard evidence. The Petitioner was not called upon this second time to verify what the 2nd

Respondent has pleaded. This is inconsistent with the ENCBA Voting Guidelines 2026.

33. In specific response to paragraph 24(ix) of the 2nd Respondent's answer/reply, due to the failure of the 2nd Respondent to further demonstrate the migrated and new platform to the petitioner, the petitioner cannot verify and agree that no single vote had been successfully cast prior to the time the 2nd Respondent officially shut down the old platform.
34. In specific response to paragraph 24(xi) and (xii) of the 2nd Respondent's answer, the 2nd Respondent, in an email titled "Notice of Apology for Delay in Commencement of Voting" of 18 July 2026 at 3:01am, in the sub-heading titled "PLEASE TAKE NOTE", at paragraph 2 of that subheading, mentioned the following "The **only official voting portal** is www.ecnbaovs.org.ng. Members are strongly warned to disregard any other link, platform, or communication purporting to offer an alternative voting channel, as such may be instruments of the same malicious campaign currently targeting the election." This is grossly problematic because the domain name referenced in (xii) was the circulated domain name that the 2nd Respondent informed members to use in voting, and it has surprisingly come out to say that the approved domain was not the approved domain.
35. The Petitioner denies paragraph 24(xiii) of the 2nd Respondent's answer and reiterates that the meeting with the 2nd Respondent was in respect to the mock demonstration and approval of associated issues before the election was to commence, and not afterwards. After that pre-election meeting, and with the unilateral decision to migrate voting platforms while side-lining or shutting out the Petitioner and his IT consultants from understanding the reason for the migration or confirming the security of same, there were no further meetings or providence of all relevant critical information.
36. The Petitioner denies paragraph 24(xiv) of the 2nd Respondent's answer and states, in response, that he cannot verify or agree with the assertion because the 2nd Respondent did not invite him or his IT consultants to verify the assertion before the migration to a new platform or domain. Again, the 2nd Respondent is holding against its interest, all relevant critical information that will show what truly happened at the backend. The logs to satisfy all attempts made by members of the NBA to vote and the metadata, will assist in the fact-finding of the Committee.

37. The Petitioner, in response to paragraph 24(xv) of the 2nd Respondent's answer, states that after the migration to a new platform and commencement of voting all the period of time that many complained that they were not receiving OTPs or that the OTPs that they received still denied them of being able to vote. Every 10 seconds the votes of the 3rd Respondent kept increasing at precise geometric progression of the votes at the top of each hour which led to the eventual declaration as the winner of the election of 18th July 2026, proving that it is not the figment of the imagination of the Petitioner. For example, out of over 15,000 eligible voters in NBA Lagos branch according to the voters list of the 2nd Respondent only about 3,470 were able to vote according to the 2nd Respondent's own report. This is despite many members on the NBA Lagos platform (for instance) expressing frustration of their inability to vote on 18 July 2026.
38. Contrary to paragraph 24(xvi) of the answer, the Petitioner's ICT technical report at page 3, under the heading "Executive Summary" at paragraph 4, stated that "*No evidence available to the undersigned established unauthorized alteration of vote records. However, the information made available was insufficient to provide independent technical assurance regarding the cause and impact of the interruptions, the relationship between the voting addresses, the controls applied to OTP support requests or the completeness and integrity of the underlying election records.*" He further stated at paragraph 3 under the heading "Mandate, Scope, Method and Limitations" that "*the undersigned was not provided access to source code, deployment configuration, databases, cloud consoles, server or application logs, audit trails, DNS configuration, SMS gateway records, incident-management records or independent security reports. This report therefore does not certify the platform or reconstruct the incidents conclusively.*"
39. Based on the paragraphs 37 and 38 above, it is not true that the petition and the Petitioner's Statement on Oath, tell lies or are inconsistent with the Petitioner's ICT Consultant's report.
40. The Petitioner's ICT consultant unambiguously stated that in his report that no evidence exists to establish any irregularities and process breaches which are the grounds on which the Petition is anchored because he was not provided access to source code, deployment configuration, databases, cloud consoles, server or application logs, audit trails, DNS configuration, SMS gateway records, incident-management records or independent security reports and that his report therefore does not certify the platform or reconstruct the incidents conclusively.

41. The Petitioner denies paragraph 25(i) of the 2nd Respondent's answer and states that the bare assertions contained in the said paragraph or the fact the 2nd Respondent reminded voters to follow instructions on the use of OTPs did not obviate the fact that there were no challenges on the OTP service and that many eligible voters were unable to vote at the election – not out of apathy, but because the system did not provide an OTP that enabled them to vote until voting ended on 19 July 2026, contrary to paragraph 6 of its Electronic Voting Guidelines of 2026.
42. The Petitioner denies paragraph 25(ii) and (iii) of the 2nd Respondent's answer and states that voting did not progress seamlessly for the next 4-5 hours, and the assertions contained in the said paragraph are untrue. Whilst paragraph 25(ii) of the answer states that voting progressed seamlessly, paragraph 25(iii) contradicts it as it admits that sustained traffic delayed the delivery of the OTPs.
43. According to the information released by the 2nd Respondent since voting commenced, as stated by the 2nd Respondent, at 7:35am of Saturday the 10th July 2026; **"the next 4-5 hours"** would be the time-periods up to 11:35am and 12:35pm. These periods expressed by the 2nd Respondent include the range 10:28am to 11:35am. Contrary to the 2nd Respondent's claim that "voting progressed seamlessly" for 4-5 hours after 7:35am, data from the 2nd Respondent's list of those who voted show that between 10:28am and 11:34am of Saturday the 10th of July 2026, voting was drastically disrupted such that votes were not accepted from eligible voters from 139 Branches except from Aba Branch where only **14** votes were accepted during that **one-hour-six-minute** interruption.
44. It is interesting to note that of the 14 votes, a "vote" was sent as a test by the ADMIN of the software provider engaged by the 2nd Respondent. This entry as can be seen in the 2nd Respondent's own publication goes directly to whether the published list of voters by the 2nd Respondent reflects an accurate list of members and to what extent the 2nd Respondent's administrative access existed over the live system during polling, and to what was being done during the interruption, as indicated in item 10 of the table below:

1.	75 Obimma Chikadibia Amaefula EXM24**** *****3690 ECNBA-20260718-672218E3CC0611C474D7 2026-07-18 10:19:56 WAT
2.	76 Felix Jonathan SCN07**** *****0558 ECNBA-20260718-F845F48AEDA1538A2E7D 2026-07-18 10:20:32 WAT
3.	77 Daberechi Precious Chukwukwuelum SCN14**** *****9539 ECNBA-20260718-C5D2520F5B6CBF8290D5 2026-07-18 10:33:22 WAT
4.	78 Chinyere Umeojiaka SCN04**** *****1514 ECNBA-20260718-0AB2932558923D30F6EE 2026-07-18 10:37:08 WAT

5.	79 Charles Nsobundu Onuchukwu SCN04**** *****0360 ECNBA-20260718-2A30AD0EEA6EDAAF4180 2026-07-18 10:41:39 WAT
6.	80 Chukwu Ikechukwu Awa SCN01**** *****6691 ECNBA-20260718-79598F9E206599A75921 2026-07-18 10:44:17 WAT
7.	81 Arinze Celestine Chukwu SCN10**** *****0051 ECNBA-20260718-DFDBC873EA2188E703BE 2026-07-18 10:49:32 WAT
8.	82 Christian Chukwunonyerem Nwankwo SCN13**** *****9148 ECNBA-20260718-3E70CD260F342A15F8F0 2026-07-18 10:57:35 WAT
9.	83 Amaka Maryann Mbah SCN14**** *****7656 ECNBA-20260718-4B2006406649FD8A4BAF 2026-07-18 11:13:52 WAT
10.	84 LIVE ADMIN MONITORING — TEST VOTE (not a genuine member) SCN00**** *****0780 ECNBA-20260718-E26CA89A5A0577ACC6C2 2026-07-18 11:14:30 WAT
11.	85 Agha Ola Agwu SCN10**** *****0086 ECNBA-20260718-4AC978FD5785715D6AED 2026-07-18 11:28:17 WAT
12.	86 Barry Lucky Biamii SCN08**** *****2637 ECNBA-20260718-D75ACBF255F76797A8E3 2026-07-18 11:36:25 WAT
13.	87 Olaiya Joseph Omotiba SCN02**** *****4201 ECNBA-20260718-3675EBA141DBE122A09D 2026-07-18 11:36:40 WAT
14.	88 Uche Sunday Awa SCN00****B *****2116 ECNBA-20260718-7B84C5DB38EEE7CBA29B 2026-07-18 11:37:08 WAT

45. Furthermore, the 2nd Respondent admits by its paragraph 25(iii) of its answer that hitches and issues of OTPs was the bane that prevented many eligible voters from voting at the election and not out of apathy but because the system did not provide an OTP that enabled them to vote until voting ended on 19 July 2026 contrary to paragraph 6 of its Electronic Voting Guidelines of 2026.
46. The Petitioner denies paragraph 25 (iv) of its answer and state that it is only upon the production of the reports in the hands of the 2nd Respondent and not its bare assertions that will show whether every eligible voter who duly observed and or completed the process of OTP generation on the approved election platform received OTP with which they were able to complete the voting process and other eligible and willing voters who followed the procedures as mentioned by the 2nd Respondent were not disenfranchised by the system glitches already admitted by the 2nd Respondent.
47. The identities of all the voters including supporters of the petitioner who were unable to vote are with the 2nd Respondent. Upon the release of the reports to the Committee and the Petitioner, the Committee would be able to conduct this legal proceeding and reveal the identities of the voters within the confines of the rules as provided for and in compliance with the Nigerian Data Protection Act 2023.
48. The Petitioner denies paragraph 25 (v) of its answer and state that the ICT consultant unambiguously stated that because he was not provided access to source

code, deployment configuration, databases, cloud consoles, server or application logs, audit trails, DNS configuration, SMS gateway records, incident-management records or independent security reports, his report therefore does not certify the platform or reconstruct the incidents conclusively.

49. Petitioner's ICT technical report at page 3, under the heading "Executive Summary" at paragraph 4, the expert stated that "No evidence available to the undersigned established unauthorized alteration of vote records. However, the information made available was insufficient to provide independent technical assurance regarding the cause and impact of the interruptions, the relationship between the voting addresses, the controls applied to OTP support requests or the completeness and integrity of the underlying election records."
50. He further stated at paragraph 3 under the heading "Mandate, Scope, Method and Limitations" that "the undersigned was not provided access to source code, deployment configuration, databases, cloud consoles, server or application logs, audit trails, DNS configuration, SMS gateway records, incident-management records or independent security reports. This report therefore does not certify the platform or reconstruct the incidents conclusively."
51. On the basis of paragraphs 48-50 above, the Petitioner's statement on oath and his Technical Consultant's "Technical Observation Report" [attached to the Petition], comes out indubitably clear that the Petitioner did not merely set out to bandy the "25,000 voters" figure in order to engender undue sensationalism around and about the election.
52. The Petitioner denies paragraph 25 (vi) of the 2nd Respondent's answer and states that by the 2nd Respondent's emails of July 18 2026 at 3:01am titled "Notice of Apology for Delay in Commencement of Voting", at 7:42am titled "ECNBA: COMMENCEMENT OF VOTING" as well as that of 5:33am titled "ECNBA Issues Guidance on Delayed SMS OTP During 2026 NBA E-Voting" all of the same date evidences that the election service provider was incompetent, and its fall-back option of platform migration as a contingency measure, which is claimed to have facilitated the handling and management of the unforeseen glitches and unverified cyberattacks on the digital platform at the commencement of the voting exercise was clearly inefficient as it made it unverifiable whether more than 68% of eligible voters wanted to vote not, and substantially affected the outcome of the

results and the declaration by the 2nd Respondent that the 3rd Respondent emerged as winner of the elections of 18 July 2026.

53. The Petitioner denies paragraph 25 (vii) of its answer and states that it has never been heard in the history of electronic voting during the NBA elections that the Petitioner as a candidate for the election to the office of President of the NBA would be unable to cast his vote and vote for himself. The inability to vote for himself is indicting and evidences the non-receipt of OTP faced across board as well as the gross incompetence of the 2nd Respondent and its service provider. It would be unheard of that the Petitioner would have any other personal reasons to abstain from voting on his own election on the election day.
54. In response to paragraph 25(viii) of the 2nd Respondent's answer, the 2nd Respondent states by this paragraph that **26,184 persons**, representing **31.86%**, voted or participated in the election. This figure directly contradicts the 2nd Respondent's published list of persons who it claimed and documented as having "voted"; and that the total from that published list, is **25,901** and not the **26,184** as stated in this paragraph.
55. This contradiction gives further basis for the Petitioner's contentions and complaints; to wit, that the 2nd Respondent was incapable of simple administrative processes relevant to supervising this exercise in an accurate and forthright manner and did not comply with the relevant provisions of NBA Constitution in conducting a seamless election in accordance with its own Guidelines.
56. The Petitioner denies paragraphs 25(ix) and (x) of the 2nd Respondent's answer and state in response that complaints were sent to the help desk with no response from the help desk. The Petitioner will provide screenshots of mails sent to support with the email, support@ecnba.zohodesk.com, which were ignored.
57. The Petitioner denies paragraph 25(xi) and (xii) of the 2nd Respondent's answer and states in response that deducting the total number of those who voted as published by the 2nd Respondent from the final list of eligible voters of its email dated July 11 2026 at 12:24am with the subject **"Publication of the Final Voters Register"** the 2nd Respondent posted the following link https://drive.google.com/file/d/1eqEOhqkEn8_98IDdywo8HyxfA5g7X5LR/view for everyone to view the list of final voters. Upon clicking the link, a summary of the data states "Total of Eligible Voters" to be **82, 213**, the 2nd Respondent will find

where the Petitioner got the 56,107 voters that were unable to vote and same is not manufactured.

58. With the significant number and the 2nd Respondent's admittance of its own emails of July 18 2026 at 3:01am titled Notice of Apology for Delay in Commencement of Voting", at 7:42am titled "ECNBA: COMMENCEMENT OF VOTING" as well as that of 5:33am titled "ECNBA Issues Guidance on Delayed SMS OTP During 2026 NBA E-Voting" all of the same date which showed there were glitches, the 2nd Respondent is not in the position to simply say by mere assertion "that it is safe and convenient to describe the situation as "low voters' turnout" or "voters' apathy" without providing the basis for the assertion.
59. The glitches that the 2nd Respondent has admitted led to a situation where it is unverifiable whether more than 68% of eligible voters or 56,107 voters wanted to vote or not, and whether they could or could not vote. This substantially affected the outcome of the results and the declaration by the 2nd Respondent that the 3rd Respondent emerged as winner of the elections of 18 July 2026.
60. In response to paragraph 25(xiii) of the 2nd Respondent's answer, the Petitioner states that the 2nd Respondent cannot also speculate that the results it declared were accurate. It has admitted to its own emails of July 18 2026 at 3:01am titled "Notice of Apology for Delay in Commencement of Voting", at 7:42am titled "ECNBA: COMMENCEMENT OF VOTING" as well as that of 5:33am titled "ECNBA Issues Guidance on Delayed SMS OTP During 2026 NBA E-Voting" all of the same date that there were challenges in the conduct of the election after it stopped the initial voting platform and migrated to a new one.
61. The mere presence of these difficulties affects the accuracy of the figures the 2nd Respondent announced for the election of 18 July 2026 and the percentage that is yet to be determined substantially affected the outcome of the results and the declaration by the 2nd Respondent that the 3rd Respondent emerged as winner of the elections of 18 July 2026.
62. In response to paragraph 26(i) – (iii) of the 2nd Respondent's answer, the Petitioner states that by paragraph 24(vii) of the answer/reply of the 2nd Respondent, the 2nd Respondent invited the election stakeholders to demonstrate to them that the components and workings of the new initial platform were in good condition to the satisfaction of the stakeholders. When the 2nd Respondent stopped the election and

wanted to migrate to a new one it did not invite again the petitioner or his agent or his IT consultants, and or other candidates or NEC for the resumption of the conduct of the election after experiencing the initial difficulties they claimed to have experienced.

63. That the rush to migrate to a new platform without first making the exhaustive demonstration to the key stakeholders as mentioned in the paragraph above exhibited noncompliance by the 2nd Respondent with the NBA Constitution to conduct a seamless election for the Nigerian Bar Association and the failure of the OTP service as admitted by the 2nd Respondent in its notice of July 18, 2026, at 5:33pm evidence the specific non-compliance with paragraph 6 of the 2026 Electronic Voting Guidelines that led to the disenfranchisement of up to 68% of eligible voters and substantially affected the outcome of the results and the declaration by the 2nd Respondent that the 3rd Respondent emerged as winner of the elections of 18 July 2026.
64. In further response, the 2nd Respondent only pleads that migration from the attacked server to the new one was heavily secured and that it involved the same application, the same database and the same audit trail that was demonstrated to the candidates, including the Petitioner, and agreed upon long before the election. The petitioner was not called upon this second time to verify what the 2nd Respondent has pleaded.
65. Despite the purported heavily secured migrated new platform, the initial hitches, the stopping of election, the migration to a new platform led to hitches that has been admitted to by the 2nd Respondent and those affected eligible voting members that led to the disenfranchisement of up to 68% of eligible voters and substantially affected the outcome of the results and the declaration by the 2nd Respondent that the 3rd Respondent emerged as winner of the elections of 18 July 2026.
66. In response to paragraph 26(iv) of the 2nd Respondent's answer, the Petitioner states that the remedy that the Petitioner seeks and the case it is stating is not whether the 2nd Respondent conducted the 18th July 2026 election in substantial compliance with the NBA Constitution or the ECNBA Guidelines or not, but that the actions of the 2nd Respondent did not comply with the NBA Constitution and the ECNBA Guidelines of which non-compliance led to effects that substantially affected the results of the election held on that day and upon which the Honorable Committee is being urged to nullify.

67. Furthermore, the 2nd Respondent's comprehensive list of actual voters of 20th July 2026 published and also transmitted to members of the NBA and all the candidates at the elections (including the Petitioner) have been found out to be inaccurate and conflicting with other publications of the same 2nd Respondent as already stated in the paragraphs above. Also, the entire votes for Warri Branch are absent in the 2nd Respondent's publication of 20th July 2026.
68. The Petitioner denies paragraph 26(v) of the 2nd Respondent's answer, and states in response that the 20th of July 2026 publication by the 2nd Respondent displayed tally discrepancies. The entire Warri Branch was not captured in the list of those who voted. The absence of the entire Warri Branch agrees with the Petitioner's contention that the supposed list is inaccurate, and the basis of the Petitioner's claim is well founded.
69. In response to paragraph 26(vi) – (viii) of the 2nd Respondent's answer, the Petitioner states that his ICT Consultant who it was agreed with the 2nd Respondent would be allowed to see the backend along with other stakeholders including other candidates ICT consultant was denied access as the agents of the 2nd Respondent asked him to stay far from where the actual voting was taking place nor was he given access to source code, deployment configuration, databases, cloud consoles, server or application logs, audit trails, DNS configuration, SMS gateway records, incident-management records or independent security reports, his report therefore does not certify the platform or reconstruct the incidents conclusively nor was the information made available sufficient to provide independent technical assurance regarding the cause and impact of the interruptions, the relationship between the voting addresses, the controls applied to OTP support requests or the completeness and integrity of the underlying election records.
70. A large LED screen did not provide proof of the cyber attack the 2nd Respondent claimed, nor did it show the protocols the 2nd Respondent deployed before it migrated to a new platform. Due to the hitches experienced during the voting period, it is not for the 2nd Respondent by mere assertion to state that throughout, particularly on each refresh, there was a decay curve and not a progression of the petitioner's results, let alone a geometric progression or that voting peaked at the first full hour.
71. The Petitioner denies paragraph 26(ix) of the 2nd Respondent's answer and state in response that 2nd Respondent would be in breach of the Nigerian Protection Act

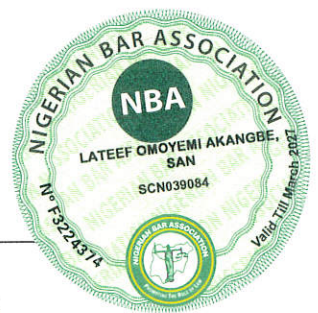
2023 and also fail to be a law abiding entity if it fails to accede to the request of the Petitioner as the Act clearly provides that irrespective of any data protection principles guaranteed under the Act, the 2nd Respondent is under duty to produce the documents requested if it is necessary for the establishment, exercise, or defence of a legal claim, obtaining legal advice, or conduct of a legal proceeding as in this case. The request by the Petitioner is to get the documents with pseudonymized identifiers, ballot records examined separately from authentication records and in anonymized form.

72. The Petitioner avers that its access to these documents is confined to and limited to the review of the documents for sustaining his legal claim, obtaining legal advice and the conduct of his legal proceeding in this petition.
73. In response to paragraph 26(x) of the 2nd Respondent's answer, the Petitioner has made specific requests from the 2nd Respondent. It is not for the 2nd Respondent to determine which documents is sufficient for the Petitioner to conduct its case against it.
74. The Petitioner denies paragraph 26(xi) of the 2nd Respondent's answer and states that he has never received any of the documents that the 2nd Respondent has stated in this paragraph.
75. In response to paragraph 26(xvii) of the 2nd Respondent's answer, the Petitioner states that he contested for the office of President of the Nigerian Bar Association and the election as conducted by the 2nd Respondent with respect to how it affected the presidential aspect, is what he has challenged and brought before this Appeal Committee.
76. The Petitioner denies paragraph 26(xviii) and states in response that only after full trial of the issues and the evidence that will determine whether his claims are incompetent or not.

DATED THIS 6TH DAY OF AUGUST 2026



**LATEEF OMOYEMI AKANGBE, SAN
SOFUNDE OSAKWE OGUNDIPE & BELGORE**



7th Floor, St. Nicholas House
Catholic Mission Street
Lagos, Nigeria
Tel.: (+234 1) 462 2502
sooblaw@soblaw.com

ADDRESS FOR SERVICE WITHIN JURISDICTION
HANAFI & ASSOCIATES

1st Floor, Coscharis Plaza,
6 Faskari Street, Area 3 Garki
Abuja

FOR SERVICE ON:

1. **The 1st Respondent**
NBA House Plot 1101, Muhammadu Buhari Way,
Central Business District, FCT Abuja.
2. **The 2nd Respondent**
ECNBA Secretariat
NBA House 24 Oro Ago Street
Garki Abuja.
3. **The 3rd Respondent**
Mrs. Oyinkansola Badejo-Okunsanya, SAN
15 Military Street, Onikan, Lagos.