

BETWEEN:

(On behalf of other financial members of
NBA Mbano/Etiti Branch)

K. C. NWOKORIE, ESQ. (Chairman, NBA Mbano/Etiti Branch)	-	-	RESPONDENT
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1.00 INTRODUCTION & STATEMENT OF FACTS

- 1.01 The Applicants are financial members of the Nigerian Bar Association, Mbano/Etiti Branch.
- 1.02 Prior to the last Annual General Conference (AGC) held in Port Harcourt, Rivers State, the Government of Imo State released a grant of ₦50,000,000.00 (Fifty Million Naira) to the Branch (as with all other NBA Branches in Imo State) specifically designated to provide financial assistance to members attending the conference.
- 1.03 At a duly convened General Meeting of the Branch, it was established that only thirty-five (35) financial members registered for the AGC. Consequently, the General House unanimously resolved as follows:
 - a. That ₦1,000,000.00 (One Million Naira) be disbursed to each of the 35 registered conferees;
 - b. That the remaining balance of the grant be set aside for physical capital improvements at the Branch Centre; and
 - c. That a dedicated Project Committee be constituted to oversee and execute the said capital projects transparently.

- 1.04 In total disregard of the binding resolution of the General House, the Respondent unilaterally, and without prior budgetary approval or authorization, disbursed and expended Branch funds to undertake landscaping within the Bar Centre compound.
- 1.05 At the September 2026 Monthly General Meeting, when the Respondent was requested to explain the unauthorized expenditure, the Respondent explicitly repudiated the authority of the assembly, asserting that "no one will direct him on what to do" and that he would merely present an account of how he utilized the funds after the fact.
- 1.06 Appalled by this unconstitutional posture and the breach of mandatory provisions governing financial administration, the Applicants have brought this Motion to enforce compliance with the NBA Constitution and Uniform Bye-Laws for Branches.

2.00 ISSUES FOR DETERMINATION

The Applicants respectfully submit the following two (2) issues for determination by the General House:

1. Whether the Respondent's unilateral disbursement and expenditure of the balance of the ₦50,000,000.00 grant without prior resolution or budgetary approval of the General Meeting constitutes a flagrant breach of Article 12(3) and 12(5) of the NBA Uniform Bye-Laws for Branches.
2. Whether in view of the Respondent's explicit refusal to submit to the lawful authority of the General Meeting, the General House is empowered to remove/impeach the Respondent as Chairman of the Branch.

3.00 LEGAL ARGUMENTS

- 3.1 **ISSUE ONE:** Breach of Article 12(3) and 12(5) of the Uniform Bye-Laws for Branches
 - 3.1.2 Under the Nigerian Bar Association Constitution and Uniform Bye-Laws for Branches, financial discipline is mandatory, not discretionary. Article 12(3) explicitly mandates that:

"No expenditure shall be incurred or disbursed out of the funds of the Branch except as provided for in the approved Budget of the Branch or as specifically authorized by a resolution of the General Meeting."

3.1.3 The keyword in Article 12(3) is "specifically authorized" prior to expenditure. The record is clear: the General House resolved to set up a Committee to manage the project funds. No authorization was ever granted to the Respondent whether in his personal capacity or as Chairman to act as the sole project manager, contractor, or approving authority for the landscaping work.

3.1.4 Furthermore, Article 12(5) defines the clear penal consequence of such unilateral action:

"Any officer who expends, disburses, or applies Branch funds, donations, or grants contrary to the approval or direction of the General Meeting, or who fails to account for such funds, commits gross misconduct and shall be subject to disciplinary proceedings, surcharge, and removal from office."

3.1.5 The text of Article 12(5) is unequivocal. The moment an officer expends funds "contrary to the approval or direction of the General Meeting," the law deems such action as gross misconduct per se. The Respondent's acts fit squarely within this provision, rendering him liable to immediate removal from office.

3.2 **ISSUE TWO:** Supremacy of the General Meeting and Power of Removal

3.2.1 The Respondent's utterance at the September 2026 Monthly Meeting that "no one will direct him on what to do" strikes at the very root of constitutional governance in the Bar.

3.2.2 Under the NBA framework, the General Meeting is the supreme governing body of the Branch. Executive officers, including the Chairman, are mere delegates and servants of the General House. An officer cannot lawfully claim immunity from the direction of the very body that elected him.

3.2.3 By executing the project single-handedly and claiming the right to simply "report back," the Respondent constituted himself into an

approving authority, executor, and auditor of his own spending. This runs contrary to fundamental principles of natural justice (nemo judex in causa sua) and corporate governance.

- 3.2.4 Where an officer repudiates the authority of the General House and breaches mandatory financial controls, the General House possesses the inherent and statutory jurisdiction under the Uniform Bye-Laws to pass a resolution of removal upon a two-thirds (2/3) majority vote of financial members present and voting.

4.00 CONCLUSION & PRAYERS

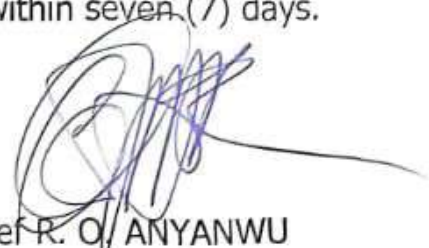
4.01 The Applicants have established that the Respondent's conduct amounts to gross misconduct under Article 12(3) and 12(5) of the NBA Uniform Bye-Laws for Branches.

4.02 To preserve financial discipline, maintain the supremacy of the General Meeting, and restore integrity to the leadership of NBA Mbano/Etiti Branch, this Motion ought to be granted as prayed.

WHEREFORE, the Applicants pray the General House for:

1. A resolution declaring the Respondent's unilateral expenditure of the balance of the grant funds as gross misconduct under Article 12(3) & (5) of the Uniform Bye-Laws.
2. A resolution removing/impeaching the Respondent forthwith as Chairman of NBA Mbano/Etiti Branch.
3. AN Order directing the Vice-Chairman to assume office in acting capacity and compelling the Respondent to submit a full audited account and hand over all Branch property within seven (7) days.

Dated this 21st day of October 2026.



Chief R. O. ANYANWU
Mover / Counsel
NBA Mbano/Etiti Branch
NBA Mbano/Etiti Branch

FOR SERVICE ON:

K. C. NWOKORIE, ESQ.

Respondent / Chairman, NBA Mbano/Etiti Branch

Bar Centre, Mbano/Etiti, Imo State.

IN THE NIGERIAN BAR ASSOCIATION (NBA)
MBANO/ETITI BRANCH
HOLDEN AT THE BRANCH BAR CENTRE,
ISIALA MBANO LGA IMO STATE

IN THE MATTER OF A MOTION FOR THE REMOVAL / IMPEACHMENT OF
K. C. NWOKORIE, ESQ. AS CHAIRMAN OF THE NBA MBANO/ETITI
BRANCH

BETWEEN:

CHIEF R. O. ANYANWU ESQ. - - **APPLICANT**

(On behalf of other financial members of
NBA Mbanjo/Etiti Branch)

AND

K. C. NWOKORIE, ESQ. - - **RESPONDENT**

(Chairman, NBA Mbanjo/Etiti Branch)

NOTICE OF MOTION

(PURSUANT TO ARTICLE 12 AND RELEVANT PROVISIONS OF
THE NBA UNIFORM BYE-LAWS FOR BRANCHES AND UNDER THE
INHERENT POWERS OF THE BRANCH GENERAL MEETING)

TAKE NOTICE that at the November 2026 Ordinary Monthly General Meeting of the Nigerian Bar Association, Mbanjo/Etiti Branch, scheduled to hold on 14th November, 2026 at the Branch Bar Centre, Imo State, at the hour of 12:30 O' clock in the forenoon or so soon thereafter as the Business of the Day may permit, the Applicants/Movers shall move the General House for the following orders:

1. **AN ORDER** of the general meeting declaring that the Respondent, K. C. NWOKORIE, ESQ., has committed gross misconduct, financial impropriety, and breach of trust by unilaterally disbursing and expending part of the balance of ₦50,000,000.00 (Fifty Million Naira) grant donated to the Branch by the Imo State Government for the Annual General Conference (AGC), without prior authorization, budgetary approval, or consent of the General Meeting.
2. **AN ORDER** of the general meeting declaring that the Respondent's explicit defiance at the September 2026 General Meeting wherein he asserted that "no one will direct him on what to do" regarding the unapproved landscaping expenditure

constitutes an act of insubordination and a direct violation of Article 12 sub- 3 & 5 of the NBA Uniform Bye-Laws for Branches.

3. **AN ORDER** of the general meeting removing and impeaching K. C. NWOKORIE, ESQ. forthwith from office as the Chairman of the NBA Mbano/Etiti Branch pursuant to the requisite two-thirds (2/3) majority vote of financial members present and voting.
4. **AN ORDER** directing the Vice-Chairman of the Branch to immediately assume office as the Acting Chairman of the NBA Mbano/Etiti Branch in line with the provisions of the NBA Uniform Bye-Laws for Branches.
5. **AN ORDER** directing the Respondent to deliver a comprehensive, audited account of all financial receipts and disbursements regarding the ₦50,000,000.00 Imo State Government grant, the over 2 million Naira outstanding balance in the account and hand over all official property, documents, and assets of the Branch in his possession to the Executive Committee within seven (7) days of this Resolution.

GROUND FOR THE MOTION:

1. **UNAUTHORIZED EXPENDITURE AND BREACH OF ARTICLE 12, Sub 3 & 5:**

The Imo State Government generously donated the sum of ₦50,000, 000.00 to the Branch to support members attending the 2026 Annual General Conference (AGC) in Port Harcourt, Rivers State. Upon determining that thirty-five (35) members registered, the House resolved that ₦1,000,000.00 be disbursed to each conferee and the remaining balance be set aside for Branch Centre improvements under the oversight of a designated project Committee as proposed by the cock of the Bar. The Respondent circumvented this binding decision and unilaterally executed landscaping works etc without House approval.

2. **USURPATION OF STATUTORY POWERS:**

The Respondent opted for the execution of the proposed Project ordinarily meant to be executed by a Committee and usurped the personal statutory power as the chairman of the Branch by personally managing and executing such a capital expenditures without checks or balances and approval by the general meeting.

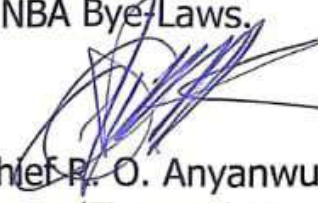
3. REPUDIATION OF THE SUPREMACY OF THE GENERAL HOUSE:

During the September 2026 Monthly General Meeting, when challenged on the unauthorized expenditure and the sudden ongoing project at the Bar Center, the Respondent openly repudiated the authority of the General Meeting by declaring that "no one will direct him on what to do, and the he will account for all he spent at a later date" thereby undermining the constitutional framework governing Branch administration upon which he sworn to uphold.

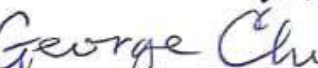
4. FAILURE OF FINANCIAL ACCOUNTABILITY:

An officer cannot lawfully act as the sole approving authority, project manager, and the abita of public/branch funds without violating fundamental standards of financial discipline and corporate governance practices under the NBA Bye Laws.

Dated this 2/8 day of October 2026.


Chief P. O. Anyanwu, Esq
Mover/Financial Member
NBA Mbano/Etiti Branch

NAMES OF SECONDRS/ FINANCIAL MEMBERS

1.  Azuma Ikchukwu Irem seno 49687
2.  George Chime Okeji seno 96720
3.  DR. P. N. NELSON - seno 044492
4.  Eleazer Enyeribe Omuoha seno 039108
5.  Ikchukwu I. Oboi seno 06678
6.  Mahadwe Obi seno 10097
7.  Nwannebu Raphael seno 48278
- 8.
- 9.

FOR SERVICE ON:

K. C. NWOKORIE, ESQ.

Chairman, NBA Mbano/Etiti Branch
Bar Centre, Mbano/Etiti, Imo State