



SUCCESSFUL SUITS

Newsletter

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Volume 1

"G.O Sodipo and Co, these are my people!!!". Faith Iriase of Integrated Energy Services Limited.

"So happy to know that your Preliminary Objection has been upheld in this suit... be rest assured of my best wishes for the firm" – Ilias, a former law school intern, commenting on G.O Sodipo and Co's success in the case of MCSN V. I.TOUCH GLOBAL CONCEPTS NIG. LIMITED & ORS.

EDITOR'S NOTE

In today's newsletter, We acknowledge the successes achieved by G.O Sodipo and Co in this year 2015.

It has been a very busy year for the firm and thankfully a fruitful year.

We have made a number of our clients happy with the legal victories we have won for their benefit.

We shall provide below snippets of the successful court cases we either instituted or defended.

Do have a pleasant read.

Sweet Victory

1. FEDERAL MINISTRY OF WORKS & IDDO FAKA TRUCKS LTD V. NATIONAL UNION OF ROAD TRANSPORT WORKERS LAGOS STATE CHAPTER & 4 ORS.

Our firm was retained by the Plaintiffs in 2014 to institute an action at the Federal High Court seeking an Order of Perpetual Injunction restraining the Defendants from interfering with the 2nd Plaintiffs management and maintenance of the car park at Iddo under Carter Bridge flyover. The Plaintiffs also sought an Order for Special Damages in the sum of N20,000,000 (Twenty Million Naira)

Upon service of the Writ of Summons on the defendants, they filed papers in opposition and a counter claim. Upon hearing parties, the Honourable Court granted all the Plaintiffs' prayers in its entirety.

2. EKO PROPERTIES & INVESTMENTS LIMITED V. HARRIMAN & COMPANY AND 4 ORS.

Our firm was retained by the Plaintiffs to institute an action at the High Court Lagos in 2011, praying the Honourable Court via summons for recovery of premises and arrears of rent.

This year, the Defendants finally wrote an offer letter requesting settlement in the sum of N6, 000,000, which we graciously accepted as full and final settlement in other to put an end to lengthy litigation.

The Honourable Court subsequently entered it as Consent Judgement of the Court.

3. UNILEVER MARKET DEVELOPMENT PROPERTY LIMITED V. ARIZONA TOP BRANDS LIMITED.

Our firm was engaged by the Claimant to recover the sum of Euros 100,000 (One Hundred Thousand Euros) being debt owed by the Defendant for products sold and delivered to it

by the Claimant.

We instituted a recovery of debt action at the High Court of Lagos in 2014 via a Writ of Summons, praying the Honourable Court for summary judgement pursuant to Order 11 of the High Court of Lagos State Civil Procedure Rules 2012 in favour of the Claimant in the sum stated above.

The Defendant filed requisite papers in opposition showing to its detriment that it had previously paid the Claimant Euros 20,000 (Twenty thousand Euros) after a series of negotiations.

The Honourable Court consequently gave judgement in favour of the Claimant in the sum of Euros 80,000 (Eighty Thousand Euros).

4. OTUNBA ISOLA ADEBANJO V. POWER HOLDING COMPANY OF NIGERIA PLC & ANOR

Our firm was engaged by the Claimant in 2011, to claim damages for gross loss he suffered from a fire incident caused by power surge of high voltage to the electricity transformer installed by the 1st Defendant.

After filing papers in opposition, the suit was transferred by the Court for Alternative Dispute Resolution, where upon the effective negotiation and persuasion of our legal team, the Defendant agreed at the Lagos Multi Door Court House to compensate the Claimant with the sum of N12,000,000.00 (Twelve Million Naira) as full and final settlement of all claims.

5. MUSICAL COPYRIGHT SOCIETY OF NIGERIA V. ITOUCH GLOBAL CONCEPTS NIG. LIMITED & ORS.

We represented the first Defendant in this case Copyright infringement suit instituted in 2006 by the Claimant who was demanding damages for a purported infringement of his client's copyright.

We filed our Preliminary Objection in defense and on the 28th of May 2015 the Honourable Court ruled in our favour.

6. INTERNATIONAL ENERGY SERVICES LIMITED V. INTEGRATED ENERGY SERVICES NIGERIA LIMITED AND CORPORATE AFFAIRS COMMISSION.

Our firm instituted this suit in 2014 on behalf of the Plaintiff at the Federal High Court Lagos via an Originating Summons seeking removal by the 2nd Defendant of the 1st Defendant's name from its register, being similar to and so closely resembling the Plaintiff's name as to be likely or calculated to deceive.

The Honorable court ruled in favour of our clients, holding in its judgement that the 2nd Defendant is compelled to comply with its enabling law and remove the Defendant's name from the register of companies at the Corporate Affairs Commission.

7. RANDVILLE INVESTMENT LIMITED V. MR. TAIWO SHOBANDE/OCCUPIER.

The Claimant instituted this action at the Lagos Magistrate Court in Ikeja against our client for Recovery of Possession and Mense profit in 2014.

We successfully brokered a negotiation and a Terms of Settlement giving our client One more year of tenancy, was filed and adopted as consent judgement of the Honourable Court.

8. EKO HOTELS LIMITED V. PERFORMING AND MECHANICAL RIGHTS SOCIETY OF NIGERIA LIMITED/GTE and MUSICAL COPYRIGHT SOCIETY OF NIGERIA LTD/GTE.

The Plaintiff instituted this action for perpetual injunction against our client, the first Defendant, under the notion that it was the same entity as the Performing Musicians Association of Nigeria (PMAN)

We successful negotiated an out of court settlement amongst parties and there was no court order as to cost.

“Arbitration is an effective form of alternative dispute resolution, however some matters can only be resolved via litigation.”-Barrister B.V Enwesi, BL,LLM(E-commerce Law Hertfordshire)

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G.O SODIPO AND CO ANNUAL MEMORIAL LECTURE

To round off the year in a most memorable manner our firm held the annual G.O Sodipo and Co memorial lecture at the Regional Centre for Commercial Arbitration Road Ikoyi Lagos.

This year's lecture was themed 'Alternative Dispute Resolution at a Glance'. Speakers at the lecture discussed on the benefits of Arbitration and other Alternative Dispute Resolution (ADR) methods such as Mediation, Negotiation etc.

The cost benefit analysis of Arbitration was also discussed, and one of the speakers a retired Judge from the United States of America, James Ware spoke extensively on the way the United States became convinced as to the effectiveness of Arbitration as a viable means of alternative dispute resolution.

In his paper titled "Five Principles that led U.S courts to adopt ADR" he encouraged those present to champion the cause of alternative dispute resolution, advising that it needs to be taught at law schools, that there is a miracle in proper dialogue as opposed to adversarial exchanges.

Also speaking on ADR, Mrs. Olusola Adegbonmire, who's paper was titled 'Arbitration and Mediation in Nigeria- How it works" said that Arbitration though seemingly more expensive than Mediation, was also a good form of ADR that could be used for high net worth cases.

In Mrs. Obosa Akpata's paper 'Arbitration Clauses" she spoke on the essential requirements of valid arbitration clauses/agreements. She advised that in drafting such agreements, the number of arbitrators to be appointed, the seat of arbitration, should be highlighted. She noted however that where such an agreement is silent on any of these factors, the provisions of the applicable arbitration law or Act will apply.

The free lecture was followed by buffet lunch and networking, providing a conducive forum for rubbing of minds and exchange of information and contacts. Attendees left the event better informed and extremely satisfied.

The GOS Newsletter has been prepared for clients and professional colleagues as a general guide to the subject matter, it is not meant to substitute specialist legal advice about your specific circumstances.

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