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November 30<sup>th</sup>, 2021



Your Worship,  
**RE: HCMA NO.2549 OF 2021; EQUITY BANK LIMITED & 3OTHERS VS. SIMBAMANYO ESTATES LIMITED&ANOTHER.**

We still act for the 2<sup>nd</sup> Applicant in the above-mentioned application and we have instructions to address you and seek your indulgence as hereunder;

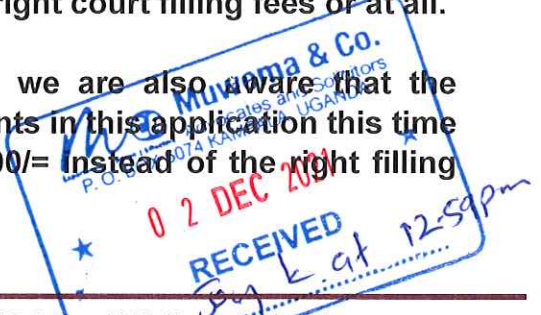
Kindly note that the above-mentioned application for dismissal of HCCS 464/2021; Simbamanyo Estates Ltd & Anor Vs. Equity Bank Uganda Limited and 3 others is fixed for hearing before the learned Justice Stephen Mubiru on the 13<sup>th</sup> day of December, 2021.

One of the issues arising therein is that the plaintiffs in the head suit have continuously filed multiple and incessant suits touching the same subject matter while evading payment of the right Court filing fees.

We are aware that in both HCCS No. 837 of 2020 which was abated and in the current suit; HCCS No. 464 of 2021, the applicable filing fees was approximately Ug. Shs.100,000,000= (Uganda Shillings One Hundred Million) for each suit, in view of the pleaded value of the subject matter being USD. 23,000,000\$.

However, the record indicates that in HCCS No. 837 of 2020, the Plaintiffs therein who are also the Respondents in the above application purportedly paid UGX.37,000,000/= as the court filing fees whereas not. The endorsement stamp on the plaint is not backed up by actual payment of the right court filing fees or at all.

In the Current suit, HCCS 464/2021, we are also aware that the plaintiffs who are also the Respondents in this application this time paid only a sum of Ug. Shs.1,000,000/= instead of the right filing fees.



In the premises we pray that you be pleased to bring this to the attention of the Learned Trial Judge so that a verification of these issues touching the payment and or non-payment of Court fees and presentation of the receipts by the accounts section is done prior to the hearing of this application so as to facilitate the expeditious disposal of the application and for courts further action. We so pray.

Most obliged,



**Walusimbi & Co. Advocates**

C.c Client

MAGNA Advocates

Kakuru & Co. Advocates

Katende, Ssempebwa & Co. Advocates

Byenkya & Co. Advocates

OS Kagere & Co. Advocates

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