

LAA/GEN/01
2019

TBA

4th June

[Name of Addressee]
[Physical and Postal Address]
NAIROBI

E-mail:

Dear Mr. XXXXXXXXXX,

Re: DEFAMATION OF XXXXXXXXXXXXXXXXXXXX & THREATS TO HER LIFE

We act for XXXXXXXXXXXXXXXX ("our client") under whose strict instructions we write to you as follows: -

1. We understand that you have - for the last 35 years or more - held a baseless and belligerent grudge against our client for nothing more than the fact that she is happily married to your brother.
2. Your belligerence has increased over the years to the point where you have very recently written, published and widely shared numerous defamatory messages against our client using the WhatsApp Mobile Telephone Messaging Application ("the WhatsApp messages"). The particular contents of those WhatsApp messages are well within your knowledge. By those WhatsApp messages, you have damaged our client's character by maliciously painting her as a murderer, an adulteress and a woman of low repute. By some of those WhatsApp messages you specifically and falsely stated that her last born child XXXXXXXXXX was sired out of wedlock. We advise you - as if you required to be so advised, that your allegations are reckless, false and unlawful.
3. You have shared your defamatory WhatsApp messages with several members of our client's family with the intent of causing her the greatest possible harm and emotional distress.
4. Our instructions are that your words were false and that those words (together with any innuendos contained therein) are defamatory of our client in the extreme. In their natural and ordinary meaning, or by necessary implication, the words you uttered were meant and were indeed understood to mean that our client is:
 - a. A woman of loose morals;
 - b. A murderer;
 - c. A flagrant law breaker;

- d. A promiscuous woman involved in unethical and unlawful conduct;
 - e. A woman who practices witchcraft;
 - f. A fraudster; and
 - g. A common thief.
5. We are instructed that you recklessly published the aforementioned WhatsApp messages knowing that they were false in the extreme. We are further instructed that the defamatory WhatsApp messages published by words uttered by you were actuated by extreme malice and calculated to cause and did in fact cause, our client to be ridiculed and treated with contempt and disdain. Your words have caused our client and her family great distress and irreparably damaged her hard earned reputation amongst her family and the community she serves.
6. Your defamatory WhatsApp messages have been published and republished several times on the social media platform and have received the widest possible circulation.
7. Upon our review of the aforesaid messages, we also note that you threatened our client's life and person, **such threats being criminal**. We shall advise our client to make the necessary report with the Police in order that the criminal process may take its course.
8. In light of the above, our instructions are therefore to demand from you which we hereby do:
 - a. A written, unconditional and unreserved apology;
 - b. An immediate admission of liability further to which we shall address the question of damages;
 - c. Your express undertaking not to publish or utter any words defamatory of our client and/or her family.

TAKE NOTICE that unless we hear from you on the above **within the next seven days of the date of this letter**, we have mandatory instructions to institute legal proceedings against you at your own peril as to costs and attendant consequences.

Yours sincerely,
[Name of the law firm]

Name of the lawyer

cc: Our Client