

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

APPEAL NO: _____

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

BETWEEN:

LATEEF OMOYEMI AKANGBE, SAN

==

PETITIONER

AND

**1. INCORPORATED TRUSTEES OF THE NIGERIAN
 BAR ASSOCIATION**

2. ELECTORAL COMMITTEE OF THE NIGERIAN

3. BAR ASSOCIATION

4. MRS OYINKANSOLA BADEJO-OKUNSANYA, SAN

RESPONDENTS

ECNBA'S ANSWER/REPLY TO THE PETITION

PART A

NOTICE OF PRELIMINARY OBJECTION

TAKE NOTICE that before or at the hearing of the Petition, the **Election Committee of the Nigerian Bar Association (ECNBA)** shall, by way of

preliminary objection, urge the Committee to strike out and/or dismiss the Petition in its entirety.

TAKE FURTHER NOTICE that the grounds upon which the objection is predicated are as follows:

1. The Petition is fundamentally defective and incurably incompetent, in that:
 - a. The Petition is predicated on, presented upon and contended under a non-existent, abrogated and otiose law, that is, the NBA Constitution 2015 (as amended in 2021).
 - b. It was filed contrary to and in flagrant violation of the mandatory statutory prescription of **Paragraph 3, Part X of the 2nd Schedule to the Constitution of the Nigerian Bar Association, 2015 (as amended in 2025) ("The NBA Constitution")**;
 - c. The Petitioner has proceeded against and or listed as "Respondents" to the Petition, persons and entities not statutorily recognized or cognizable under and by virtue of the NBA Constitution. **"The Incorporated Trustees of the Nigerian Bar Association", "Electoral Committee of the Nigerian" and "Bar Association"**, joined to the Petition as the 1st, 2nd and 3rd Respondents respectively, are not cognizable under Paragraph 3, Part X of the 2nd Schedule to the NBA Constitution;
 - d. Further to sub-paragraph (b), *supra*, the said parties or entities are not proper, necessary, essential, relevant, material, integral or requisite parties to the Petition;
 - e. The **"Electoral Committee of the Nigerian" and "Bar Association"**, sued or joined in the Petition as the 2nd and 3rd Respondents, are not juristic entities known to or recognized by the NBA Constitution or any statute or regulation whatsoever;

- f. The Petitioner failed, refused or neglected to join to the Petition, the **Electoral Committee of the Nigerian Bar Association (ECNBA)**, which conducted the elections, and thus a statutory respondent by dint of Paragraph 3, Part X, 2nd Schedule to the NBA Constitution;
 - g. The non-joinder of statutory respondents to the Petition, on the one hand, and the joinder of unknown and non-juristic entities, on the other hand, contrary to the mandatory statutory prescription of the NBA Constitution, fatally impacts the jurisdiction of the esteemed Committee to entertain it;
 - h. The Petitioner's purported evidence/statement on oath is incompetent, same having been [strangely] constituted under different parties that are otherwise alien or are not parties to the main Petition, thereby rendering the purported evidence at variance with the pleadings it purports to support;
 - i. The solitary ground of the Petition and the reliefs sought by the Petitioner are mutually exclusive and at variance with each/one other/another. Whereas the ground of the Petition speaks to alleged **non-compliance** [with the NBA Constitution], the reliefs are predicated on **irregularities**;
 - j. Additionally, the facts embodied in the Petition are at variance with the sole ground thereof. The one relates to **irregularities**, while the other focuses on or is etched on alleged **non-compliance**.
 - k. The reliefs sought and or embedded in the Petition are not grantable or maintainable. They are essentially vague, nebulous, amorphous and opaque.
2. The Petition is largely speculative, founded on conjectures, assumptions, hypothesis and anticipated facts. Viewed from every prism, therefore, the Petition discloses no cause or reasonable cause of action;

3. By reasons of the foregoing, the Petition is fatally infested with the jurisdictional vice of incompetence which, *a fortiori*, impacts and robs the Committee of the jurisdiction to countenance, let alone determine it.

WITHOUT PREJUDICE TO THE FOREGOING PRELIMINARY OBJECTION, THE ECNBA HEREBY FORMULATES HIS REPLY/ANSWER TO THE PETITION AS FOLLOWS:

B – PART II

I - General Traverse

1. **SAVE** as herein expressly admitted, **the Electoral Committee of the Nigerian Bar Association (“ECNBA”)**, denies each and every allegation of facts contained in the Petition, as if each of such allegation is hereinafter specifically set out and traversed *seriatim*.

II - The ECNBA, *modus operandi* & *modus vivendi*

2. The ECNBA is a creation of the NBA Constitution. It is vested with the sole responsibility to conduct elections into national offices of the NBA and the election of the representatives of the NBA in the General Council of the Bar.
3. The current ECNBA conducted the 2026 national elections on **18th July, 2026** in a free, fair, transparent and credible manner. In particular, the

ECNBA states that it carried out its functions completely devoid of any external control and influence. Its activities were/are in accordance with the Code of Conduct and Operational Guidelines embodied in the NBA Constitution as well as other national legislations.

4. For the entire duration of the election process, the ECNBA maintained openness, truthfulness and honesty in all its activities. It performed its functions in a manner that was strictly impartial, non-partisan and politically neutral, while available to satisfactorily explain to the candidates, their agents, external election monitors and lawyers who observed and followed the process all the way.
5. In all its engagements prior to and after the elections, the activities of the ECNBA were of demonstrable openness and transparency, particularly as they concern its relationship with the candidates, their agents and members of the Association.
6. Significantly, the election was observed by an array of election monitors from different local and international organizations, notably INEC, YIAGA Africa, e.t.c.

III – The Elections, Candidates and Result

7. The Elections, subject of this Petition, held on **Saturday, 18th July, 2026**. It lasted for **24 hours [starting from 07.35hr on 18.07.26 and terminating at 07.35hr on 19.07.26]**.

8. Significantly, the ECNBA conducted elections into all the elective offices in the National Executive Committee of the Association as well as Representatives of the Association in the General Council of the Bar. Accordingly, voting in the elections for all the available positions were held simultaneously, with the use of a single electronic ballot paper by each voter. In other words, the elections were a common mechanical and electronic process, one not separated, segregated or detached from the other.
9. The Results of the polls as they concern all the available positions were declared or announced by the ECNBA in one fell swoop, using a single result sheet, otherwise known as the Final Declaration.
10. With specific reference to the office of the President, there were three candidates who contested the position. In no particular order, their names and the votes polled by them are as shown hereunder:
 - i. **Mr. Olumuyiwa Akinboro, SAN – 5,855 votes**
 - ii. **Lateef Omoyemi Akangbe, SAN – 7,934 votes**
 - iii. **Mrs. Oyinkansola Badejo-Okunsanya, SAN – 12,317 votes.**
11. Having satisfied the requirements of the NBA Constitution and the Guidelines for the election, in addition to obtaining the highest votes cast at the election, the ECNBA, on **Sunday, 19th July, 2026**, declared and returned **Mrs. Oyinkansola Badejo-Okunsanya, SAN** as the winner of the election. *The ECNBA pleads and shall found upon the Final Declaration of Results of the Election.*

12. On **Monday, 20th July, 2026**, the ECNBA issued and presented Certificates of Return to all the candidates who emerged and were returned as winners of the various elective offices at the elections, at a ceremony which held at the ECNBA office.

13. Contrary to the Petitioner's claim that there were a total of 82,213 eligible voters and that only 26,106 of this figure actually voted, the ECNBA states that in all, a total of **26,184** unique voters (representing **31.86%** of the total registered voters of **82,172**) spread across all the branches of the Association, participated in the election which lasted for a continuous period of 24 hours from actual start/commencement time to end/termination time. It is to be noted that the voting exercise proper can only last for 24 hours by virtue of the NBA Constitution and the ECNBA cannot compel the electorate to exercise their voting rights within the window.

14. The ECNBA states that the election was conducted in substantial compliance with the NBA Constitution and the Guidelines issued by the ECNBA. There was no incidence of vote duplication, no recorded case of voting outside the officially announced voting window and the votes cast electronically match exactly with the tally declared. *The ECNBA pleads and shall rely upon the officially announced voting period widely circulated.*

15. The ECNBA states that less than **10 hours** after it declared the winners at the elections and made the relevant statutory returns, that is on **20th July, 2026**, it released to the members and the candidates, including the

Petitioner herein, a comprehensive list of actual voters (in redacted form, just to shield their private data). The ECNBA contends that this singular act speaks to the openness, transparency and candidness of the election process and, as well, holds it up for scrutiny.

IV – Specific traverse

16. The ECNBA admits paragraphs 2, 5 and 6 of the Petition.

17. The ECNBA notes that of the three candidates which contested the office of President NBA, only the Petitioner herein is aggrieved about the outcome and has thus presented the Petition.

18. The ECNBA admits the averments in paragraph 1 of the Petition, but only to the extent that the Petitioner is indeed a legal practitioner and one of the candidates who contested the election to the office of President of the Nigerian Bar Association (NBA) in the election organized by the ECNBA on **18th July, 2026**. The ECNBA rejects and do hereby vehemently denies the assertion that the election was organized by the entity sued in this Petition and presented as the 2nd Respondent herein.

19. The ECNBA again admits paragraph 7 of the Petition, but only to the extent that **Mrs. Oyinkansola Badejo-Okunsanya, SAN**, having obtained the majority of votes cast at the election, was declared and returned as the winner. The suggestion or averment that the entity described as the 2nd Respondent in this Petition returned the entity sued in this Petition as the 3rd Respondent as the winner of the election is hereby rejected and denied.

As the electoral umpire, the ECNBA states unequivocally that the said entity is unknown to the ECNBA and was not a candidate and did not take part in the election.

20. The bland, bogus, untrue, incorrect and false averments embodied in paragraphs 3, 4, 9, 10, 11 and 12 of the Petition are hereby vehemently and unequivocally denied. The Petitioner is hereby put to the strictest proof thereof.
21. In specific response to paragraph 3 of the Petition, the ECNBA states that the 2nd Respondent is not a creation of the Constitution of the Nigerian Bar Association 2015 (as amended in 2025) (**“The NBA Constitution”**). Accordingly, and contrary to the Petitioner's false assertion, the 2nd Respondent is not mentioned, nor recognized by the NBA Constitution, It is, therefore, not and could not have been vested with any powers, functions or responsibilities as they relate to or concern the Association, in any manner whatsoever or howsoever.
22. The Petitioner, by himself and in his own hand, listed or sued **“The Bar Association”** as the 3rd Respondent in the Petition and in paragraph 4, he proudly describes the said entity as **“... my co-contestant for the office of the President of the Association...”**. Contrary to this averment, however, the ECNBA contends that in the election of 18th July, 2026 which it conducted, the entity listed as the 3rd Respondent in the Petition was not a candidate or co-contestant to the Petitioner. It is also not the person declared as the winner of the election.

23. In specific response to paragraph 9 of the Petition, the ECNBA states that the sole ground of the Petition is nebulous and largely unsupported by the facts stated or subscribed thereunder. In other words, the solitary ground of the Petition and the particulars thereof are mutually exclusive and pathetically inconsistent of each other. Additionally, the facts constituting the particulars are, for the most part, speculative, conjectural, hypothetical and suppositional, as shall be demonstrated *anon*.

24. In specific response to paragraph 9(i)(a) – (j) of the Petition, the ECNBA contends that the national officers' election which it conducted on 18th July, 2026, after the issuance of official commencement notice, was in substantial compliance with the provisions of the NBA Constitution and the Guidelines issued by the electoral umpire. The election was free, fair, transparent, credible and the outcome reflect the wishes and aspirations of the members of the Association. Critically, the ECNBA asseverate as follows:

- i. That as previously advertised in its revised Guidelines of **16th July, 2026** that elections will take place from **00.00hrs of 18.07.2026** and will last for **24 hours**, the ECNBA had published <https://ecnbaovs.org.ng> as the voting site for eligible voters at exactly 00.00hrs of 18.07.2026 which did not commence as stated;
- ii. However, within minutes of the official commencement of the process, the following glitches and cyberattacks were observed:

- (a). Failure of database connection due to significant compression of the final deployment and testing schedule, following the temporary unavailability of the designated Data Officer during the critical pre-election period which would have been done for data compliance, some days before test running date prior to election proper;
- (b). Continued deployment of authentication changes immediately before the scheduled opening of polls;
- (c). Instability within the original production server environment, due to suspected intruders;
- (d). An application-level authentication verification defect affecting a subset of some users whose records were sent through wrong channel for upload and or retrieved through a backup look up mechanism for corrections or update;
- (e). Cloudflare's own logs confirm the platform was targeted by outside scanning during this same period. **Thirty-Four(34)** automated requests, hunting for exposed configuration files and probing an admin upload endpoint, arrived from **four** different source addresses between roughly **01:40** and **05:29 WAT** on **18 July, 2026**, right in the middle of the deployment crisis. Automated security controls implemented by Cloudflare successfully blocked external reconnaissance activity, but also inadvertently prevented authorized technical personnel from completing corrective deployment activities during the critical remediation window;

- (f). *Final correction of mis-spelt of names of some candidates that needed correction and non-display of the photographs of some candidates that needed corrections.*
- iii. As a result of the foregoing noticeable glitches and cyberattack on the official portal, the ECNBA temporarily suspended the elections and it promptly notified members of the Association and the candidates, including the Petitioners, vide a Notice of Suspension of Voting issued on 18.07.2026. *The ECNBA pleads and shall found upon the notice of temporary suspension of the voting exercise.*
- iv. The initial hiccups experienced by the portal and which made the voting exercise temporarily impossible for several hours, were not on account of human errors or incompetence of the service provider, but the outcome of some well-coordinated, highly orchestrated cyberattacks from multiple sources against the platform deployed by the ECNBA. These coordinated attacks made it impossible for the steps taken to effect corrections on some candidates' names and photographs, because the security apparatus deployed sensed or perceived those steps as an attack to the data marked as read-only;
- v. The challenges encountered by the portal thus foisted on the ECNBA the necessity to invoke an extra ordinary measure aimed at invoking an emergency activation of a contingency environment after the original domain could not be stabilized due to the series of attacks suffered leading to cyber-paranoia and hypervigilance of any update on the portal. The migrating to an alternate. well-secured

domain, therefore, was all in the resolve to ensure the resumption or commencement of the election. It is to be noted that the ECNBA again promptly sent out another notification to members official email at about **7:00hr**, advising on a new commencement time of **07.35am**, albeit on the same 18.07.2026 through a new official domain <https://www.ecnba.org.ng/vote/ecnba-ovs-main;>

- vi. The statement purportedly issued by the Petitioner to the ECNBA, calling for the suspension of the entire electoral process was only but an expression of the alarmist disposition of the Petitioner who was not physically on ground, having been represented by an agent, who alongside other agents, were physically present and followed the event on ground without any rancour. The Petitioner's statement equally echoed other sceptics in respect of the work of the ECNBA, particularly following the initial hiccups experienced at the commencement of the voting exercise around midnight of 18th July, 2026 initially, due to the late release of the Data Protection Officer who was arrested and held between 15th and 17th of July, 2026, but who was expected to be on ground before the deployment of any data could be done in line with data protection laws;
- vii. Prior to the 18th July, 2026, the ECNBA held series of meetings with all the candidates for the elections, particularly the Presidential candidates, at its office to show or demonstrate to them the system to be adopted and deployed for the election, its components and workings. The Petitioner who attended the meetings, in company

with his IT consultants, expressed satisfaction with the ECNBA demonstration;

- viii. The migration from the attacked server to the new, heavily secured and well protected platform 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;
- ix. Accordingly, the ECNBA was not under any further obligation to repeat the demonstration to the Petitioner before voting resumed/recommenced at 07.35hr on 18.07.2026;
- x. Additionally, prior to the time the ECNBA officially shut down the platform and, thereafter, announced the suspension of voting on 18.07.2026, no single vote had been successfully cast;
- xi. Apart from the official voting domain sent to all members during the attack to vote on (<https://www.ecnba.org.ng/vote/ecnba-ovs-main>), no time did ECNBA advise the Petitioner or members of migration of the voting platform to any website by the address or id **www.ecnbaovs.org.ng**, as erroneously claimed by the Petitioner;
- xii. Apart from the official voting domain sent to all members not to vote via https://www.ecnba.org.ng/vote/ecnba_ovs-main, there was no time that the ECNBA sent out any other notice to any member,

including the Petitioner, to vote on www.ecnbaovs.org.ng or through any other domain name(s) as claimed by the Petitioner;

- xiii. The ECNBA was set up by the National Executive Council (NEC) of the NBA and given the mandate to organize the elections into the national offices of the Association and Representatives of the Association in the General Council of the Bar. It was never required to revert to or seek approval of NBA-NEC or any other body within the value chain of the NBA for election domain or domain migration as these are steps or processes within the legitimate expectation of the contracted service delivery package that will guarantee free, fair and credible election
- xiv. The ECNBA did not allocate votes to any candidate at the elections. Votes garnered or scored by each candidate, including the Petitioner, correctly and accurately reflect or captures the voting pattern at the election.
- xv. As stated earlier, the entity listed as the 3rd Respondent to the Petition was not a candidate at and did not participate in the election organized by the ECNBA. The ECNBA did not and could not have declared it the winner of the election. Accordingly, the allegation of **“...precise geometric progression of the votes at the top of each hour”** for the said 3rd Respondent exists only as a figment of the Petitioner’s imagination!
- xvi. The bland and blatant allegation of **“likely pre-programming of the system”** to favour any particular candidate at the election is wholly

speculative, and unsupported by any empirical fact or ascertainable proof. In point of fact, a cursory perusal of the Petitioner's ICT expert's technical report which accompanies the Petition shows beyond any equivocation that the Petitioner's claim in his Petition and Statement on Oath tell lies against his ICT Consultant. This alone casts a debilitating slur on the Petitioner's case. The Petitioner's ICT consultant unambiguously admits in his report that no evidence exists to establish any irregularities and process breaches which are the grounds on which the Petition is anchored.

25. In response to and specific denial of the averments in paragraph 9(ii)(a) – 0, the ECNBA states unequivocally as follows:

- i. By **07.35hrs** on **18.07.2026**, voting formally resumed on the newly acquired domain, in consonance with the notice issued by the ECNBA. On Time Password (OTP) were successfully sent and delivered to voters who correctly followed the instructions and advice previously circulated by the ECNBA to members of the Association and reiterated on the landing page of the voting domain. For example, members were informed /advised to:
 - a. *Doublecheck and ensure that the “Do Not Disturb” (DND) mode is not activated on their phones;*
 - b. *Ensure that in inputting their enrolment number, the three alphabets preceding the numbers are capitalized;*

- ii. Voting by members thus progressed seamlessly for the next 4-5 hours and the exercise was monitored live at the viewing centre established by the ECNBA where, among other persons, accredited agents of the Petitioner and others were present throughout;
- iii. As the election or voting progressed on 18.07.2026, the voting domain witnessed an unusual upsurge of voters, intent on exercising their voting right. This development naturally occasioned a frenzy on the voting platform with the sustained traffic resulting in delayed response time for the delivery of OTPs to registered voters upon request. The ECNBA again promptly issued another statement acknowledging the slow nature of the operation and advising that the Committee was doing everything to ensure a seamless and hitch-free exercise;
- iv. The ECNBA states that 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. The claim of over **“25,000 voters”** who were prepared to vote for him, but were unable to vote owing to OTP related issues is peculiar to the Petitioner who failed to disclose the identities of the said “over twenty-five thousand voters” to enable the ECNBA or anyone verify whether the so-called 25,000 voters truly exist in the official voters' register of the ECNBA or whether they even logged into the voting portal at all;

- v. The ECNBA states that benchmarking the Petition with the Petitioner's statement on oath and his Technical Consultant's **"Technical Observation Report"** [attached to the Petition], it comes out indubitably clear that the Petitioner has merely set out to bandy the **"35,000 voters"** figure in order to engender undue sensationalism around and about the election. Throughout the length and breadth of the Petition;
- vi. The ECNBA states that the ICT company it engaged and which deployed its expertise for the purpose of the elections is competent and credible. It evidently facilitated the digital component of the electoral process as evident in successful provision of fallback option of platform migration as a contingency measure, which helped to facilitate the efficient handling and management of the unforeseen glitches and cyberattacks on the digital platform at the commencement of the voting exercise;
- vii. The Petitioner's claim that he was unable to vote for himself is not an issue over which the ECNBA has control. His reasons for his inability are, perhaps, personal to him and chances are that he voted for one of his opponents in the election;
- viii. By dint of the final Voters List published by the ECNBA on **10 July, 2026**, there were a total of **82,172** confirmed, verified and registered voters. Of this figure, a total of **26,184 persons**, representing **31.86%**, voted in or participated in the election. These official figures which were promptly and regularly made available to members and the candidates, including the Petitioners, are markedly different from the

figures quoted and stated by the Petitioner in his Petition, particularly in paragraphs 9(ii)(m) and 9(ii)(o) thereof;

- ix. On the day of the election, all the complaints by registered voters which were made to the ECNBA through its dedicated help desk telephone lines were promptly attended to and resolved. To the best of its knowledge, the Petitioner was not the electoral umpire and, therefore was not in any position to receive official complaints. It is unsurprising that the alleged calls made to him by his unnamed and faceless supporters could not be attended to or resolved by him;
- x. The ECNBA states that it is incorrect and untrue that his supporters had challenges relating to **“failure of receiving OTPs”**. Assuming they did, the issue or complaint was never communicated or escalated to the help desk of the electoral body which had the capacity and competence to resolve same was done for many other complainants who voted. But instead, they chose to direct their complaints to the wrong person, i.e., the Petitioner;
- xi. The allegation that over **56,107 voters** were unable to vote is untrue. Whilst the ECNBA is not in a position to determine where and how the Petitioner arrived at or manufactured this figure, the correct statement is that the figure may very well represent verified voters who voluntarily elected to exercise their right not to participate in the election process;
- xii. The ECNBA further contends that given the percentage of those who voted in comparison to the total number of names on the voter's

register, it is safe and convenient to describe the situation as “**low voters’ turnout**” or “**voters’ apathy**” which has nothing to do with the credibility of the election. Accordingly, it is incorrect to equate low voters turn out with **disenfranchisement**. They are not one and the same. They are coterminous;

- xiii. It is not within its remit of the ECNBA to speculate on what the eventual outcome or outlook of the election would have been if the 56,107 members had participated in the elections. **The ECNBA’s statutory responsibility is clearly circumscribed by the NBA Constitution under which it was set up and, for this purpose, is limited to declaring and returning the candidate with the highest votes cast at the election as the winner.**

26. In specific response to paragraph 9(iii)(a) – (c), the ECNBA states that:

- i. In line with the NBA Constitution and the election Guidelines, the voting process at the elections runs or lasts for **NOT LESS than twenty-four hours**. As already stated, voting in the election commenced at **07:35hr** on **18.07.2026** and ended at **07:34hr** on **19.07.2026**. The reviewed voting timeline, which was necessitated by the unfortunate event of the early hours of 18.07.2026, was duly communicated to NBA members, including the Petitioner, *vide* the ECNBA notice dated **18.07.2026**;
- ii. Indeed, the start and end time of the voting process was programmed in such a way that at exactly the advertised timelines,

the voting portal became accessible to eligible voters who seamlessly voted for candidates of their choice for the various elective offices and at exactly the cut off time, the platform automatically terminated and became inaccessible;

- iii. The ECNBA states that the delay in restarting or commencement of voting notwithstanding, the exercise ran continuously for a full 24 hours period from the actual start and stop time. Accordingly, the delay did not, by any stretch of imagination, impacted the right of any voter nor did it shorten anyone's opportunity to vote;
- iv. The ECNBA reiterates that the elections of 18.07.2026 was conducted in substantial compliance with the NBA Constitution and the Guidelines for the election. In point of fact and for transparency, credibility and verification purposes, the ECNBA on **20th July, 2026** published and also transmitted to members of the NBA and all the candidates at the elections (including the Petitioner), a comprehensive list of actual voters, on a branch-by-branch basis. Till date, the Petitioner or anybody has not faulted the exercise;
- v. The allegations regarding the use or deployment unrelated platforms, unexplained vote tally discrepancies, pre-programmed geometric progression of the winners votes and data manipulation contained in the Petition are unfounded, unmerited and merely sensational. They are incorrect and cannot be seriously made by the Petitioner. The ECNBA hereby puts the Petitioner to the strictest proof of the allegations;

- vi. As stated earlier, the ECNBA made available a gigantic LED screen at the NBA house from on which was displayed the live result of the voting exercise, refreshed automatically about 10 seconds which is also accessible to everyone who casts his votes to view the progress of the voting pattern from anywhere. For members, observers and candidates' agents who were present or monitored the election from their devices and who viewed the live feed all throughout the duration of the exercise, it was evident that the candidates' scores/votes reflected the members actual voting pattern;
- vii. In point of fact, the ECNBA contends that what the presidential candidates scores showed throughout, particularly on each refresh, was a **decay curve** and not a **progression**, let alone a geometric progression. From the live feeds, especially with about 10-seconds refresh, it was evidently clear to everybody present that voting peaked in the first full hour and then declined steadily through the day to an overnight trough, before a dawn rise on 19.07.2026;
- viii. Hour-over-hour, the total votes for each candidate mostly fell, together or uniformly with a ratio ranging 0.36 – 1.66, after the opening spike. A geometric progression which the Petitioner alleges means or implies that the votes multiplied by a constant each step and grew steadily upward. This was not the case in the election;
- ix. With respect to the Petitioner's request for the documents listed in paragraph 9(iv)(c) of the Petition, the ECNBA states that most of the documents relate to and or concern members' data which are

protected by the Data Protection Act. The ECNBA is a law-abiding entity which has an obligation to respect and comply with the provisions of the Data Protection Act. Accordingly, and having regard to the data sensitive nature of the requested documents, the ECNBA rejects or is unable to accede to the request.

- x. Without prejudice to the ECNBA's position in the preceding paragraph, the ECNBA states that a good number of the documents have previously previously been made available to the petition. In some cases, the documents are held by third parties and, therefore, not within the control of the ECNBA. The Petitioner is at liberty to approach the custodians;
- xi. Prior to and after the elections of 18.07.2026, the ECNBA had made available to the Petitioner the following documents: **The Final Voters' List Used For The Election, Final Declaration (Final Result Sheet), List of Actual Voters [Branch Basis], System Performance and Reconciliation Data and other relevant documents;**
- xii. The ECNBA states that elections into the office of the President of the NBA was conducted on 18.07.2026 and same held simultaneously with the elections into all other national offices, including the NBA Representatives to the General Council of the Bar;
- xiii. The ECNBA further avers that a single or common ballot paper was used by every voter who voted in the election in respect of the office of the President and other national officers as well as for the NBA Representatives on the General Council of the Bar;

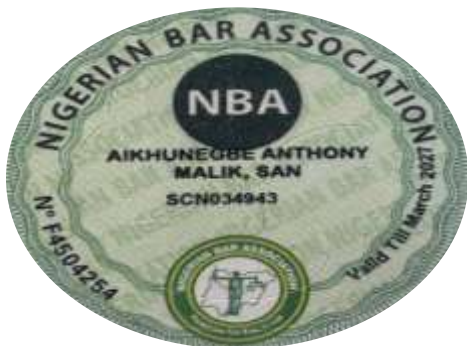
xvii. The ECNBA notes that the complaints embodied in the Petition and the reliefs sought by the Petitioners relate only to the election or voting for the office of “President”;

xviii. The ECNBA reiterates that the reliefs sought by the Petitioner are incompetent, defective, not grantable and not maintainable.

V. – Conclusion

27. **WHEREOF** the ECNBA prays the Committee to refuse all the reliefs sought by the Petitioner and consequentially, dismiss the Petition as lacking in merit and substance, same having being substantially founded on the Petitioner’s ego trip to smear and degrade the entire election exercise and architecture, the leadership of the Nigerian Bar Association, all on account of emotionalism and personal prejudices.

DATED THE 3RD DAY OF AUGUST, 2026.



✓ **HIGH CHIEF AIKHUNEGBE A. MALIK, SAN**
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