Witness Statement

Export Flower Invoices With Agency and Set-Off Disputes — Milimani Small Claims Court

Educational reconstruction based on a published Kenyan judicial decision. This is newly drafted sample wording, not the original filed document and not a case handled by our team. Parties and identifying details are replaced with fields for completion. The source judgment may display original public case details.

Purpose and correct procedural stage

Looking for a witness statement for export flower invoices with agency and set-off disputes in Nairobi? This page provides a reconstructed draft for Milimani Small Claims Court, with editable Word and PDF downloads. A Kenyan lawyer or advocate can adapt the document to the correct party, evidence and procedural stage.

Use the formal section only after completing the fields from the actual record. The educational notes and later outcome are separate from the draft and should not be filed as allegations that existed at the earlier stage. Keep the actual party’s legal position: Respondent company representative.

Reconstructed formal document

REPUBLIC OF KENYA
IN THE SMALL CLAIMS COURT AT MILIMANI, NAIROBI
CASE NO [number] OF [year]
[Claimant] — CLAIMANT
VERSUS
[Respondent] — RESPONDENT

WITNESS STATEMENT

1. I, [witness name], of [address retained in the filed record], make this statement in my capacity as [actual role]. I identify below the matters I personally observed and the records I am competent to explain.

2. My connection with the transaction is [state actual participation and, for a business witness, authority and record-keeping role]. I do not give evidence on behalf of a mechanic, police officer, bank or other participant about matters outside my personal knowledge.

3. I identify our company’s role in the flower consignments from [agreements and communications]. My participation and responsibility for the account were [complete].

4. Our position was that we acted as an intermediary for overseas customers. The communications recording that arrangement are [references].

5. Quality complaints, agency charges and proposed adjustments were communicated in [records]. I distinguish complaints transmitted to us from matters I personally observed.

6. I explain the shipments, incoming payments and adjustments within my knowledge at [schedule references]. Records requiring another custodian’s evidence are [identify].

7. I identify the records I made, sent, received or maintained as [bundle page references and explanation of provenance]. For a record obtained from another person, the source and the basis on which I can speak to it are [complete from evidence].

8. Payments and credits I can explain are [date, amount, channel and allocation]. Any difference between an initiated payment and a completed or reversed transfer is addressed expressly. I rely on the net account, without treating a later judicial award as part of the original transaction.

9. The events I did not personally observe, and any matter requiring another witness, are [identify]. I have not adopted another participant’s observations as my own.

I confirm that the completed statement reflects my knowledge and the identified records.
Signed: [witness]
Date: [date]
[Apply any required statement of truth or registry attestation in the current prescribed form.]

Evidence and adaptation checks

Course of dealing: Whether respondent bought for itself or acted as intermediary. Record to locate: Available agreements and correspondence describing the parties' roles.

Consignment account: Transaction-level reconciliation rather than a single global balance. Record to locate: Invoices, shipping records and allocation of incoming payments.

Quality communications: Existence and scope of the asserted dispute; no assumed finding of defect. Record to locate: Actual complaints and their transmission to the supplier.

Charges and set-off: Identify what is disputed, the contractual basis and affected third parties. Record to locate: Contemporaneous agency fee terms and supported adjustment calculations.

Do not present the source as a successful simple debt recovery claim. A proposed set-off needs its own contractual and evidential basis; an allegation of quality problems is not proof that the goods were defective.

What happened later — educational context only

The Small Claims Court struck out this claim as unsuitable for summary determination without prejudice. It did not award the disputed export debt or conclusively resolve the agency account.

The sample was drafted retrospectively from the published reasons. It is not evidence that these exact words, schedules or documents were filed in the source proceedings. Factual assertions must be verified independently before any real filing.

Source judgment and filing review

[2026] SCC 194 (KLR) — https://sheriahub.com/cases/ke/caselaw/primarosa-flowers-ltd-v-herany-flora-ltd-2026-scc-194-klr

Full published judicial text, including final orders, reviewed 8 October 2026. The linked text is a reproduction of the judicial decision. The sample cites that decision as its factual and procedural starting point, not as a guarantee of another case's outcome.

Before use, a qualified Kenyan advocate should check current legislation and rules, court competence, limitation or appeal time, prescribed forms, electronic-record foundations, service and registry directions. Do not copy historic contract terms into a different transaction.