



## **FOR IMMEDIATE RELEASE**

### **HIGH COURT FAST-TRACKS HEARING ON DIAGEO-ASAHI DEAL; REGULATORY WORK TO PROCEED UNINTERRUPTED**

**NAIROBI, KENYA 20 January 2026** -East African Breweries PLC (EABL) wishes to update the public on today's High Court directions regarding the ongoing legal dispute with Bia Toshा Distributors Limited.

All parties agreed that this is a significant matter and consented to a fast-tracked hearing schedule.

The Court has split the legal proceedings into two distinct tracks to ensure urgent matters are dealt with immediately without delaying the broader case.

#### **1. The Urgent Bia Toshा Application seeking to block the Share Sale**

Bia Toshा had filed an urgent application attempting to stop Diageo from selling its shares in EABL to Asahi.

- **The Court's Direction:** The Court recognized the critical nature of this transaction and ordered an expedited hearing to determine this specific issue.
- **Business Continuity:** Consequently, the Judge ruled that regulatory approvals and preliminary steps for the transaction can and should continue. This means the essential work with East African regulators responsible for competition and capital markets approvals will proceed without interruption.
- **Extension of Conservatory Orders:** By consent of all parties, the Court extended the interim conservatory orders until 26 February 2026. Crucially, the Court clarified that this order restrains only the final steps to conclude the transaction (such as the ultimate transfer of shares).

#### **2. The Main Petition: The Main 2016 Dispute**

This is the root of the conflict, a decade-old case filed by Bia Toshा in 2016 regarding local distribution routes.

- The Court's Direction: The Judge noted this is the oldest pending matter in the Constitutional Division and ordered it to be heard on a priority basis to finally resolve the source of these disputes. Bia Tosha has been granted 10 days to update their claims after nearly ten years of litigation.

*What This Means:*

- **Consent:** EABL agreed to these directions to speed up the process. We want this resolved quickly.
- **Separation:** We maintain that the 2016 dispute about local beer distribution routes has no legal connection to the global sale of shares between Diageo and Asahi.
- **Next Steps:** The Court will hear the urgent application on 26 February 2026 and intends to deliver a ruling shortly after.

**Our Position:** We welcome the Court's decision to fast-track these hearings. We are pleased that the regulatory processes for the transaction remain on track and are confident that expediting this longstanding matter will ultimately result in a resolution in our favour, as we have maintained that this is a commercial case involving only KBL.

ENDS

For media inquiries, please contact:  
Waithera Mwai  
Head of Communications  
Email: [Waithera.mwai@eabl.com](mailto:Waithera.mwai@eabl.com)