



REGISTRAR
HIGH COURT
ACCRA



REPUBLIC OF GHANA

WRIT OF SUMMONS

(Order 2 rule 3(1))

WRIT ISSUED FROM Accra 8th June 2018 SUIT NO. GJ 892/18

IN THE HIGH COURT OF JUSTICE

GENERAL JURISDICTION
ACCRA-A.D. 2018

BETWEEN

ANAS AREMEYAW ANAS
(Suing *per* his lawful attorney
LISTOWELL YESU BUKARSON
Kofi Baako House
North Labone Crescent, Accra

Plaintiff:

AND

Defendant:

KENNEDY OHENE AGYAPONG
Hollywood Building
Madina Zongo Junction, Accra

To

Plaintiff will direct service

AN ACTION having been commenced against you by the issue of this Writ by the above-named plaintiff ANAS AREMEYAW ANAS

YOU ARE HEREBY COMMANDED that within EIGHT DAYS after service of this Writ on you inclusive of the day of service you do cause an appearance to be entered for you. KENNEDY OHENE AGYAPONG

AND TAKE NOTICE that in default of your so doing, judgment may be given in your absence without further notice to you.

Dated this 8th day of June 2018

Chief Justice of Ghana

SOPHIA A.B. AKUFFO (MS)

NB: This writ is to be served within twelve calendar months from the date of issue unless, it is renewed within six calendar months from the date of that renewal.

The defendant may appear hereto by filing a notice of appearance either personally or by lawyer at Form 5 at the Registry of the Court of issue of the writ at he desires, give notice of appearance by post. A defendant appearing personally may, if

* State name. Place of residence or business address of plaintiff if known (not P.O. Box number).
* State name place of residence or business address of defendant (not P.O. Box number).

STATEMENT OF CLAIM

The Plaintiff's Claim is for:

- a) General Damages for libel contained in the defendant's publications indorsed on the writ of summons by way of an attachment and particularized in paragraphs 5, 6, 7, and 8 of the statement of claim.
- b) Aggravated damages arising from libel published by the defendant of the plaintiff in the sum of Twenty-Five Million cedis (GHC25,000,000.00).
- c) Costs, including lawyers' fees.

This Writ was issued by

whose address for service is

Agent for

Kissi Agyebeng
 KISSI AGYEBENG, ESQ
 CROMWELL GRAY LLP
 GAR 15163/18 PP0003985/18
 NO-6B DUCHESSVILLE, 2ND CIRCULAR ROAD,
 CANTONMENTS - ACCRA.

PLAINTIFF'S TIN: P0001079069

Lawyer for the plaintiff

who resides at ACCRA

.....
Indorsement to be made within 3 days after service

This Writ was served by me at

On the defendant

on the day of

endorsed the day of

Signed.....

Address.....

NOTE: If the plaintiff's claim is for liquidated demand only, further proceedings will be stayed if within the time limited for appearance the defendant pays the amount claimed to the plaintiff, his lawyer or his agent or into Court as provided for in Order 2 rule 3 (2).

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
GENERAL JURISDICTION
GREATER ACCRA REGION
ACCRA – A.D. 2018

Filed on 8/6/18
at 9:07 am pm
Registrar
HIGH COURT
ACCRA

SUIT NO.

BETWEEN

ANAS AREMEYAW ANAS
(Suing *per* his lawful attorney
LISTOWELL YESU BUKARSON)
Kofi Baako House
North Labone Crescent, Accra

PLAINTIFF

AND

KENNEDY OHENE AGYAPONG
Hollywood Building
Madina Zongo Junction, Accra

DEFENDANT

Plaintiff will direct service.

STATEMENT OF CLAIM

- 1 The plaintiff is a lawyer and an internationally acclaimed investigative journalist. He resides in Accra.
- 2 The plaintiff has won several local and international awards arising from his investigative journalism work; and he has also received several stated recognitions globally.
- 3 The plaintiff sues *per* his lawful attorney, Listowell Yesu Bukarson – who has been given a power of attorney by the plaintiff to prosecute the matter and testify on behalf of the plaintiff.
- 4 The defendant is the Member of Parliament for Assin Central constituency. He is also the owner of Kencity Media, which operates a television station and several radio stations. He resides in Accra.

5 On 29 May 2018 during the course of a live programme broadcast in Twi entitled *Pampaso* on Adom TV – a television station based in Accra, the defendant, while being interviewed by the host of the programme, published the following words defamatory of the plaintiff:

Host: **What issue do you have with Anas in respect of the exposé?**

Defendant: **Anas, [meaning thereby the plaintiff] the first description I give him is that he is a blackmailer, extortionist, he is evil.**

Host: **You need to justify that.**

Defendant: **I am going to justify my claims. I will justify today and dare him [meaning thereby the plaintiff] to come out and I will bring all the pictures. You cannot set out in life because of the financial gains you seek to destroy people.**

...

I will prove to the whole of Ghana that the boy [meaning thereby the plaintiff] is so corrupt and evil for the things he has done – bringing institutions that have been built over the years down for him to be rich. I am going to show all the pictures for all I have seen and know.

...

Anas [meaning thereby the plaintiff] is a thief because if he is able to set people up in Dubai, takes his money and buy tablets, he doesn't pay tax and the wife would be selling them. You, you [meaning thereby the plaintiff] take money from people and then you go around blackmailing judges and blackmail everybody.

Co-panelist: **Do you really have the evidence?**

Defendant: **I really have the evidence. I want to ask Anas, the NDC boys that he took to Dubai and they were on a boat, where is the video?**

Host: **You cannot force him to bring it when it is not ready.**

Defendant: **Good, it is only not ready when money changes hands. I am challenging Anas, [meaning thereby the plaintiff] how come he didn't bring that video. I will bring more pictures and videos and will show them first on my own station such that if Kweku Baako and his people want to sue, they can sue me. The Mahama boys that he [meaning thereby the plaintiff] set them up, he should bring the video; why didn't he bring the video. Duffour and his son should come and tell us what they did for Anas [meaning thereby the plaintiff] to set the guy | meaning thereby Felix Nyankopong former MD of uniBank] up in Dubai. I want to ask Anas, [meaning thereby the plaintiff] the politicians that he set up and destroyed in Cote D'voire, the money he made, he should come and disclose the tax he paid. Go to *Midace (sic)* residence to see the building that he [meaning thereby the plaintiff] has put up with his friend Philip. Is it because he destroyed people and make money?**

Host: **Why do you ask how he got money to raise those buildings?**

Defendant: **Go to Dworwulu, *Midace (sic)* city to see whether a genuine journalist can make such money? Go to Phinas Hostel on the Prampram road. He owns Phinas Pharma. He should come and tell us the taxes he pays. If you get to Osu, *Osu Cadillac, (sic)* it's an apartment that he rents – he should come and tell us from the rent he has collected since 2016 whether he has paid tax. And he [meaning thereby the plaintiff] is so cheap that even trade fair, after grabbing peoples' lands, he uses land guards to beat people.**

...

If he [meaning thereby the plaintiff] dares me I will ask him, how long he [meaning thereby the plaintiff] has known Ivy, JB's [meaning thereby Joseph Boakye Danquah Adu, a former Member of Parliament who was murdered in 2016] wife. He should come and tell us. I will give him pictures from UK and Dubai. Anas [meaning thereby the plaintiff] should come and tell us whether he knows Ivy, JB's wife. He [meaning thereby the plaintiff] brings items from Dubai, he loads them in bags, tablets, when he gets to airport, he doesn't pay tax and the wife will be selling them. He [meaning thereby the plaintiff] uses a police officer called Gilbert Argar to beat people. Anas [meaning thereby the plaintiff] should come and tell us the monies he pays to the Ghana Police such that 24/7 he has Argar guarding him to beat people at Trade Fair.

...

He [meaning thereby the plaintiff] is corrupt big time.

...

I am really poised for him. If you know the bad deeds that the guy [meaning thereby the plaintiff] has committed and amassed wealth for himself; it is nasty and we shouldn't tolerate it.

...

Host: **He is a lawyer.**

Defendant: **He [meaning thereby the plaintiff] should point to me which office he has practiced from.**

Host: **People want to know why you are on Anas.**

Defendant: **I want people to know that the guy [meaning thereby the plaintiff] is not genuine. He is blackmailing people. He is an extortionist, taking money from people.**

Host: **Those are strong words**

Defendant: **Yes, he [meaning thereby the plaintiff] is evil, he is an extortionist, he is a blackmailer. I challenge him. Let us have the former Chief Justice. She should tell us what transpired between her and Anas.**

Host: **What transpired?**

Defendant: **I want to know, let me question her. I have nothing against a genuine person. But you Anas, [meaning thereby the plaintiff] you grab peoples' lands at Trade Fair. Go and see those lands that he has grabbed, which journalist has such money.**

...

Go to Trade Fair and see peoples' lands that he has grabbed and threatening people such that they cannot even do their work. Let me show you people that he has destroyed and made money to build apartments and hostels. He doesn't pay tax. Your destroy people for monetary gains.

...

That Anas boy, if this were a different country, he would have been... [making a choking sound while dragging his finger across his throat]

[sic]

- 6 The defendant published similar words defamatory of the plaintiff as set out in paragraph 5 above on 31 May 2018 during the course of a live programme broadcast in Twi entitled *Boiling Point* on Oman 107.1FM – a radio station based in Accra and owned by the defendant.
- 7 On 30 May 2018 during the course of a live programme broadcast in Twi entitled *The Dialogue* on Net2TV – a television station owned by the defendant and based in Accra, and simultaneously on Oman 107.1FM and Ashh 101.1FM – radio stations based in Accra and Kumasi, respectively and owned by the defendant; the defendant, while being interviewed by the host of the programme, published the following words defamatory of the plaintiff:

Defendant: I don't know him [meaning thereby the plaintiff] personally until conducting investigations and I received his pictures and the things that he does in Dubai and...I think that what I know now, Anas [meaning thereby the plaintiff] is not a truthful person to investigate anybody in this country.

...

But the truth must be put at the appropriate place. Today it is your brother, tomorrow it will be you. If it befalls me and Anas reports it, I don't have a problem but if Anas reports that this person is corrupt and therefore he [meaning thereby the plaintiff] is going to fake things for people to say that such a person is corrupt, then it is wrong.

Host: Has he done that?

Defendant: Yes, that is what he [meaning thereby the plaintiff] did in most of his processes to trap people. Having trapped you, it is for the highest bidder. Anas [meaning thereby the plaintiff] doesn't telecast whoever pays for his deeds. So is he genuine?

...

In 2016 Anas [meaning thereby the plaintiff] did an investigation on Mahama's boys. I am asking Anas, [meaning thereby the plaintiff] why didn't he bring the video? How much money changed hands? Anas should come and tell Ghanaians. Anas [meaning thereby the plaintiff] sets you up. There was this Unibank MD called Felix Nyankopong, when Duffour wanted to sack him, he paid Anas [meaning thereby the plaintiff] to disgrace the man. I have pictures where there was money. They put the money on a table where he (the MD) was wearing his suit, in a hotel and Anas [meaning thereby the plaintiff] brought to Duffour to complain that the guy was corrupt. When he (MD) was shown this footage, he was out-rightly dismissed. He [meaning thereby the plaintiff] blackmailed that Felix Nyankopong. I have all those that if on 6th June he shows his exposé, on my return from my trip, I will also come and show mine.

...

Host: He has been recognized by Al Jazeera.

Defendant: So we didn't know. Al Jazeera didn't know. BBC didn't know. So today I am also coming out to tell you that the guy [meaning thereby the plaintiff] is an extortionist, blackmailer. He [meaning thereby the plaintiff] is a criminal.

Host: That is a strong allegation.

Defendant: **Ah my brother, I will give you more assurance than that; because he [meaning thereby the plaintiff] is a natural born evil person. The things that he [meaning thereby the plaintiff] has really done that have caused people to lose their lives.**

...

He says he is crusader of what? Integrity? He should tell us, when he [meaning thereby the plaintiff] goes to grab Ga lands, then he follows up, because judges fear him, then he is fighting it for the old women, when he is done then he takes half... He is a land guard.

...

Yeah, that is Ahmed [while identifying a picture], when they set you up in Dubai then he Ahmed will be sending texting messages to Anas [meaning thereby the plaintiff]. Ah, these people [meaning thereby the plaintiff and his associates] are criminals; they have to charge them, they have to charge Anas. [meaning thereby the plaintiff] The way he has brought down institutions but instead he [meaning thereby the plaintiff] is very corrupt.

...

As he is carrying out investigations that someone has gone to take money, he [meaning thereby the plaintiff] on the other extorts from people. If your information comes, if you go to see him, [meaning thereby the plaintiff] then he takes yours out. Yes, this is one of the images of Anas [while identifying a picture]. This is the boy who has brought institutions down. This is the boy. Is he [meaning thereby the plaintiff] mad? When you meet him, [meaning thereby the plaintiff] give him some slaps. You [meaning thereby the plaintiff] are enriching yourself at the expense of people dying, leaving their families and Ghanaians say they don't understand? Some people have died because of Anas [meaning thereby the plaintiff] and you are also doing the wrong thing. Look, he has a big apartment called *Midaxe* (sic) residence. He [meaning thereby the plaintiff] owns it with his friend Philip. Ask him, where he got the money to put up such a huge building.

...

I will incite people against Anas [meaning thereby the plaintiff] and his boys. Yes, they [meaning thereby the plaintiff and his associates] have committed crimes to enrich themselves. It is a foul means of making money. Anas, I challenge him, it is foul means that Anas [meaning thereby the plaintiff] has used to make money.

...

Anas [meaning thereby the plaintiff] is corrupt, evil, and an extortionist. He is a blackmailer.

...

I have asked you that JB, [meaning thereby Joseph Boakye Danquah Adu, a former Member of Parliament who was murdered in 2016] the one who died, his Ivy, [meaning thereby the widow of Joseph Boakye Danquah Adu, a former Member of Parliament who was murdered in 2016] since when has Anas [meaning thereby the plaintiff] known her? I am really poised for the guy because looking at the crimes that he [meaning thereby the plaintiff] has committed that he is being hailed in Ghana, I will strip him [meaning thereby the plaintiff] naked.

...

I have asked one question. Ghanaians should listen to it very well. Let us establish the time that JB [meaning thereby Joseph Boakye Danquah Adu, a former Member of Parliament who was murdered in 2016] died and let us establish the time that Anas [meaning thereby the plaintiff] says he knew the girl. [meaning thereby the widow of Joseph Boakye Danquah Adu, a former Member of Parliament who was murdered in 2016] What I will do to this guy in Ghana. You will see. I have the full information; I just don't talk. I just don't talk because JB too had two children. You understand, JB had two children. I am drawing your attention to something. Anas says he is tough. This

thing, [meaning thereby the plaintiff] this filthy thing [meaning thereby the plaintiff] and innocent people are dying and Ghanaians say he is a hero?

...

Now let me come to...good, someone who says he is genuine...after Anas [meaning thereby the plaintiff] has gone to undertake his nefarious activities in Dubai...He buys tablets for the wife to sell. However when he gets to the airport he doesn't disclose that he has such gadgets on him. He doesn't pay duty and the wife would be selling them but you call somebody who took GHC20 a corrupt person.

...

What I am establishing is that you [meaning thereby the plaintiff] cannot destroy families, you cannot destroy institutions and enrich yourself by portraying people as bad whereas you are even worse. That is what I am saying.

...

How come someone [meaning thereby the plaintiff] who you claim to be law abiding be using land guards. Go to Trade Fair and see the lands that Anas [meaning thereby the plaintiff] is fighting for. Who knows about this? Why are you hailing such a guy?

...

Just this weekend, a judge at Kumasi told me that when he paid Anas [meaning thereby the plaintiff] it saved him his job and he has been able to recoup his cost. Do you realise that Anas has [meaning thereby the plaintiff] made this judge more corrupt? You [meaning thereby the plaintiff] have been able to disgrace someone for him to die but because someone paid, you left him out.

...

I will bring evidence to show that he [meaning thereby the plaintiff] is corrupt.

...

Such idiots like that with stinking asses. Anas, [meaning thereby the plaintiff] this riffraff, killing people for money.

...

He [meaning thereby the plaintiff] is even cheap to the extent of doing illegal ECG connection at the Trade Fair area.

[sic]

- 8 On 4 June 2018 during the course of a live programme broadcast in Twi entitled *Dwaaso Nsem* on Adom 106.3FM – a radio station based in Accra, the defendant, while being interviewed by the hostess of the programme, published the following words defamatory of the plaintiff:

Defendant: I want to establish clearly that Anas [meaning thereby the plaintiff] is corrupt and so if a custom officer has been dismissed because of GHC50 after 25 years of service; Anas, [meaning thereby the plaintiff] the evidence I have on him, he has to be hanged. Anas [meaning thereby the plaintiff] has to be hanged for the evil things he has done to Ghanaians in the course of investigations that he has used to amass wealth in Ghana. I have pictures of him and his boy Sam Lary on a boat because he [meaning thereby the plaintiff] took a bribe. I am telling you Anas [meaning thereby the plaintiff] takes bribes, he takes bribes.

...

I state it categorically that Anas [meaning thereby the plaintiff] has about 40 videos. Why has he brought only 12? The reason is simple. Those who paid, he [meaning thereby the plaintiff] took them out. Those who paid he [meaning thereby the plaintiff]

didn't bring it out..and you support such a person? You [meaning thereby the plaintiff] you investigated Hafiz and the case went to court. How come Kweku Baako says the case became *basaa*? Because you Anas, [meaning thereby the plaintiff] you took money. This is a 2009 case. Note that this is a 2009 case, but how many years has Anas [meaning thereby the plaintiff] destroyed peoples' lives by taking bribes and leaving some of them and those who couldn't pay he chastised them. Do you think it is fair?

Hostess: Do you have all the evidence?

Defendant: I am going to give you some of them. This is because Anas [meaning thereby the plaintiff] wanted to destroy the Hafiz case so that he would benefit financially, listen to what he did. There is a guy called Baba Tunde and Hafiz and these two boys went to do 419. There is a company called Omega Strategic Services that they wanted gold to the tune of 1,000 kgs and their budget was \$5.7 million. This case went to court. The advance the guys brought was \$1.9 million...This was deposited at AmalBank and these guys were not gold dealers but only duping that company. So they started distributing the money. So there is a doctor called Dr. Edem or so whose friends are the Strategic Service people. So the matter was given to Anas [meaning thereby the plaintiff] to investigate for him. Someone who has carried out this investigation for the guys (Hafiz and his boys) to be arrested then he [meaning thereby the plaintiff] turns round...Anas has the video, why doesn't he show it...because he [meaning thereby the plaintiff] took bribe from them. He took bribe.

Hostess: You have the evidence?

Defendant: I have a pen drive. You will play bits of it on air for people to listen to the beginning of the negotiations and where it ended that Anas [meaning thereby the plaintiff] destroyed the case.

Hostess: Do you have video or audio?

Defendant: Its video but I brought audio for you to play. Adoma [referring to the host], if Justice Poku is your brother and this corrupt Anas, [meaning thereby the plaintiff] extortionist, blackmailer goes to him to destroy him and he couldn't contain it; he thought to the extent that his brain burst open and he died. Today the children of such a judge cannot pay their fees. Then I see this same person who says someone is corrupt and people have died as a result, he [meaning thereby the plaintiff] is instead corrupt. Today, I challenge Anas [meaning thereby the plaintiff] if he didn't take \$50,000 from Hafiz.

...

I have a video of Anas [meaning thereby the plaintiff] negotiating with them. I have a video that Anas [meaning thereby the plaintiff] admitted that he took \$100,000...Anas [meaning thereby the plaintiff] went to the State Attorney to tell her that she should tell him how much she will collect to destroy the case. Then the lady said as for money we all like money but how am I going to do this? The woman asked, do you have the evidence, then he said yes. Then the woman said if you bring the evidence, I will present the case such that it will conform to what Anas [meaning thereby the plaintiff] is proposing so that the case will be destroyed. And that is exactly what happened.

Hostess: Is that State Attorney still working?

Defendant: She is dead but her pictures are there for any person to affirm that she was the State Attorney. So if Kweku Baako says the case became foolish, it was Anas [meaning thereby the plaintiff] who destroyed the case.

...

Someone is not ready to take money but...Anas [meaning thereby the plaintiff] went to the judge twice with sheep to take. You pushed the man to accept the sheep,

sheep...the judge has been sacked...but when Anas [meaning thereby the plaintiff] takes someone's \$ 100,000...I dare Kweku Baako and Anas, [meaning thereby the plaintiff] how many of the judges paid money to them and they took them out. God will pay this boy [meaning thereby the plaintiff]...He will die an undignified death.

Hostess: Looking at our system, we need the likes of Anas to unearth certain things. If we destroy Anas, what are we doing to our system?

Defendant: What system? Bogus system. When you have a corrupt, evil, blackmailer, extortionist like Anas [meaning thereby the plaintiff] to be your hero to investigate people, then it's a bogus system. If your hero is Anas, [meaning thereby the plaintiff] then you are bogus because he is corrupt, he is very very evil first class. Play the tape to give people the background to how Anas [meaning thereby the plaintiff] destroyed the case involving Hafiz. I am going to China, when I come back, I will come and show all the videos. You people should ask Anas who contracted him to use ladies to set Wontumi up, so that Wontumi will disclose his investments for Anas to destroy them.

...

You people should go and ask MTN what contract they signed with Anas [meaning thereby the plaintiff] in 2013? It will come up. Yes, MTN and Anas, what contract did they sign? Companies will fall because if you look at the way that Anas [meaning thereby the plaintiff] takes bribe.

...

Anas [meaning thereby the plaintiff] takes the bribe in hundreds of thousands that is why he has all these properties. I am telling you that Anas [meaning thereby the plaintiff] is corrupt and he is not a hero. Anas [meaning thereby the plaintiff] should come and tell us, how many of the customs officers did he take out of the exposé. How many of the judges did pay such that he took them out of the video footage? Is he a genuine man? I am telling you that Anas [meaning thereby the plaintiff] "went out" with JB's [meaning thereby Joseph Boakye Danquah Adu, a former Member of Parliament who was murdered in 2016] wife before JB died.

...

The properties that Anas [meaning thereby the plaintiff] has, even your boss who established your media does not have a quarter. And I say a genuine and honest journalist cannot own those properties except corrupt, wicked, extortionist, blackmailer that can own those properties. I didn't know that Anas is so powerful in Ghana – Anas, [meaning thereby the plaintiff] a thief of that nature? Wicked person like that? Earlier, I would say that the guy is doing the right thing but now, knowing what he does! Because if he [meaning thereby the plaintiff] investigates ten people, he will take three people out because they will pay – that is wrong. He is not genuine. He is not honest as you are saying. I have challenged him. They should take me to court. How many of the custom officers did he [meaning thereby the plaintiff] leave out? And why did he take their names out?

...

The judges, how many did he leave out. At Appiah Minka's funeral, someone confirmed that in fact some of the judges were left out. Then one judge interjected that it was good that he paid because he has been able to defray his cost. Do you see that Anas [meaning thereby the plaintiff] has made this judge more corrupt? One judge who recently presided over my case, he was part of the scandal and Anas [meaning thereby the plaintiff] left him out.

...

I have the video. I am travelling today. On my return, I will play it to the point where Anas [meaning thereby the plaintiff] was telling the State Attorney that she should make the case foolish. Then Kweku Baako is saying it was Charles Quist who messed the

case up. It was Anas who took money from the boys. That was the beginning of the case. Why didn't Anas [meaning thereby the plaintiff] tender this evidence in court when the case was on-going? Because he [meaning thereby the plaintiff] took money from them that he was going to mess the case up for them. The family of JB [meaning thereby Joseph Boakye Danquah Adu, a former Member of Parliament who was murdered in 2016] have said that it was Anas [meaning thereby the plaintiff] and JB's wife who sold JB's house in the UK.

[sic]

9 In their natural and ordinary meaning, the words published by the defendant and reproduced in paragraphs 5, 6, 7, and 8 above referred to and were understood to refer to the plaintiff; and they meant and were understood to mean that:

- i. The plaintiff is an evil and dishonest person.
- ii. The plaintiff is a self-confessed criminal who engages in murder, stealing, defrauding by false pretenses, corruption, corruption of/and with public officials, extortion, assault, abetment of assault, threat of harm and threat of death; tax evasion, custom duty evasion, forgery, impersonation as a lawyer, bribery, land grabbing, and interference with the administration of justice.
- iii. The plaintiff is an untruthful blackmailer and an odious and contemptible person.
- iv. The plaintiff is suffering from mental derangement.

10 Further, the words complained of bore and were understood to bear – by way of innuendo – that the plaintiff conspired with the widow of Joseph Boakye Danquah Adu (a former Member of Parliament) to cause the death of the said Joseph Boakye Danquah Adu.

Particulars

- i. That the plaintiff was engaged in an adulterous relationship with the widow of the said Joseph Boakye Danquah Adu just before his death;
- ii. That the plaintiff and the widow of the said Joseph Boakye Danquah Adu conspired to sell his landed property immediately after his death.

11 The plaintiff avers that the words complained of are utterly false, products of the defendant's imagination and were mischievously calculated by the defendant to disparage the plaintiff and to create disaffection for him and

to bring him into odium in the eyes of right thinking members of the Republic and the global community.

- 12 In consequence, the plaintiff's reputation, especially as a lawyer and a globally acclaimed investigative journalist, has been egregiously damaged and he has suffered debilitating distress and embarrassment. Further, he has been inundated with numerous calls from business associates, journalists associations around the world, social relations and friends and outright strangers, and he has had to answer very mortifying questions.
- 13 The plaintiff will rely on the following facts and matters to support a claim for aggravated damages:
 - i. The defendant published the words complained of knowing they were false, or recklessly as to their truth or otherwise – having calculated that the benefit to the defendant as a politician, and in respect of increased viewership of his television station and increased listenership of his radio stations would outweigh any compensation payable to the plaintiff.
 - ii. The defendant called for the lynching of the plaintiff.
 - a. The defendant signified his commitment to his call for the lynching of the plaintiff by his gesture of making a choking sound and dragging his finger across his throat.
 - iii. The defendant incited the general public to physically attack and assault the plaintiff.
 - iv. The defendant knew that once the publications were made, they would be culled and reproduced on the websites of media houses and accessible to countless numbers of persons worldwide.
 - v. The defendant well knew that once the words complained of were published on the World Wide Web, they could and would be accessed by a substantial but unquantifiable number of subscribers to the Internet around the world.
 - vi. The defendant knew and intended that his publication of the words complained of should be so published and republished and/or such publication and republication was the natural and probable consequence of his publication.

- vii. Consequently, it can be inferred that a large but unquantifiable number of users read the defendant's publications.
- viii. The defendant was malicious in his publication of the words complained of.

Particulars

- a. The defendant was persistent and emphatic as to the purported criminality, undesirability and dishonesty of the plaintiff.
- b. The defendant persisted and insisted that the falsehood he was knowingly peddling was the truth.
- c. The defendant was persistent and emphatic that he had in his possession the evidence to shore up his publications.
- d. The defendant calculated the publication to disparage the plaintiff in his trade, business, and profession.

14 Wherefore the plaintiff claims against the defendant for:

- a) General Damages for libel contained in the defendant's publications indorsed on the writ of summons by way of an attachment and particularized in paragraphs 5, 6, 7, and 8 above.
- b) Aggravated damages arising from libel published by the defendant of the plaintiff in the sum of Twenty-Five Million cedis (GHC25,000,000.00).
- c) Costs, including lawyers' fees.

Dated in Accra this Eighth day of June 2018.



Lawyers for the Plaintiff
Cromwell Gray LLP

The Registrar
High Court
General Jurisdiction
Accra

And for service on the Defendant.

=====

Practicing Certificate: GAR 15163/18
Plaintiff's TIN: P0001079069