



WRIT OF SUMMONS
(Order 2 rule 3(1))

WRIT ISSUED FROM Accra 21/8/2018 SUIT No. GS/1337/2018

IN THE HIGH/CIRCUIT COURT OF JUSTICE

BETWEEN C & G ALEKSA COMPANY LTD.
KNIGHT COURT, # 17 MANKRALO STREET
CANTONMENT, ACCRA

Plaintiff *

HON. KENNEDY AGYAPONG AND
ACCRA
(Plaintiff will direct service)

Defendant *

To
AN ACTION having been commenced against you by the issue of this writ by the above-named Plaintiff.

C & G ALEKSA COMPANY LTD.

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.

HON. KENNEDY AGYAPONG

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

Dated this 21st day of August 2018

Chief Justice of Ghana

SOPHIA A.B. AKUFFO (MS)

Note: 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 a lawyer at Form 3 at the Registry of the Court of issue of the writ as a defendant appearing personally may, if he desire give notice of appearance by post.

*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:

- General damages of GH¢20,000,000.00 for slander spoken and published by the defendant on 24th July, 2018 boiling point a live television programme on Net 2 television.
- Injunction against the defendant, either by themselves or his agents or assigns from further publishing or causing to be published the defamatory words complained of.
- A retraction and apology by the defendant with the same prominence as the publication of the defamatory word complained of.
- Cost, inclusive of solicitor's fees

This writ was issued by

RICHARD LAAPO ESQ.

whose address for service is

PUOZUING & ASSOCIATES
LEGAL PRACTITIONERS
GOLDEN SOUVENIR BUILDING
ADJACENT GOD'S GRACE INT. SCHOOL
SOUTH TESANO, ACCRA
TEL: 0204 35 33 54

Agent for PLAINTIFF

PUOZUING & ASSOCIATES
GOLDEN SOUVENIR BUILDING, ADJACENT GOD'S GRACE
INT. SCHOOL, SOUTH TESANO, ACCRA

Address Number and date of lawyer's current licence GAR NO. 15817/18

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 a 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).

BETWEEN
C&G ALEKSA COMPANY LTD
Knight Court
17 Mankralo Street
Cantonment
Accra.

PLAINTIFF

AND

HON. KENNEDY AGYAPONG
Accra.
(Plaintiff will direct service)

DEFENDANT

STATEMENT OF CLAIM

1. The plaintiff is a mining company registered under the laws of the Republic of Ghana and has a 10-year mining lease over the Upper Wassa Forest in the Dwuabo District in the Western Region of Ghana.
2. The defendant is a politician and a businessman who represents Assin Central in Parliament.
3. The plaintiff says that the defendant on 24 July 2018 on boiling point a live television programme on Net 2 television made the following allegation to the viewers of the programme which were defamatory of the plaintiff.

"published various picture of a land destroyed by mining activities claiming to be the mining concession of the plaintiff"

4. The defendant also spoke and published to the hearing of all viewers the following words, whilst making reference to the pictures being shown to the viewers, which are defamatory to the plaintiff

"the way they have destroyed/degraded the land"

"to destroy our lands like this and we have journalist defending them"

"the way mining is carried out in Canada and Russia, let them do it for us to see. If this is how mining is carried out in their country, they should inform us"

5. The defendant again on the same programme made the following allegation to the viewers of the programme which were defamatory to the plaintiff.
- "published a document purported to be the rate and fees charged by the plaintiff for the sale of its concession"*
6. The pictures and words complained of meant and were understood to mean that:
- The plaintiff is engaged in illegal mining activities.
 - The plaintiff's illegal mining activities has caused serious destruction to the land and its environment.
 - The plaintiff is in the business of selling its mining concession to illegal miners.
7. By reason of the publication of the pictures and words complained of the plaintiff has been gravely injured in its business and reputation.
8. Further the plaintiff has suffered considerable distress and embarrassment both locally and internationally as a result of the publication of the pictures and words complained of by it.
9. The plaintiff contends that an inquiry by the defendant would have revealed that the said pictures were not pictures of the plaintiff's concession.
10. The plaintiff contends further that an inquiry by the defendant would have revealed that the purported rate and fees of documents shown on the programme was not created by the plaintiff.
11. The plaintiff contends that the defendant published the figures (words) and pictures complained of with the knowledge that they were reckless and without any justification.
12. Plaintiff says that unless restrained by this Honourable Court the defendant will continue to publish the said words and pictures complained of.
13. Wherefore, plaintiff claims against the defendant for:
- General damages of GH \approx 20,000,000.00 for slander spoken and published by the defendant on 24 July 2018 on boiling point a live television programme on Net 2 television.
 - Injunction against the defendant, either by himself or his agents or assigns from further publishing or causing to be published the defamatory words complained of.

- C A retraction and an apology by the defendant with the same prominence as the publication of the defamatory words complained of.
- d. Cost, inclusive of solicitor's fees.

PUOZUING & ASSOCIATES
LEGAL PRACTITIONERS
GOLDEN SOUVENIR BUILDING,
ADJACENT GOD'S GRACE CH. SCH.
SOUTH TESANO, ACCRA
TEL: 0204 36 33 54

LAWYER FOR PLAINTIFF
RICHARD LAPO, ESQ.
LIC. NO. GAR 15817/18

THE REGISTRAR
HIGH COURT
ACCRA

AND TO THE ABOVE NAMED DEFENDANT.