

LIZZY/ERIC



WRIT OF SUMMONS

(Order 2 rule 3(1))

WRIT ISSUED FROM Accra, 14-08-2024 SUIT No. GJ/0974/2024

IN THE HIGH COURT OF JUSTICE

.....GENERAL JURISDICTION, ACCRA.....

BETWEEN DANIEL MARFO OFORI - ATTA

(A.K.A. D. M. OFORI - ATTA)
OFORI PANIN FIE
GPS ADDRESS EE - 0000 - 5224
KYEBI

Plaintiff *

AND

1. HOPESON YAOVI ADORYE

ACCRA.

2. MEDIA GENERAL GHANA LIMITED

12TH KANDA AVENUE
JOHN HAMMOND STREET
ACCRA.

Defendants

(PLAINTIFF TO DIRECT SERVICE)

To

AN ACTION having been commenced against you by the issue of this writ by the abovenamed Plaintiff.

DANIEL MARFO OFORI - ATTA.

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.

1. HOPESON YAOVI ADORYE

2. MEDIA GENERAL GHANA LIMITED

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

Dated this 14th day of August

G. SACKY TURKORNOO (MRS). 2024

Chief Justice of Ghana. [Signature]

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 a lawyer at Form 5 at the Registry of the Court of issue of the writ at ACCRA. 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

Plaintiff claims jointly and severally against the Defendants as follows:

- a. A Declaration that the words uttered by the 1st Defendant on 2nd Defendant's Platform and set out in Paragraph 7 of the Statement of Claim are Defamatory of the Plaintiff.
- b. Recovery of the sum of Ten Million Ghana Cedis (**GH¢10,000,000.00**) as General Damages including Aggravated and/or Exemplary Damages for Defamation by Defendants.
- c. An apology for and retraction of the words complained of.
- d. Perpetual injunction restraining the Defendants whether by themselves, their servants, agents or assigns from repeating similar or other defamatory words against the Plaintiff.
- e. Costs.

ADJEKUM & CO PRUC
P. O. BOX 617887, CANTONMENTS, ACCRA
5TH FLOOR, LEFT WING PYRAMID HOUSE
RING ROAD CENTRAL, ACCRA
TEL: 0244653179/0207980263/0302229584

This writ was issued by

BRIGHT OKYERE-ADJEKUM ESQ
ADJEKUM AND COMPANY PRUC

whose address for service is

5TH FLOOR, PYRAMID HOUSE
RING ROAD CENTRAL, ACCRA

Agent for

Address Number and date of lawyer's current licence. eGAR 00573/24 DATED 22ND NOVEMBER, 2023.

Lawyer for the plaintiff

who resides in 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).

Filed on 14-08-2024
 at 12:35 am/pm
 Registrar
 HIGH COURT
 ACCRA

IN THE SUPERIOR COURT OF JUDICATURE
 IN THE HIGH COURT OF JUSTICE
 GENERAL JURISDICTION
ACCRA - A.D. 2024

SUIT NO.

DANIEL MARFO OFORI - ATTA) PLAINTIFF
 (A.K.A. D. M. OFORI - ATTA))
 OFORI PANIN FIE)
 GPS ADDRESS EE - 0000 - 5224)
 KYEBI.)

VRS

1. HOPESON YAOVI ADORYE) DEFENDANTS
 ACCRA.)
 2. MEDIA GENERAL GHANA LIMITED)
 12TH KANDA AVENUE)
 JOHN HAMMOND STREET)
 ACCRA.)
 (PLAINTIFF TO DIRECT SERVICE))

STATEMENT OF CLAIM

1. Plaintiff is the Stool Secretary of the Ofori Panin Stool and also the Secretary to the Okyenhene.
2. Plaintiff inter alia is in charge of all the correspondence of the Okyenhene and all correspondence of the Akyem Abuakwa State Council. Plaintiff also bears direct responsibility for all media relations and the Public Affairs Department of the Ofori Panin Palace as well as responsibility for the day to day administration of the Ofori Panin Palace.
3. 1st Defendant is an acquaintance of the Plaintiff and is a political activist.
4. The 2nd Defendant is a limited liability company incorporated under the laws of Ghana engaged in the media and entertainment business and operates various media houses including Onua TV and Onua FM. 2nd Defendant is duty bound to ensure that the platform and resources it provides to its employees and panelists are not used to defame and/or infringe the rights and liberties of others.

5. On or about 26/07/2024, 1st Defendant appeared as a panelist on the 2nd Defendant's programme "Onua Maakye" a programme carried on 2nd Defendant's Onua TV among others.
6. 2nd Defendant's said programme is also given world wide circulation via the internet through Facebook and Youtube.
7. 1st Defendant was given the unfettered and unrestrained opportunity and indeed was encouraged to run an unjustified commentary on and /or amplification of a document titled "Agyapadee" (hereinafter called "the document") in relation to the Plaintiff, the entire membership of Ofori Panin Fie and Okyeman inter alia as follows;
 - Look, have you seen this document ? It is called Agyapadee. Do you see it ? Please capture it well so that everyone can have a look at it. I am not saying anything just from my head. It is alleged that a particular family wrote this Document (Agyapadee). How they can amass the wealth and property of Ghana for themselves, their sons and generations to come. So, whoever wrote the forward or signed the forward has signed Ofori Atta here. Now with the forward, take a look at the first paragraph. It says, "to our future, made up of the present, and the unborn, generations are those whom we are creating this nation's wealth for. Do you hear that ? You have given power to someone to serve you, however, someone has decided to use that power to accumulate the entire wealth of Ghana for his future generations and we are quiet.
 - We have abandoned it; we have abandoned it. Look, if you go to the banking sector, how Databank is being utilized to do everything, including all the loans we are taking, is all about one family. For us we are "galaway" people. When you speak about it, someone within the NPP will stand up against you to defend this rot. Meanwhile you will be suffering out there. They say, "to our future, present and unborn".
 - If you read everything in the document, it tells you that this tribe is going to be the movers and shakers of Ghana. That means should anything happen, whatever they say is what everyone must follow.
 - I know... the name of the writer. His name has been mentioned here. He is my very good friend.
 - He is my very good friend. I will mention his name to you as we are moving on. I will tell you his name. His name has been mentioned alongside his co-writers and others. They are in charge of certain things. The technical team led by D. M Ofori Atta should further evaluate the following details in order

to choose the appropriate sites, galamsey. According to this, they have three hundred and thirty - two (332) galamsey companies. They are all here, look, Northern Gold Coast Enterprise, so, so and so, Wassa Amenfi East, Tarkwa Nsuem Municipal. Every district they are there. Prestea, Nzema East ... they have divided themselves all over. So, who told you that galamsey can be eradicated ? Who told you that ? It can be eradicated only if there is a change of government.

- However, they were kicked out of parliament. If that wasn't the case, a particular family would have been in charge of all royalties and other benefits from our mineral resources. How can we live in a country like this ? They have mapped out areas that cover the entire gold deposit in Ghana. They have taken over all these mapped areas.
 - I mentioned it. D. M. Ofori Atta. It stated that he is a co-writer. He is a friend of mine and I know him. And if you glance at the page that talks about the hijacking of GBC (laughs), it will never work. Now the judiciary governance in Ghana (laughs). It has been stated in here in the document. Let's pack the court so that in the next twenty years they can be in control. Are you surprised more people are being nominated to the supreme court ?
8. The document is deliberately littered with the images of the President of Ghana, Nana Addo Dankwa Akufo - Addo, the Okyenhene, Osagyefuo Amoatia Ofori Panin and Dr. J. B. Danquah, the insignia of Okyeman and scurrilous references made to the Plaintiff, Ken Ofori - Attah, Nana Asante Bediatuo among others all subjects of Ofori Panin Fie clearly to misrepresent it as emanating from Ofori Panin Fie.
 9. Plaintiff says that in their natural and ordinary meaning the document and especially the commentary and/or amplifications thereon mean and are understood to mean that the Plaintiff authored the document as a scheme to conspire with others to steal, embezzle and covet national assets for their own use and to corrupt state institutions including the judiciary to amass wealth to themselves.
 10. Plaintiff says further that in their natural and ordinary meaning the document and the commentary and/or amplifications thereon also mean and are understood to mean that the Plaintiff, the Ofori Panin Fie and Okyeman are conniving, anti - nationalists, saboteurs, corrupt and abusers of public office, among others.
 11. Plaintiff avers emphatically that he has never authored, co - authored, written, co - written, provided a Forward or any form of contribution towards the

publication of the document, any other document, writing or discussion containing similar content as the said document or anything relating thereto and further states that the document does not emanate from Ofori Panin Fie or its subjects.

12. Plaintiff says that the document, a propagandist piece which did not pass muster, had been in idle circulation for sometime and largely ignored, has only now been given life by the 1st Defendant on 2nd Defendant's platform and repeated by 1st Defendant and others on other platforms thereafter.
13. The 1st Defendant is about the first public figure to foist some credence on the document and same has gone viral and become a subject of national discourse.
14. Plaintiff says that the matters contained in the document and amplified by the 1st Defendant on 2nd Defendant's platform though grave, are complete fabrications of devious minds and has caused serious harm to the reputation of the Plaintiff, members of the Ofori Panin Fie and indeed all subjects of Okyeman.
15. Plaintiff says further that the document and 1st Defendant's comments and/or amplifications thereon are not only absolutely false and scandalous but also callous and engineered to bring public resentment to the Plaintiff, the Ofori Panin Fie and the entire Okyeman.
16. In consequence of the publication, the Plaintiff particularly, the Ofori Panin Fie and the entire Okyeman have suffered considerable distress and embarrassment.
17. The conduct of the Defendants has also generated a hate campaign against the person of the Plaintiff, Ofori Panin Fie and the entire Okyeman.
18. Plaintiff will rely on the following matters in support of a claim for aggravated and/or exemplary damages.

Particulars

- a. *1st Defendant was only motivated by a desire to generate public disaffection for the Plaintiff, the Ofori Panin Fie and its subjects.*
- b. *1st Defendant had absolutely no basis whatsoever for his defamatory statements.*
- c. *1st Defendant was absolutely reckless by his defamatory statements.*

