



WRIT OF SUMMONS

(Order 2 rule 3(1))

WRIT ISSUED FROM Accra 26-09-2023 SUIT No. CJ/1258/2023

IN THE HIGH COURT OF JUSTICE

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

BETWEEN ALBERT KAN-DAPAAH

4 DRAKE AVENUE,
AIRPORT RESIDENTIAL
AREA, ACCRA.

Plaintiff *

AND

MAWUSE OLIVER BARKER-VORMAWOR

Defendant

(PLAINTIFF TO DIRECT SERVICE)

To

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

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.

MAWUSE OLIVER BARKER-VORMAWOR

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

Dated this 26 day of

September 2023
G. SACKY TORKORNOO (MRS).

Chief Justice of Ghana

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 or 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).

SEALED

HIGH COURT ACCRA

FORM 1

STATEMENT OF CLAIM

Plaintiff claims against the Defendant as follows:

- a. A Declaration that the words uttered by the Defendant and particularized below or words to that effect are Defamatory of the Plaintiff.

They went as far as offering us US\$1 Million, they offered us a Committee Appointment, set up a Committee and appoint us to Government positions in order to stop this activism. This was made directly to me and other leaders of fix the Country Movement ... This conversation we had with the Minister of National Security, the Minister of Finance and a Brigadier General at a safe home.

- 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 for the words uttered by Defendant.
- c. An apology for and retraction of the words complained of supra.
- d. Perpetual injunction restraining the Defendant from repeating similar or other defamatory words against the Plaintiff.
- e. Costs.

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 00568/23 DATED 17TH NOVEMBER, 2022

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 26-09-2023
at 11:05pm
Registrar
HIGH COURT
ACCRA

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
GENERAL JURISDICTION
ACCRA - A.D. 2023

SUIT NO.

ALBERT KAN-DAPAAH)
4 DRAKE AVENUE,) PLAINTIFF
AIRPORT RESIDENTIAL AREA)
ACCRA.)

VRS

MAWUSE OLIVER BARKER-VORMAWOR)
(PLAINTIFF TO DIRECT SERVICE)) DEFENDANT

STATEMENT OF CLAIM

1. Plaintiff is a Ghanaian and inter alia a Chartered Accountant, former Member of Parliament for Afigya-Sekyere West and currently Minister of National Security of the Republic of Ghana.
2. Defendant is a Lawyer and holds himself out as the lead convener of the ' Fix the Country Movement' (hereinafter called "**the Group**").
3. As part of the discharge of his duties and in response to the continued agitations of the Group, Plaintiff in or about 2021 invited the conveners of the Group to a meeting at his Ministry to give them audience in the interest of peace and stability of the state.
4. The meeting ended cordially and it was suggested that another meeting be convened where the Minister for Finance will be present to comment on some of the Economic and Financial issues raised by the Group. It bears emphasising that the Defendant was not present at this meeting.
5. After this first meeting Plaintiff was approached by a high ranking Military Officer ("**the Officer**") who proposed to Plaintiff that Defendant was his colleague lecturer at the Kofi Annan International Peacekeeping Training Centre (**KA IPTC**) and thus he could arrange for the attendance of the Defendant at the next meeting with the Group which was to be scheduled.

6. Plaintiff accepted that proposal and the Officer immediately contacted the Defendant via a phone call to facilitate the scheduling of the second meeting between the Ministry and the Group. Plaintiff confirmed on the Officer's phone to the Defendant his willingness to meet with him and the Group together with the Minister for Finance. Defendant in turn requested the Officer also to be in attendance at the meeting.
7. A second meeting was accordingly conducted at the Ministry with the Plaintiff, the Minister of Finance and the Officer in attendance while the Defendant attended the meeting with some members of the Group.
8. The second meeting, as the first meeting, was also cordial and frank and it was agreed that the Group would submit its concerns in writing for further engagements with Government.
9. Plaintiff says emphatically that at both meetings no inducements of any sort were offered or threat of any sort made to the Defendant and/or any member of the Group as alleged or at all.
10. On or about 22/09/2023 at a public demonstration Defendant stated emphatically that Plaintiff on behalf of the Government had with a view to compromising him and the Group offered them a bribe and assurances of positions in Government. Defendant stated words to the following effect.

They went as far as offering us US\$1 Million, they offered us a Committee Appointment, set up a Committee and appoint us to Government positions in order to stop this activism. This was made directly to me and other leaders of fix the Country Movement ... This conversation we had with the Minister of National Security, the Minister of Finance and a Brigadier General at a safe home.

11. On or about 23/09/2023 on News file, a program aired on Joy Fm, Defendant in a plot twist said that the alleged bribery attempt was made by the Plaintiff to the Defendant alone at a meeting between only the parties herein.
12. Defendant has also alleged that because he rejected the alleged bribery attempt, Plaintiff threatened him.
13. The above statements are not only palpably false, absolutely fabricated but were also deliberately calculated to disparage the Plaintiff. Those words are malicious and were clearly further intended to convey and would be understood to convey meanings that diminish the Plaintiff in the minds of right thinking members of society.

14. The said words set out supra in their natural and ordinary meaning meant and were understood to mean inter alia ;
 - a. *That Plaintiff is corrupt,*
 - b. *That Plaintiff undertakes the criminal acts of offering bribes and threats*
 - c. *That Plaintiff abuses his office.*
15. Plaintiff says that beyond the brief telephone conversation on the phone of the Officer and the second meeting, Plaintiff has never had any other interaction with Defendant.
16. By reason of the foregoing Plaintiff has been greatly injured in his credit, character and reputation, and has been brought into public scandal, ridicule, distress and embarrassment and has thereby suffered damage.
17. Notwithstanding Plaintiff's denial of Defendant's vile defamatory statements, Defendant is persisting in this totally fabricated story to continue to tarnish Plaintiff's reputation.
18. Plaintiff says that the defamatory words made against him by the Defendant are treacherous falsehoods.
19. Plaintiff will rely on the following matters in support of a claim for aggravated and/or exemplary damages.

Particulars

- a. *Defendant had absolutely no basis whatsoever for his defamatory statements.*
- b. *Defendant was absolutely reckless by his defamatory statements as he showed no scintilla of evidence to support the defamatory statements.*
- c. *Plaintiff has never had any other meeting with the Defendant beyond the aforementioned second meeting whether alone or in concert with others.*
- d. *Notwithstanding the fact that Plaintiff has made it clear to Defendant that the statements are false, the Defendant has not*

offered the Plaintiff any apology or retraction. It is to be inferred that Defendant has failed to do so because he is indifferent to the truth and is simply reckless and malicious.

20. Plaintiff contends that unless restrained by the Court, Defendant will not retract and apologize for the defamatory words and will continue to publish or cause to be published same or similar defamatory words concerning the Plaintiff.

Wherefore Plaintiff Claims against the Defendant as per the Writ of Summons.

DATED AT ADJEKUM AND COMPANY PRUC, 5TH FLOOR, PYRAMID HOUSE,
RING ROAD CENTRAL, ACCRA THIS 26TH DAY OF SEPTEMBER, 2023.

ADJEKUM & CO PRUC
P. O. BOX CT 7887, CANTONMENTS, ACCRA
5TH FLOOR, LEFT WING, PYRAMID HOUSE
RING ROAD CENTRAL, ACCRA
TEL: 024 46531797 / 024 4653200 / 024 46539584
SOLICITOR FOR PLAINTIFF
BRIGHT OKYERE-ADJEKUM
LICENCE NO. eGAR 00568/23
TIN. P000565552
CHAMBER'S REG. NO. ePP00544/23
CHAMBER'S BP NO. 3000068190

THE REGISTRAR
HIGH COURT
GENERAL JURISDICTION
ACCRA.

AND TO THE ABOVE NAMED DEFENDANT.