



## WRIT OF SUMMONS

(Order 2 rule 3(1))

WRIT ISSUED FROM..... 4 - 9 - 18 2018..... CM/RPC/0624/2018 SUIT No.....

### IN THE HIGH COURT OF JUSTICE COMMERCIAL DIVISION

Between .....

NII AMANOR DODOO  
(suing as receiver of uniBank Ghana Ltd.)  
No. 13 Yiyiwa Drive  
Abelemkpe  
Accra

... Plaintiff

And

1. DR. KWABENA DUFFOUR  
14 Adomi Link  
Airport Residential Area  
Accra

... 1<sup>st</sup> Defendant

2. HODA HOLDINGS LTD  
No 8 Airport Residential Area  
Dodi Link  
Accra

... 2<sup>nd</sup> Defendant

3. HODA PROPERTIES LTD  
No 8 Airport Residential Area  
Dodi Link  
Accra

... 3<sup>rd</sup> Defendant

4. INTEGRATED PROPERTIES LTD.  
No. C551/4, Cola Street, Kokomlemle  
(Adjacent ATTC and Blue Crest College)  
Accra ... 4<sup>th</sup> Defendant
5. ALBAN LOGISTICS LTD  
2nd Floor uniBank Building  
Spintex Road  
Accra ... 5<sup>th</sup> Defendant
6. STARLIFE ASSURANCE  
No. 1 Mankata Avenue  
Airport Residential Area  
Accra – North ... 6<sup>th</sup> Defendant
7. BOLTON PORTFOLIO LTD  
No 8 Airport Residential Area  
Dodi Link  
Accra ... 7<sup>th</sup> Defendant
8. DR. KWABENA DUFFOUR II  
No. 60b, Senchi Street  
Airport Residential Area  
Accra ... 8<sup>th</sup> Defendant
9. OPOKU-GYAMFI BOATENG  
Community 13, C/1  
Tema  
Accra ... 9<sup>th</sup> Defendant
10. Prof. NEWMAN KWADWO-KUSI  
No. 198, Sablasu Avenue  
Parakuo Estates  
Accra ... 10<sup>th</sup> Defendant
11. OWUSU ANSAH AWERE  
No. 61, White Avenue  
Adjiriganor  
Accra ... 11<sup>th</sup> Defendant
12. EKOW NYARKO DADZIE-DENNIS  
153/17, 5th Asante Avenue  
West Legon  
Accra ... 12<sup>th</sup> Defendant

13. CLIFFORD DUKE METTLE  
213 Siitaa Villa  
Avocado Lane  
Haatso ... 13<sup>th</sup> Defendant
14. BOATEMAA KAKRA DUFFOUR-NYARKO  
No. 7a, First Close  
Airport Residential Area  
Accra ... 14<sup>th</sup> Defendant
15. KOFI KYEREH DARKWAH  
No. Pa 258  
Parakuo Estates  
Abokobi, Accra ... 15<sup>th</sup> Defendant
16. NANA BOAKYE ASAFU-ADJAYE  
No. 36, 16th Street  
Achimota, Accra ... 16<sup>th</sup> Defendant
17. ALEX GADDIEL BUABENG  
[Plaintiff will direct service] ... 17<sup>th</sup> Defendant



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

SEAL... 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.

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

*Am* Dated this 4th day of September 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 a lawyer at Form 5 at the Registry of the Court of Issue of the writ at 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).*

FORM 1

## STATEMENT OF CLAIM

The Plaintiff's claim is for:

- a) A declaration that the various transactions identified by the receiver, and variously described in the Statement of Claim, resulting in the Unlawful Loans, the Unlawful Advances, and the acquisition of assets in the names of shareholders, their related interests and/or persons related to the shareholders, are unlawful;
- b) A declaration that the 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup> Defendants have breached their duties as directors of uniBank Ghana Limited, and are liable for all the loss to uniBank Ghana Ltd occasioned by their acts of breach;
- c) A declaration that the 1<sup>st</sup>, 2<sup>nd</sup>, 4<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup> Defendants are jointly and severally liable for the repayment of the amount of GHS 5,712,623,145 to uniBank Ghana Ltd;
- d) A declaration that the assets mentioned in paragraphs 31 and 32 of the Statement of Claim, as well as all other assets identified in this matter to have been acquired with the funds unlawfully taken of uniBank Ghana Ltd, and within the possession or control of any of the Defendants, are held in trust for uniBank Ghana Ltd;
- e) An order directing the Defendants to return and/or transfer all the assets mentioned in paragraphs 31 and 32 of the Statement of Claim, as well as all other assets identified in this matter to have been acquired with the funds unlawfully taken from uniBank Ghana Ltd to the Plaintiff;
- f) An order directing the Defendants to account to the Plaintiff for all advantages, benefits, gains and profits, derived from or obtained by virtue of assets referred to under relief (e);

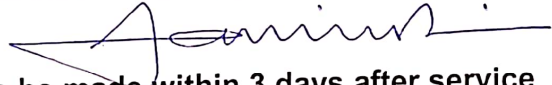
- g) Against the 1<sup>st</sup>, 2<sup>nd</sup>, 4<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup> Defendants, an order for the recovery of the remainder of the amount of GHS 5,712,623,145 unlawfully taken from uniBank Ghana Limited, after the deduction of the amount used to acquire the assets which are transferred and/or returned to the Plaintiff under relief (e) together with commercial interest; and
- h) Costs (including legal fees) on a full-indemnity basis; and
- i) Any further orders that the Honourable Court may deem just.

This writ was issued by **ENSAfrica Ghana**  
 whose address for service is **31 Ringway Estates, Asafoanye O.Broni Crescent, Osu, Accra**  
 Agent for **Plaintiff**

Address Number and date of lawyer's current licence. GAR 15720/18

Lawyer for the plaintiff **David A. Asiedu** who resides at Accra

**ENSAfrica Ghana**



**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).



IN THE SUPERIOR COURT OF JUDICATURE  
IN THE HIGH COURT OF JUSTICE  
(COMMERCIAL DIVISION)  
GREATER ACCRA REGION  
ACCRA A.D. 2018

Case No. 4-9-18  
2550  
Amey  
Regional  
COMMERCIAL DIVISION OF THE  
HIGH COURT, ACCRA

Suit No.

CM/RPC/0624/2018

Between

NII AMANOR DODOO  
(suing as receiver of uniBank Ghana Ltd.) ... Plaintiff

And

1. DR. KWABENA DUFFOUR ... 1<sup>st</sup> Defendant/Respondent
2. HODA HOLDINGS LTD ... 2<sup>nd</sup> Defendant/Respondent
3. HODA PROPERTIES LTD ... 3<sup>rd</sup> Defendant/Respondent
4. INTEGRATED PROPERTIES LTD ... 4<sup>th</sup> Defendant/Respondent
5. ALBAN LOGISTICS LTD ... 5<sup>th</sup> Defendant//Respondent
6. STARLIFE ASSURANCE ... 6<sup>th</sup> Defendant//Respondent
7. BOLTON PORTFOLIO LTD ... 7<sup>th</sup> Defendant/Respondent
8. DR. KWABENA DUFFOUR II ... 8<sup>th</sup> Defendant/Respondent
9. OPOKU-GYAMFI BOATENG ... 9<sup>th</sup> Defendant
10. PROF. NEWMAN KWADWO-KUSI ... 10<sup>th</sup> Defendant
11. OWUSU ANSAH AWERE ... 11<sup>th</sup> Defendant
12. EKOW NYARKO DADZIE-DENNIS ... 12<sup>th</sup> Defendant
13. CLIFFORD DUKE METTLE ... 13<sup>th</sup> Defendant
14. BOATEMAA KAKRA  
DUFFOUR-NYARKO ... 14<sup>th</sup> Defendant
15. KOFI KYEREH DARKWAH ... 15<sup>th</sup> Defendant
16. NANA BOAKYE ASAFU-ADJAYE ... 16<sup>th</sup> Defendant
17. ALEX GADDIEL BUABENG ... 17<sup>th</sup> Defendant

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MOTION ON NOTICE:  
APPLICATION FOR AN ORDER OF  
(1) INSPECTION (2) DETENTION, (3) INTERIM PRESERVATION, and (4)  
APPOINTMENT OF A RECEIVER AND MANAGER  
(Or. 25 r.2, Or. 27 r.1 of C.I. 47 & Inherent Jurisdiction)

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TAKE NOTICE that Counsel for and on behalf of the Plaintiff/Applicant will move this Honourable Court on an application praying for:

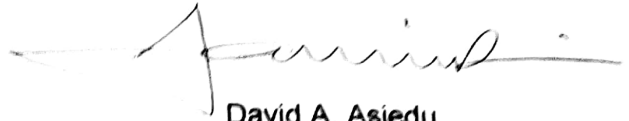
1. An order directing the Registrar and/or any other officer of the Honourable Court to take immediate steps, and to do all necessary acts, to inspect the assets listed and/or described in the Affidavit in Support of this Motion (the "Assets");
2. An order compelling the Respondents, their servants, agents, privies, assigns, and any other person representing them or acting on their behalf or at their behest, or anyone in possession, custody, or control of the Assets, to allow access to the Assets to facilitate the inspection of same;
3. An order for the detention and interim preservation of the Assets pending the final determination of the action;
4. An order directing the Inspector General of the Ghana Police Service and/or any other officer designated by him to take immediate steps and to do all necessary acts to assist the Registrar and/or officers of the Honourable Court to execute the orders of this Honourable Court pursuant to this application;
5. An order appointing the Registrar and/or any other officer of the Honourable Court as receiver and manager of the Assets, pending the final determination of the action; and
6. An order permitting the duly appointed receiver and manager to appoint and/or engage any individual(s) or entity(ies) they consider qualified to assist them in the execution of their duties as receiver and manager of the Assets.

upon the grounds contained in the accompanying affidavit, and for any further order(s) the court may see fit.

Court to be moved on **WED** the **19<sup>TH</sup>** day of September 2018, at 9 a.m. or so soon thereafter as Counsel for the Applicant may be heard.

Dated at ENSafrica Ghana, Accra, this 4 September 2018

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David A. Asiedu  
(Practising Certificate No. GAR 15720/18)  
(Tax Identification No. P0000434116)

**ENSafrica Ghana**  
Lawyers for the Plaintiff  
**ENSafrica Ghana**

The Registrar,  
High Court,  
Commercial Division,  
Accra.

And to the above-named Defendants/Respondents.



2:50  
July

IN THE SUPERIOR COURT OF JUDICATURE  
IN THE HIGH COURT OF JUSTICE  
(COMMERCIAL DIVISION)  
GREATER ACCRA REGION  
ACCRA A.D. 2018

Suit No.

Between

NII AMANOR DODOO  
(suing as receiver of uniBank Ghana Ltd.)... Plaintiff

And

- |                                      |     |                                       |
|--------------------------------------|-----|---------------------------------------|
| 1. DR. KWABENA DUFFOUR               | ... | 1 <sup>st</sup> Defendant/Respondent  |
| 2. HODA HOLDINGS LTD                 | ... | 2 <sup>nd</sup> Defendant/Respondent  |
| 3. HODA PROPERTIES LTD               | ... | 3 <sup>rd</sup> Defendant/Respondent  |
| 4. INTEGRATED PROPERTIES LTD         | ... | 4 <sup>th</sup> Defendant/Respondent  |
| 5. ALBAN LOGISTICS LTD               | ... | 5 <sup>th</sup> Defendant//Respondent |
| 6. STARLIFE ASSURANCE                | ... | 6 <sup>th</sup> Defendant//Respondent |
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| 8. DR. KWABENA DUFFOUR II            | ... | 8 <sup>th</sup> Defendant/Respondent  |
| 9. OPOKU-GYAMFI BOATENG              | ... | 9 <sup>th</sup> Defendant             |
| 10. PROF. NEWMAN KWADWO-KUSI         | ... | 10 <sup>th</sup> Defendant            |
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| 14. BOATEMAA KAKRA<br>DUFFOUR-NYARKO | ... | 14 <sup>th</sup> Defendant            |
| 15. KOFI KYEREH DARKWAH              | ... | 15 <sup>th</sup> Defendant            |
| 16. NANA BOAKYE ASAFU-ADJAYE         | ... | 16 <sup>th</sup> Defendant            |
| 17. ALEX GADDIEL BUABENG             | ... | 17 <sup>th</sup> Defendant            |