



REPUBLIC OF GHANA

# WRIT OF SUMMONS

(Order 2 rule 3(1))



WRIT ISSUED FROM Accra 3-12-15 20..... SUIT NO. GJ12/2015

## IN THE HIGH COURT OF JUSTICE

HIGH COURT A.D. 2015

**BETWEEN**

**TSATSU TSIKATA  
33 FIRST CIRCULAR ROAD  
CANTONMENTS, ACCRA**

**Plaintiff:**

**AND**

**KOBINA T. HAMMOND  
UNNUMBERED HOUSE  
AGBOGBA (NEAR AHMADIYA PREMISES)**

**Defendant:**

**To ACCRA ( PLAINTIFF WILL DIRECT SERVICE)**

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

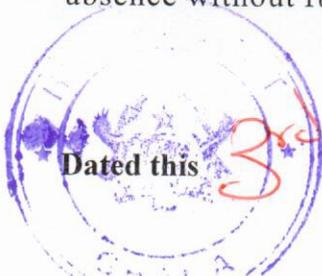
**TSATSU TSIKATA**

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.

**KOBINA T. HAMMOND**

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

**KOBINA T. HAMMOND**



Dated this 3<sup>rd</sup> day of

**DECEMBER**

**20.15.....**

**Chief Justice of Ghana**

**GEORGINA WOOD (M)**

**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 **Accra**. A defendant appearing personally may, if he desires, 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

**WHEREFORE**, Plaintiff claims against Defendant for:-

- a) A perpetual injunction restraining Defendant either by himself or his agents from further publishing or causing to be printed, published or distributed the said defamatory words or like words

***"People must feel the power of the law, .... and it is very clear on the face of it that there's a criminal act in here, criminal negligence here, I mean there is nothing like innocent negligence or whatever, this is a criminal liability on the part of the chief executive. the board and all of them, indeed including the recipients. They should have known that this money was not properly due them. Mr. Tsikata, accomplished lawyer of his standing didn't know that he wasn't entitled to that money? He is receiving stolen goods! He must be looking to going to court to answer for this ' .....***

***Something must be done about this Tsikata matter, One human being! One human being! What is this? Today Mr. Tsikata, tomorrow Tsikata. Richard, you see people are complaining, but well not everybody. I'm sad, he does it and they come and attack K. T. Hammond, they attack K. T. Hammond. Can't they attack him? Can't he be arrested? EOCO, what are they doing? Can they now for once, we all await for what EOCO will do in this."***

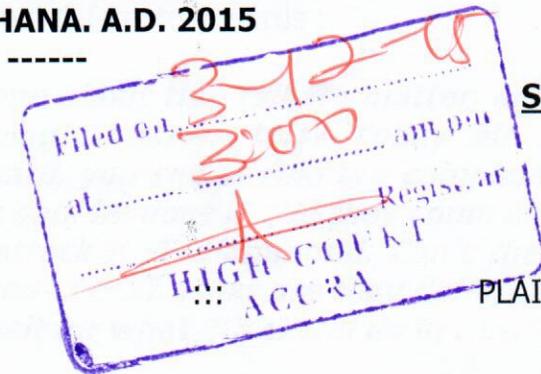
- b) General damages.
- c) Exemplary Damages.
- d) A retraction and apology by Defendant on Citi FM radio station with the same prominence as the publication on the 30th day of November 2015, together with a publication of the retraction and apology on the front or back page of the Daily Graphic newspaper for 3 (three) consecutive days.
- e) Costs inclusive of counsel's fees.

**DATED AT LAW TRUST COMPANY, SUITE # 1, 5<sup>TH</sup> FLOOR, TRUST TOWERS BUILDING, FARRAR AVENUE, ASYLUM DOWN, ACCRA THIS 3<sup>RD</sup> DAY OF DECEMBER, 2015.**

LAW TRUST COMPANY  
LEG  
*[Signature]*

**LAWYER FOR PLAINTIFF  
LIC. NO. GAR 09516/15**

IN THE SUPERIOR COURT OF JUDICATURE  
IN THE HIGH COURT OF JUSTICE  
ACCRA, GHANA. A.D. 2015



SUIT NO.

TSATSU TSIKATA  
33 FIRST CIRCULAR ROAD,  
CANTONMENTS, ACCRA

**VRS**

KOBINA T. HAMMOND  
UNNUMBERED HOUSE,  
AGBOGBA (NEAR AHMADIYA PREMISES)  
ACCRA

:::

DEFENDANT

(PLAINTIFF WILL DIRECT SERVICE)

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**STATEMENT OF CLAIM**

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1. Plaintiff is a professional lawyer of over forty years' standing and was, for many years, a lecturer at the Law Faculty, University of Ghana, Legon. Plaintiff has also been Chairman of the Board of Directors and Chief Executive Officer of the Ghana National Petroleum Corporation (GNPC), a statutory corporation established under PNDC Law 64. Plaintiff currently provides consulting services in the oil and gas industry and in legal matters with clients worldwide.
2. Defendant is a Member of Parliament for the Adansi Asokwa constituency and the Ranking Member on the Energy Committee and a former Deputy Minister of Energy.
3. On or about the 30th day of November 2015, Defendant in an interview broadcast on Citi FM, a frequency modulation (FM) radio station with extensive coverage in the Greater Accra Region and beyond, caused to be published the following defamatory words of Plaintiff:

***"People must feel the power of the law, .... and it is very clear on the face of it that there's a criminal act in here, criminal negligence here, I mean there is nothing like innocent negligence or whatever, this is a criminal liability on the part of the chief executive, the board and all of them, indeed including the recipients. They should have known that this money was not properly due them. Mr. Tsikata, accomplished lawyer of his standing didn't know that he wasn't entitled to that money? He is receiving stolen goods! He must be looking to going to court to answer for this "***

4. Defendant further published the said defamatory words :

***"Something must be done about this Tsikata matter, one human being! One human being! What is this? Today Mr. Tsikata, tomorrow Tsikata. Richard, you see people are complaining, but well not everybody. I'm sad, he does it and they come and attack K. T. Hammond, they attack K. T. Hammond. Can't they attack him? Can't he be arrested? EOCO, what are they doing? Can they now for once, we all await for what EOCO will do in this."***

5. Earlier in the interview, Defendant provides the following false premise for his claims that Plaintiff is not owed, so as to justify any payments to him:

***"I suspect that by the time that Mr. Rawlings sacked him, he must have paid him something"***.

6. Plaintiff says that the words spoken of him by Defendant particulars of which are contained in paragraphs 4 and 5 supra meant and were meant to convey the meaning that Plaintiff is a criminal and had to be arrested for committing a criminal offence.
7. By reason of the publication of the said words, Plaintiff has been seriously injured in his reputation and has been brought into public scandal, odium and contempt.
8. By virtue of the fact that Citi FM is on the internet, the publication is available on the web and thus to the whole wide world.
9. Plaintiff will rely on the following facts and matters in support of his claim for exemplary damages:-
- a) That the defamatory statements were made in a sensational way with the intention of causing maximum damage to the reputation of Plaintiff.
  - b) Defendant relied on a false premise that Plaintiff must have been paid something previously.
  - c) The allegations made by the Defendant of criminal conduct by the Plaintiff have been repeated in many media, including newspapers and online media.
  - d) Defendant has granted many interviews on radio and to newspapers making similar defamatory statements against the Plaintiff which have been given extensive publicity.
10. Unless restrained by this Honorable Court, Defendant will continue to publish the defamatory words complained of.

15. **WHEREFORE**, Plaintiff claims against Defendant for:-

- a) A perpetual injunction restraining Defendant either by himself or his agents from further publishing or causing to be printed, published or distributed the said defamatory words or like words

***"People must feel the power of the law, .... and it is very clear on the face of it that there's a criminal act in here, criminal negligence here, I mean there is nothing like innocent negligence or whatever, this is a criminal liability on the part of the chief executive. the board and all of them, indeed including the recipients. They should have known that this money was not properly due them. Mr. Tsikata, accomplished lawyer of his standing didn't know that he wasn't entitled to that money? He is receiving stolen goods! He must be looking to going to court to answer for this ' .....***

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LAW TRUST COMPANY  
LEGAL PRACTITIONERS  
SUITE # 1  
FARRAR AVENUE  
ASYLUM DOWN  
ACCRA

**LAWYER FOR PLAINTIFF  
LIC. NO. GAR 09516/15**

**THE REGISTRAR  
HIGH COURT  
ACCRA**

**AND TO THE ABOVE NAMED DEFENDANT**