



REPUBLIC OF GHANA

WRIT OF SUMMONS

(Order 2 rule 3(1))

WRIT ISSUED FROM Accra, 07-11-2023 SUIT NO. HR/0002/2024

**IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
HUMAN RIGHTS DIVISION
ACCRA – A.D. 2023**

BETWEEN: 3 0000 785 93 **SUIT NO:**

**NANA APPIAH MENSAH
(NAM 1) SUING PER HIS LAWFUL ATTORNEY
MICHAEL NII ARYEE HAMMOND
H/NO. 755/2 ABIBA LANE,
LARTEBIOKORSHIE, ACCRA.**

>>> PLAINTIFF

VRS.

**BRIDGET OTOO
ACCRA.**

>>> DEFENDANT

(PLAINTIFF WILL DIRECT SERVICE)

TO: BRIDGET OTOO

AN ACTION having been commenced against you by the issue of this Writ by the above named Plaintiff. **NANA APPIAH MENSAH PER HIS LAWFUL ATTORNEY MICHAEL NII ARYEE HAMMOND.**

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. **BRIDGET OTOO.**

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

Dated this 7th day of November, 2023

G. SASKEY TORKORNOO (MRS.)
Chief Justice of Ghana

NB: This writ is to be served within twelve calendar months from the date 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. The defendant appearing personally may, if he desire give notice of appearance by 11/2023

* 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 (in

number)
**CSJRT
FORM 1**

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
HUMAN RIGHT DIVISION
ACCRA - AD 2023

Filed on 07/11/2023
at 2:52 am/pm
[Signature] Registrar
HIGH COURT, ACCRA

SUIT NO.....

NANA APPIAH MENSAH
(NAM1) SUING PER HIS
LAWFUL ATTORNEY, MICHAEL
NII ARYEE HAMMOND
H/NO. 755/2 ABIBA LANE
LARTEBIOKOSHIE, ACCRA

} PLAINTIFF

VRS

BRIDGET OTOO

} DEFENDANT

PLAINTIFF WILL DIRECT SERVICE

STATE OF CLAIM

1. The Plaintiff, popularly known as NAM1, is a Ghanaian businessman who reside at Trasacco Valley, phase 3, East Legon, Accra.
2. The Defendant is a Ghanaian and a popular Freelance Journalist, who currently is a News Anchor with Metro TV.
3. The Plaintiff repeat paragraph 2 of the Statement of Claim and says that the Plaintiff is a social media influencer and very active on social media, sharing her opinion of matter of public interest.
4. The Plaintiff repeat paragraph 1 of the Statement of Claim and says further that he (the Plaintiff) is the Chief Executive Officer of Menzgold Company Limited, Brew Consult Company, Brew Realty Company Limited, Brew Energy Company Limited and Cheetah Security Company Limited.
5. The Plaintiff says as a successful businessman who is married and a Responsible father has won several awards as follows:
 - a) Two (2) awards for his contribution and Excellence in Business Development awarded by the Blackstarline Co-operative Credit unloving conjunction with the Marcus Garvey Foundation.

- b) Special awards for Business Innovation at the Executive Men of the Year Award in 2017.
 - c) Special Recognition Award for Business Innovation at the Exclusive Men of the Year Africa Awards (EMY AFRICA) in June 2012.
 - d) The Best Business Executive of the Year at the 8th Ghana Entrepreneur Corporate Executives Award in 2018 and many more.
6. The Plaintiff says in 2018 his company Menzgold had issues with its regulators that led to the suspension of the operation and Business of the company, which led to the company finding it difficult to refund investors money in the said company.
 7. The Plaintiff says the state commence investigation into the operation of the company and currently the Plaintiff has been pleaded not guilty to 39 counts brought against him by the State and was granted Five Hundred Million Ghana Cedis (GH¢500,000,000) bail with 4 sureties none to be justified.
 8. The Plaintiff says he has been charged with 22 counts of defrauding by false pretense, seven counts each for money laundering and fraudulent breach of trust, carrying on deposit taking business without the requisite license and unlawful deposit taking money. The others are inducement to invest, operating a deposit taking institute without a license and selling gold without license.
 9. The Plaintiff says the above case is pending before the Financial Court 2 and the State is yet to proceeding with the hearing of the matter.
 10. The Plaintiff says in an effort to pay back customers of Menzgold, he (the Plaintiff) decided to seek the aid of the Police by giving the Financial Intelligent Unit a sum of Five Million Ghana Cedis (GH¢5,000,000) for safe keeping to assist in paying back some of his customers for security reason and safety of his staff.
 11. The Plaintiff says on the 21st day of October 2023 at 7:26am, while the criminal case was still pending before the court for hearing, the Defendant posted the following defamatory matter of and concerning the Plaintiff on her X handle. "In which country will a fraudster like @Nam-the-patriot be allowed to do this? This is a form of bribe for the Police who are to arrest him to distribute money on his behalf! Smh F NAM1 is a scammer #Jail him #Occupy Julorbi House".

12. The Plaintiff says the Defendant further posted the picture of Plaintiff and wrote under the picture NAM1 hands 5 million Cedis to Ghana Police for onward distribution to Menzgold investors.
13. The Plaintiff shall contend under paragraph 11 and 12 of the Statement of Claim that the statement of the Defendant is highly prejudicial of the case that is pending before the court and further the statement is a clear breach of the Plaintiff right to fair trial, and his right to presumption of innocence under the constitution of Ghana.
14. The Plaintiff further says the Defendant statement is highly defamatory and has the potential of damaging the hard-won reputation of the Plaintiff.
15. The Plaintiff avers that the upshot of the Defendant statement pleaded at paragraph 11 and 12 of the Statement of Claim in terms of the natural and ordinary meaning are that
 1. Within the context, the Defendant's statement is understood to mean the Plaintiff is a criminal, who make money through deceit by scamming, the Plaintiff is a fraudster.
 2. The Plaintiff is a scammer dishonest person and deceiver of the public to make money.
16. The Plaintiff says, whether the Plaintiff is a fraudster and scammer is a matter pending before a court of competent jurisdiction yet to be decided and does not lie in the mouth of the Defendant to refer to the Plaintiff as a fraudster and a scammer.
17. The Plaintiff says the defamatory statement pleaded under paragraph 11 and 12 of the statement of claim has been published on all social media handle of the Defendant and bloggers has posted same on the blogging site and media houses.
18. The Plaintiff says his business partners, friends, family has read the said defamatory matter and kept calling him for explanation as to whether he has been convicted by the court for fraud or scamming.
19. The Plaintiff says he has suffered great damage to his character and reputation by being portrayed as a fraudster and scammer in the eyes of right thinking members of society and his business partners worldwide.

20. The Plaintiff shall contend that by calling him a fraudster and scammer is actionable person without proof of any damage because the statement portray the Plaintiff as a criminal.
21. The Plaintiff avers that the Defendant published or made the statement complained of with the sole object of creating public disaffection for the Plaintiff and exposing him to public ridicule, hatred and contempt as confirmed by the Plaintiff friends, family members, business associate who are deeply worried and concern about the statement and publication made by the Defendant.
22. The Plaintiff further avers that the publication were made with malicious intention, the reason being that the Defendant knew the whether the Plaintiff is a fraudster or scammer is subjudice (pending before the court for determination and this statement, was made and published to prejudice the matter, undermine the authority of the court and to breach the right of the Plaintiff to fair trial and presumption of innocence.
23. The Plaintiff avers that in consequence of the aforesaid statement the Plaintiff has been seriously and greatly injured in his reputation and suffered a lot of damage in his profession, calling and business as follows:
 1. The Plaintiff as a renowned business entities worldwide would shy away from doing business with the Plaintiff because he is been portrayed to the business commune by the Defendant as a fraudster and scammer.
24. The Plaintiff says by the Defendant conduct and action the Defendant shall continue to make such defamatory publication and continue to violate the fundamental right of the Plaintiff to fair trial and presumption of innocence unless retrain by this court.

WHEREFORE the Plaintiff claim against the Defendant as follows:

1. A declaration that the statement made by Defendant as pleaded under paragraph 11 and 12 of the statement of claim is a violation of Plaintiff's Right to fair trial and further breach of Plaintiff right of presumption of innocence as guarantee by the 1992 Constitution of Ghana.
2. General Damage of for breach of the above right.
3. A declaration that the statement made of and concerning the Plaintiff by the Defendant on her X handle (formerly Twitter) as pleaded under

paragraph 11 and 12 of the statement of claim is defamatory of Plaintiff.

4. General Damage/Exemplary damage of One Million Ghana Cedis (GH¢1,000,000) for defaming the Plaintiff.
5. A perpetual injunction restraining Defendant from further publishing any further defamatory material against Plaintiff.
6. An order directed at Defendant to retract and render unqualified apology to the Plaintiff on the same platform.
7. An order to pull down any defamatory statement made against Plaintiff on her social media handles.
8. Cost including legal fees.
9. Any other order that the court may deem fit.

DATED AT HERITAGE CHAMBERS ACCRA THIS 6TH DAY OF NOVEMBER 2023

Lawyer Maurice Ampaw
Heritage Chambers
East Legon
M. K. Ampaw
Solicitor Licence No.
GAR eGAR0173/23
1808

THE REGISTRAR
HIGH COURT
HUMAN RIGHT DIVISION
ACCRA

AND COPY TO DEFENDANT