

**IN THE HIGH COURT OF JUSTICE OF THE
FEDERAL CAPITAL TERRITORY ABUJA
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT JABI - ABUJA**

BEFORE: HON. JUSTICE O.C. AGBAZA

COURT CLERKS: UKONUKALU&GODSPOWEREBAHOR

COURT NO: 12

SUIT NO: FCT/HC/CV/0717/2018

BETWEEN:

- 1. CENTRAL BANK OF NIGERIA**
- 2. CHIEF ADEBAYO ADELABU.....PLAINTIFFS**

VS

- 1. AUTHORITY MEDIA AND PUBLICATIONS LIMITED**
(PUBLISHERS OF THE "AUTHORITY DAILY NEWSPAPER")
- 2. DR. PATRICK IFEANYIUBAH**
(CHAIRMAN& PUBLISHER "AUTHORITY DAILY NEWSPAPER")
- 3. MADUONUORAH**
(MANAGING DIRECTOR & EDITOR IN CHIEF "THE AUTHORITY DAILY
NEWSPAPER")
- 4. UCHEEZECHUKWU**
(CHAIRMAN EDITORIAL BOARD "THE AUTHORITY DAILY NEWSPAPER")
- 5. JOE NWANKWO**
(EXECUTIVE DIRECTOR PUBLISHERS)
- 6. CHUCKS AKUNNA**
(EXECUTIVE DIRECTOR BUSINESS DEVELOPMENT "THE AUTHORITY
DAILY")
- 7. KECLECHIONYEMA OBI**
(EDITOR "THE AUTHORITY DAILY")
- 8. CHIKA OTUCHIKERE**
(ASSISTANT EDITOR "THE AUTHORITY DAILY").....**DEFENDANTS**

CONSENT JUDGMENT

This Suit was filed on 24/1/18 by the Claimant and after Preliminary application taken by the Claimant, the parties thereafter opted for out of court settlement and with leave of Court proceed to discuss. Consequent that, the parties filed Terms of Settlement dated 28/2/19 and filed on 1/3/19 before this court, and urge the court to enter it as the Consent Judgment of the parties in this Suit. Having carefully considered the submission of both counsel and noting the said Terms filed. I shall allow the application and cause the Terms of Settlement dated 28/2/19 and filed on 1/3/19 be and hereby entered as the Consent Judgment of the parties in this Suit. I so order.

TERMS OF SETTLEMENT

WHEREAS:

1. The Claimants instituted an action against the Defendants by Writ of Summons dated 24th January, 2018, claiming jointly and severally the following:-
 - (a) The sum of ₦10,000,000,000.00 (Ten Billion Naira) only as damages for defamation of the Plaintiffs' character by the Defendants.
 - (b) **An Order** of Perpetual Injunction restraining the Defendants by themselves, agents, privies or assigns from further defaming or maligning the Plaintiffs character in whatever form whether by Newspaper Publication, Social Media, Television, Magazines, Radio, Blogs, YouTube, and all other electronic platforms, or online medium in whatsoever form.

- (c) **An Order** of Court directing the Defendants jointly and severally to tender an unconditional apology to the Plaintiff in at least Three (3) National Newspapers for the embarrassment and injury caused by the posting of the offensive and defamatory story published of their newspaper.
 - (d) **An Order** of this Honourable Court directing the Defendants to publish a full retraction of the false defamatory publication to be made on the front page of the Defendants newspaper.
 - (e) The sum of ₦300,000,000.00 (Three Hundred Million Naira Only) as exemplary and aggravated damages for the defamation and continuing defamation of the Plaintiffs.
 - (f) The sum of ₦50,000,000.00 (Fifty Million Naira Only) for cost of this action.
 - (g) 10% interest of judgment sum per month until full liquidation of judgment sum.
2. Whereas the Defendants responded by entering a Memorandum of Appearance and filing a Statement of Defence to the Claimants' Suit conceding to the Claimants' Claims.
 3. Whereas the Claimants and the 1st to 8th Defendants have resolved to settle the issues leading to the institution of this Suit out of court.

NOW THE PARTIES AGREE AS FOLLOWS:

- (1) The 1st Defendant acknowledges that its publication dated Wednesday, 4th October, 2017 is indeed malicious, tarnishing and destructive of the character and persons of Chief BayoAdelabu and the Central Bank of Nigeria.
- (2) The 1st Defendant state that the said offensive article was published in error.
- (3) The 1st Defendant regrets the publication of the offending article and further apologies to the Claimants.
- (4) That 1st Defendant also offer to publish forthwith a retraction and a written apology in the 1st Defendant's newspaper and in Five (5) other National Newspapers circulating in Nigeria to wit:
 - (a) The Guardian Newspaper
 - (b) The Punch Newspaper
 - (c) Vanguard Newspaper
 - (d) This Day Newspaper
 - (e) The Nation Newspaper.
- (5) The Claimant accept the apology ofthe Defendants and its offer to make a retraction and publish the apology in the 1st Defendant's Newspaper and in Five (5) other National Newspapers circulating in Nigeria within 7 days of the adoption of the Terms of Settlement as the Consent Judgment of the court.

- (6) The Claimants hereby agree to discontinue and renounce all their Claims against the Defendants in respect of this Suit in consideration of the apology to be given to the Claimants as stated above.
- (7) The parties consent to the aforesaid terms freely, in good faith and without any misrepresentations.
- (8) This Agreement shall be filed in court and adopted as the Consent Judgment of the Court in this matter.
- (9) The Defendants within Seven (7) days of the adoption of this Agreement as the Consent Judgment of this Court file an Affidavit of Compliance with the Provision of Clause 4 above.

HON. JUSTICE O. C. AGBAZA

Presiding Judge

5/3/2019

Aare, OLUMUYIWAAKINBORO, SAN -FOR THE CLAIMANTS

MAZIAFAMOSIGWEESQ- FOR THE DEFENDANTS