

**IN THE HIGH COURT OF JUSTICE OF THE F.C.T.**

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT ZUBA, ABUJA**

**ON FRIDAY THE 24<sup>TH</sup> DAY OF MAY, 2024**

**BEFORE HIS LORDSHIP: HON. JUSTICE K. N. OGBONNAYA**  
**JUDGE**

**SUIT NO.: FCT/HC/CV/244/2022**

**BETWEEN:**

**SEPLAT ENERGY PLC**

**-----**

**CLAIMANT**

**AND**

**1. JACKSON UDE**

**2. UDUMA MBA**

**3. QUADRANET ENTERPRISES LLC**

**4. TUCOWS INC**

**}**

**DEFENDANTS**

## **JUDGMENT**

In this case that is based on allegation of libel and defamation of the Claimant, Seplat Energy PLC claims a Declaratory and 6 Ancillary Reliefs against the Defendants – Jackson Ude, Uduma Mba, Quadranet Enterprises LLC and Tucows Inc.

The Suit was initially instituted on the 27<sup>th</sup> of February, 2022 in the name of Seplat Petroleum Development Company PLC. But subsequently, the Claimant amended the Writ, changed its name to Seplat Energy PLC which has

the same Registration Number and Identity. Based on the new name which has the same identity, the Claimant filed an application to amend the Writ of Summons and this Court on the 29<sup>th</sup> of June, 2022 granted an Order for the Amendment of the Writ and Statement of Claim. The Amended Writ was filed on 25<sup>th</sup> May, 2023.

In the Amended Writ the Claimant sought for the following Reliefs:

- i. A Declaration that the statements circulated, disseminated and published on the website, <http://pointblanknews.com/>, by the Defendants appearing at: <https://pointblanknews.com/pbn/exclusive/chronic-debtor-billionaire-abc-orjiakor-subterfuges-repaying-150million-loan-owes-fg-1-8-billion-in-royalties> are libelous and defamatory to the Claimant.
- ii. An Order of this Honourable Court mandating the Defendants to expunge the defamatory/libelous statements/words written, circulated and published by the Defendants of and concerning the Claimant on the website: <http://pointblanknews.com/>, particularly at <https://pointblanknews.com/pbn/exclusive/chronic-debtor-billionaire-abc-orjiakor-subterfuges-repaying-150million-loan-owes-fg-1-8-billion-in-royalties/>, on 24<sup>th</sup> February, 2021 captioned: “CHRONIC DEBTOR-BILLIONAIRE ABC ORJIAKOR SUBTERFUGES REPAYING \$150 MILLION LOAN, OWES FG \$1.8 BILLION, N8.8 BILLION IN ROYALTIES”.
- iii. A sum of ~~N~~2, 000,000,000.00 (Two Billion Naira) against the 1<sup>st</sup> & 2<sup>nd</sup> Defendants jointly and severally as damages for the publication and circulation of the libelous statements

- circulated and published by the Defendants concerning the Claimant on the website: <http://pointblanknews.com/>, particularly at <https://pointblanknews.com/pbn/exclusive/chronic-debtor-billionaire-abc-orjiakor-subterfuges-repaying-150million-loan-owes-fg-1-8-billion-in-royalties/>, on 24<sup>th</sup> February, 2021.
- iv. A sum of ₦1, 000,000,000.00 (One Billion Naira) against the 3<sup>rd</sup> and 4<sup>th</sup> Defendants jointly and severally as damages in respect of the publication and circulation of libelous information about the Claimant contained on the website: <http://pointblanknews.com/>, particularly at <https://pointblanknews.com/pbn/exclusive/chronic-debtor-billionaire-abc-orjiakor-subterfuges-repaying-150million-loan-owes-fg-1-8-billion-in-royalties/>, on 24<sup>th</sup> February, 2021.
- v. The sum of ₦3, 000,000,000.00 (Three Billion Naira) as Exemplary/Aggravated Damages jointly and severally against the Defendants for the publication and circulation of libelous information concerning the Claimant on the website: <http://pointblanknews.com/>, particularly at <https://pointblanknews.com/pbn/exclusive/chronic-debtor-billionaire-abc-orjiakor-subterfuges-repaying-150million-loan-owes-fg-1-8-billion-in-royalties/>, on 24<sup>th</sup> February, 2021.
- vi. An Order mandating the Defendants to render and tender an unreserved apology to the Claimant on the landing homepage of pointblanknews.com and by paid advertisement in five (5) Newspapers circulating in the Federal Capital Territory, Abuja and across Nigeria for the publication of the libelous information appearing on the website: <http://pointblanknews.com/>, particularly at [---

JUDGMENT SEPLAT ENERGY PLC V. JACKSON UDE & 3 ORS](https://pointblanknews.com/pbn/exclusive/chronic-debtor-</a></p></div><div data-bbox=)

[billionaire-abc-orjiakor-subterfuges-repaying-150million-loan-owes-fg-1-8-billion-in-royalties/](#).

- vii. An Order of Perpetual Injunction restraining the Defendants either by themselves, servants, privies, agents or acting through any person or persons howsoever or through any means or channels whatsoever from publishing or further publishing and disseminating libelous information concerning the Claimant.

The Claimant attached several documents to the Writ in support of its case.

In reaction to the Amended Statement of Claim the 1<sup>st</sup> Defendant, Jackson Ude filed a Statement of Defence on 28<sup>th</sup> day of November, 2022 but he did not attach any document. He was listed as a Witness. But never came to open its Defence or call the said lone Witness notwithstanding that this Court gave him all the judicial leverages to do so. Hence, abandoning the Statement of Defence as it were. He did not give any reason and he had Counsel representation throughout the duration of the Suit in this Court.

The 2<sup>nd</sup> – 4<sup>th</sup> Defendants were also served with the Originating Processes and Hearing Notices, they neither entered appearance nor filed any Statement of Defence or document in defence or Counter-Claim in reaction to the Claimant's claim; hence signifying admission of the claims of the Claimant.

As it stands, the claim of the Claimant stands unchallenged since the 1<sup>st</sup> Defendant abandoned his Statement of

Defence and the 2<sup>nd</sup> – 4<sup>th</sup> Defendants never filed any Defence or had Counsel representation.

The Claimant called a sole Witness – their Senior Corporate Counsel and Government Relationship Manager by name Boniface Obinna Okere. He tendered documents marked as **EXH 1 – 7**. He was Cross-examined by the 1<sup>st</sup> Defendant Counsel.

He testified that the name “Seplat” is a brand and that the general public ascribes the name Seplat to be Seplat Energy PLC. It is imperative to state that the 1<sup>st</sup> Defendant Counsel attempted to tender some documents through the PW1 but the 4 documents were rejected by this Court because they were not pleaded. There was improper certification and all the documents were totally irrelevant to the issue in dispute before this Court.

The Claimant closed its case and there were several adjournments for Defence – 9<sup>th</sup> of May, 2023; 11<sup>th</sup> of May, 2023; 15<sup>th</sup> of June, 2023; 16<sup>th</sup> of June, 2023; 20<sup>th</sup> of June, 2023; 21<sup>st</sup> of June, 2023; 22<sup>nd</sup> of June, 2023; 23<sup>rd</sup> of June, 2023; 27<sup>th</sup> of June, 2023 and 3<sup>rd</sup> of July, 2023 all at the instance of the 1<sup>st</sup> Defendant Counsel. The 1<sup>st</sup> Defendant/1<sup>st</sup> Defendant Counsel failed to open its Defence and/or field its Witness. But the same 1<sup>st</sup> Defendant Counsel had time to file several application which were all frivolous and a clear and well calculated ploy to waste the time of the Court and delay the Proceeding in this case. All the frivolous applications were dismissed based on well considered Rulings. The Court refers to the Record of Proceedings in this case and deems as if set hereunder

seriatim the said various well considered Rulings on the applications filed by the 1<sup>st</sup> Defendant Counsel/1<sup>st</sup> Defendant. The Court having indulged the 1<sup>st</sup> Defendant Counsel/1<sup>st</sup> Defendant on the several adjournments finally adjourned the matter for Definite, Definite, Definite Defence to be held on the 3<sup>rd</sup> of July, 2023. That adjournment was done in the presence of the 1<sup>st</sup> Defendant Counsel. But he failed to show up on the said day. The Claimant Counsel moved the seventh application for foreclosure of the Defendants. This Court granted it. It is imperative to state that the Claimant Counsel had on several occasions applied for foreclosure of the 1<sup>st</sup> Defendant, but each time this Court refused to grant the application. But when it was glaringly clear that the 1<sup>st</sup> Defendant does not want to open its Defence and had deliberately delayed to do so the Court made the foreclosure Order as it cannot wait for the Defendants in perpetuity. Hence, the claim of the Claimant stands unchallenged as it were. The 1<sup>st</sup> – 4<sup>th</sup> Defendants having not led any evidence against the Suit of the Claimant, the Court adjourned for Adoption of Final Written Addresses. It gave time for the 1<sup>st</sup> – 4<sup>th</sup> Defendants especially the 1<sup>st</sup> Defendant/1<sup>st</sup> Defendant Counsel to file her Final Written Address since it filed a Statement of Defence, but they failed to do so. The Claimant filed and served the 1<sup>st</sup> Defendant/1<sup>st</sup> Defendant Counsel with its Final Written Address filed on 24<sup>th</sup> of July, 2023. The 1<sup>st</sup> Defendant was served on the 11<sup>th</sup> of August, 2023 at 1:13 pm. On the 14<sup>th</sup> September, 2023 the Final Written Address was adopted. The 1<sup>st</sup> Defendant Counsel was in Court that day. He did not file any Final Written Address rather he had

time to file a Motion for Recusal and application to set aside. This Court, in a well considered Bench Ruling, DISMISSED the Motion. The said Ruling is deemed as if set hereunder seriatim. The Court allowed the Claimant Counsel to adopt its Final Written Address which was served on the 1<sup>st</sup> Defendant Counsel and the matter was reserved for Judgment. The 2<sup>nd</sup> – 4<sup>th</sup> Defendants did not file any Process.

In this case the Claimant called a Witness – Boniface Obinna Okere who gave evidence on facts in issue. He submitted that the publications as contained in **EXH 1** smeared the reputation of the Claimant especially in the light of the 1<sup>st</sup> & 2<sup>nd</sup> Defendants’ concession in **EXH 2** that the publications contain on their website/platform on which **EXH 1** was published are viewed by millions of people daily with “unique” visitors daily. That being a public company on both Nigeria and London Stock Exchange, **EXH 1** published by the Defendants damaged the Claimant’s goodwill. That it marred the Claimant’s creditworthiness by the allegation of being described as a “**chronic debtor**” which is false and that it grievously injured the Claimant’s global business reputation. The Claimant further testified that the false publication necessitated the instant action for Declaratory and Injunctive Reliefs. That the Defendants knowing that the allegation is false, did not offer any evidence in defence of their false publication. Hence, they corroborated the Claimant’s case that there is no justification for the false publication. The PW1 tendered several documents to support its case. The documents are:

- 1) The printout of the publication – Chronic Debtor-Billionaire ABC Orjiakor Subterfuges Repaying \$150 Million Loan owes F.G \$1.8 Billion in Royalties.
- 2) Printout of the “About us” page of the website [www.pointblanknews.com](http://www.pointblanknews.com) particularly <http://pointblanknews.com/pbn/about-us>.
- 3) Printout of the “About us” page of the Claimant’s website <http://seplatpetroleum.com/about-us>.
- 4) Printout of the letters/Pre-Action Notices dated 11<sup>th</sup> April, 2021.
- 5) Printout of the letters/Pre-Action Notices dated 11<sup>th</sup> April, 2021.
- 6) Claimant about the leadership position in Oil and Gas industry.
- 7) Commendation letter for shyva kyari wobote.

In the Written Address the Claimant raised a sole Issue for determination which is:

**“Whether the Claimant is entitled to the Reliefs sought as per its Amended Statement of Claim dated 25<sup>th</sup> May, 2022.”**

The Claimant Counsel submitted that the Claimant is entitled to the Reliefs sought in the said Amended Statement of Claim. He made the submission under various subheadings as follows:

Under the vires of Claimant to maintain an action for Libel against the Defendants, the Claimant Counsel submitted

that the Claimant as an incorporated company/entity is entitled to sue and to be sued in its registered name. He referred to **S. 42 CAMA 2020**. That by **S. 43 CAMA** the Claimant as a company has the powers of a natural person of full capacity and that it enjoys same life as a human being. That just as a person, can defamed, can take an action against the Defamer, so the Claimant as a company is vested with the right to sue for the protection of its corporate and business representation, goodwill and operations. They referred to the cases of:

**Odutan V. General Oil Ltd**  
**(1995) 4 NWLR (PT. 387) 1 @ 14**

**Duyile V. Ogunbayo & Sons Ltd**  
**(1988) 1 NWLR (PT. 72) 601 @ 611**

In both cases the Supreme Court held that a company can sue for defamation and is entitled to be paid damages by the defamer. It is also entitled to injunctions.

That a company does not need to prove special damages or financial loss to recover damages for injury to its reputation in the way of its trade or business.

The Claimant submitted that the Claimant has the vires and right to initiate this action as it did in order to protect its reputation and goodwill. That the Claimant as a company listed in the stock exchange both in Nigeria and London has a right to protect its reputation and that the present publication affected and has the tendency to effect the reputation and goodwill of the Claimant. He referred to **EXH 7 – Slyva Kyari Wobote hail SEPLAT as pride**

**indigenous operator Gas Resolution Strides”** which is a commendation of the Claimant by the Minister of Petroleum Resources. He also referred to **EXH 3** in which the Claimant is described as an Energy Company with a portfolio of Eight blocks in Niger Delta. 4 of which is operated directly by the Claimant. That it supplies almost a third of the Natural Gas used in power generation in Nigeria. They referred to **paragraph 24(v)** of the Statement on Oath of the PW1 and his testimony in Court. They urged Court to hold that the Claimant has vires to sue.

On the proof of libel, the Claimant Counsel submitted that the imputation and publication referred to tends to lower the Claimant’s corporate dignity and reputation in the mind of the corporate world and the public both within and outside Nigeria especially in the minds of right thinking members of the society. That the publication which is false has maligned the corporate character, integrity, business, goodwill and reputation of the Claimant without any justification. That the offending publication is in electronic format and in a permanent form. That it is tantamount to be libel. That it is an actionable wrong. They relied on the cases of:

**Stanbic IBTC Bank PLC V. Longterm Global Capital Ltd & Ors**

**(2021) LPELR – 55610 CA 1 & 95**

**HRH Edward Igho Etadaferua Erhiekevwe V. Urobo Time Press Ltd & Ors**

**(2021) LPELR – 53337 CA 1 @ 21**

**Chief Sir A.O. Ezegbo & Anor V. George Igbokwe  
(2016) LPELR – 40784 CA 1 @ 11**

That the words complained of were written in permanent form and published by the Defendants and that the Defendants did not deny that fact. That **EXH 1** satisfies that fact. That it was published in the world wide web. That it is published to the whole world and open to be read by the whole world. That the Claimant reproduced the portion of the libelous statement made on 24<sup>th</sup> February, 2021 by the 1<sup>st</sup> & 2<sup>nd</sup> Defendants captioned:

**“Chronic Debtor Billionaire ABC Orjiakor Subterfuges Repaying \$150 Million Loan owes F.G \$1.8 Billion, ₦8.8 Billion in Royalties.”**

That it was published by the 1<sup>st</sup> & 2<sup>nd</sup> Defendants using the platform/domain hosted by the 4<sup>rd</sup> & 4<sup>th</sup> Defendants. The Claimant quoted the excerpt portion of the libelous publication verbatim as published on 24<sup>th</sup> February, 2021 tendered as **EXH 1**.

That the Claimant fulfilled the condition for successful proof of libel. That the effect of the publication – **EXH 1** is that the Defendants intended the natural consequences of the global publication and achieved same as shown in **EXH 2** wherein the Defendants admitted and stated concerning all the publications made in their website – [www.pointblanknews.com](http://www.pointblanknews.com) thus:

**“Minimum half a million page views from fifty thousand unique visitors daily.”**

That when the above is juxtaposed with **EXH 1** which was published on the same website, the damaging effect and extent of circulation of **EXH 1** is unimaginable taking into consideration that **EXH 1** was published since 24<sup>th</sup> of February, 2021 and is still been retained in the Defendants' websites as testified by the PW1 who read and printed the said false publication. That the damaging effect of the publication is continuous for a period of 2 years. That it puts the Claimant in precarious position as shown in **EXH 3**.

That it is the intension of the Defendants for the publication to be read and viewed by the whole world on daily basis which demonstrates the gravity of the false publication. Hence, tarnishing the corporate image and reputation of the Claimant. That the Defendants refused to take down the publication despite demands by the Claimant for them to do so. They referred to **EXH 4 & 6**. That circulation of **EXH 1** is global. They referred to the case of:

**Stanbic IBTC Bank PLC V. Longterm Global Capital Ltd & Ors supra**

The Claimant Counsel further submitted that the roles played by the Defendants in making the libelous publication puts no one in doubt about their calculated intension to tarnish the image of and defame the Claimant. That the 1<sup>st</sup> & 2<sup>nd</sup> Defendants are Journalist of Nigerian Descent and are Publishers and Editors of publications on the said website. That the 1<sup>st</sup> & 2<sup>nd</sup> Defendants jointly manage, oversee, control, direct, edit and disseminate all contents and information found and posted on the said site. That the

above evidence by PW1 was neither controverted nor Cross-examined by the 1<sup>st</sup> Defendant Counsel. They urged Court to accept the said testimony and piece of evidence as truth and fully established. They referred to the case of:

**Oforlete V. State**

**(2000) 12 NWLR (PT. 681) 415 @ 436**

They urged Court to so hold, that the PW1 testimony is unchallenged. That this fact is also proved against the Defendants as shown in **EXH 2**. That having established the facts as shown above, the 1<sup>st</sup> & 2<sup>nd</sup> Defendants are therefore jointly and severally liable for the false and libelous publication in **EXH 1**. They referred and relied on the case of:

**Vanguard Media Ltd V. Olafisoye**

**(2011) 14 NWLR (PT. 1267) 207 @ 245**

They urged the Court to hold that the Defendants are liable jointly and severally for the libelous publication in **EXH 1**.

The Claimant Counsel also submitted that the words contained in the publication – **EXH** are false and defamatory. They tendered and referred to **EXH 1 – 7**. That **EXH 3** shows the business about the Claimant in its homepage showing its business operations and services it renders in both Oil and Gas industry in Nigeria. That **EXH 7** shows the track record and reputation of the Claimant where it was praised by the then Minister of State for Petroleum Resources. That PW1 showed that the words contained in **EXH 1** are false, mendacious and have no justification at all. They referred to the averment in

paragraph 24 of the Statement on Oath of the PW1. That the Claimant was never and has not been investigated, arraigned or convicted by any Court in Nigeria. That the Claimant has no criminal record. That it is not a Judgment Debtor. That the Defendants who asserted that the Claimant is a Judgment Debtor failed to prove its assertion. The Defendants failed to give any evidence to prove that false assertion and they did not tender or attach any such Judgment from the United Kingdom Supreme Court in their abandoned Statement of Defence.

The Claimant has proved that there is no such Judgment and that there is no award of \$144.2 Million against the Claimant by any UK Court. That describing the Claimant as a Judgment Debtor was geared towards assainating the financial credibility of the Claimant and its credit worthiness. That such false allegation and publication injured the reputation of the Claimant in the eyes of the general public and corporate world especially by the further publication by the Defendant thus:

**“This comes on the heels of Seplat’s refusal to pay \$1.8 Billion and another N8, 825,778,039.61 it owes the Federal Government of Nigeria in underpaid Assets from its joint venture with Nigeria Petroleum Development Company (NPDC).”**

That as shown in **EXH 7** the Claimant has demonstrated that its suess is based on trust, hard-work and integrity. And not on corruption, debt, tax evasion or other vices. Besides, that the Defendants failed to lead any evidence to disprove those facts and the case of the Claimant. Hence,

the words of the Defendants are libelous and calculated to injure the corporate reputation of the Claimant and its goodwill. Hence, the Defendants are liable. They referred to the case of:

**Egbunike V. A.C.B Ltd**  
**(1995) NWLR (PT. 375) 34 @ 55**

The Claimant Counsel submitted that the Defamatory Publication refers to the Claimant. They referred Court to **paragraphs 17, 18, 20, 21, 24 & 30** of the Oath of the PW1 where it clearly shows that the publication refers to the Claimant as shown in **EXH 1**. That the PW1 testified and proved that the word “Seplat” is a brand which irresistibly refers to the Claimant. That an average person in the street knows that mere mention of Seplat refers to the Claimant – Seplat Energy PLC. That the 1<sup>st</sup> Defendant Counsel did not controvert that fact.

That the publication for all intent and purposes refers to the Claimant as shown in **EXH 1**. That even when the Claimant changed its name from Seplat Petroleum Development Company PLC to Seplat Energy PLC, it was the 1<sup>st</sup> Defendant that filed a Preliminary Objection stating that the Claimant, changing name, should no longer maintain an action against him using its old name. Hence, it shows that the 1<sup>st</sup> Defendant knows the Claimant and is monitoring its progression and as such the publication in **EXH 1** was referring to the Claimant. They referred the Court to the Ruling of the Court delivered on 29<sup>th</sup> June, 2022. That the Ruling having not been vacated or Appealed against or set aside, that it is binding against the Defendants as it is still

subsisting. That the Claimant is not a stranger to the 1<sup>st</sup> Defendant. That identity of the Claimant is well known to the 1<sup>st</sup> Defendant and the 2<sup>nd</sup> – 4<sup>th</sup> Defendants also. Hence, the publication – **EXH 1** no doubt refers to the Claimant as testified unchallengingly by the PW1. The Claimant Counsel referred to the Ruling of 28<sup>th</sup> November, 2022 which has not been Appealed against. Hence, the name Seplat refers to the Claimant and there is no other version to it. They referred to the case of:

**Modupe V. State  
(1988) 4 NWLR (PT. 87) 130 @ 137**

They urged the Court to hold that the publication refers to the Claimant.

The Claimant Counsel also referred to **EXH 4 & 6** which were equally not denied or controverted. That for the Defendants not to have responded or challenged the Pre-Action Notices it means that they were deliberate, intentional and calculated in smearing the corporate reputation, image and goodwill of the Claimant. They urged the Court to so hold.

The Claimant Counsel also submitted that there is no justification for the libelous publication. That Defence of Justification cannot avail the Defendants in this case as they have no justification to publish the false and defamatory publication. That the Defendants did not plead the Defence of Justification as they have none. Besides, that the 2<sup>nd</sup> – 4<sup>th</sup> Defendants who were served with the Originating Processes and Hearing Notices did not file any

Defence or enter appearance. That even the 1<sup>st</sup> Defendant that filed Statement of Defence, abandoned same and never opened its Defence notwithstanding that the Court gave him several leverages and time to do so. The 1<sup>st</sup> Defendant had Counsel representation in Court too. That the said Statement of Defence of the 1<sup>st</sup> Defendant amount to pleading without any evidence which is worthless in law. Hence, the 1<sup>st</sup> – 4<sup>th</sup> Defendants are deemed to have jointly and severally admitted to the merit of the Claimant's case. Hence, the Claimant case is unchallenged and the facts thereon are all admitted. The Claimant Counsel referred to the case of:

**Okafor V. Dunez**

**(1998) 13 NWLR (PT. 580) 88 @ 95**

That the Claimant has established its case and it is therefore entitled to the grant of the Reliefs sought. They urged Court to so hold.

That the failure of the Defendants to lead evidence in rebuttal of the Claimant's case shows the mischief and campaign of calumny perpetrated by the Defendants by the said false publication as shown in **EXH 1**. That the Defendants has no justification whatsoever to publish the false article, that is why they could not lay any evidence or defend the Suit. Hence, the Claimant is entitled to the Damages as sought. They referred to the case of:

**Guardian Newspaper V. Rev. Pastor C.I. Ajeh**

**(2011) LPELR – 1343 (SC) 1 @ 18**

That the Defendants did not Cross-examine or contradict **EXH 3** which is an accolade and award on the Claimant. So also is **EXH 7**. They urged Court to grant all the Reliefs as the Claimant has proved its case against the Defendants and the case is unchallenged and facts thereon uncontroverted.

That the Claimant has proved that the publication is libelous, unjustified and defamatory on the Claimant which is a public listed and quoted company both in Nigeria and London. Besides, that the Defendants did not controvert any of the Claimant's claim.

That the publication is still being read by the public on daily basis by over a million people daily. They urged the Court to grant the Order of Injunction to expunge the publication and to also grant Perpetual Injunction restraining the Defendants from continuous publication and circulation of the defamatory publication.

It is imperative to reiterate that the 1<sup>st</sup> Defendant filed a Statement of Defence on 24<sup>th</sup> November, 2022. It was accompanied by the Statement on Oath of Ezra Arco who claims to be a Psychologist and a Journalist and that the 1<sup>st</sup> Defendants – Jackson Ude is one of his mentors in the medial world. He claimed to have gone through the alleged false publication and he claimed that the publication does not refer to the Claimant in this case. He averred that the 1<sup>st</sup> Defendant is a Journalist, a businessman and a Nigeria decent. That the pointblanknews.com is an online company which is distinct from the 1<sup>st</sup> Defendant and that the 1<sup>st</sup> Defendant cannot take responsibility or be held liable for

the action and inaction of pointblanknews.com. He derived all paragraphs of the Amended Statement of Claim except paragraph 3 in which the Claimant stated as follows:

**“That the 1<sup>st</sup> & 2<sup>nd</sup> Defendants are Journalists of Nigeria decent and they respectively hold the positions of PUBLISHERS and EDITORS of publications on the website [www.pointblanknews.com](http://www.pointblanknews.com). The 1<sup>st</sup> & 2<sup>nd</sup> Defendants jointly and severally manage, oversee, control, direct, edit and disseminate all contents and information found and posted on the website [www.pointblanknews.com](http://www.pointblanknews.com).**

The 1<sup>st</sup> Defendant further averred that in response to the publication of 24<sup>th</sup> February,, 2021 that he knows that it does not refer to the Claimant and that the alleged libelous and malicious publication and statements of the Defendants are all imaginations of the Claimant and self acclaimed defamation made by the Counsel of the Claimant.

That the 1<sup>st</sup> Defendant states categorically that he never published any alleged libelous and malicious or defamatory word about the Claimant or any person howsoever called at every material time to the institution of this Suit. That he knows as a matter of fact of mere reading the alleged libelous and malicious publication not only was same not referring to the Claimant, same did not lower the estimation of whoever the publication is referring to before his eyes neither did it expose the person to any hatred or ridicule or contempt. That the 1<sup>st</sup> Defendant shall at and/or before trial challenge and contend the competence of the Suit and

jurisdiction of the Court to entertain same and consequently rely on the Processes and documents already filed before the Court. That he will rely on all Extracts, letters, reports, publications, records and documents relevant to the determination of the Suit including legal and equitable maxims. He had urged Court to dismiss the Reliefs sought by the Claimant as they are frivolous, gold-digging and lack of reasonable cause of action against the 1<sup>st</sup> Defendant with substantial cost against the Claimant.

It is important to state that the 1<sup>st</sup> Defendant filed a total of 7 applications challenging the jurisdiction of the Suit, its competency, the Certificate of Pre-Action Notice and the fact that the Claimant is non-juristic person and that the Judge should rescue himself and Notice of Appeal challenging the Rulings of this Court. This Court heard all the Motions and delivered its well-considered and well-reasoned Rulings on all the Motions. The Court refers to the said Rulings and deem as if they are all set hereunder seriatim as part of this Judgment. It is also imperative to state that the Deponent – Ezra Arco did not state that he was authorized by the 1<sup>st</sup> Defendant to stand as a Witness.

It is also important to state that the 1<sup>st</sup> Defendant never came to Court to open its Defence. He never told the Court that he authorized or gave the Deponent of the Witness Statement on Oath the information/facts which the said Ezra Arco relied on to put his facts on. To this, this Court holds that the said facts are mere hearsay from an overzealous meddlesome interloper who it is very clear was hired to do a judicial hatchet job for the 1<sup>st</sup> Defendant. It is

most unfortunate that the 1<sup>st</sup> Defendant who is a Journalist, Publisher and Editor could not have an Oath to support his Defence and could not even authorize the interloper to do same for him. Besides, the said 1<sup>st</sup> Defendant even abandoned the said Statement of Defence. It is clear that because he had no defence he could not stand the shame to face the Claimant in Court. That is why he never attached any document to the abandoned Statement of Defence.

## **COURT**

It is the law that abandoned Process is not given any judicial notice or recognition. In this case the 1<sup>st</sup> Defendant having abandoned his Process – Statement of Defence shows that and means that he has no defence to the Suit of the Claimant. Hence, to that extent the said Suit is unchallenged and facts thereon are uncontroverted too. Again, the 2<sup>nd</sup> – 4<sup>th</sup> Defendants having not filed any Defence to the Claimant's claim means that the Claimant's claims as far as this case is concerned is unchallenged by the 2<sup>nd</sup> – 4<sup>th</sup> Defendants too. The facts thereon are uncontroverted. So this Court holds.

Having summarized the stance of the Claimant and the abandoned Statement of Defence as well as the testimony of the sole Witness of the Claimant's Witness – Boniface Obinna Okere, can it be said that the Claimant has proved and established his case and is therefore entitled to his Reliefs as per the Amended Statement of Claim of 25<sup>th</sup> of May, 2022 bearing in mind that the 2<sup>nd</sup> – 4<sup>th</sup> Defendants did

not file any Statement of Defence in challenge of this Suit and that they never had any Counsel representation though they were duly served the Originating Processes and Hearing Notices and also bearing in mind that the 1<sup>st</sup> Defendant filed a Statement of Defence and Oath, had Counsel representation in the person of O.O. Aweda Esq. throughout the Hearing of the case up till the day of Adoption of Final Written Addresses but did not come to Court to open its Defence and adopt its Oath or file/respond to the Final Written Address of the Claimant when Court gave him all the judicial leverages to do so by several adjournments at his instance?

It is the very humble view and decision of this Court that the Claimant, **SEPLAT ENERGY PLC** has established its case of libel and defamation against the 1<sup>st</sup> – 4<sup>th</sup> Defendants and it is therefore entitled to all the Reliefs sought in the said Amended Statement of Claim of 25<sup>th</sup> May, 2022. So this Court holds.

It is also the view of this Court that given the failure of the 2<sup>nd</sup> – 4<sup>th</sup> Defendants to file any Statement of Defence against the claim of the Claimant notwithstanding that they were duly served with the Originating Processes and Hearing Notices and were given chance to do so and for not having Counsel representation also or been present to Court throughout the Hearing of this Suit, that the said 2<sup>nd</sup> – 4<sup>th</sup> Defendants accepted the allegation/claim made against them in this Suit by the Claimant and had therefore not challenged same or controverted any of the facts in support of the Claimant's claim and are therefore liable. The case of

the Claimant is therefore deemed and is actually unchallenged by the said 2<sup>nd</sup> – 4<sup>th</sup> Defendants. The case of the Claimant and the facts in support therefore stands tall “gidigbam” (unshaken) as the Rock of Gibraltar judicially speaking. So this Court holds. The Claimant’s case is unchallenged and the facts in support uncontroverted. So this Court holds.

It is also the humble view of this Court that given the fact that the 1<sup>st</sup> Defendant/1<sup>st</sup> Defendant Counsel filed a Statement of Defence and Oath but abandoned same and never opened its Defence and call its Witness to adopt its Oath before this Court and the Court having adjourned the matter several times – 7 times at the instance of the 1<sup>st</sup> Defendant/1<sup>st</sup> Defendant Counsel who was in Court from inception until date of Adoption of Final Written Addresses save on very few occasions, that the case of the Claimant was not challenged by the 1<sup>st</sup> Defendant/1<sup>st</sup> Defendant Counsel and the facts thereon were not controverted. This Court holds that in that case the facts are therefore deemed and are actually admitted by the 1<sup>st</sup> Defendant/1<sup>st</sup> Defendant Counsel. To that extent, the Claimant having proved and duly established its case is entitled to the Reliefs sought in this case. This is the Judgment of this Court in that case.

This Court will now give its full reason for arriving at this decision.

It has been held in plethora of cases by our Courts and it is also the global practice and principle that unchallenged, uncontroverted and unrebutted evidence/facts are deemed

admitted especially when as in the present case, the parties (1<sup>st</sup> – 4<sup>th</sup> Defendants) were given all the judicial leverages to challenge and attack the case of the Claimant and the facts thereon but they failed to do so. Even the pseudo – challenges made by the 1<sup>st</sup> Defendant through the several unmeritorious and often frivolous applications starting from the jurisdiction of the Court to handle the case to incompetency to challenge of the pre-action counseling for to issue of recusal and the untransmitted Appeal in the challenge of the Ruling delivered by this Court, could not avail the 1<sup>st</sup> Defendant/1<sup>st</sup> Defendant Counsel as all the applications lacked merit, were frivolous and were dismissed.

It is the law that uncontroverted facts are taken to be true and only minimal proof is required for such evidence. In this case the facts as contained in the Oath of the PW1 were not challenged by the Defendants. Hence, the Claimant has minimal proof to establish such evidence. Again, all the facts are therefore taken as truth. So this Court holds. On the above see the following cases:

**P.S.H.S.M.B V. Goshwe**  
**(2013) 2 NWLR (PT. 1338) 383 (SC)**

**Cappa D’Alberto Ltd V. Akintilo**  
**(2003) 9 NWLR (PT. 824) 49 (SC)**

**Akintilo V. Abimbola**  
**(1978) 2 SC 39 (SC)**

Therefore, to the extent that the Defendants failed to challenge the case of the Claimant, this Court deems and

accepts the case of the Claimant as unchallenged and facts thereon are uncontroverted and the claims proven and are admitted and the Claimant is therefore entitled to the Reliefs in that regard. So this Court holds.

Again, if the abandoned Statement of Defence and unadopted Statement on Oath of Ezra Arco, the supposed 1<sup>st</sup> Defendant's Witness, is anything to write home about (but unfortunately it is not and has not probative or evidential value as far as this case is concerned and to the extent of the said abandonment), the facts stated thereon are based on what he read from the website run by the 1<sup>st</sup> & 2<sup>nd</sup> Defendants as he admitted in his Oath. He equally admitted that the said 1<sup>st</sup> & 2<sup>nd</sup> Defendants – Jackson Ude and Uduma Mba are Journalists, Publishers and Editors of the contents of the website that published the libelous material/publication challenged by the Claimant which is the centre of the allegation in this Suit as contained in **EXH 1**. The same would-be DW1 had equally admitted that the said 1<sup>st</sup> and 2<sup>nd</sup> Defendants jointly and severally manage, oversee, control, direct, edit and disseminate all the contents and information found and posted on the said website – [www.pointblanknews.com](http://www.pointblanknews.com), which include the present publication in issue in this case. This is seen in paragraph 5 of the Statement on Oath of the said Ezra Arco where he denied every paragraph of the claim of the Claimant save paragraph 3 of the same Statement. He also denied same in paragraph 3 of his own Statement of Defence in this Suit. By that fact, it is not in doubt that the 1<sup>st</sup> Defendant is the author and finisher of the publication in issue, the content in which in this case is what the

Claimant found to be libelous, malicious, unjustified, defamatory and which has lowered the estimation of the Claimant in the eyes of the general public and the global audience in corporate world both in Nigeria and London, UK where the Claimant is quoted in the stock exchange and in the eyes of all who do business in the oil and gas industry. The said publication has equally exposed the Claimant to ridicule, hatred and gross contempt too. By the 1<sup>st</sup> Defendant ADMITTING the said paragraph 3 of the Statement of Claim it is settled that the 1<sup>st</sup> & 2<sup>nd</sup> Defendants are liable and had no defence to the issue in dispute and that the Claimant's claim is duly and fully established. The Claimant need not bother to prove those points.

The mere denial that the publication does not concern the Claimant is a mere hearsay from the imagination of the Defendants and their run-away Witness. So this Court holds. The same purported DW1 never in the length and breadth of his abandoned Oath state the source of his information and facts. He is not even a party to the Suit and was not authorized by the 1<sup>st</sup> Defendant to stand as its Witness too. His averment has no evidential value coupled with the fact that he abandoned his Oath in this case.

As already stated, the Claimant called one Witness who testified in chief and was Cross-examined by the 1<sup>st</sup> Defendant Counsel, re-examined by the Claimant Counsel. As already stated also, the PW1 tendered several documents in support of the case of the Claimant. The PW1 testified and tendered the said documents with which it supported

the case of the Claimant. I had the opportunity to and advantage of seeing the PW1, hearing him testify, watching his demeanor throughout his testimony/evidence before me in this case. The testimony of the PW1 was credible and unchallenged and the facts thereon uncontroverted, even the feeble attempt made by the 1<sup>st</sup> Defendant Counsel during Cross-examination to challenge the evidence/testimony of the PW1 failed as the PW1 was resolute, constant and consistent with his evidence before this Court. The documents tendered were all admissible and were admitted. His evidence was relevant as the content of the documents tendered in support of this case. He is in the best position to testify as he did being the Government Liaison Personnel of the Claimant and a high ranking official/officer of the Claimant also. So this Court holds. On all the above see the following cases:

**Mil. Gov. of Lagos State V. Adeyiga**  
**(2012) 5 NWLR 29**

**Adesina V. Ojo**  
**(2012) 10 NWLR P. 552**

**Eyibo V. Abia**  
**(2012) 16 NWLR P. 51**

And the old case of:

**Mogaji V. Odofin**  
**(1978) 4 S.C 91**

It has been held in several cases that in a libel Suit, that if the publication complained of either by itself or in

connection with or taken in connection with other circumstance is reasonably capable of a libelous construction, it is for the Court to consider. It has also been held that in such a case it is for the Claimant to show and prove that such words used on the publication is malicious, odium, false, unjustified and capable or actually has or intends to cause and lower the reputation, estimation and goodwill of the person published in the eyes of the public about and that the content and the words are defamatory, libelous and false at the material time. See the case of:

**Zabusky V. Debayo Doherty supra**

See also the case of:

**Dan Agbese V. Plateau Publishing Co. Ltd  
(1985) 5 SC 242**

That is the same publication has exposed the Claimant to hatred, ridicule and contempt in the eyes of the general public and corporate world. The Claimant must also show and establish that the publication is false. It is unless and until that is done that it can be said that a case of libel/defamation has been proved or established by the Claimant. This the Claimant must prove through the testimony of its Witness and by the documents tendered before the Court in support of the case. See the cases of:

**Zabusky V Debayo – Doherty  
(2013) 2 NWLR P. 320**

**Dumez V. Idugboe  
(1983) 2 SC 18**

As already stated severally, the Claimant has in support of its case tendered the publication – **EXH 1**. The Claimant was able to present the exact words used in the publication which clearly shows that the publication was meant and referred to the Claimant. It printed and sifted out the said word/phrase, sentence and statement made by the 1<sup>st</sup> & 2<sup>nd</sup> Defendants on the 24<sup>th</sup> of February, 2021 which was published under the caption:

**“Chronic Debtor Billionaire ABC Orjiakor Subterfuges repaying \$150 Million Loan, owes F.G \$1.8 Billion, ₦8.8 Billion in Royalties.”**

The Claimant showed and proved that the above was published in the said website run, managed, edited, controlled and circulated/transmitted and published and disseminated by the 1<sup>st</sup> & 2<sup>nd</sup> Defendants in their website, [www.pointblanknews.com](http://www.pointblanknews.com) with URL, <https://pointblanknews.com/pbn/exclusive/chronic-debtor-billionaire-abc-orjiakor-subterfuges-repaying-150million-loan-owes-fg-1-8-billion-in-royalties/>. The

Claimant also showed through **EXH 1** that the site was hosted by the 3<sup>rd</sup> & 4<sup>th</sup> Defendants where the Defendants stated, published, circulated, transmitted and disseminated the statement as stated fully in paragraph 14 of the Statement of Claim. The Court refers to the said paragraph 14 as if the said contents are set hereunder seriatim.

A look at the said **EXH 1** and its content as detailedly stated and captured in paragraph 14 of the Statement of Claim it puts no one in doubt that by the use of the word “Seplat” severally in that paragraph the publication was

meant and referred to the Claimant in this case. The Court refers to its Ruling in which it dismissed the Motion filed by the 1<sup>st</sup> Defendant Counsel challenging the name of the Claimant as non-juristic person. The Court deems the said Ruling as part of this Judgment in that regard and as if it is hereunder set seriatim.

From the above, this Court holds that the Claimant established that the words used were malicious, defamatory and libelous to it and the publication refers to the Claimant too and it is false, frivolous and its content places the Claimant in bad light in the eyes of the public especially in the eyes of the corporate world and in oil and gas industry. The Defendants did not deny making the publication.

Again, the Claimant was able to establish that the publication was widely read in Nigeria, London and the whole world. To start with, the publication was published in the **“world wide web” (www)**. It was open to the whole world to see. That fact is not in doubt. Besides, the website has at least half a million viewers and readers per day as contained in the document tendered by the Claimant – **About us**. The Defendants did not challenge that document also.

Also, by the content of the words used in the publication as contained in **EXH 1** – paragraph 14 of the statement of claim of the Claimant and as detailedly stated in **paragraph 4.8 of the Claimant’s Final Written Address**.

Also in the “About us” the 1<sup>st</sup> Defendant stated thus:

**“Minimum of half a million unique visitors daily.”**

The above puts no one in doubt that the publication is for the public, worldwide and it is geared to ridicule the Claimant. See the case of:

**Emegwana V. Star Publishing Co. Ltd  
(2000) 10 NWLR (PT. 676) 489**

Also the Claimant showed that the publication was written in permanent form and published by the Defendants. That fact was not denied by the Defendants and it was not challenged either. Hence, the Claimant proved that there is a publication of the material it complained of. Also that the mention of the name of the Claimant – Seplat in the length and breadth of the publication shows it is made against the Claimant conclusively and no other person or company.

By the contents, phrase, sentences and words chosen in the publication it shows that the publication is highly defamatory, malicious and false. See the case of:

**Mamman V. Salaudeen  
(2005) 18 NWLR (PT. 985) 478**

**Basoren V. Ogunleye  
(2005) 1 NWLR (PT. 640) 221**

Also, by the use of the phrase **“meet the team”** as contained in the **About us** by the 1<sup>st</sup> & 2<sup>nd</sup> Defendants as seen in **Exhibit 2** it shows that the 1<sup>st</sup> Defendant – Jackson Ude is the Publisher by the site referred to therein in the site quoted thus:

**“Jackson Ude – (Publisher)  
[Jackson@pointblanknews.com](mailto:Jackson@pointblanknews.com) with the number:  
(347-323-1693).”**

And that the 2<sup>nd</sup> Defendant is the Editor in the same website Uduma Mba (Editor, Nigeria) [fidel947@yahoo.co.uk](mailto:fidel947@yahoo.co.uk). The Defendants did not deny those facts too.

The Claimant also established and proved that the words used and as contained in the publication is false and very defamatory. This it did by tendering **EXH 1 – 7**. But by **EXH 3** which is the homepage of the Claimant, the printout of the Claimant’s “**About us page**” in the Claimant’s website <https://seplatpetroleum.com> particularly on <https://seplatpetroleum.com/aboutus>. In it the Claimant showed its business operations, what it is known for in terms of commitment and services it provides in Oil and Gas industry. The Claimant also tendered **EXH 7** to prove its track record and impeccable reputation in the Oil and Gas industry where it was praised and hailed by then Minister of State for Petroleum Resources in charge of the industry where the Claimant operates and holds sway and renders impeccable service in the Oil and Gas Industry. Hence, the Claimant showed and proved that the words contained in the publication by the Defendants as contained in **EXH 1** is false, malicious and not justified.

In paragraph 24 of the Statement on Oath of the Claimant’s Witness – PW1, the Claimant stated that the Claimant is a successful Oil and Gas company in Nigeria which is fully listed in the Nigeria and London Stock Exchange which was achieved by trust, hard-work and integrity. That it has made and established itself as a leading supplier of natural gas to the domestic (Nigeria) market by substantial investments and development it made in the Gas Reserves

that existed in its block. It also proved that it has never been investigated, arraigned or convicted by any Court in Nigeria for crime, tax evasion, corruption of public officials. It also established that it has contributed immensely to the economic growth of the country through its increased domestic utilization of natural gas and has provided return on investment to its Investors and Creditors alike. It proved that it has double listing in Nigeria and London Stock Exchange. It proved that it has received many accolades and multiple awards for its performance in the Stock market, winning the 2019 Pearl Award. It listed the 5 Exclusive Awards it has won and accolades and 5 Podium calls. It concluded by stating that it is not a Judgment Debtor by any decision of any Court including the decision of Supreme Court in UK as the Defendants falsely and maliciously presented. That the Defendants did not controvert these facts and this Court deems the facts as truth and admitted by all the Defendants, proving that the publication is false, unjustified and malicious which is geared to spread hatred, odium, contempt and to ridicule the Claimant.

The 1<sup>st</sup> Defendant could not attach any document to the abandoned Statement of Defence and Oath to challenge or debunk the Statement of Claim of the Claimant in this case. The Defendants did not present any document to show that the Claimant was or is a Judgment Debtor. They did not lead any evidence to disprove the case of the Claimant also. So having not done so in this case, this Court holds that the publication by the Defendants is false, malicious and libelous. It is deliberately calculated to injure the corporate image, reputation and goodwill of the Claimant. So this Court holds.

Again, the Claimant through the averments in paragraphs 17, 18, 20, 24 & 30 of the Statement on Oath of the PW1 as regards the publication – **EXH 1** as well as the responses of the PW1 under Examination in Chief, has shown and established that the defamatory publication referred to the Claimant as he showed that the word “SEPLAT” refers to the Claimant.

Most importantly, there is only one version of the testimony, the 1<sup>st</sup> Defendant having abandoned its Statement of Defence duly filed and having elected not to file any Defence or call any evidence, there is only one version of the testimony which is unchallenged and uncontroverted. This Court is bound to so hold that the case of the Claimant is uncontroverted and the testimony too. See the case of:

**Modupe V. State  
(1988) 4 NWLR (PT. 87) 130 @ 137**

This Court holds that the publication in **EXH 1** refers to the Claimant and that the Claimant has established that fact.

Again, the Claimant/Claimant Counsel tendered **EXH 4 & 6** which are printout of the Letters of Pre-Action Notices dated 11<sup>th</sup> April, 2021. Those letters were written to the Defendants by the Claimant. The Defendants were duly served same letters – Pre-Action Notices and they did not deny same or its content. If the Defendants had in their false publication referred to or intended to refer to any other company aside from the Claimant it should have said so. So since they did not deny or respond to that fact or referred to any other entity, it is clear that the Defendants’ actions

were deliberate, intentional and properly calculated to garbage the reputation of the Claimant, corporate image reputation and goodwill. So this Court holds that the Claimant, by the said **EXH 4 & 6**, established that fact.

The Claimant also proved that the Defendants have no justification whatsoever to make the publication against the Claimant. Hence, the Defendants cannot anchor and is not availed by the Defence of Justification. See the case of:

**Basorun V. Ogunlere**  
**(2002) 1 NWLR (PT. 640) 221 @ 135**

Besides, none of the Defendants pleaded the said Defence of Justification. Hence, the stand of the Claimant in prove of the publication as false, malicious and defamatory stands unchallenged. So this Court holds. See the decision in the case of:

**Okafor V. Dumez**  
**(1998) 13 NWLR (PT. 580) 88 @ 95**

The Defendants has no defence. Their purported abandoned pleadings cannot stand or constitute evidence in this case as the 2<sup>nd</sup> – 4<sup>th</sup> Defendants failed to file any document and the 1<sup>st</sup> Defendant failed to adopt its Statement of Defence/Oath or call any Witness. None of the Defendants led any evidence to rebut the established evidence of the Claimant. The 1<sup>st</sup> Defendant abandoned its Statement of Defence and the evidence amounts to pleading without evidence and as such the pleading has no value in law.

By the above action of the Defendants it is evidently clear that the 1<sup>st</sup> – 4<sup>th</sup> Defendant have jointly and severally admitted that the case of the Claimant is meritorious and the facts remain unchallenged and uncontroverted. So this Court holds.

It is evidently clear that the Defendants were duly served with the Processes filed by the Claimant and the documents tendered were all frontloaded too. They all have no Defence to the case of the Claimant. They were all given adequate time and leverage to challenge the case but they elected as it were to refuse to do so as can be seen in the Record of Proceeding of this Court. They all slept on their rights. Their action confirmed the calculated and deliberate campaign of calumny perpetrated against the Claimant by the false publication. It shows and portrays the fact that the publication was false, malicious and unjustified. So this Court also holds. On the above see the case of:

**Guardian Newspaper & Anor V. Rev. Pastor C.I. Ajeh  
(2011) LPELR 1343 SC 1 @ 18**

It is the law that where a party has proved and established its case as the Claimant has done in this case, that such party is entitled to General and Aggravated Damages. The above is applicable to libel Suits. In that case it is at the exclusive discretion of the Court to determine the quantum of Damages. That the Court must do by considering the status of the Claimant, the value of the libelous publication, the mode and extent of false publication, any evidence of the Defendant to retract refusal or to render apology among other things. See the cases of:

**Mayange V. Panoh Nigeria Limited  
(1994) 7 NWLR PT. 358 @ 570**

**Zika Press Limited V. Alvan Ikoku  
13 SC WACA 188**

It is not in doubt that the reputation, goodwill and image of the Claimant has been discredited by the publication in issue as established by the Claimant. Again, it is clear that the words used therein are unfounded, untrue, unfair, unjust, misleading to the general public, malicious and read throughout the world. Again, the Claimant has shown that all efforts to make the Defendants retract and remove the publication failed and the publication and its effect were continuous as shown by the evidence of the Claimant. The words used were equally libelous and false as established.

The Claimant has proved all the ingredients that make a publication libelous as clearly shown in its testimony and documentary evidence; it therefore deserves the award of Damages as sought. So this Court holds.

This Court therefore holds that the Claimant deserves the Judgment of this Court to be entered in its favour haven established and proved its case. The Claimant also deserves and is entitled to award of Damages. This Court therefore enters the Judgment in favour of the Claimant against the 1<sup>st</sup> – 4<sup>th</sup> Defendants to wit:

**Reliefs 1, 2, 6 and 7 granted as prayed.**

**On Relief 3, the Court awards the sum of ₦20, 000,000.00 (Twenty Million Naira) against the 1<sup>st</sup> & 2<sup>nd</sup> Defendants jointly and**

severally as Damages for the publication and circulation of the libelous statements circulated and published by the Defendants concerning the Claimant on the website: <http://pointblanknews.com/>, particularly at <https://pointblanknews.com/pbn/exclusive/chronic-debtor-billionaire-abc-orjiakor-subterfuges-repaying-150million-loan-owes-fg-1-8-billion-in-royalties/>, on 24<sup>th</sup> February, 2021.

On Relief 4, this Court Orders thus: that the 3<sup>rd</sup> and 4<sup>th</sup> Defendants are to jointly and severally pay the sum of ₦30, 000,000.00 (Thirty Million Naira) as Damages to the Claimant in respect of the publication and circulation of the libelous information about the Claimant contained on the said website as stated in paragraph 3 of the claims, published on the 24<sup>th</sup> of February, 2021.

On Relief 5, the Court Order as follows: That the Defendants shall pay to the Claimant the sum of ₦10, 000,000.00 (Ten Million Naira) as Exemplary and Aggravated Damages jointly and severally for the said publication and circulation of the libelous information concerning the Claimant on the said website as published on the 24<sup>th</sup> of February, 2021.

**This is the Judgment of this Court.**

**Delivered today the \_\_\_ day of \_\_\_\_\_ 2024 by me.**

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**K.N. OGBONNAYA**  
HON. JUDGE