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11th July, 2011

The Special Adviser to the President,
Media and Communication,
Presidential Villa,
Three Arms Zone,
FCT, Abuja.

ATTENTION: DR. REUBEN ABATI

LIBELOUS PUBLICATION OF AND CONCERNING GENERAL MUHAMMADU BUHARI
(RTD) GCFR: DEMAND FOR A RETRACTION AND APOLOGY

NOTICE OF INTENTION TO COMMENCE LEGAL PROCEEDINGS

We are Solicitors to General Muhammadu Buhari (Rtd) GCFR, Former Head of State and Commander-in-Chief of the Nigerian Armed Forces and Presidential Candidate of the Congress for Progressive Change in the 2011 presidential election, of Plot 1132, Festus Okotie-Ebo District, Utako District, Abuja (hereinafter referred to as "our client") on whose definite and express instruction we write you in the manner following.

BACKGROUND

Our instruction is that on 22nd April, 2011 you published or caused to be published in the Guardian Newspaper that our client incited the post election violence especially in the Northern part of the country. In the publication, you alleged that our client, in the first week of March, 2011, *"advised his supporters to lynch anybody who tries to rig the April polls."* In the publication also, you alleged that our client made inciting statement to wit:



“you should never leave polling centers until votes are counted and the winner declared and you should lynch anybody that tries to tinker with the votes.” The publication was made of and concerning the person of our client. The alleged statement you credited to have been made by our client was not at any time made by our client or at all.

In the said publication, you insinuated that our client incited the post election violence that erupted in the North as, according to the tenor of your publication, the angry youths that championed the violence are acting on behalf of our client. You further stated through subtle innuendo that unless our client deprecated the violence through the radio and television in Hausa and Fulfude languages, he should not be taken serious when he denies fanning the embers of the imbroglio. Your publication also suggests that our client’s “Message of Peace and Hope” was a volte-face and premonition of greater danger for the future of Nigeria.

The publication has no shred of truth. It is malicious, offensive and intended to disparage our client and cause him embarrassment and public condemnation. It is also intended to make our client lose the confidence of the informed Nigerian electorates who are undaunted in their solidarity to democracy in Nigeria.

OUR PETITION

The aforestated publication has grossly lowered the reputation of our client in the estimation of right-thinking members of the Nigerian society and the world in general. It has exposed our client, former head of state and recipient of the highest title of Grand Commander of the Federal Republic (GCFR) to public odium and ridicule. Our client has been inundated with calls and text messages by friends and associates who are perturbed by the publication. This publication has exposed our client to the worst condemnation ever made against any former head of state in Nigeria.



Much as our constitution recognizes freedom of speech and opinion, the freedom is circumscribed to the extent that a person is entitled under our laws to right to good name. Needless to state that the law places high premium on the reputation of an individual and more so, reputation of a public figure whose success depends on the confidence of the citizenry. It is against this backdrop that the law seeks to protect and safeguard the reputation of an individual which, as in often cases, is hard-earned.

Our client finds it totally unacceptable that a man who sought redress in our law courts for more than 20 months between 2003 and 2007, and 30 months between 2007 and 2011 democratic experiments in Nigeria should be maligned and accused of sponsoring ethnic militia. It erodes the reputation of our client to suggest that a man of his status who, as a result of internal conflict in ANPP, elected the path of honour and dignity to build a new political party, the CPC counseled his teeming supporters to kill and main lives of the same electorates whose mandate he passionately solicited.

OUR DEMAND

Consequent upon your publication, our client's character and hard-won reputation has been battered almost beyond repair. Very little is left of the confidence and wide acceptability of our client in the world. Our client has instructed us to demand and we hereby demand the followings:

1. A retraction of the defamatory statement to be published in at least Four (4) national newspapers in Nigeria with wide readership as the newspapers employed in the publication of the statement;
2. An apology to be published in at least Four (4) national newspapers in Nigeria with wide readership as the newspapers employed in the publication of the statement;
3. The sum of ₦1, 000,000,000 (One Billion Naira) only as damages for loss of reputation to the defamatory publication.



TAKE NOTICE that in the event that you fail, neglect or refuse to comply with the above demand within seven (7) days of receipt of this letter, we will have no alternative but to explore the attendant instruction of our client to immediately commence legal action against you for defamation, without further recourse to you.

IT IS IN OUR MUTUAL INTEREST IF YOU ALLOW WISE COUNSEL TO PREVAIL.

Yours faithfully,

For: TOPE ADEBAYO LLP

HARRISON OGALAGU ESQ.