

IN THE HIGH COURT OF THE SUPREME COURT OF JUDICATURE OF
GUYANA

CIVIL JURISDICTION

2021 - HC – DEM - CIV – SOC - 177

BETWEEN:

MOHABIR ANIL NANDLALL

Claimant

- and -

ANNETTE FERGUSON

Defendant

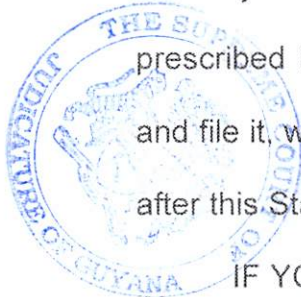
STATEMENT OF CLAIM

TO THE DEFENDANT

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the Claimant. The claim made against you is set out in the following pages.

IF YOU WISH TO DEFEND THIS PROCEEDING, you or an Attorney-at-Law acting for you must prepare a Defence in Form 10A prescribed by the Civil Procedure Rules 2016, serve it on the Claimant, and file it, with proof of service at a Registry, **WITHIN FORTY-TWO DAYS** after this Statement of Claim is served on you.

IF YOU FAIL TO DEFEND THIS PROCEEDING, JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID

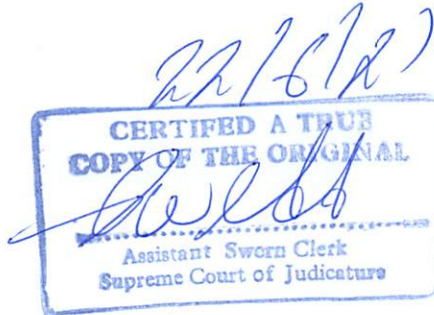


MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

THIS STATEMENT OF CLAIM has no validity if it is not served within six months of the date below unless it is accompanied by an order extending that time.

Date 22/6/01

L. Layne
Signature of Registry



Issued by: L. Layne

Address of Registry where issued:
Supreme Court Registry, South Road Georgetown, Demerara.

TO: ANNETTE FERGUSON
MEMBER OF PARLIAMENT
19 North Road Bourda, Georgetown

CLAIM

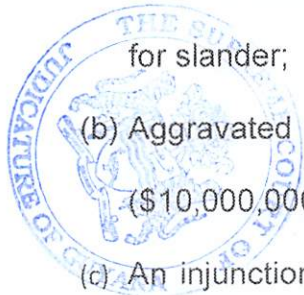
1. The Claimant claims from the Defendant, the following:-

(a) General damages in excess of ten million dollars (\$10,000,000)

for slander;

(b) Aggravated damages in excess of ten million dollars (\$10,000,000);

(c) An injunction restraining the Defendant whether by herself, her servants, her agents or employees or otherwise from further



speaking or publishing the same or any similar defamatory matters of the Claimant;

(d) Such further or other Orders as the Court deems just and reasonable;

(e) Costs.

2. The Claimant is and was at all material times the holder of the post of Attorney General and Minister of Legal Affairs of the Cooperative Republic of Guyana; a Senior Counsel admitted to practice law before the Honourable Courts of Guyana; a Member of Parliament and a Notary Public.
3. The Claimant is and was at all material times a Central Committee and an Executive Committee Member of the People's Progressive party Civic (PPP/C), the political party currently in Government.
4. The Defendant is a member of Parliament of Guyana on the Opposition benches for and on behalf of a coalition of political parties known as A Partnership for National Unity/Alliance For Change (APNU/AFC).
5. On or about the 22nd day of March, 2021, at the Arthur Chung Convention Centre, Liliendaal, Greater Georgetown, at a Round Table discussion hosted by the European Union Observer Team to the 2nd March, 2020 Regional and General Elections held in Guyana, the Defendant spoke and published, through a

microphone, loudly and clearly for all at that forum to hear, the following words defamatory of and concerning the Claimant:

"...you have persons who are sitting in this room that were found distributing ID Cards on elections day not the APNU/AFC. It is the very Attorney General, Mr. Anil Nandlall, who was found distributing ID Cards in the lower East Coast corridor..."

6. That the aforesaid words were spoken and published by the Defendant in the hearing and presence of the following persons and others whose names are unknown to the Claimant:

Name	Position	Organization
Stephen Kissoon	Senior Economist	American Chamber of Commerce
Shazam Ally		The Citizenship Initiative
Mikiko Tanaka	Resident Coordinator	United Nation
Anand Persaud	Editor in Chief	Stabroek News
Frederick Collins	President	Transparency Institute Guyana Inc.
Alfred Bhulai		Electoral Reform Group
Jessica Teasdale	Secretary	Canadian High Commission
Kezia Campbell-Erskine	Director of Legal Division	Ministry of Foreign Affairs
Dillon Seetram	Political Officer	British High Commission
Mark Cullinane	Deputy Chief of Mission	United States Embassy
Dorota Rzyz	Director	International Republican Institute
Vishnu Bandhu		United Republican Party
Rawle Moore		United Republican Party

Lenox Shuman	Deputy Speaker of the National Assembly	Liberty and Justice Party
Sase Gunraj	Attorney at Law	Guyana Election Commission
Asha Kissoon		The New Movement
Timothy Jonas	Attorney at Law	A New and United Guyana
Annette Ferguson	Member of Parliament	A Partnership for National Unity/ Alliance for Change
Nicholas Deygoo	Chairman	Private Sector Commission
Gail Teixeira	Minister	Parliamentary Affairs and Governance
Anil Nandlall	Attorney General	Ministry of Legal Affairs
John Smith	Chairman	Ethnic Relation Commission
Joel Rhaguauh		Private Sector Commission
Denis Chabrol	Journalist	Guyana Press Association
Robeson Benn	Minister	Minister of Home Affairs
Sandi Bowen		Georgetown Chamber of Commerce and Industry
Annette Ferguson	Member of Parliament	A Partnership for National Unity/ Alliance for Change
Nicholas Deygoo	Chairman	Private Sector Commission

7. The above persons are ordinary and right thinking members of society.



8. In their natural and ordinary meaning and by way of innuendo, the words complained of above and published by the Defendant of and concerning the Claimant meant and were understood to mean:
- (a) that the Claimant committed an electoral offence punishable by imprisonment;
 - (b) that the Claimant committed a criminal offence punishable by imprisonment;
 - (c) that the Claimant is guilty of electoral irregularity;
 - (d) that the Claimant was actively aiding and abetting persons to commit electoral offences punishable by imprisonment;
 - (e) that the Claimant was aiding and abetting multiple persons to commit criminal offences punishable by imprisonment;
 - (f) that the Claimant was aiding and abetting persons to commit electoral irregularities;
 - (g) that the Claimant was aiding and abetting unregistered persons to vote at regional and general elections held in March, 2020;
 - (h) that the Claimant was perverting the electoral process;
 - (i) that the Claimant was aiding and abetting others to pervert the electoral process;
 - (j) that the Claimant was unfit to hold public office;
 - (k) that the Claimant was unfit to participate in engagements of the type that was being held;
 - (l) that the Claimant is a dishonest person and lacking integrity;

(m) that the Claimant committed fraud.

9. The aforesaid words complained of were calculated to disparage the Claimant and intentionally done to and did embarrass, humiliate and injure the reputation and standing of the Claimant in his profession and office.
10. That the Defendant published the aforesaid words of and concerning the Claimant knowing them to be false.
11. In consequence of the said publications, the Claimant's reputation has been seriously harmed and he has suffered considerable hurt, embarrassment, distress and anxiety.
12. Unless restrained by this Honourable court the Defendant will further publish the same or similar slanders upon the Claimant.
13. In the circumstances, the Claimant prays that the Orders sought in this Statement of Claim be granted by the Honourable Court.

Dated this nd 22 day of June, 2021



B. Sotani
Attorney -at-Law for the Claimant

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- and -

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Defendant

STATEMENT OF CLAIM

Filed on behalf of the Claimant by:

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