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IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA

1584
SUIT NO: FHC/ABJ/CS/ /2020

BETWEEN:

GOVERNOR, CENTRAL BANK OF NIGERIA ----- PLAINTIFF/APPLICANT

AND

1. BOLATITO RACHAEL ODUALA
2. CHIMA DAVID IBEJUNJOH
3. MARY DOOSE KPENGWA
4. GATEFIELD NIGERIA LIMITED
5. SAADAT TEMITOPE BIBI
6. BASSEY VICTOR ISRAEL
7. WISDOM BUSAOSOWO OBI
8. NICHOLAS IKHALEA OSAZELE
9. EBERE IDIBIE
10. AKINTOMIDDE LANRE YUSUF
11. UHUO EZENWANYI PROMISE
12. MOSOPEFOLUWA ODESEYE
13. ADEGOKE PAMILERIN EMMANUEL
14. UMOH GRACE EKANEM
15. BABATUNDE VICTOR SEGUN
16. MULU LOUIS TEGHENAN
17. MARY OSHIFOWORA
18. WINIFRED AKPEVWEOGHENE JACOB
19. VICTOR SOLOMON
20. IDUNU A. WILLIAMS

DEFENDANTS/RESPONDENTS

APR
330482715095
MOTION EX PARTE

BROUGHT PURSUANT TO ORDER 26 RULE 5 (2) OF THE FEDERAL HIGH COURT (CIVIL PROCEDURE) RULES 2019; SECTIONS 57 AND 60 (B) OF THE BANKS AND OTHER FINANCIAL INSTITUTIONS ACT (BOFIA) 2002 No. 10 (AS AMENDED); SECTION 13 (1) (a) AND (b), OF THE TERRORISM (PREVENTION) (AMENDMENT) ACT, 2013, REGULATION 31 (2) (a) AND (3) (b) OF THE CENTRAL BANK OF NIGERIA ANTI-MONEY LAUNDERING/COMBATING THE FINANCING OF TERRORISM

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FEDERAL HIGH COURT
ABUJA
15/11/2020
[Signature]

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REGULATIONS, 2013 (AS AMENDED) AND UNDER THE INHERENT JURISDICTION OF THIS HONOURABLE COURT

TAKE NOTICE that this Honourable Court will be moved on the _____ day of _____ 2020 at the hour of 9 o'clock in the forenoon or so soon thereafter as counsel on behalf of the Plaintiff/Applicant shall be heard praying this Honourable Court for the following orders:

1. **A MANDATORY ORDER** of the Honourable Court empowering the Plaintiff/Applicant to direct the Head Office of:

ACCESS BANK OF NIGERIA PLC

999c, Danmole Street,
Off Idejo Street, Off Adeola Odeku Street,
Victoria Island, Lagos;

FIDELITY BANK PLC

Fidelity Place,
2 Kofo Abayomi Street, Victoria Island,
Lagos;

FIRST BANK NIGERIA PLC

35 Marina Road,
Lagos Island, Lagos;

GUARANTY TRUST BANK PLC

635 Akin Adesola Street,
Victoria Island, Lagos;

UNITED BANK OF AFRICA PLC,

57, Marina, Lagos Island, Lagos

ZENITH BANK PLC,

Plot 84 Ajose Adeogun Street,
Victoria Island, Lagos.

To freeze forthwith all transactions on the under-listed 20 accounts on the list annexed to this application as EXHIBBIT A and all other Bank accounts of the Defendants/Respondents for a period of 180 days pending the outcome of investigation and inquiry currently being conducted by the Central Bank of Nigeria (CBN):

2. **AND FOR SUCH FURTHER OR OTHER ORDER(S)** as this Honourable Court may deem fit to make in the circumstances.

GROUND OF APPLICATION

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- a. There is an on-going investigation by the Central Bank of Nigeria (CBN) into the activities of the Defendants/Respondents who are alleged to be involved in suspected terrorism financing via their bank accounts in contravention of Section 13 (1) (a) and (b) of the Terrorism (Prevention) (Amendment) Act, 2013 and Regulation 31 (2) (a) and (3)(b) of the Central Bank of Nigeria Anti-Money Laundering/Combating the Financing of Terrorism (AML/CFT) Regulations, 2013 (as amended by the CBN AML/CFT (Amendment) Regulations, 2019).
- b. An order of this Honourable Court is required by the Plaintiff/Applicant to freeze the Defendants/Respondents' accounts, pending the outcome of the investigation by the CBN, and to prevent further acts of economic and security sabotage against the Federal republic of Nigeria.
- c. A freezing order of this Honourable Court in respect of the said Defendants/Respondents' accounts would also enable the CBN to pursue its investigation into the activities of the Defendants/Respondents to a logical conclusion.
- d. The interest of justice and public policy would be best served if this application is allowed and granted.

DATED this 20th day of October, 2020
 ASH



Chief Michael Kaase Aondoakaa, SAN
 Abdul T. Kohol, Esq.,
 Aleichenu Ogwuche, Esq.,
 Aondowase Jacob Apera, Esq.,
 Matthew Onoja, Esq.
 Prime Juris Legal Practitioners,
 (Plaintiff's Solicitors)
 Suite 206B Bahamas Plaza,
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 Gudu District, Abuja-FCT
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FEDERAL HIGH COURT OF NIGERIA
 ABUJA
OFFICIAL
 SIGN: [Signature]
 DATE: 20/10/2020

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OF NIGERIA

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IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA

SUIT NO: FHC/ABJ/CS/AD



20/10/2020
10:52
BETWEEN:

GOVERNOR, CENTRAL BANK OF NIGERIA ----- PLAINTIFF/APPLICANT

AND

1. BOLATITO RACHAEL ODUALA
2. CHIMA DAVID IBEJUNJOH
3. MARY DOOSE KPENGWA
4. GATEFIELD NIGERIA LIMITED
5. SAADAT TEMITOPE BIBI
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19. VICTOR SOLOMON
20. IDUNU A. WILLIAMS

DEFENDANTS/RESPONDENTS

PLAINTIFF/APPLICANT'S AFFIDAVIT IN SUPPORT OF THE MOTION EX PARTE

I, AONDOWASE JACOB APERA, ESQ, Nigerian, Male, Adult, Christian, Legal Practitioner, of Suite 206B, Bahamas Plaza, Plot 1080, Joseph Gomwalk Street, Gudu District, Abuja, Federal Capital Territory, do hereby make the following oath and declare as follows:

1. That I am the above named person.
2. That I am Counsel in the Law Firm of Messrs Prime Juris, of Suite 206B, Bahamas Plaza, Plot 1080, Joseph Gomwalk Street, Gudu District, Abuja, FCT, Solicitors to the Plaintiff/Applicant herein,

20/10/2020

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and by virtue of my aforesaid position I am familiar with the facts of this case.

3. That I have the authority and consent of the Plaintiff/Applicant and my employer to depose this affidavit.
4. That the Central Bank of Nigeria (CBN) is a body corporate with perpetual succession and a common seal established under the Central Bank of Nigeria Act of 2007 of the Federal Republic of Nigeria and charged with the overall responsibility of promoting monetary stability and sound financial system in Nigeria.
5. That the Plaintiff/Applicant is the Governor of the CBN.
6. That I was informed by Joseph Omayuku, the Head of the Economic Intelligence Unit of the Governor's Department of the CBN, on Friday the 16th day of October, 2020 at about 2:00pm in his office at the Central Bank of Nigeria, Central Business District, Abuja of the following facts, which I verily believe to be true:
 - a. That in the normal course of his functions, the Plaintiff/Applicant caused an investigation to be conducted on the accounts of the Defendants and other individuals and entities, held with certain banks in Nigeria as set out in the schedule to this Affidavit. The said investigation is still ongoing. **The schedule of names of concerned persons, firms and companies as well as their accounts and bankers, is annexed to this Affidavit and marked "EXHIBIT A".**
 - b. There is a grave allegation that the Defendants are involved in suspected terrorism financing via their bank accounts in contravention of the provisions of extant laws and regulations. The aforesaid transactions undertaken by the Defendants using their bank accounts can cause significant economic and security harm to the public and the Federal Republic of Nigeria if left unchecked.
 - c. The Plaintiff/Applicant is thus desirous to have the Court empower him to direct the freezing of the 20 accounts listed on the annexure to this application and all other bank accounts held by the Defendants/Respondents.



10/11/2020

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d. A freezing order of this Honourable Court in respect of Defendants/Respondents' accounts would also enable the investigation of the activities of the Defendants/Respondents to logical conclusion with a view to reporting same to the Nigerian Financial Intelligence Unit. NUMBER 12470

e. The balance of convenience is weighted in favour of the Plaintiff/Applicant. 39

7. That unless the order sought is granted by this Honourable Court, the Plaintiff/Applicant will be unable to safeguard the balances on the Defendants/Respondents' accounts against depletion and/or further transactions pending the investigation on the activities of the Defendants/Respondents by the Central Bank of Nigeria (CBN).

8. That is in the interest of justice and public policy that this application is granted by the Honourable Court.

9. That I make this affidavit in good faith, believing same to be true and in accordance with the Oaths Act.


DEPONENT

SWORN TO at the Federal High Court Registry, Abuja,
this 20th day of OCT 2020

BEFORE ME
COMMISSIONER FOR OATHS
FEDERAL HIGH COURT
ABUJA
COMMISSIONER FOR OATHS

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FEDERAL HIGH COURT
ABUJA
