

HOW DAVID DEFEATED GOLIATH IN COURT

Paper presented by Olukayode Abimbola Thomas at the 2009 Play the Game conference at Coventry University, England. From June 8- 12.

BACKGROUND

WHEN the editor of The Guardian Newspapers, Lagos, Nigeria, Debo Adesina assigned me to do an enterprise story on FIFA and CAF executive board member, Amos Adamu, sometime in 2002, I did not know it was the beginning of a long journey that peaked with Adamu suing for libel in 2007 and demanding the sum of N500 million (A little over two million pounds) as damages.

A plethora of petitions had been sent to The Guardian by some Nigerians containing allegations against Adamu, then the executive director of COJA – the body charged with organizing the Abuja 2003 All Africa Games.

Adesina had sent some reporters to investigate the allegations, but they just interviewed Adamu and left it at that.

So, Adesina was very clear about what he wanted me to do.

The investigation took me to Zuru, Kebbi State and Sokoto, Sokoto State where Adamu last lectured before he joined the civil service.

I went to Zaria, Kaduna State; Ife, Osun State and Ibadan, Oyo State - the three states where he schooled.

I was also in Ogbomosho, Oyo State; Abuja, the Federal Capital Territory and several parts of Lagos State.

REVELATIONS ABOUT ADAMU

The revelations were mind-boggling. Adamu, a civil servant, owns choice houses in all the nook and crannies of Nigeria; his children attend top Universities in the United Kingdom. He owns hotels, event marketing companies, sports marketing companies and several other business - all controlled by his cronies, children or family members.

But the most startling of all was that Amos Adamu lives with a false identity. I discovered in Zuru, Kebbi State, his place of birth, that his real name is Babatunde Aremu.

Adamu's father is from Ogbomosho, Oyo State and not Zuru.

Armed with all these information, I went to Adamu's office in Abuja.

After waiting for three days, Adamu agreed to an interview.

I asked questions about his wealth, properties in all parts of Nigeria, and where he actually comes from and his real name.

Adamu's answers were 'yes,' 'no' and 'no comment'.

As I took my leave, Adamu said, "I won't stop your story, but remember, I have the best lawyers in Nigeria".

ADAMU'S REACTION

On my way to the airport to board a flight from Abuja to Lagos, Adamu's aides did all they could to persuade me to drop the story. When all failed, they gave up.

Back at The Guardian, the first question Adesina asked was 'Who actually is this Amos Adamu? So many prominent Nigerians have called me drop this story'.

When all effort to persuade The Guardian failed, Adamu himself came to The Guardian with about 20 aides.

After speaking for some minutes about how COJA would organize the best All African Games ever, Adamu then started talking about himself and plans by some Nigerians to bring him down.

He told The Guardian editors that one's state of origin was not important as long as one is a Nigerian.

The Guardian assured him of its co-operation and all that.

A week after his visit, The Guardian ran the story and thus began the war between me and Adamu.

VOICE FOR THE OPPRESSED AND BLACKMAIL

After the story, many of the oppressed in Nigerian sports and even outside Nigeria, such as former WAFU president Jacque Anuoma started sending me documents.

Overnight I became a voice for the oppressed in sports. To Adamu and his aides, however, I was nothing but a satanic writer.

All efforts to compromise or induce me with appointments and monetary incentives failed. Adamu's resort to blackmail and other tactics also failed.

When all failed, he saw the court as a place where he could silence me.

NFL CRISIS AND COURT CASE

The opportunity came when the leader of Nigeria Football League (NFL), Oyuki Obaseki alleged in 2007 that Adamu was behind the then crisis in the organization because he wanted the sponsorship money handed over to him. Almost at the same time, officials of the Athletics Federation of Nigeria (AFN) made similar allegations against the man.

A large section of the sporting press reported the crisis, while the National Assembly deliberated on it.

ADAMU EMBARRASSED, BUT THE GUARDIAN PERSISTS

Adamu found the reports embarrassing, and through bribery and intimidation, he was able to silence a majority of the reporters and sports editors that were reporting the story.

But The Guardian resisted. Adamu told everybody that cared to listen that The Guardian Sports Editor has been paid to destroy him.

When even threats of court action failed to stop my stories, Adamu took me to court. But since the court did not stop me from reporting sports and writing about him, I continued with normal

business.

THE ROLE OF MY COLLEAGUES

Shortly after he took me to court, we met in Abuja. Though he knows my name, as we talk regularly on phone, after our first meeting in his office in 2002, I didn't see Adamu again.

He saw me on couple of occasions, but he could not recognize me.

There was a particular incidence at Abuja Hilton Hotel where he was telling his friends in the media how they removed Ibrahim Galadima as NFF chairman and installed Sanni Lulu, the current NFF chairman.

So a few weeks after he took me to court, I and some of my colleagues met Adamu at a function in Abuja. He came in and greeted all of us. Obviously, he didn't recognize me. But no sooner had he stepped out than two of my colleagues followed him.

He came back almost immediately and walked up to me. "Good afternoon sir. I am Amos Adamu", he introduced himself. Obviously, two of my colleagues who went out with him had told him who I was.

I greeted him, but I didn't introduce myself. When he realised I wasn't going to say a word, he then asked, "Are you Olukayode Thomas"? I said yes. He said, "we are going to meet in court". I replied that he is meeting The Guardian in court, not me.

But he insisted that it was me. After the meeting, he called me aside and assured me that the matter could be settled. That people are just trying to pull him down and that he is a nice fellow and that we could become friends. He then asked me to come to Abuja at his expense to spend a few days. I told him I would be delighted, that all I need for me to come is for him to write a letter to the editor of The Guardian, Mr. Debo Adesina asking for my release.

When I told him to write The Guardian, he realized that I just told him politely I was not interested.

People familiar with Nigerian media might be surprised by the roles of my colleagues, because ordinarily, Nigerian journalists support their colleagues when they have a case in court.

But majority of my colleagues not only queued behind Adamu, but they urged him to deal with me.

While they could not say it to my face they normally tell my friends that by the time Adamu finishes with me, I will pack my bags and go into exile because my entire life's savings will not be enough to pay the damages.

OUT OF COURT SETTLEMENT

One day Ade Ojeikere, Sports Editor of the Nation Newspaper arranged a meeting between myself and Adamu at his place in Park View Estate, Ikoyi but I declined. Later, Ojeikere called me to his office at The Nation and told me that he had discussed with Adamu and that he agreed to withdraw the case.

Ojeikere also told me of the role Mike Itemuagbor, Adamu's friend, played in persuading Adamu to withdraw the case from court. After a lengthy discussion, Ojeikere called Itemuagbor on phone. They spoke for a few minutes, and then Ojeikere gave me the phone to speak to Itemuagbor.

He (Itemuagbor) equally assured me that the case is now a dead issue and that we should avoid situations that could lead to another legal battle in future.

GREATEST MISTAKE

With that assurance, I went to sleep and forgot about the case.

This turned out to be my greatest undoing. Adamu continued with the case. The judge took evidence of his witnesses and himself, without letting us, the accused, know anything.

After the Beijing 2008 Olympic Games, I went on leave. It was while on leave that I got information that a judge was on the verge of ruling on the case in Abuja.

I met Kingsley Osadolor, the legal adviser of The Guardian Newspapers and told him of my shock and surprise, since Adamu had promised to withdraw the case from court.

DRAMA IN COURT

A bigger drama happened in court. I met one lawyer, Tolu, who looked and talked like a gentleman. He was The Guardian's lawyer and he told me he had been on the case for a while, and that he had prepared a statement of defence for me. All I had to do is to tell the judge that the statement was mine.

The first thing that came to my mind was. *This is a set up. Beware, it could be part of the ploy organised by Adamu and his men.* I had never met this guy before in my life. I said to him, 'If you are representing me, at least you need to talk to me first before you draw up a statement for me.'

Secondly, without my consent, a signature, which did not in any way resemble mine, had been appended.

When the judge called me to the witness box, I told him all I knew about the case and that I thought Adamu had withdrawn it from the court.

I was shown the statements that Tolu, the lawyer, had appended my signature to. There and then, I told the judge the truth. That I had never met Tolu before that day and that the signature on the statement was not mine

Whereas I was in court without legal representation, Adamu was represented by the firm of Adetokunboh Kayode, a Senior Advocate of Nigeria(SAN) - equivalent of the British Queens Counsel.

Two senior lawyers from the chambers were trying to get me to admit that the statement was mine. It was at that point that my mind told me they could probably be playing a game on me. I pleaded with the judge to allow me get a lawyer to represent me since Tolu could not be my lawyer. The judge, Justice Danjuma, agreed and adjourned the case till January 2009.

LOOKING FOR A LAWYER

Back in Lagos, I started looking for a lawyer that would help me handle the case for minimal fee but I could not find any. Most of the lawyers I contacted presented me with a bill that was clearly beyond my ability to pay.

Incidentally, all the people that provided the documents that were used in writing the stories were not ready give evidence against Adamu in court.

With days to the next adjournment turning into hours and I could still not find a sympathetic lawyer, the thought of losing the case became real. But when all hopes seemed lost Blessing Eghagha, a former colleague, suggested we see a lawyer, Abiodun Onidare, who had an office in Maryland, Lagos.

Dark and huge, Onidare's beautiful office and his state of the art cars made me lose hope the

more. 'This guy will be very expensive', I thought. But after listening to us for about 10 minutes, Onidare volunteered to represent me for a token. He, however, added that I would be responsible for the filing fees, paperwork, flight to Abuja, hotel accommodation, airport taxi and other sundry expenses.

Because the date for the next adjournment was too close, we agreed to send a lawyer with a letter to Abuja to plead for a new date.

Thus began another round of legal puzzles and several trips to Abuja. For a journalist with lean resources, it was a serious drain on my purse. There was this particular trip that we had to make to Abuja and I could not raise the funds we needed.

I was on the verge of calling the lawyer that all my hopes of raising money was lost, when my Pastor, two friends of Adamu, a lady and a man, whose name I cannot mention, gave me financial assistance.

ADAMU'S REPUTATION AND STUPENDOUS WEALTH

With many refusing to give evidence against Adamu in court, the lawyer had to resort to questioning the source of Adamu's stupendous wealth and his vast business empire as a civil servant to prove that he is corrupt and cannot sue for defamation of character.

LOCAL PRESS

While Onidare continued the battle in court, I told Eghagha that I will use my contacts in the media to take the case to the court of public opinion. Eghagha warned me it would be an exercise in futility as Adamu is powerful enough to ensure the stories are not used in the press.

It thought it was a joke, but my attempts to take the case to court of public opinion failed.

All the media houses failed to run the story, only Ojekiere of The Nation used my story.

INTERNATIONAL PRESS.

When I told Andrew Jennings of Transparency in Sports International, he demanded for all the facts of the case, the e-mails and telephone numbers of all the parties. That was all Jennings needed to take the case to the court of public opinion internationally.

From Jennings' website, an America based internet site, with special focus on news about Nigeria not only picked the story, they went a step further by digging deeper into Adamu's life, and posting pictures of his mansions, especially the one he lives in at Park View Estates, Lagos and the multi-million naira wedding for his son on their website. They also do regularly updates on the website.

JUDGEMENT

After the judge heard my side of the story, my lawyer called to inform me that the judge would rule March 11 and 12.

The March 11 ruling was for the matter between me and Adamu, and the next day's would be on the matter between Adamu, I and the Guardian.

In the matter between I and Adamu, Onidare called me in the evening of March 11 to inform me that the judge had granted my prayers, and then the next day, he called to inform me that the judge had dismissed Adamu's case against I and The Guardian.

DAVID DEFEATS GOLIATH

That was how a struggling journalist, who could barely afford the service of a lawyer, defeated a FIFA and CAF executive member who employed the service of a SAN for millions of naira in court.

COUNTING COSTS

There is still a big hole in my pocket as a result of the case. I am still in debt. I still cannot collect the judgment so that I can counter-sue. I still need money for a lot of things, but the innate joy that I have that truth prevailed at the end of the day compensates for all the financial losses and emotional trauma.

BY

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