

RE: AG REPLIES AMIDU – MARTIN AMIDU’S AFFIDAVIT FOR THE PUBLIC: BY  
MARTIN AMIDU

I have just read on graphiconline the denial by the Attorney General, Mrs Brew Appiah-Oppong, that she did not selectively file an entry of judgment omitting the declarations in respect of the then Attorney General and the fact that the declaration against Woyome was stated to be with Austro-Invest. Her failure to attach her entry of judgment as a rebuttal speaks to her integrity as an Attorney General. Readers will find hereunder for the avoidance of doubt the soft copy of the affidavit I deposed on 27<sup>th</sup> October 2014 to in support of Woyome’s application he filed on 26<sup>th</sup> October 2014 to set aside the entry of judgment which will confirm my story on oath. Woyome’s application which contains serious indictments of the Attorney General can be had from him or the Supreme Court. Alternately, the Attorney General may want to confirm her integrity by publishing her entry of judgment and Woyome’s application to set it aside.

I never said anywhere that Austro-Invest could be served with any entry of judgment as she alleges in her reply. Honesty is the hallmark of an Attorney General. Ghana is in big trouble with such government appointees who play propaganda with this nation in everything.

Martin A. B. Amidu

IN THE SUPERIOR COURT OF JUDICATURE  
IN THE SUPREME COURT OF JUSTICE  
ACCRA – AD 2014

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BETWEEN:	SUIT NO. CM J8/100/2014
MARTIN ALAMISI AMIDU PLOT 355 NORTH LEGON RESIDENTIAL AREA ACCRA	PLAINTIFF
AND	
1. THE ATTORNEY-GENERAL MINISTRY OF JUSTICE MINISTERIES ACCRA	1 <sup>ST</sup> DEFENDANT/RESPONDENT
2. WATERVILLE HODINGS (BVI) LIMITED P. O. BOX 3444 ROAD TOWN TORTOLA BRITISH VIRGIN ISLANDS	2 <sup>ND</sup> DEFENDANT

3. ALFRED AGBESI WOYOME  
HOUSE NO. 16B  
6<sup>TH</sup> STREET TESANO – ACCRA

3<sup>RD</sup> DEFENDANT/APPLICANT

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AFFIDAVIT OF MARTIN ALAMISI AMIDU THE PLAINTIFF IN SUPPORT OF THE  
SETTING ASIDE OF THE ENTRY OF JUDGMENT BY THE 1<sup>ST</sup> DEFENDANT/  
RESPONDENT ON GROUNDS THAT IT UNCONSTITUTIONALLY UNDERMINES THE  
DECISION OF THE SUPREME COURT DATED 29<sup>TH</sup> JULY 2014

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I, Martin Alamisi Amidu, of Plot No. 355, North Legon Residential Area, make oath and say as follows.

1. That I am the Plaintiff in the substantive action and the review application pursuant to which the Supreme Court delivered the decision dated 29<sup>th</sup> July 2014 resulting in the purported Entry of Judgment which is the subject matter of 3<sup>rd</sup> Defendant/Applicant's application herein.
2. I am the deponent herein and an interested party to the 3<sup>rd</sup> Defendant/Applicant's application to set aside the Entry of Judgment by the 1<sup>st</sup> Defendant/Respondent and should have been served with this application as well in the interest of justice.
3. When the Plaintiff was served with the Entry of Judgment in this case which is exhibited to the 3<sup>rd</sup> Defendant/Applicant's application as "Exhibit AAW1" the Plaintiff called the attention of the office of the 1<sup>st</sup> Defendant/Respondent to the fact that the purported Entry of Judgment did not truly reflect the ruling of the Supreme Court in the application for review and was intended to curtail the substance of the entire ruling, declarations and order of the Court.
4. The plaintiff called the 1<sup>st</sup> Defendant/Respondent's attention to the fact the manner the 1<sup>st</sup> Defendant/Respondent excluded all the declarations made by the Supreme Court from the Entry of Judgment creates the unavoidable impression that the 1<sup>st</sup> Defendant/Respondent is using the process of the entry of judgment to indirectly render nugatory the declarations made by the Supreme Court for the purpose of their enforcement.
5. The Plaintiff also called the 1<sup>st</sup> Defendant/Respondent's attention to the fact that even the order of the Court in respect of which she selectively decided to enter judgment was expressed to include and was not limited to the "said sums amount to Fifty-one million two hundred and eight-three thousand and eighty Ghana cedis fifty-nine

pesewas (GHS 51,283,480.59)” as purportedly stated on the Entry of Judgment filed in this Court on 15<sup>th</sup> August 2014.

6. The Plaintiff further called the 1<sup>st</sup> Defendant/Respondent’s attention to the fact that the current and substantive Attorney-General having been the partner in the law firm of Lithur-Brew & Co who were lawyers to Austro Invest Limited before its purported liquidation the entry of judgment creates the unavoidable impression that the substantive holder of the Office of the 1<sup>st</sup> Defendant/Applicant is acting unconstitutionally in abusing her office in shielding her former client with whom the 3<sup>rd</sup> Defendant acted jointly from the full extent of the declarations made by the Court in the ruling dated 29<sup>th</sup> July 2014.
7. The Plaintiff explained to the 1<sup>st</sup> Defendant/Respondent when the issue of how the 1<sup>st</sup> Defendant/Respondent could enter judgment in respect of the declaration against the then Attorney-General that in spite of the fact that this Court granted a declaration against the then Attorney-General the current and substantive Attorney-General was in duty bound by Articles 2 and 88 of the 1992 Constitution to comply with the decision by entering judgment for that declaration as well.
8. In consequence of the discussions held between the Plaintiff and the office of the 1<sup>st</sup> Defendant/Respondent the Plaintiff was assured that the Registrar of this Court would be asked to delay service of the Entry of Judgment on the 3<sup>rd</sup> Defendant/Applicant to enable the issues raised by the Plaintiff to be addressed personally by the 1<sup>st</sup> Defendant/Respondent on her return from abroad.
9. The Plaintiff notified the 1<sup>st</sup> Defendant/Respondent that should the 1<sup>st</sup> Defendant/Respondent persist in its unconstitutional conduct of refusing to enter judgment for the entire review decision of the Supreme Court the Plaintiff would be compelled to proceed against both the office of the 1<sup>st</sup> Defendant/Respondent and the person substantively holding that office under Article 2 and 88 of the 1992 Constitution.
10. The Plaintiff was subsequently informed that the 1<sup>st</sup> Defendant/Respondent had requested the Registrar of this Court to delay the service of the Entry of Judgment on the 3<sup>rd</sup> Defendant/Respondent to enable compliance with the judgment and order of this Court in full.
11. Unbeknown to the Plaintiff the 1<sup>st</sup> Defendant/Respondent wrote a letter dated 17<sup>th</sup> September 2014 to the Registrar of this Court to proceed to effect service of the purported entry of judgment: this was discovered by the Plaintiff on 23<sup>rd</sup> October

2014 when the Plaintiff had notice of the 3<sup>rd</sup> Defendant/Applicant's application to set aside the Entry of Judgment.

12. I am reliably informed and believe same to be true that as a result of the averments made by the 3<sup>rd</sup> Defendant/Applicant in his supporting affidavit, particularly paragraphs 9, 10 and 11 thereof the 1<sup>st</sup> Defendant/Respondent instead of making an answer to the 3<sup>rd</sup> Defendant/Applicant's application is persuading the 3<sup>rd</sup> Defendant/Applicant in their mutual interest to withdraw this application and allow the unconstitutional entry of judgment to stand.
13. The Plaintiff believes that the 3<sup>rd</sup> Defendant/Applicant intentionally failed or refused to copy this application to the Plaintiff as an interested party who was served with the Entry of Judgment.
14. The Plaintiff believes that as the person who commenced the action in this case before the Supreme Court and pursued the application for review in the public interest he is the only person with sufficient standing to depose to this affidavit urging this Court to decide the substantive matter of the legality and constitutionality of the Entry of Judgment purportedly filed by the 1<sup>st</sup> Defendant/Respondent which is materially in consistent with and in contravention of the judgment of this Court given pursuant to Article 2, 130 and 133 of the 1992 Constitution.
15. The Plaintiff believes that the Government which was the author of the unconstitutional conduct declared by this Court, the office of the 1<sup>st</sup> Defendant which the Government controls, and the person of the substantive holder of the office of the 1<sup>st</sup> Defendant/Respondent who was associated with the unconstitutional conduct declared by this Court while in private practice as a lawyer have exhibited a clear intention in the Entry of Judgment not to enforce the judgment as decided by this Court in the review application.
16. The Plaintiff believes that substantial justice demands that once this application has been brought to the notice of this Court this Court is duty bound to decide the application on its merits as it affects the binding nature of this Court's decision as provided for under Article 2 of the 1992 Constitution.

WHEREFORE I swear to this affidavit in support of the fact that Entry of Judgment herein is inconsistent with the decision of this Court dated 29<sup>th</sup> July 2014 as a result of which this application should be decided on its merits and not to be allowed to be withdrawn by the 3<sup>rd</sup> Defendant/Applicant.

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DEPONENT

Sworn in Accra this ..... day of  
October, 2014

BEFORE ME

COMMISSIONER FOR OATHS