

GOVERNMENT OF BAYELSA STATE

MINISTRY OF FINANCE

Office of the Honourable Commissioner

November 19, 2013
Chief Executive Officer,
Panic Alert Security Systems,
7, Rhine Street,
Maitama, Abuja

Attn: Mr. Anthony Agbonlahor, Esq.

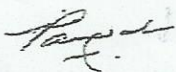
**LETTER OF MANDATE AND APPOINTMENT AS RECOVERY AGENTS ON
Re: FRN V. DIEPREYE ALAMIEYESEIGHA**

We hereby appoint the law firm of Anthony Agbonlahor, Esq and Panic Alert Security Systems Limited as recovery agents on sums retained by the Investigating Agencies, being unremitted funds germane to the loot recovered in the course of the investigation of the above named ex-Governor of Bayelsa State.

Your fee shall be 15% of the recovered sum. The state shall not pay any fee before the recovery; rather, you are to recover, deduct your fees and remit the State's portion to an account to be furnished after successful recovery.

Please do not hesitate to liaise with the undersigned on this matter.

Please accept the assurances of my highest regards.


P. DUATE IYABI
Honourable Commissioner



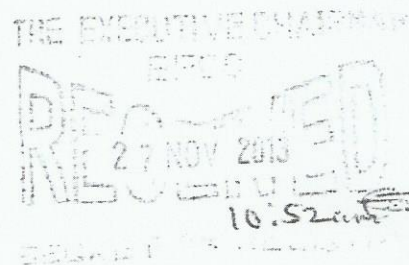
ANTHONY AGBONLAHOR & ASSOCIATES

Legal Practitioners and Property Consultants

Flat 2, Plot 5, Mubi Close, Opp UPS, Off Emeka Anyaoku Str., Area II, Garki, Abuja.
08023356284, 08055084930, 08036468284. supremechambers@yahoo.com

26th November, 2013

The Executive Chairman,
Economic & Financial Crimes Commission (EFCC),
Mr. Ibrahim Lamorde,
No. 5, Fomella Street,
Wuse II,
Abuja.



Sir,

DEMAND FOR THE PAYMENT OF THE SUM OF N1.4 BILLION AND USD 1.3 MILLION TO BAYELSA STATE GOVERNMENT BEING UNREMITTED BALANCE OF FUNDS RECOVERED FROM DSP ALAMIEYESIGHA SINCE 2006.

We act as solicitors to the Government and People of Bayelsa State. We were by a letter of instructions dated 19th November, 2013 mandated by the Government of Bayelsa State to interact with your organization with a view of ensuring that the balance of the funds, your commission seized from DSP. Alamiyesigha, is remitted to it forthwith. A copy of our letter of instructions is annexed as Exhibit 1.

From our client's brief and the facts gleaned from the bundle of documents at our disposal, we make haste to restate the obvious as follows:

1. That your commission confirmed in its' Abuja Exhibit Record for the period 2003 - 2013 that the sum of **N1,577,815,942** and **USD 1,300,000** were recovered from DSP Alamiyesigha and deposited in your Recovery Account on 2/7/2008. See a copy of the requisite page annexed hereto as **Exhibit 2.**
2. Your commission appointed Real Estate Derivatives Ltd as the agent for the disposal of the properties forfeited by DSP Alamiyesigha. Real Estate Derivatives Ltd confirmed in its' letter dated 30th September, 2013 addressed to the Chairman, House Committee on Drugs, Narcotics and

Financial Crimes that the total sum of **N1,982,915,292.23** was remitted by it to EFCC through EFCC's Recovery Account No. 0005399921 with Access Bank, between 24/7/2008 and 12/3/2009, as proceeds from the sale of the assets plus interest of only **N30,690,292.23** earned thereon, up to the date of remittance. Copies of the letter and Access Bank Statement of Account are annexed as **Exhibits 3 & 4** respectively.

3. Furthermore, the agent, Messrs Real Estate Derivatives Ltd, equally confirmed remitting the sum of **N60,000,000.00** vide Intercontinental Bank draft dated 29/4/2008 to EFCC, as a balance of rent revenue after deductions of repair costs on some properties forfeited by DSP Alamieyesigha before disposal. Copies of the statement of account and letter are enclosed as **Exhibits 5 & 6**.

4. For the avoidance of doubt, we reiterate that the **ACTUAL** sum of money which the EFCC had as proceeds from recoveries in cash and sale of forfeited assets/properties as at 12/3/2009, to the extent of the commission's disclosure amounted to:

Naira:	3,620,731,234.23
US Dollars:	1,300,000

5. Contrary to established norm, the EFCC traded with these funds vide Funds Placements /Fixed Deposits in Access Bank at an interest of 13.227% per annum between 2008 to 18/01/2010. The interest rate is ascertained from EFCC's investment of **N1,000,000,000.00** (out of the **N1,577,815,942**) on 18 July, 2008 which was liquidated on 17 November, 2008 as **N1,044,093,264.93**. This means an interest of **N44,093,264.93** for 4 months (18/7/2008 – 17th November, 2008) at a rate of 13.227% per annum (**See Exhibit 4**).

6. That the sum of **N3,128,230,294.83** only was remitted to Bayelsa State Government vide EFCC Recovery Account No. 002-00893-41-01-7 with CBN as corroborated by the Office of the Accountant – General of the Federation. The letters are annexed as **Exhibits 7 & 8**.

7. In addition, that as at 18/01/2010, when the sum of **N3,128,230,294.83** was remitted, what was actually remittable as funds to Bayelsa State Government was **N4,152,344,643** and **USD 1,300,000** as follows:

	ACTUAL AMT (N)	N	ACTUAL AMT (USD)
Cash Paid In On 2/7/2008 (N1.0 Bn Paid Into Access Bank A/C as N0.8 Bn & N0.2 Bn)	1,577,815,942.00		1,300,000
Proceeds from sale of properties paid in by Real Estate Derivatives Ltd. (See Access Bank A/C: 0005399921)	1,982,915,292.00	3,620,731,234.00 3,13,046,571.00	
Balance of Rent paid in on 16/5/2008 (See CBN A/C.00200893 – 41-028)		218,566,838.00	
Interest on N1,577,815,942 @ 13.227% P.A for 1 ½ years (2/7/2008 – 18/1/2010)	60,000,000.00		
Interest on N1,982,915,292 @ 13.227% P.A for 10 months (12/3/2009 – 18/1/2010)		4,152,344,643.00	1,300,000
Amount Remittable as at 18/01/2010		3,128,230,294.00	
Amount remitted on 18/01/2010		1,024,114,349.00	
Amount which EFCC has continued to trade with at 12% since 18/1/2010 to 31/10/2013		460,851,457.00	
Interest earned on N986,799,338 for 3 yrs & 9 months (3.75yrs) @ 12% P.A.			
AMOUNT REMITTABLE TO BAYELSA STATE GOVT. AS AT 30/10/2013		1,484,965,806.00	1,300,000

That without ascribing or imputing any interest on the **USD 1,300,000** which has been with you since July, 2008, the additional sum remittable to the Bayelsa State Government as at 31/10/2013 stands at:-

Naira Component: **N1,484,965,806**
Dollar Component: **\$ 1,300,000 (See Exhibit 9)**

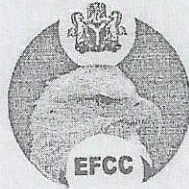
8. The Commission is hereby requested to forthwith transfer the sums of **N1,430,859,040** and **USD 1,300,000** to the Zenith Bank account of Panic Alert Security Systems Ltd. Account No: 6117007649 based on the above exposé within Seven (7) days from the date of this letter.
9. Nevertheless, we note with great concern that the Commission has not also remitted the sum of **USD 400,000** being proceeds from the sale of another property in the United States of America, forfeited by DSP Alamiyesigha as stated by the Commission in its 2011 Annual Report at Page 50. See **Exhibit 10**.
10. We shall be compelled to institute legal action under the undefended list to recover the above stated sum if no positive response is received from you upon the expiration of the time frame as stipulated in Paragraph 8 above.

Yours faithfully,

Anthony Agbonlahor Esq
Legal Practitioner

Anthony Agbonlahor Esq

ANTHONY AGBONLAHOR, ESQ
(Principal partner)



ECONOMIC AND FINANCIAL CRIMES COMMISSION

5, Fomella Street, Off Ademola Adetokunbo Crescent, Wuse II, Abuja.
Hotline: +234-(0)9-4604613, Fax: +234-(0)9-4604621
Email: info@efccnigeria.org, Website: www.efcc.gov.ng or www.efccnigeria.org

CR/3000/EFCC/ABJ/AFU/TB/0001/VOL 4/234

12TH DECEMBER, 2013

The Principal Partner
Supreme Chambers
Flat 2, Plot 5, Mubi Close, Opp UPS,
Off Emeka Anyaoku Str.,
Area II, Garki, Abuja.

Sir,

**RE- DEMAND FOR THE PAYMENT OF THE SUM OF N1.4BILLION AND
USD1.3MILLION TO BAYELSA STATE GOVERNMENT BEING UNREMITTED
BALANCE OF FUNDS RECOVERED FROM DSP ALAMIEYESIGHA SINCE
2006.**

This is to acknowledge receipt of your letter dated 26th November, 2013 on the above subject and to invite you for a meeting with the undersigned as scheduled below:

Date- 19th December, 2013.

Venue Idiagbon House, EFCC Wuse 2, Abuja

Time- 10:00 a.m.

2. Accept the assurance of the Executive Chairman's esteemed regards, please.

KABIRU A. SHEHU
DEPUTY DIRECTOR OF OPERATIONS
FOR: EXECUTIVE CHAIRMAN

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

SUIT NO: FHC/ABJ/CS/11

BETWEEN:

BAYELSA STATE GOVERNMENT

..... PLAINTIFF

AND

- 1. MR IBRAHIM LAMORDE
- 2. ECONOMIC AND FINANCIAL CRIMES COMMISSION}..... DEFENDANT

TO: (1) MR IBRAHIM LAMORDE, CHAIRMAN, ECONOMIC AND FINANCIAL CRIMES COMMISSION, 5 FORMELLA STREET, WUSE II, ABUJA. (2) ECONOMIC & FINANCIAL CRIMES COMMISSION, NO 5 FORMELLA STREET, WUSE ABUJA.

You are hereby commanded that within thirty (30) days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in an action at the suit of **BAYELSA STATE GOVERNMENT** and take note that in default of your so doing the plaintiff may proceed therein and judgment may be given in your absence.

BAYELSA STATE GOVERNMENT PLAINTIFF

Dated this 27th day of February, 2014.

By order of the court.
MR ISRAHIM LAMORDE
ECONOMIC AND FINANCIAL CRIMES COMMISSION..... DEFENDANT

FEDERAL HIGH COURT
ABUJA
CASHIER

Signature: *[Handwritten Signature]*
Date: 27/02/14

Registrar

MEMORANDUM TO BE SUBSCRIBED ON THE WRIT

NB: - The writ is to be served within twelve calendar months from the date thereof, renewed, within six calendar months from the date of the last renewal, including day of such date and not afterwards.

The defendant may enter appearance personally or by legal practitioner either in the appropriate forms, duly completed at the registry of the high court which the action is brought or by sending them to the registrar by registered post.

Dated this 27th day of February, 2014.
By order of the court.

FEDERAL HIGH COURT
ABUJA
CASHIER

GOVERNMENT OF BAYELSA STATE OF NIGERIA

Office of the Attorney-General and Commissioner of Justice



March 20, 2014

The Chief Executive Officer,
Panic Alert Security Systems,
7 Rhine Street,
Maitama,
Abuja.

Dear Sir,

TERMINATION OF MANDATE AS RECOVERY AGENT
RE: FRN V. DIEPREYE ALAMEYESEIGHA.

We refer to our letter of 19th November appointing your good self as recovery agents on sums recovered and retained by the investigating agencies with respect to the named ex-governor of Bayelsa State.

As you may know, your aforesaid letter of mandate does not include an authorization to commence legal proceedings against the EFCC either in your name or worse still, in the name of the Government of Bayelsa State.

The mandate given you, which was issued from the Ministry of Finance, was a simple authority to recover revenue using normal administrative means. If in the course of executing that brief, it becomes necessary for the state to exercise legal actions, the normal protocol is for you to revert to the State Government to discuss the next line of action, which regrettably you did not do.

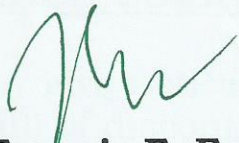
Unfortunately, you unilaterally initiated legal actions against the EFCC and worse still, in the name of the state and not even as an attorney.

You have also since filing the action, embarked on an unnecessary media campaign against the EFCC which has also brought untold embarrassment to the State Government.

In the light of the above, the state is left with no option than to terminate your services forthwith.

TAKE FURTHER NOTICE that Suit No. FHC/ABJ/CS/157/14 between Bayelsa State Government vs Ibrahim Lamorde & EFCC which you instituted without the authority of the Attorney General and Commissioner for Justice has been discontinued. Attached is a copy of the notice of discontinuance for your records.

Please accept the assurances of my highest regards.



Chief Francis F. Egele FCI Arb

Honourable Attorney General and Commissioner for Justice

Cc:

1. Honourable Attorney General and Minister for Justice
2. The Chairman,
Economic and Financial Crimes Commission
5, Formella Street
Wuse 2, Abuja

CTB

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

SUIT NO: FHC/ABJ/CS/157/14

BETWEEN

BAYELSA STATE GOVERNMENT.....PLAINTIFF

AND

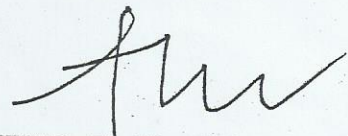
- 1. MR. IBRAHIM LAMORDE
 - 2. ECONOMIC AND FINANCIAL CRIMES COMMISSION
- } DEFENDANT

NOTICE OF DISCONTINUANCE

PURSUANT TO ORDER 50 RULE 2(1) OF THE FEDERAL HIGH COURT (CIVIL PROCEDURE) RULES 2009

I hereby give notice, as the **Attorney General** of Bayelsa State (Plaintiff) of discontinuance of the above suit instituted against the Defendants.

Dated this 25th day of March 2014.



Hon. Attorney General & Commissioner of Justice,
Ministry of Justice
Yenegoa
Bayelsa State

FEDERAL HIGH COURT
ABUJA
CASHIER'S OFFICE

201031up
Off exp

FOR SERVICE ON

1. Anthony Agbonlahor Esq.
Supreme Chambers
Flat 2 Plot 5,
Mubi Close, opp UPS
Off Emeka Anyaohu Street,
Area 11, Garki
Abuja
2. 1st Defendant
Ibrahim Lamorde
Chairman, Economic and Financial Crimes Commission
5, Formella Street
Wuse 2, Abuja
3. 3rd Defendant
Economic and Financial Crimes Commission
5, Formella Street
Wuse 2, Abuja