**IN THE FEDERAL HIGH COURT OF NIGERIA**

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT ABUJA**

**SUIT NO. FHC/ABJ/CS/1621/2022**

**BETWEEN:**

**SENATOR IFEANYI GODWIN ARAUME ========== PLAINTIFF**

**AND**

1. **THE PRESIDENT, FEDERAL REPUBLIC OF NIGERIA**
2. **NIGERIAN NATIONAL PETROLEUM COMPANY LIMITED DEFENDANTS**
3. **CORPORATE AFFAIRS COMMISSION**

**3RD DEFENDANT’S FURTHER AND BETTER COUNTER-AFFIDAVIT AGAINST THE AMENDED ORIGINATING SUMMONS FILED ON THE 14TH DAY OF NOVEMBER, 2022**

I, ……………………., Male, Adult, Christian and Citizen of the Federal Republic of Nigeria of No.32, Mediterranean Street, Maitama District, Abuja, FCT - Nigeria, do hereby make oath and state as follows:

1. I am a Litigation Secretary in the office of A.U. Mustapha & Co., the counsel representing the 3rd Defendant in this suit and by virtue of this position, I am conversant with the facts herein deposed.
2. I have the consent of my employer and the 3rd Defendant to depose to this Affidavit.
3. Except otherwise stated, the facts deposed herein are based on my personal knowledge by virtue of my position as stated in paragraph 1 herein.
4. I was informed by Lukman …., a staff of the 3rd Defendant on the 20th day of January 2023 at about 2:30pm in our office at No.32, Mediterranean Street, Maitama District, Abuja, FCT - Nigeria, and I verily believe him as follows that:
5. Further to his affidavit of …… 2023 wherein he deposed that the Plaintiff was still an active director on the 3rd Defendant’s portal, he knows as a fact that the 2nd Defendant has filed relevant documents with the 3rd Defendant, reporting the removal of the Plaintiff as its director.
6. In line with the statutory mandate of the 3rd Defendant to supervise the activities of companies, receive relevant documents for filing and keep records, he knows as a fact that the 3rd Defendant has updated the removal of the Plaintiff as a Director of the 2nd Defendant after the 2nd Defendant filed the documents removing the Plaintiff as its Director.
7. He knows as fact that from document reporting the removal of the Plaintiff as a Director with the 3rd Defendant, the 2nd Defendant was removed on the …………..2022.
8. He knows as fact that the status of the Plaintiff on the 3rd Defendant’s record is now displaying *‘Removed”* as against *“Active”* displayed on the 3rd Defendant’s portal prior to the filing of the appropriate document by the 2nd Defendant. ***A copy of the updated Status Report showing the removal of the Plaintiff as a Director of the 2nd Defendant is hereby attached and marked as Exhibit CAC-1***
9. He knows as a fact that the 3rd Defendant only update its portal when filings effecting changes by any company is submitted/reported to the 3rd Defendant.
10. I make this declaration solemnly and conscientiously believing same to be true and correct in accordance with the Oath Act.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**DEPONENT**

Sworn to at the Federal High Court Registry, Abuja.

This \_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_ 2023.

**BEFORE ME**

**COMMISSIONER FOR OATHS**