



Federal Competition & Consumer Protection Commission

FCCPC/DSE/C/29430/3

27 July 2020

The Managing Director
Air Peace Airline Limited.
25, Sobo Arobiolu Street
GRA, Ikeja
Lagos.

COMPLAINT BY MRS. NNEKA OGBONNA ON FUNDAMENTAL BREACH OF AIR CARRIAGE CONTRACT, SEXUAL ASSAULT, UNLAWFUL ASSAULT, HARASSMENT, INTIMIDATION, AMONG OTHERS

The Commission is in receipt of a consumer complaint against your organization, (copy attached).

You are hereby requested to cause an investigation into the immediate and remote causes of the incidence and to revert to the Commission with your findings.

This should be done within five (5) days upon receipt of this letter.

Please be guided by your obligation under section 32 (C) of the Federal Competition and Consumer Protection Act, 2018 (Act No. 1 of 2019).

Thank you.



Ehizode, L.A.
Principal Legal Officer
For: Director, Surveillance and Enforcement



Federal Competition & Consumer Protection Commission

FCCPC/HQ/OCE/689/Vol 1

August 4, 2020

The Managing Director,
Air Peace Airline Limited
25, Sobo Aribiodu Street.
GRA,
Ikeja, Lagos.

**RE: NOTICE OF INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER (CONSUMER) RIGHTS
UNDER THE FEDERAL COMPETITION AND CONSUMER PROTECTION ACT (FCCPA) AND
SUNDAY ENACTMENTS/GUIDELINES- MRS NNEKA OGBONNA VS AIR PEACE**

The above incident has come to the attention of the Commission both by complaint of Mrs. Nneka Ogbonna (Complainant) and other channels.

The Commission has therefore opened an active investigation into this matter. In furtherance of this investigation, any information that the Air Peace Airline Limited (Respondent) can provide will be helpful. Specifically:

1. Any incident report that was made with respect to this occurrence;
2. Any decision/determinations interim or otherwise with respect to the above case
3. Any statement of persons involved or who may have information about the matter
4. Finally, any open or continuing discussions or engagement with respect to resolution of this matter.

Considering the nature and seriousness of the allegations, we have proceeded to analyse initial information (including video footage) received from the complainant and detailed public statement by Air Peace Airline Limited.

To assist your response(s) to the Commission, I believe it will be helpful to provide the aforementioned complaint and the Commission's preliminary investigation (pending further review upon receipt of additional information) to Air Peace Airline Limited (the same is hereby attached).



Tam. Tamunokonbia
Head, Legal Services Department



FCCPC

Federal Competition & Consumer Protection Commission

FCCPC/HQ/OCE/689/Vol 1

August 4, 2020

Director General
Nigerian Civil Aviation Authority
Nnamdi Azikiwe International Airport,
Domestic Wing,
Abuja.

Attn: Adamu Abdulahi
Director Consumer Protection Department



DG SIGN

RE: NOTICE OF INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER (CONSUMER) RIGHTS UNDER THE FEDERAL COMPETITION AND CONSUMER PROTECTION ACT (FCCPA) AND SUNDAY ENACTMENTS/GUIDELINES- MRS NNEKA OGBONNA VS AIR PEACE

Compliments from the Federal Competition and Consumer Protection Commission (Commission).

The above incident has come to the attention of the Commission both by complaint of Mrs. Nneka Ogbonna and other channels.

The Commission has therefore opened an active investigation into this matter. In furtherance of this investigation, any information that the Nigerian Civil Aviation Authority (NCAA) can provide will be helpful. Specifically:

1. Any incident report that was made with respect to this occurrence;
2. Any decision/determinations interim or otherwise with respect to the above case
3. Confirmation that there is still an active investigation/inquiry into this matter
4. Any statement of persons involved or who may have information about the matter
5. Finally, any open or continuing discussions or engagement with respect to resolution of this matter.

Considering the nature and seriousness of the allegations, we have proceeded to analyze initial information (including video footage) received from the complainant and detailed public statement by the airline involved.

To assist your response(s) to the Commission, I believe it will be helpful to provide the Commission's preliminary investigation (pending further review upon receipt of additional information) to NCAA (the same is hereby attached).

While anticipating your swift response, please accept the assurances of my warm regards.



Babatunde Irukera
Chief Executive Officer



FCCPC

Federal Competition & Consumer Protection Commission

FCCPC/HQ/OCE/689/Vol 1

August 4, 2020

Managing Director

Federal Airports Authority of Nigeria (FAAN)
Nnamdi Azikiwe International Airport,
Abuja.

FEDERAL AIRPORTS AUTHORITY
OF NIGERIA

MDIECI'S OFFICE
04 AUG 2020

RECEIVED

SIGN

TIME

Dear MD Sir,

RE: NOTICE OF INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER (CONSUMER) RIGHTS UNDER THE FEDERAL COMPETITION AND CONSUMER PROTECTION ACT (FCCPA) AND SUNDY ENACTMENTS/GUIDELINES- MRS NNEKA OGBONNA VS AIR PEACE

Compliments from the Federal Competition and Consumer Protection Commission (Commission).

The above incident has come to the attention of the Commission both by complaint of Mrs. Nneka Ogbonna and other channels.

The Commission has therefore opened an active investigation into this matter. In furtherance of this investigation, any information that the Federal Airports Authority of Nigeria (FAAN) can provide will be helpful. Specifically:

1. Any incident report that was made with respect to this occurrence;
2. Any decision/determinations interim or otherwise with respect to the above case
3. Confirmation that there is still an active investigation/inquiry into this matter
4. Any statement of persons involved or who may have information about the matter
5. Finally, any open or continuing discussions or engagement with respect to resolution of this matter.

Considering the nature and seriousness of the allegations, we have proceeded to analyze initial information (including video footage) received from the complainant and detailed public statement by the airline involved.

To assist your response(s) to the Commission, I believe it will be helpful to provide the Commission's preliminary investigation (pending further review upon receipt of additional information) to FAAN (the same is hereby attached).

While anticipating your swift response, please accept the assurances of my warm regards.



Babatunde Irukera
Chief Executive Officer



Federal Competition & Consumer Protection Commission

FCCPC/HQ/OCE/689/Vol 1

August 17, 2020

**The Managing Director,
Air Peace Airline Limited.
25, Sobo Arobiodu Street,
GRA,
Ikeja, Lagos.**

**RE: NOTICE OF INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER
(CONSUMER) RIGHTS UNDER THE FEDERAL COMPETITION AND CONSUMER
PROTECTION ACT (FCCPA) AND SUNDRY ENACTMENTS/GUIDELINES- MRS
NNEKA OGBONNA AND AIR PEACE**

Please refer to our earlier letter dated August 4, 2020 under reference FCCPC/HQ/OCE/689/Vol 1. (copy of correspondence attached) regarding the above subject matter.

May I draw the attention of the Managing Director to the aforementioned letter, wherein the Commission informed Air Peace on an ongoing inquiry regarding the Airline and an incident with a passenger (Mrs Nneka Ogbonna). The Commission sought collaboration and coordination with Air Peace in advancing and concluding this inquiry.

The Commission is yet to receive a response to its letter. In this regard, you are by this communication required under Sections 32, 33, 36, and 113 of the FCCPA to provide the information requested and identified as items 1- 4 of the Commission's Notice of Inquiry, with ref: FCCPC/HQ/OCE/689/Vol 1, dated August 4, 2020; No later than August 24, 2020.

You are further advised of the consequences of failure to produce information or documents requested by the Commission, in particular, Section 33(3)(b)

criminalizes this conduct and imposes a penalty of a fine not exceeding ₦20,000,000.00 and or imprisonment for a term of up to 3 years.

Air Peace is also reminded of its statutory responsibility under Section 36 of the FCCPA to preserve information requested or otherwise relevant to this inquiry, failure of which is an offence punishable by imprisonment for 3 years and or a fine not exceeding ₦50,000,000.00.

The Commission looks forward to your detailed and responsive answer to the Notice of Inquiry accordingly.

Please copy florence.abebe@fccpc.gov.ng.


for: **Tam Tamunokonbia**
Head Legal Services



Federal Competition & Consumer Protection Commission

FCCPC/HQ/OCE/689/Vol 1

August 17, 2020

FEDERAL AIRPORTS AUTHORITY
OF NIGERIA
MDCEO'S OFFICE

20 AUG 2020

RECEIVED

TIME 11:55 SIGN 

Managing Director
Federal Airports Authority of Nigeria (FAAN)
Nnamdi Azikiwe International Airport,
Abuja.

Dear Engr. Iruker

**RE: NOTICE OF INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER (CONSUMER) RIGHTS
UNDER THE FEDERAL COMPETITION AND CONSUMER PROTECTION ACT (FCCPA) AND
SUNDAY ENACTMENTS/GUIDELINES- MRS NNEKA OGBONNA AND AIR PEACE**

Compliments from the Federal Competition and Consumer Protection Commission (Commission).

May I respectfully draw the attention of the Managing Director to the above subject matter. On August 4, 2020 the Commission wrote to the Federal Airports Authority of Nigeria (FAAN), under reference FCCPC/HQ/OCE/689/Vol1 (copy of correspondence attached).

The purpose of the letter was to inform FAAN about an on-going inquiry regarding Air Peace Airline Limited (Airline) and an incident with a passenger (Mrs. Nneka Ogbonna). The Commission sought collaboration and coordination with FAAN in advancing and concluding the inquiry.

This is therefore a reminder that the Managing Director kindly assist in ensuring that appropriate responses from FAAN are sent to us forthwith.

Please copy florence.abebe@fccpc.gov.ng.

While anticipating your swift response, please accept the assurances of my warm regards.


Babatunde Irukera
Chief Executive Officer



Federal Competition & Consumer Protection Commission

FCCPC/HQ/OCE/689/Vol 1

August 17, 2020

Director General
Nigerian Civil Aviation Authority (NCAA)
Nnamdi Azikiwe International Airport,
Domestic Wing, Abuja.

Attn: Adamu Abdullahi

Dear D G Sir,



RE: NOTICE OF INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER (CONSUMER) RIGHTS UNDER THE FEDERAL COMPETITION AND CONSUMER PROTECTION ACT (FCCPA) AND SUNDAY ENACTMENTS/GUIDELINES- MRS NNEKA OGBONNA AND AIR PEACE

Compliments from the Federal Competition and Consumer Protection Commission (Commission).

May I respectfully draw the attention of the Director General to the above subject matter. On August 4, 2020 the Commission wrote to the Nigerian Civil Aviation Authority (NCAA), under reference FCCPC/HQ/OCE/689/Vol1 (copy of correspondence attached).

The purpose of the letter was to inform NCAA about an on-going inquiry regarding Air Peace Airline Limited (Airline) and an incident with a passenger (Mrs. Nneka Ogbonna). The Commission sought collaboration and coordination with NCAA in advancing and concluding the inquiry.

This is therefore a reminder that the Director General kindly assist in ensuring that appropriate responses from NCAA and FAAN are sent to us forthwith.

Please copy florence.abebe@fccpc.gov.ng.

While anticipating your swift response, please accept the assurances of my warm regards.


Babatunde Irukera
Chief Executive Officer

Telegraphic Address:

COMPOL APOC

Telephone: 01-7753477

FAX: 01-4960010 P.M.B. 4502

MURTALA MUHAMMED INT'L AIRPORT, IKEJA.

E-MAIL:

CP:3422/MMAC/V.T/123
airpolicecommand.lagos.npol.gov.ng



THE COMMISSIONER OF POLICE,
AIRPORT POLICE COMMAND;
THE NIGERIA POLICE,
MURTALA MUHAMMED INT'L AIRPOR
IKEJA -LAGOS.

24th August, 2020



The Head Legal Services Department,
Federal Competition & Consumer Protection Commission,
17 Nile Street, Off Alvan Ikoku Way,
Maitama, Abuja.

RE-NOTICE ON INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER
(CONSUMER) RIGHTS UNDER THE FEDERAL COMPETITION AND
CONSUMER PROTECTION ACT (FCCPA) AND SUNDY
ENACTMENTS/GUIDELINES
MRS NNEKA OGBONNA VS AIR PEACE

I refer to your letter NO FCCPC/HQ/OCE/689/VOL.1 dated 4th August, 2020.

Kindly be informed that, the matter was initially reported on 10/12/2019, at Domestic Airport Division, Airport Police Command Lagos, for preliminary investigations.

The case was subsequently transferred to IGP Monitoring Unit Abuja, on 16/03/2020, for further Investigations.

Accept the warmest regards of the Commissioner of Police, Airport Command, please.

J. Funsho Adegboye
DCP FUNSHO ADEGOYE
Deputy Commissioner of Police (DFA)
For: Commissioner of Police
Airport Command
Ikeja-Lagos.



AIR PEACE LIMITED
...your peace, our goal

RC: 1002344
August 28, 2020.

The Director General,
Federal Competition & Consumer Protection Council,
No 17 Nile Street,
Maitama, Abuja.



Attn: Tam Tamunokonbia

Dear Sir,

**RE: NOTICE OF INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER (CONSUMER) RIGHTS
UNDER THE FEDERAL COMPETITION AND CONSUMER PROTECTION ACT (FCCPA) AND
SUNDAY ENACTMENT/GUIDELINES-MRS NNEKA OGBONNA VS AIR PEACE**

We write in response to your letter dated **August 4, 2020** with Ref Nos: **FCCPC/HQ/QCE/689/Vol 1.**
Please find below our response to the listed request contained therein.

1. We have attached the hard copy of the incident report sent via email by our Chief Security Officer on the day of the incident. (A)
2. The matter is currently being investigated by the Police. We had, on that day reported the matter to the Airport Police Command, Lagos. At the instance of the complainant, it was transferred to the IGP Monitoring Unit, Abuja.
3. Kindly find attached the statement of the undersigned, the Lagos Station Manager and the cabin service executives that attended to the complainant on that day (Aurelia Amadi and Judith Obi). (Bi,Bii and Biii)
4. There is currently no discussion on the resolution of the conflict going on. The last which was fixed by the Federal Airport Authority of Nigeria seems to have ended in deadlock as the complainant has continued to peddle lies against the airline on social media.

We have also attached extracts from the following which deals with unruly passengers.

- i. The Publications made by Mrs. Ogbonai's husband (Christopher Ogbonna) on twitter. (C)
- ii. Letter from Partners Associates requesting settlement. (D)

Thank you.

With our warmest regards,


Deborah Bazuaye

For: Head, Legal & Corporate Services



FEDERAL AIRPORTS AUTHORITY OF NIGERIA

Headquarters:

P.M.B 21607, Ikeja - Lagos

Tel: 01-2800830, Fax: 01-2800830. Telex: 26567NG

www.faannigeria.org.contact@faannigeria.org



FAAN/HQ/1600/Vol.2/00165209

28th August, 2020.

The Chief Executive Officer

Federal Competition & Consumer Protection Commission
No.17 Nile Street,
Off Alvan Ikoku Way,
Maitama,
Abuja.

**RE: NOTICE OF INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER (CONSUMER)
RIGHTS UNDER THE FEDERAL COMPETITION AND CONSUMER PROTECTION ACT
(FCCPC) AND SUNDY ENACTMENTS/GUIDELINES- MRS. NNEKA OGBONNA AND
AIR PEACE LIMITED**

We respectfully acknowledge the receipt of your letter dated 17th August, 2020 with Ref. No: FCCPC/HQ/OCE/689/Vol.1 in respect of the above subject.

2. We hereby respond to the letter under reference regarding the incident reported by Mrs. Nneka Ogbonna as follows: -

i. The Federal Airports Authority of Nigeria (FAAN) received a letter dated 9th February, 2020 from the firm of Olumide Babalola LP, solicitor to Mrs. Nneka Ogbonna (the Complainant) wherein she alleged breach of contract, sexual harassment, fundamental right abuse and attempted extortion by employees and agents of Air Peace Limited. The letter was addressed to the Chief Executive Officer (Air Peace Ltd) while eight other parties (FAAN inclusive) were copied.

ii. The letter also alleged that the Complainant was disembarked from the aircraft on the day of her trip on 10th December, 2019 and was taken to Tango

City (Airport Crime & Investigation Unit of Aviation Security, FAAN) where she was stressed, harassed and intimidated.

iii. The Complainant (Mrs. Nneka Ogbonna) further served on the Authority a Notice of Intention to Sue FAAN and other parties in respect of the subject wherein she intends to seek certain declaration of the Court amongst others, that FAAN was negligent and in breach of its statutory duties under the Nigeria Civil Aviation Act 2006 in relation to her (Plaintiff to be). Also, a declaration that the handing over of the Complainant by officers of FAAN to the Nigeria Police Force after taking her statement was a violation of the Nigeria Civil Aviation Act, 2006 and an Order of Court for payment of Two Hundred Million Naira as general damages for breach of statutory duty.

iv. Upon the receipt of the Complainant's letter, FAAN sought for the report of the incident from other parties involved, namely, Air Peace Limited and the Regional/Airport Manager, Murtala Muhammed International Airport, Ikeja whose office is under the authority of FAAN for their comments in respect of the incident.

v. In consideration of the response forwarded by the Airline, there were some contradictions in the narration of events between both parties. Whereas the Complainant stated that she submitted her bag peacefully, the Airline stated that she forcefully made attempt to take the bag into the aircraft and that she positioned herself at the entrance of the aircraft making it impossible for the Airline to continue to board other passengers until other passengers intervened before she eventually released her bag to be checked in about thirty minutes later.

vi. The Airline further stated that the Complainant was very unruly and that it was when it became intolerable that the Pilot in command asked that she should be disembarked from the aircraft. They further alleged that she refused to disembark even though the Airport Security had been invited until a call for reinforcement from Airport Crime & Investigation Unit of AVSEC (Aviation Security) was made and the Pilot also had to shut down the engine of the aircraft. That the matter was then referred to the Airport Police Command and at no time did the Pilot act contrary to the Aviation Regulations.

vii. The response of the Airport Management (MMIA) corroborated the narration of events as stated by Air Peace Ltd. The Airport report also indicated that some passengers on board the flight were disembarked due to the Complainant's unruly behaviour. The Airport report confirmed that the Complainant delayed the Airline's flight and was very unruly at the apron and continued with the same unruly act after she was taken to the Crime Investigation & Intelligence

Unit, Aviation Security Department at Murtala Muhammed International Airport, Ikeja till she was handed over to the police.

3. Considering the subject under reference and the relevant Aviation Acts/Regulations, **Section 58 of Nigeria Civil Aviation Act** provides for prohibition of unruly and indecent conduct. It states that the Authority (NCAA) may by regulations prohibit certain acts which constitute unruly or indecent behaviour on board aircraft in or over Nigeria and such regulations may include appropriate criminal sanctions. **Nigeria Civil Aviation Regulation 2015** also provides for certain acts regarded as Violation and there is also provision for unruly passenger under the said acts which may be applicable in this situation.

4. Further to the above, FAAN under its enabling Act, **FAAN Act CAP.F5 LFN 2004**, **Section 3** is saddled with the function of providing security, maintenance of law and order at the Airports. **Section 23** of the Act also empowers the Authority to make Bye- Laws to provide for security of aircraft, personnel and persons using the airport, preservation of good order and discipline amongst members of the public at any time within the airport. In addition, the **FAAN Bye- Laws 2005 under Article 4** provides for preservation of order within the Airport. The Bye- Laws **Article 4 (1)** provides thus, '*It shall be an offence under these Bye- Laws for any person without lawful authority or excuse to do any of the following;*'
(a) behave in disorderly, indecent or offensive manner at an Airport; &
(d) obstruct any person acting in the execution of his duty in relation to the operation of the Airport, including the conveyance of passenger, their baggage and other goods, and the maintenance and servicing of the aircraft".

The **Bye- Laws under Article 25** also provides for power to prosecute and it states that '*the Authority's Legal Officers or Police shall prosecute any offence under these Bye-Laws before a court of competent jurisdiction'*

5. Considering the above in relation to the incident as narrated by Air Peace Ltd and MMIA Airport Management of FAAN, it could be reasonably presumed that the Complainant (Mrs. Nneka Ogbonna) 's act at the Airport on 10th December, 2019 constituted an Unruly Behaviour which is a punishable offence for which she could be prosecuted.

6. Irrespective of the above, FAAN being a customer centric service provider with the interest of both the Airlines, Passengers and other Airport Users decided to invite the parties for a meeting held on 11th August, 2020 at the office of the Company Secretary/Legal Adviser (FAAN) in order to resolve the issues amicably. The meeting was attended by representatives of FAAN, Air Peace Ltd and the Complainant's Counsel. The Parties stated the same facts as earlier conveyed in their letters. The Complainant's Counsel was informed that the acts of the Complainant as corroborated by other parties is presumed to be an

Unruly Act recognized under the Aviation Laws and that FAAN only carried out its statutory duty as authorized under its enabling Act.

7. Surprising, the Complainant through her husband (Christopher Ogbonna)'s twitter handle proceeded to defame FAAN online alleging that FAAN threatened to prosecute his wife and described it as an act to intimidate them to abandon their intended civil suit. They further alleged that FAAN ignored them upon receipt of their letter of complaint whereas the said letter was acknowledged and their indulgence sought for any arising delay in the response which was sequel to the Covid-19 pandemic and subsequent delays in receiving the reports from the parties involved in the incident.

8. The above is for your information as requested on the subject.

9. Please accept the assurances of Management's warmest regards.

Dr. Clifford Omozeghian
Company Secretary/Legal Adviser
For: MANAGING DIRECTOR/CE

HLS
FJA -
DRRS
14/09/20

ACLO (Flo)

Please include this
among the documents
your team is analysing

14 | 9 | 20.



Federal Competition & Consumer Protection Commission

FCCPC/HQ/OCE/689/Vol 1

September 3, 2020

**The Managing Director,
Air Peace Airline Limited.
25, Sobo Arobiolu Street,
GRA,
Ikeja, Lagos.**

**RE: NOTICE OF INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER (CONSUMER) RIGHTS
UNDER THE FEDERAL COMPETITION AND CONSUMER PROTECTION ACT (FCCPA) AND
SUNDAY ENACTMENTS/GUIDELINES- MRS NNEKA OGBONNA VS AIR PEACE**

Your response letter to the Federal Competition and Consumer Protection Commission dated August 28, 2020, on the above subject matter is hereby acknowledged.

You are further required to provide additional information on the following:

1. Passenger manifest, showing contact details, including phone numbers of each passenger on flight APK P47210 of December 10, 2019.

Please be advised of your responsibility under the Federal Competition and Consumer Protection Act.

Yours Faithfully,

A handwritten signature in blue ink, appearing to read "Tam. Tamunokonbia". The signature is enclosed within a stylized oval frame.

Tam. Tamunokonbia
Head, Legal Services Department



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Florence Abebe <florence.abebe@fccpc.gov.ng>

Wed, Aug 5, 2020 at 8:13 AM

To: Christopher Ogbonna <christopher.c.ogbonna@gmail.com>, Ema Ogbe <ogbeema@gmail.com>, Ondaje Ijagwu <ONDAJE.IJAGWU@fccpc.gov.ng>

Cc: FCCPC Nigeria <contact@fccpc.gov.ng>

Dear Mr. Ogbonna,

I am sending a courtesy copy of the interim assessment based on information you sent and public statements by Air Peace only.

It is not a finding or determination nor is it a statement of disputed or undisputed facts. It is purely an assessment of materials we have received. We await information from the Nigerian Civil Aviation Authority (NCAA), Federal Airports Authority of Nigeria (FAAN), Air Peace , and the Police Command.

However, if you have any information that will clarify anything in this report, it will be important for us to receive very quickly, including identities or contact information of any person(s) including eye witnesses whose testimony or account will support the complaint.

On Wed, 29 Jul 2020 at 04:59, Christopher Ogbonna <christopher.c.ogbonna@gmail.com> wrote:

Dear Florence,

In the light of Airpeace Nigeria Limited's public statement denying responsibility for the continued seizure of my wife's international passport by the Nigerian police, yesterday, we wrote the attached letter to the Head, IGP Monitoring Unit, Office of the Inspector General of Police, requesting for the immediate release of her international passports.

Same is being sent to you for your records and to keep you updated of every step we are taking in this matter to ensure that we #getpeacefornneka

Best regards,

Christopher Ogbonna

On Sun, Jul 26, 2020 at 7:05 PM Christopher Ogbonna <christopher.c.ogbonna@gmail.com> wrote:

Dear Florence,

Under intense public pressure on Twitter, today, Airpeace Nigeria Limited was constrained to release the attached response which, even from a cursory reading, is full of self-contradictory statements and outright falsehood.

By the time you watch the 4 video clips we provided, you will easily see that their narrative is patently false.

Please, we want this public statement issued by Airpeace Limited to form part of the complaint we submitted to FCCPC.

Thank you.

Christopher Ogbonna

On Fri, Jul 24, 2020 at 7:19 PM Christopher Ogbonna <christopher.c.ogbonna@gmail.com> wrote:
Dear Florence,

My apologies, please.

I sent the wrong attachment in error.

Please find the correct one attached.

Best regards,

Christopher Ogbonna

On Fri, Jul 24, 2020 at 7:04 PM Christopher Ogbonna <christopher.c.ogbonna@gmail.com> wrote:
Dear Florence,

Many thanks for your DM on Twitter.

Our complaint is very bulky and also contained video evidence so we actually sent a hard copy to your Abuja office three weeks ago.

We included a flash drive which contained 4 video clips so you can see what happened for yourself.

Please find an acknowledgement copy attached.

We have been calling your office lines 08056003030 and 08056002020 for an update without success. The last person who spoke to us informed us of how busy and overwhelmed you all are.

At that point, we actually began to entertain fears that the FCCPC may have been compromised like FAAN and NCAA.

However, we are happy to know that our fears are unfounded and we are counting on your prompt action.

Best regards,

Christopher Ogbonna

Best Regards
Florence Anebe
Assistant General Manager
Federation of Competition and Consumer Protection Commission
Office of the Legal Department
+234 803 211 363
www.fccpc.gov.ng

 **FCCPC-Preliminary Assessment-Ogbonna V Air Peace.docx**
26K



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Wed, Aug 5, 2020 at 10:32 AM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>

Cc: Ema Ogbe <ogbeema@gmail.com>, Ondaje Ijagwu <ONDAJE.IJAGWU@fccpc.gov.ng>, FCCPC Nigeria <contact@fccpc.gov.ng>, bbtunde.irukera@fccpc.gov.ng, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>

Dear All,

We received your Preliminary Assessment with mixed feelings.

I initially took solace in the fact that you stated that "*it is not a finding or determination nor is it a statement of disputed or undisputed facts. It is purely an assessment of materials we have received.*"

However, it seems that you have already made up your mind without properly evaluating and in some cases, disregarding the evidence totally in favour of Air Peace Nigeria Limited. I will highlight the areas where this occurred.

We are also fully aware of the legal consequences of lying to the FCCPC so we wish to correct the following impressions which you seemed to have formed on your own initiative:

3. Passenger alleges that aviation security/ law enforcement engaged in inappropriate contact with her body by the manner she was removed including sliding a hand in her private part and breaking her belt. - We NEVER said anything like this. We NEVER said anything about anybody sliding a hand into my wife's private part. The draft Statement of Claim we forwarded to you is expressly clear on what happened. We encourage you to please read it and quote from it. If you suspect that the document was doctored or altered in your custody, please let us know we still have a copy of what we submitted to the FCCPC.

5. Passenger specifically alleges that she resisted checking in her cabin luggage because she knew it met the required dimensions even for that aircraft type. - We never said anything like this. There was no resistance whatsoever to check in the cabin luggage. She was still explaining herself and pleading with the air hostess when the pilot, without provocation came out and started shouting and hurling inventives at her.

6. At the cabin crew's insistence, but against her better judgment and will, passenger agreed to check in her cabin baggage. - This statement is not correct. Cabin crew never insisted on anything. The pilot was the one who kept screaming at my wife and hurling invectives at her. To avoid further embarrassment, she fully complied with his instructions.

1. Evidence shows animated conflict which delayed flight, aggravated other passengers and caused Pilot to disembark flight in part;

Comments: Please, have you requested for the passenger manifest and interviewed all the passengers? How did you reach the conclusion that they were aggravated? Then, where did you see the pilot disembarking anybody in part? The pilot NEVER did any such thing! It was staff of Air Peace who did so to make room for the unlawful disembarkation and sexual harassment of my wife.

2. Evidence shows Law enforcement apparatus who based on the video acted appropriately and politely;

Comments: We agree with you that they were polite but they did not act appropriately. They were polite because the intention was to trick my wife into leaving the aircraft for the purpose of unlawfully disembarking her. We also invite you to note Part 17 Regulations 17.40.3 and 17.93.4 and 17.93.4 of the Nigerian Civil Aviation Rules made pursuant to the Nigerian Civil Aviation Act regarding disembarkation.

Then, are you aware that under the Police Act and even in the airport, a female officer searches a female and a male officer searches a male? Two male officers were involved in the unlawful sexual assault on my wife.

3. Evidence shows an upset passenger whose aggravation caused her to be somewhat animated and otherwise disruptive;

Comments: Disruptive to what or to who exactly, please? Kindly avoid any bias in your investigation. My wife remained calmly seated with her seat belt fastened and kept calmly protesting her innocence until she was sexually assaulted. You cannot beat a child and subsequently blame the child for crying.

4. Evidence shows that the protracted disruption by the passengers in part on account of her being upset which led to an intransigent and resistance to comply with aviation security directives and request:

(i) Inordinately delayed flight departure, potentially compromising proper service to other passengers who have a legitimate expectation to on time departure and on time arrival, and

(ii) Regardless of how the conflict started, the escalation arising from the disruption could legitimately, conceivably be considered a certain level of unruliness that could present a risk to safe flight

operation,

Comments: Again, disruptive to what or to who exactly, please? Kindly avoid any bias in your investigation. My wife remained calmly seated with her seat belt fastened and kept calmly protesting her innocence until she was sexually assaulted. Our case is that the flight was delayed by the pilot who REFUSED TO FLY THE AIRCRAFT UNTIL MY WIFE WAS UNLAWFULLY DISEMBARKED! MY WIFE DID NOT DELAY THE FLIGHT IN ANY WAY! WHAT WAS AT PLAY WAS A PILOT, ON ACCOUNT OF HIS EGO, PURSUING PERSONAL VENDETTA AGAINST A PASSENGER!

5. The evidence shows that the passenger in compliance with aviation security request and please, ultimately disembarked aircraft;

Comments: Correct.

6. Evidence shows that passenger's belt, purportedly a belt she was wearing broke at some point during the conflict;

Comments: Correct.

7. The evidence does not show the manner of removal from the aircraft or whether passenger was ultimately forcibly removed;

Comments: This is not correct. My wife said in igbo "Honey, acholumu igbada" That means " Honey, I want to go down". Then, she walked out of the aircraft on her own after the DPO (who was the first person to ask her what happened) requested that she leave the aircraft. You can clearly see her phone filming the floor until she appeared outside the aircraft. All she ever wanted was fair hearing.

8. The evidence does not show any interaction between the passenger, cabin crew or the Pilot.

Comments: Correct but my wife reported all interactions with the cabin crew with the DPO and it was not controverted.

9. The evidence shows disembarkation of other passengers, possibly in preparation and for the convenience of the disembarkation or removal of

the passenger;

Comments: Correct but for the unlawful disembarkation and sexual assault of my wife.

10.The evidence shows that at some point, flight deck crew announced over the public address, that the flight was delayed on account of what he concluded was an unruly passenger needing to be deplaned;

Comments: This is not correct at all. The announcement was made by the pilot himself not the flight deck crew and this is what he said exactly: "Hello ladies and gentlemen, this is your captain. We shall be calling for ... (unclear but I think buses) ... for you to disembark and once we have this situation sorted out you shall be re-boarded on the flight. We have now transcended to the realms of hijack. This aeroplane has been hijacked by the female passenger who is unruly which you are all aware of. So, we are just waiting for the ... (unclear but I think buses)... to arrive and we will ask you to disembark from the plane."

11.The evidence demonstrates a cacophony of aggravation and impatience by other passengers with respect to the delayed departure;

Comments: Correct but notice the panic after the pilot called my wife a hijacker who had hijacked the aircraft.

12.The evidence shows that passenger was transported from the foot of the aircraft to terminal building for further processing;

Comments: No! Our case is that she was kidnapped! Mr Nze can be heard in the video asking her if she wanted to file a formal complaint against Air Peace after clearly telling her that she had a good case. She said yes and entered their vehicle on that basis only for them to subsequently falsely imprison her and compel her to write statement. Please do not call it "further processing" that is not what happened.

13.Evidence shows that explanation to passenger regarding further processing included both the law enforcement process regarding the complaint by the airline to remove passenger from the aircraft; and passenger's prerogative to pursue regulatory and law enforcement remedies, she may have against the airline.

Comments: No. My wife followed them on the basis that she was to be assisted to file a formal complaint to correct the injustice that she has suffered. When it became apparent that they will not help her file the complaint, she attempted to leave and she was physically barricaded.

CONCLUSION

Areas you did not mention include (1) subsequent falsification of my wife's travel itinerary by Air Peace Limited, (2) request to Air Peace for cockpit voice recording of the flight, (3) definition of hijack under the NCAA and legal consequences of falsely labelling a passenger a hijacker inside an aircraft, (4) procurement of the original copies of the police statement made by the pilot and the air hostess, (4) procurement of the original NCAA/FAAN and police statement made by my wife.

Before now, I had so much faith in FCCPC based on what I heard about the reputation of Dr. Babatunde Irukera but I must confess that my faith has been shaken by this preliminary report which clearly showed improper evaluation of the evidence, biased reportage and conclusions reached at variance with the evidence.

We want nothing else other than fairness and justice in this matter and Nigerians are watching closely. Don't do us any favours. Just let justice be manifestly and undoubtedly be seen to have been done by all parties. If you want to find us liable, do so logically. However, if we are innocent, do not hesitate to proclaim it and preserve your good name and reputation.

I thank you for the opportunity of this Preliminary Assessment which enabled us to clear up these areas of confusion. I encourage you to keep sending them to me so that I can correct any wrong impression you may have developed inadvertently .

Best regards,

Christopher Ogbonna



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Wed, Aug 5, 2020 at 11:17 AM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, FCCPC Nigeria <contact@fccpc.gov.ng>, babatunde.irukera@fccpc.gov.ng, tunde.irukera@fccpc.gov.ng
Cc: Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear All,

Please permit me to humbly make one additional point.

I most humbly request that you kindly expunge the section of your Preliminary Report titled "*Scope Prevailing Legislations/Regulations 1. Nigerian Civil Aviation Regulation (NCAR) Part 17*".

My reason is this: you admitted that you are yet to hear from Air Peace Nigeria Ltd.

Accordingly, it is a breach of our right to fair-hearing for you to be researching the NCAR for a party that you have not even heard from. Air Peace should be allowed to make its own case first.

The FCCPC is a quasi-judicial body and judicial authorities abound on the fact that the expectation is that you are to maintain the position of an unbiased umpire.

What the FCCPC has done in that portion of its Preliminary Assessment is to basically make the case of our opponent for them without even hearing from them!

It is like a judge conducting research against one party without even waiting to see the Statement of Defence!

That is called ***descending into the arena of conflict*** and I humbly urge that it is most prejudicial to our case before the FCCPC.

I know for a fact that Dr Babatunde Irukera is a seasoned litigator and he will easily agree with me on this point. I recall a case or two in which my former employer law firm, Aluko & Oyebode, handled against his own firm years ago when I was still in practice.

Perhaps, this procedural error explains why the evidence we presented *ab initio* was not properly evaluated.

Please do right by us. That is all we ask since we are telling the gospel truth.

Best regards,

Christopher Ogbonna



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Thu, Aug 6, 2020 at 5:57 AM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, FCCPC Nigeria <contact@fccpc.gov.ng>, babatunde.irukera@fccpc.gov.ng, tunde.irukera@fccpc.gov.ng
Cc: Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear All,

Please, I will be grateful to get a response to the myriad of issues that I raised yesterday.

Leaving me in the dark like this after I pointed out such gaping flaws in your Preliminary Report that they threatened to compromise our right to fair-hearing and the independence and impartiality of the FCCPC, is not ideal.

I'm really beginning to worry and think the worst!

Best regards,

Christopher Ogbonna

[REDACTED]



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Florence Abebe <florence.abebbe@fccpc.gov.ng>

Thu, Aug 6, 2020 at 9:45 AM

To: Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Cc: Ema Ogbe <ogbeema@gmail.com>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, FCCPC Nigeria <contact@fccpc.gov.ng>, babatunde.irukera@fccpc.gov.ng, Babatunde Irukera <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Good Day Mr Ogbonna,

Thank you for your mail, we await responses from the operator and regulators, and will revert with the Commission's position as soon as possible.

[REDACTED]



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Hello <christopher.c.ogbonna@gmail.com>

Thu, Aug 6, 2020 at 10:28 AM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>

Cc: Ema Ogbe <ogbeema@gmail.com>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, FCCPC Nigeria <contact@fccpc.gov.ng>, "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>

Dear Florence,

Many thanks for your response but I am afraid that it does not give me any iota of comfort at all!

My wife was a victim of a vindictive and power-drunk pilot who in a cruel attempt to pursue personal vendetta against her for daring to tell him to stop shouting at her, unlawfully triggered the aircraft disembarkation process which led to her assault and sexual assault. In an attempt to provoke other passengers and incite panic inside the aircraft, he falsely labelled her a hijacker who had hijacked the plane!

-
What I expect is a **RESPONSE** to the grave and serious issues on the Preliminary Report of the FCCPC which I raised yesterday!

You denied me fair-hearing, pre-judged my case and actually conducted free research on behalf of Air Peace limited thereby descending into the arena of conflict. These are all indicative of unfair and prejudicial bias!

Those are valid grounds for setting aside even a decision of a trial court! Yet you seem to have swept everything I complained of under the table!

Have you requested for the complete passenger manifest? Have you asked the IGP monitoring unit for a copy of the police file which contains the statements made by both the pilot and the air hostess before Air Peace went on their shameful, public lying spree?

If there is no justice before the FCCPC, please let me know so I can withdraw my complaint, go public for my safety and proceed to court.

If you have wrecked this level of injustice on me and my wife without even hearing from Air Peace Nig. Ltd., please what will you do to us when they revert with more lies?

- Have you considered the dilemma we would have been in if we did not have any evidence at all? **AIR PEACE NIGERIA LIMITED PUBLISHED A MALICIOUSLY FRAUDULENT LIE WHEN THEY THOUGHT WE DID NOT HAVE ANY EVIDENCE!**

Does that not mean anything to you all?

Please I need a response to the issues I raised yesterday so that you can restore our confidence in your processes and procedures.

I will also want to be kept fully updated so that I can correct any further mistakes or misunderstandings of the complaint we have presented.

BE FAIR TO US AND THOROUGH IN YOUR WORK.

That is all we ask! BE FAIR and THOROUGH!

Best regards,

Christopher Ogbonna

Sent from [Mail for Windows 10](#)

Forwarded by Outlook



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace**Christopher Ogbonna** <christopher.c.ogbonna@gmail.com>

Thu, Aug 6, 2020 at 3:33 PM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>

Cc: Ema Ogbe <ogbeema@gmail.com>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, FCCPC Nigeria <contact@fccpc.gov.ng>, "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>

Dear Florence,

Kindly advise me on the procedure for withdrawing a complaint before the FCCPC.

Best regards,

Christopher Ogbonna

(Quoted from original)



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Florence Abebe <florence.abebe@fccpc.gov.ng>

Thu, Aug 6, 2020 at 4:11 PM

To: Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Cc: Ema Ogbe <ogbeema@gmail.com>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, FCCPC Nigeria

<contact@fccpc.gov.ng>, "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Nneka Ogbonna

<nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, "tunde.irukera@fccpc.gov.ng"

<tunde.irukera@fccpc.gov.ng>

Mr. Ogbonna,

However you choose is entirely up to you.

[Quoted text hidden]



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace**Christopher Ogbonna** <christopher.c.ogbonna@gmail.com>

Thu, Aug 6, 2020 at 4:25 PM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>

Cc: Ema Ogbe <ogbeema@gmail.com>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, FCCPC Nigeria <contact@fccpc.gov.ng>, "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>

Ok. Great! Many thanks.

[Quoted text removed]



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Fri, Aug 7, 2020 at 6:56 AM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>, "babatunde.irukera@fccpc.gov.ng"

<babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng"<tunde.irukera@fccpc.gov.ng>

Cc: Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear Sirs/Mesdames,

NOTIFICATION OF WITHDRAWAL OF COMPLAINT

We regret to inform you that after due consultation with each other, our families and our lawyers, my wife and I have decided to withdraw our complaint before the FCCPC.

We had such Great Expectations - like Dickens! - that the FCCPC will rise to the challenge of dispassionately considering the case presented by my wife, a consumer in Nigeria's aviation sector. My wife was the victim of an unbelievably spectacular abuse of power by Capt. Horace Jaja-Millar of Air Peace Nigeria Ltd. who unlawfully set in motion the aircraft disembarkation procedure and labelled her a hijacker who had hijacked the aircraft all in pursuit of personal vendetta against her.

However, the publication of the FCCPC's Preliminary Report which is supposed to be an evaluation of the consumer's case as presented has given us significant cause for worry and concern. Even though we were assured that the Preliminary Report was not a finding or determination, certain pronouncements of fact therein (such as the extract below) seem to have already reached a finding in favour of Air Peace Nig. Ltd which is yet to file its response. In our humble view, the FCCPC, with all due respect, seems to be blaming the victim for the unfair acts of abuse of power, injustice and sheer cruelty perpetrated against her by Capt. Horace Jaja-Millar.

4. Evidence shows that the protracted disruption by the passenger[s] in part on account of her being upset which led to an intransigent and resistance to comply with aviation security directives and request:

(i) **Inordinately delayed flight departure, potentially compromising proper service to other passengers who have a legitimate expectation to on time departure and on time arrival, and**

(ii) **Regardless of how the conflict started, the escalation arising from the disruption could legitimately, conceivably be considered a certain level of unruliness that could present a risk to safe flight operation.**

We have recognised that perhaps due to our personal involvement in this matter and the immeasurably intense pain and grief that it has caused us so far, we are not being objective. However, lawyers who have watched the videos and read the FCCPC's Preliminary Report have expressed similar concerns as ours.

More importantly, we now realise that compared to a court of law, the FCCPC cannot offer us the full range of opportunities which we require to exhaustively ventilate our grievances and seek appropriate redress.

Nonetheless, we are grateful to the FCCPC for the attention accorded our petition. We trust that our confidentiality

shall be maintained and that the materials and other evidence which we furnished to the FCCPC will not be handed over to the Respondent or to any other party.

Best regards,

Christopher Ogbonna

On Thu, Aug 6, 2020 at 4:11 PM Florence Abebe <florence.abebe@fccpc.gov.ng> wrote:

(Quoted text removed)



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Florence Abebe <florence.abebbe@fccpc.gov.ng>

Fri, Aug 7, 2020 at 11:03 AM

To: Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Greetings Mr Ogbonna,

It is unfortunate that you claim FCCPC is not independent or dispassionate. FCCPC was created for and by mandate to protect consumers, and that's exactly what we do. We wear the delicate hat of being on the side of consumers, and at the same time the balance of independence required for the integrity of our processes and decisions.

The FCCPC has conducted a preliminary assessment of this case and provided simple facts that are apparent from the evidentiary material you provided. We recognize and respect the sentiments, even your prerogative to be displeased, or disagree, but this is the only meaningful, objective and sustainable manner to discharge our responsibility at all times in protection of consumers.

In specific response to your examples, you identified in your mail, the passenger was visibly upset, as others too had become. And this is why the assessment refers to passenger[s]. Your footage provides evidence of disruptiveness and restlessness by those upset and a tension in the aircraft, including a growing impatience by some passengers who didn't necessarily disagree with your wife, but fairly and expectedly wanted to proceed on their own journey. They are also consumers, and noting any delay occurring to them on account of a dispute is an important aspect of our work. Not for determining that it was the fault of the complainant (your wife), but certainly for determining and advising aviation authorities one way or the other about addressing situations, and resolving disputes in a manner that does not compromise the rights or expectations of others who are not part of, or involved in the dispute.

The footage further showed and you admit that the complainant repeatedly declined to disembark from the aircraft at the request of aviation security operatives, and expressly stated that her reason was that she wanted to fly on that plane and believed if she disembarked, the plane will depart without her. She ultimately did disembark, and her concerns of a departure without her did occur. Her remedy against the airline is inviolate, where the airline violated her rights, but that remedy is not against other passengers who did possess the legitimate expectation that their travels not be disrupted. This factual assessment does not even remotely in any way diminish your wife's grievance or claim against the airline, it only addresses the potential for compounded dissatisfaction by other passengers, and the possibility that the airline on account of a dispute with one passenger could become liable to all passengers. This is the globally accepted common parlance of limiting and mitigation, and a consumer protection regulator must necessarily consider this in its work. That your wife could not fly on the plane is a crystallized fact, the reason she could

not is the subject of her consumer rights. As such, complicating the dispute by the question of the right of other passengers does not strengthen your wife's case, it only creates other problems for many more consumers, not just the passengers on that aircraft, but others waiting at the destination to board the same aircraft, and multiple other destinations for the rest of the day. From our mandate, and in the context of ensuring your rights are protected, it should not necessarily be incompatible with the rights and expectations of those other consumers.

Your second point about "unruliness", the animation and tension in the aircraft was already an indication and even evidence of unruliness, as there was noise and multiple persons speaking in aggravation whether in support or against the different parties to the conflict. And as noted, this is "regardless of how the conflict started" as you underscore. Essentially, this means that, without prejudice to the underlying issue, the situation could get out of hand if not quickly addressed. This unruliness was not necessarily a matter of your wife specifically, but what really was apparent and obvious from even your footage.

Indeed, you are correct that the scope of our mandate and process is different from a court of law, as such we respect your discretion regarding which forum to pursue your grievances. As a matter of fact, our statute in addition to prevailing legal order, and Constitutional provisions expressly provides that a complainant is entitled to proceed to court, either in disagreement with our findings, or in addition to our finding, even when they agree to pursue additional remedies where the regulatory framework does not provide for such remedies.

With respect to your request about disclosures. First, we must note that we have a process for disclosures. Except when information is of commercially sensitive nature (business secrets) or a violation of privacy, we do not seal or fail to disclose. It is part of what is expected of a regulator. Further, our assessments and orders are public, and are undisclosed only in limited circumstances. In evaluating if this situation meets those circumstances, it would be helpful if you provide information about why you think this is the case. Finally, the natural fair hearing process is to avail every respondent with the complaint and evidence they are confronted with. As such, it would have been severe prejudice to share our assessment with you without sharing with the airline who must provide information that will assist in whether that preliminary assessment is sufficient basis to proceed. As such, we did provide that to Air Peace in requesting a response. Further, it is customary for regulatory authorities and law enforcement to share information and evidence during investigations, and to that extent, we have shared information.

Thank you very much for your kind words, the FCCPC remains committed to enforcing the rights of consumers, including yours. In understanding the pain you've referred to, please understand we wish you the very best, including a resolution that ameliorates this pain.

DO NOT REPLY TO THIS EMAIL



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Fri, Aug 7, 2020 at 4:37 PM

To: Florence Abebe <florence.abebbe@fccpc.gov.ng>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear Florence,

We cannot claim that the FCCPC is not independent or dispassionate. All we have said is a function of how your Preliminary Report made us and others who have read it feel.

The adversarial choice of language and the misapprehension of aspects of the case we presented (e.g. the manner in which my wife finally left the aircraft) gave us and anyone who read that Preliminary Report the impression that the FCCPC was biased and in a hurry to blame my wife for the entire incident like the NCAA and FAAN initially did!

Then you seemed to turn a blind eye to, or at the very least, did not seem to appreciate the gravity of, the very false and hurtful public statement which Air Peace Limited maliciously issued against us when they thought that we did not have any video evidence.

The only instruction that my wife did not immediately comply with was that she leave the aircraft. Even the Nigerian constitution says that a criminal is entitled to know what he or she has done wrong! It would have been a different kettle of fish if they said, "madam, we have found some suspicious items in your luggage, please come with us" and my wife refused!

She repeatedly asked what she had done wrong and the only response she got was that the pilot stated that he would not fly the plane except if she was unlawfully disembarked. That did not seem fair! Where was she supposed to leave and go to? She kept asking to know her offence until she was sexually assaulted even after that, and despite this gross violation of her person, she did not physically attack anybody or destroy any property.

The DPO was the first person who asked her, what happened? While she was telling her story, Capt. Horace Millar-Jaja, sensing that her truth was shining too brightly for his comfort, proceeded to label her a hijacker who had hijacked the plane! After she finished explaining to the DPO and he insisted that she leave the aircraft, she complied and walked out ON HER OWN!

Her worst nightmare eventually came to pass because as you rightly observed, the pilot achieved his objective of leaving her stranded in Lagos where she remained for 2 days after her harrowing experience with both NCAA/FAAN and the Nigeria Police. So, you can imagine how disappointed we were when you seemed to dismissively refer to her subsequent travails as "further processing" as if she was some convicted criminal.

The foregoing notwithstanding, your current email is indicative of the level of comprehension of our case which we expect and devoid of the blame game and sheer guilt-tripping with which NCAA and FAAN officials tried to dissuade my wife from enforcing her legal rights once she was outside the aircraft. We also take comfort in the fact that your findings are not a bar to our filing legal proceedings.

Accordingly, we crave your kind indulgence to withdraw our earlier NOTIFICATION OF WITHDRAWAL OF COMPLAINT and hereby withdraw same. We request that you please continue with your investigations.

Please, we are not looking to you to support us blindly in breach of the standard of objectivity expected from you as a regulator but we expect you to have a thorough understanding of the minutiae of our case.

Florence, what drives me insane in all of this is that **THEY HURT MY WIFE! THEY HURT MY WIFE!! THEY HURT MY WIFE!!! AND HAD THE GUTS TO PUBLICLY LIE ABOUT WHAT THEY DID TO HER.** What if she did not capture the much she did on video?

I personally apologise for any misunderstandings my previous emails may have caused and look forward to the publication of your findings in this matter.

Best regards,

Christopher Ogbonna



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Mon, Aug 17, 2020 at 2:50 PM

To: Florence Abebe <florence.abebbe@fccpc.gov.ng>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear Florence,

I hope this meets you well.

I will be very grateful for an update on your progress in this matter.

It is now over 6 weeks since we initially submitted the complaint and we are concerned with the actions of Air Peace Ltd.

At a meeting called for by FAAN on 11 August 2020, employees of both NCAA and Air Peace gatecrashed the meeting. NCAA and FAAN then allegedly made threats to us through our lawyers to either settle the matter amicably with Air Peace or my wife will be prosecuted (for what exactly, I can't even begin to fathom)!

These were the same regulators that refused to intervene when we begged them in February 2020 to investigate my wife's complaints.

Furthermore, Air Peace has started altering documents again! It has now deleted its Official Response on this issue which was posted on its Twitter handle. It is a good thing that we printed it out and it is part of our Complaint.

Each day that passes exposes us to a new threat and we will be grateful for an expeditious resolution by the FCCPC.

Best regards,

Christopher

From the web



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Florence Abebe <florence.abebbe@fccpc.gov.ng>

Mon, Aug 17, 2020 at 8:30 PM

To: Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu

<ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>,

<tunde.irukera@fccpc.gov.ng> <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>,

Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear Mr Ogbonna,

Greetings!

As you are aware, the Commission has forwarded your complaint and our initial reports to all parties concerned, including regulators. While we await their responses to our inquiry, please understand these regulators also have their mandates and priorities.

As soon as we have more information, you will be updated.

[Quoted text hidden]



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Mon, Aug 17, 2020 at 9:24 PM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear Florence,

Many thanks for your email which I understand perfectly.

I only crave your kind indulgence to draw your attention to the provisions of **Section 32(3) of the FCCPA** which I know you are certainly aware of and which provides that:

"Where the information provided in subsection (1) is not furnished to the satisfaction of the Commission, the Commission may make findings on the basis of information available to it."

I am fairly certain that the intendment of that section is to avoid a situation where the good work of the Commission is held to ransom by, for instance, an incompetent, corrupt, ineffective or severely compromised regulator or other third parties.

Also important is the unique provision of **s.147 of the FCCPA** which clearly designates the Commission as the regulator of last resort as far as consumer rights are concerned with power to hear and entertain a complaint where an industry sector regulator has failed woefully.

Best regards,

Christopher Ogbonna

[Censored text hidden]



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Florence Abebe <florence.abebbe@fccpc.gov.ng>

Thu, Sep 3, 2020 at 9:59 AM

To: Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu

<ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>,

"tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>,

Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear My Ogbonna,

Greetings! Please find attached responses from Air Peace with respect to your case before the Commission. The Commission is considering next steps and will revert shortly.

However, please provide any response or clarification to any of the attached responses from Air Peace on or before September 10, 2020.

[Quoted text hidden]

Response From Air Peace.pdf

5139K



August 28, 2020.

The Director General,
Federal Competition & Consumer Protection Council,
No 17 Nile Street,
Maitama, Abuja.



Attn: Tam Tamunokonbia

Dear Sir,

**RE: NOTICE OF INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER (CONSUMER) RIGHTS
UNDER THE FEDERAL COMPETITION AND CONSUMER PROTECTION ACT (FCCPA) AND
SUNDAY ENACTMENT/GUIDELINES-MRS NNEKA OGBONNA VS AIR PEACE**

We write in response to your letter dated August 4, 2020 with Ref Nos: FCCPC/HQ/QCE/689/Vol 1.
Please find below our response to the listed request contained therein.

1. We have attached the hard copy of the incident report sent via email by our Chief Security Officer on the day of the incident. (A)
2. The matter is currently being investigated by the Police. We had, on that day reported the matter to the Airport Police Command, Lagos. At the instance of the complainant, it was transferred to the IGP Monitoring Unit, Abuja.
3. Kindly find attached the statement of the undersigned, the Lagos Station Manager and the cabin service executives that attended to the complainant on that day (Aurelia Amadi and Judith Obi).
(Bi,Bii and Biii)
4. There is currently no discussion on the resolution of the conflict going on. The last which was fixed by the Federal Airport Authority of Nigeria seems to have ended in deadlock as the complainant has continued to peddle lies against the airline on social media.

We have also attached extracts from the following which deals with unruly passengers.

- i. The Publications made by Mrs. Ogbonai's husband (Christopher Ogbonna) on twitter. (C)
- ii. Letter from Partners Associates requesting settlement. (D)

Thank you.

With our warmest regards,

Deborah Bazuaye

For: Head, Legal & Corporate Services

*Head LS
FMA
DCRS
28/08.*

ACLO (Fw)

Pls handle

1/9/20

A

Deborah Bazuaye

From: Aminu Suleman
Sent: Monday, August 17, 2020 1:12 PM
To: Deborah Bazuaye
Subject: Fwd: REPORT ABOUT UNRULY/DISRUPTIVE PASSENGER INCIDENT ON FLIGHT APK P47210 OF 10/12/19

FYI

Warmest regards,

Aminu Isa Suleman
Station Manager | Air Peace Ltd
25 Sobo Arobiodu Street GRA, Ikeja, Lagos, Nigeria.
Tel: +234 (0) 803 338 2559 | email: aminu.suleman@flyairpeace.com
www.flyairpeace.com ...your peace, our goal

From: Monsuru Akinbola <monsuru.akinbola@flyairpeace.com>
Sent: Tuesday, December 10, 2019 8:10:46 PM
To: Okplefu Akoja <akoja03@yahoo.com>
Cc: Wole Oludare <wole.oludare@ncaa.gov.ng>; Aminu Suleman <aminu.suleman@flyairpeace.com>; Ayodeji Adeyemi <ayodeji.adeyemi@flyairpeace.com>; Paulyinne Ikem <paulyinne.ikem@flyairpeace.com>; Toyin Olajide <toyin.olajide@flyairpeace.com>
Subject: REPORT ABOUT UNRULY/DISRUPTIVE PASSENGER INCIDENT ON FLIGHT APK P47210 OF 10/12/19

Dear Sir,

Good Afternoon,

Kindly find below report of Unruly/ Disruptive passenger incident on flight 7210 of date(Lagos-Warri).

The flight was being boarded at about 11.06 hours of date, when a passenger later identified as Mrs Ogbonna Nneka, was requested to submit her carry-on bag to be loaded in the cargo hold, as the airplane-embraer- has limited capacity for carry on items. She refused and forced her way into the aircraft. The cabin crew, in a similar manner requested that the baggage be released for storage in the hold. She refused, stating that she would not release the bag even with the intervention of the Pilot In Command, it was almost twenty minutes before she eventually released the abg. The action disturbed the boarding process, as she blocked the entrance to the airplane. After releasing the bag, she entered the airplane and started using profanities on the pilot, Captain Orasimila Jaja. In addition to this, she made unauthorised video recording in the aircraft. All attempts at calming her down did not yield any results, in spite of intervention from fellow passengers. The PIC was forced to shut down the aircraft engine. At this point, the Pilot demanded that she be off loaded. She refused, thereby holding the flight

hostage. At this stage, the airport avsec at MM2 was summoned to effect the order, she remained recalcitrant. There was a reinforcement, from the CII at the MMIA. At about 12.10 noon, the pilot shut down the engine. Only at this point, was she able to be brought down. Afterwards, the flight proceeded after about an hour of delay, resulting from the unruly act of this passenger.

The case was referred to the airport police for further handling.

Thank you sir

--

Best Regards,



...your peace, our goal



Monsuru Akinbola
Chief Security Officer
Air Peace Limited
25, Sobo Aroblodu Street,
G.R.A Ikeja, Lagos
E-mail: monsoru.akinbola@flyairpeace.com
Mobile: +2348176689701, +2348023646027
Website: www.flyairpeace.com

SAVE PAPER. Good

for your planet. Good for your Business.

"The contents of this e-mail including any attachment are confidential to Air Peace and intended solely for the person(s) to whom they are addressed.
Any reader of this email who is not the intended recipient is notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately and delete all copies from your computer system. Subsequent alterations to this email after its transmission will be disregarded."

Bi

Re: Nneka Ogbonna

The matter was reported to the Airport Police Command and the complainant was taken into custody. A meeting was further fixed by the police soon after. At that time, the complainant had been released.

On the day on the meeting, I was at the airport police station with my colleague to wait for Mrs Ogbonna who did not show up. After about an hour, the IPO called her, and she said she did not know about the meeting. A new date was fixed. Mrs Ogbonna also failed to keep that appointment. About the end of December 2019, we received a letter from her solicitors apologizing for Mrs. Ogbonna's behavior requesting settlement. A new date (9/1/2020) was fixed for the meeting.

On that day, we informed the party of management's decision that the complainant should cover the cost of one trip since the delay she caused was over an hour for a 50-minutes trip. At this, her lawyer flared up and asked how were dared to request financial compensation. At that point we requested that the settlement should be called off and that the matter be dealt with appropriately by the police. However, the DPO appealed for calm between parties and asked that the complainant decide on what they were willing to offer and revert on a further date. A date was fixed subsequently.

The complainant refused to honour the date and proceeded to publish distorted account of what transpired on social media. He has also written numerous petitions against us. The Federal Airport Authority of Nigeria (FAAN) invited us for a meeting on the strength of one of such petitions.

Deborah Bazuaye

ACCOUNT ON NNEKA OGBONNA

On 10th December 2019, I was informed that there was an unruly passenger on board the Lagos - Warri (P47210) flight that was resulting in the delay of the flight. When I got there the passenger (Mrs Ogbonna, PNR: AKGK5P) has sat on one of the seats and was still throwing insults around. I went to her to find out what the problem was. She responded to my greetings with a sharp, 'get out of here'.

I went to the cockpit to be briefed by the captain who informed me that the passenger had been throwing insults at our staff even before boarding. I gathered from the ground and flight staff that they had asked her to release her bag for check- in and she refused saying that the already approved it as a carry-on luggage from the check in counter. The ground staff explained that since the plane was a smaller plane (Embraer jet) it will not allow her luggage in the over head counter and that she had forced her way into the plane without submitting her boarding pass for tagging.

I went back to her, but she was unwilling to listen to me and kept throwing insults at us. When she refused every of my effort to placate her, I had to report to the Captain on board who asked that she should be deboarded. Following the approved protocols, FAAN Avsec was invited to deboard her. She refused to follow their instructions. They had to ask for reinforcement from their international airport station who sent uniform officers to deboard her. All the passengers seating in front of her was asked to go down so she can be deboarded. A female FAAN AVSEC officer guided her out of the aircraft until she got to the door of the aircraft where the then DPO of the Airport Police Command accidentally came up and asked that they let her come down on her own. Even at that she was still being difficult and refused to come down until the Captain was forced to shut down the power in the plane. That was when she was eventually taken down from the plane. She was then taken by FAAN AVSEC to Tango City.

The delay caused by Mrs. Ogbonna took about 1 hour, 10 minutes.

Thank you.

Aminu Isa Suleman
Station Manager

Deborah Bazuaye

From: Aurelia Amadi
Sent: Thursday, August 20, 2020 11:17 AM
To: Judith Obi; Deborah Bazuaye
Cc: Florence Opia, Legal Corporate Services
Subject: Re: RE: MRS NNEKA OGBONNA

On the said day during boarding, I heard some noise coming from the stairs from where I was standing I saw captain coming out of the cockpit, so I walked towards the boarding door to see what was going on that's when I heard captain telling the said woman to listen to the Purser and go tag her bag as there was no space for that size of bag for is a small a plane again she refused so the captain ask her to step aside from other passengers to board but she refused again.

It took the intervention of other passengers behind her who started talking to her before she finally stepped out to tag her luggage.

When she came back to board the Purser ask for her boarding pass she walked past and refuse giving her and Judith again this time and turn and dropped the pass on the floor and Judith bent down to pick it and check then hand it over back to her. At this point she turn and looked towards the cockpit and saw captain looking at him and she said "stupid old man" "fool" and she went to her seat

Captain then sent for Airpeace AVSEC they came and pleaded with her but she refused then they requested for MM2 AVSEC, the station manager, assistant station manager they all pleaded with her passengers inclusive but she refused, instead she call her husband who told her not to leave but make a video of what was happening we were delayed for over an hour before she was taken off the aircraft

Kind regards
 Aurelia Amadi

Get [Outlook for Android](#)

From: Judith Obi <judith.obi@flyairpeace.com>
Sent: Wednesday, August 19, 2020 5:33:28 PM
To: Deborah Bazuaye <deborah.bazuaye@flyairpeace.com>; Aurelia Amadi <aurelia.amadi@flyairpeace.com>
Cc: Florence Opia <florence.opia@flyairpeace.com>; Legal Corporate Services <legal@flyairpeace.com>
Subject: Re: RE: MRS NNEKA OGBONNA

Dear Deborah,

On the said day during boarding, I noticed the lady in question had a luggage that was too big to fit in the Embraer hatrack so I told her to kindly tag her bag as it wouldn't fit in the hatrack. She refused and stood on the aircraft stairs arguing and impeding the boarding process. I appealed to her to kindly step aside so other passengers could go through as a long queue was beginning to build behind her which she also refused. The Captain had to come out of the cockpit and told the lady to listen and do as I had said. It took the intervention of other passengers behind her before she finally stepped aside to tag her luggage.

At the door, I welcomed her and asked to see her boarding pass but she walked past me before dropping it on the floor. I bent down to pick the boarding pass, checked it and handed same back to her. At this point, the Captain was by the

cockpit door, then the lady looking at him said "stupid old man". That was when Captain requested for AVSEC. Air Peace AVSEC, MM2 AVSEC, The Station Manager and The Assistant Station Manager all came to appeal to her to leave the aircraft but instead she called her husband on the phone who told her to make a video and not leave the aircraft. We were delayed for over an hour before she was eventually taken off the aircraft.

Kind Regards,

Judith Obi
08055055609

Get [Outlook for Android](#)

From: Deborah Bazuaye <deborah.bazuaye@flyairpeace.com>
Sent: Wednesday, 19 August 2020, 12:25 pm
To: Judith Obi; Aurelia Amadi
Cc: Florence Opia; Legal Corporate Services
Subject: RE: MRS NNEKA OGBONNA

Dear Judith Obi and Aurelia Amadi

We are in receipt of the attached letter from the FCCPC on an unruly passenger on our Los-QRW flight of December 10, 2019.

To enable us respond to the commission, you are required to individually send in your account of the encounter with the pax to this email.

Your urgent response to this request is necessary.

Thank you.

Best Regards,



Deborah Bazuaye
Legal Executive | Air Peace Limited
25, Sobo Arobiodu Street,
G.R.A Ikeja, Lagos
E-mail: deborah.bazuaye@flyairpeace.com
Mobile: +2349087289638
Website: www.flyairpeace.com

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)



Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

@Qnscero

Human Rights Activist, Radical Change Catalyst, Extra-Passionate Lawyer and Logical to a Fault. Loving 😊 Family Man and Hyper-Protective 🤗

Lagos, Nigeria Joined January 2011

775 Following 1,448 Followers

Not followed by anyone you're following

Tweets Tweets & replies Media Likes

Dunned Tweet

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) @Qnscero

1. Nigerian aviation industry regulators @FAAN Office & @Nigerian Civil Aviation Authority are now threatening to prosecute my wife, Nneka, to intimidate us into abandoning #SaveNneka & reaching an amicable settlement with @Flyairpeace. These are the same aviation industry regulators who...

21 249 595

Show this thread

Thread

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

2...Nneka & I approached as far back as February 2020 & begged them to exercise their INVESTIGATIVE POWERS to investigate her complaint and they ignored us. Suddenly, they now realise that they have PROSECUTORIAL POWERS against the VICTIM just to intimidate and discourage us.

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

3...from pursuing our law suit in court 🤔 Hmmm 😂 I laugh in Swahili! 😂 WHAT A SHAME AND A SHAM! 😂 They say when you are in a hole the wise thing to do is to stop 🚫 digging but apparently, it will take more profound national embarrassment and more strident public outcry..

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

4...against the injustices Nneka & I have suffered before 🚫 and rise to their statutory responsibilities. The GARGANTUAN AND SHAMELESS LIE of a PUBLIC RESPONSE issued by 🚫 about what actually happened is still hanging in the public space..

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

5...yet, instead of investigating that, the focus of 🚫 and 🚫 is on prosecuting my wife, the victim! 😂 What a joke! 😂 The same 🚫 and 🚫 who handed Nneka over to 🚫 for prosecution now suddenly realise 8 months later after..

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

6... 🚫 and 🚫 could not establish any criminal offence against Nneka and we indicated our intention to institute civil proceedings against them, that they have powers to prosecute her! 😂 Please you have stayed silent for long enough..

 **Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)**

7..we humbly urge your IMMEDIATE intervention in this matter in the public interest before ~~@FAAN_Official~~ and ~~@NigerianAir~~ embarrass themselves and the government of His Excellency It is a CRIMINAL OFFENCE and a CIVIL WRONG for ~~@FAAN_Official~~ and ~~@NigerianAir~~

 **Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)**

8..to threaten us with frivolous criminal prosecution as a means of discouraging us from seeking civil remedies in court! It is also OBSTRUCTION of on-going ~~@fccnigeria~~ ~~@Terrorists~~ investigation! We want to settle amicably too but we will not do so with a gun held ...

 **Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)**

9..to our HEADS! ~~@Wapace~~ MUST accept full responsibility for its actions: retract the humongous lies it published against Nneka & me, compensate us on a full indemnity basis + jara, then issue a public apology to be published in 2 national newspapers. THOSE ARE OUR TERMS!

 **Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)**

10..on the part of ~~@FAAN_Official~~ & ~~@NigerianAir~~ we expect them to research and publish a fair, transparent and equitable Disembarkation Protocol that'll ensure that no pax ever suffers the same sheer abuse of power & cruelty that Capt. H. Jaja-Millar facilitated against Nneka!

 Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

On 10th December 2019, my wife [@ayi_Neku](#) arrived at the Murtala Muhammed International Airport, Lagos to board flight 7210 from Lagos to Warri.

[@NigerianCAA](#) [@NigerianFAAN](#) [@OfficialCaiwai](#) [@Sabi](#) [@Doyin](#) [@SPNigeria](#) [@NGRPresident](#) [@SPNigeria](#)

Dec 10 · 12 · 2019 · 5:59 PM

1.9K views and comments · 2K likes



Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

She arrived with only hand luggage which was approved and tagged as cabin luggage. The 11am flight was delayed by about 30 minutes. When she was about to board at about 11:30am, the flight attendant refused to let her board with her approved hand luggage.



Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

She was still pleading with the female flight attendant when the pilot Capt. Horace Millar-Jaja abandoned his responsibilities at the cockpit, came to the entrance of the plane and asked her if she was stupid or mad. She was shocked at this unwarranted outburst.



Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

We didn't even want apology! Just allow us to release my wife's international passport and let us put the past behind us since we are customers! They refused! Two very rude lawyers Doyin and Deborah thought they did extort N3m frm us!

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) @Chris... Jul 24
Allen Onyema - YOU ARE NOT GOD! And you will NEVER be God! You cannot trample on people the way you please simply because you have power and influence! What you [@NigerianCAA](#) and [@TANOfficial](#) did to my wife [@Dorey1246](#) is WRONG. We will not stay silent! 🇳🇬

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) @Chris... Jul 24
I shudder to think of what would've happened if this horrible incident happened to an ordinary Nigerian without the resources that we have been able to muster and throw at this issue! I paid \$150 for this tweet to go viral on [Twitter](#) and for YOU to see it..

times people saw this Tweet on Twitter



Total engagements

688

times people interacted with this Tweet



[View all engagements](#)

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) @Chris... Jul 24
...what if we did not have the money to fight this? [@NigerianCAA](#) the so-called apex regulator of aviation in Nigeria that is supposed to protect all air

Partners Associates & Co.

70, Olonode Street, Off Hughes Avenue, Alagomeji Yaba, Lagos.
Tel: 08170931297 | E-mail: vpartnerassociates01@gmail.com

D

WITHOUT PREJUDICE

20 December 2019

The Chief Executive Officer
Air Peace Nig. Limited
25 Sobo Arobiodu Street
GRA, Ikeja-Lagos.
ATTN: MRS. PAULINE IKEM (HEAD LEGAL)

Dear Sir,

LETTER REQUESTING FOR A SETTLEMENT MEETING WITH YOUR STAFF IN RESPECT OF THE
INCIDENT THAT OCCURRED ON 10/12/2019
Greetings and the above subject matter refers.

We are Solicitors to Mrs. Nneka Ogbonna, our "client" and it is on her behalf that we write you this letter.

We have been informed by our client of the incident that occurred on the 10th of December 2019, involving her, your Pilot and some of the Cabin Crew on Air Peace Flight P4 7210 to Warri. Having had the opportunity to hear from all the parties concerned, we are of the considered opinion that it is such an unfortunate incident and do sincerely apologise for any inconveniences this may have caused your business operations.

Indeed we have advised our client, on Tuesday evening when our firm was notified of the incident, to apologise to your Pilot and any other crew member that may have been involved in the altercation and we are aware that on the morning of the 11th of December 2019, she was at your Airport Office to do so.

We have also been informed by the Police in charge of this matter, that your company intends to press charges against her and it is for this reason that we write you this letter.

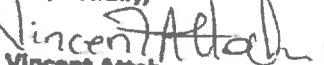
As Counsel in the temple of Justice, we affirm parties' rights to seek redress, whenever aggrieved, but also have a duty to ensure that parties consider an amicable settlement of disputes before resort to Courts. It is in this regard, that we humbly request that you use your good offices to ensure that this matter is resolved peacefully between your company and our client, who is also one of your loyal customers.

We would be happy to meet with any of your designated representatives at your earliest convenience, preferably in the first week of the New Year, to have this matter amicably resolved.

Again, we wish to reiterate our commitments to the belief that in any human endeavours there is bound to be conflict, however, a peaceful resolution of this conflict restore parties back to the position they were before the occurrence of the dispute.

We do crave your indulgence and thank you in advance of fatherly role in settling this matter.

Respectfully,


Vincent Attah

Partner

Partners Associates & Co.

CC: The DPO Nigerian Police Force
Domestic Airport Division
Ikeja.



Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

Unconfirmed info reaching us is dt ~~will appear~~
intends to use ~~PoliceNG~~ to arrest my wife & charge
her for a frivolous criminal offence to silence me! 🤦 We
don't've your money and power but we'll not stay silent
❗ Is justice delayed
justice denied?

53

53



Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

Someone just advised that my wife and I should run ~~immediately~~ with
all our evidence to the US 🇺🇸 or UK 🇬🇧 Embassy and seek political asylum.
.Sounded funny at first but now I am seriously thinking 😲 Have things
really gotten this bad in Naija? 🙄



Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

Sir! If there is any truth in the allegation that
intends to use ~~PoliceNG~~ to harass and intimidate my wife
after she filed a complaint w/~~to~~, that is obvious OBSTRUCTION
within the meaning of S.110 of the FCCPA!



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Thu, Sep 3, 2020 at 11:05 PM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear Florence,

Many thanks for your email.

Even from a cursory reading, the inherent contradictions in the narratives are all too apparent let alone when compared to the video evidence that we furnished you.

We will really appreciate if you request for a copy of the police file so that you can see the original statements made by the parties and how the story on the Air Peace side has constantly changed with each evidence we introduced.

Regarding our response, I regret to inform you that 10 September 2020 is not feasible for me.

I am currently in Lagos filing enforcement of fundamental rights action on behalf of my wife as well as a civil action in contract and tort against Air Peace, the Inspector General of Police, the Nigerian Civil Aviation Authority and the Federal Airport Authority of Nigeria.

However, I noticed that Air Peace took over a month to respond to our Complaint.

We will be grateful if, in the interest of justice and fairness, you accord us the same time so that we can properly respond to this fresh cache of contradictory lies.

Please be informed that sometime in August 2020, Air Peace filed a petition to the IGP which prompted my travelling to Abuja to attend a meeting with the IGP monitoring team scheduled for 26th August 2020 on behalf of my wife.

Fortunately, at the end of a gruelling 7 hours meeting, my wife's international passports which have been detained since 10 December 2019 at the instance of Air Peace employees, were released.



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Florence Abebe <florence.abebbe@fccpc.gov.ng>

Fri, Sep 4, 2020 at 9:24 AM

To: Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Very well Mr Ogbonna, your request for extension of time to respond is granted till September 24,2020, the Commission will continue with what we have in the meantime.

With respect to the time given for your response, the Commission's mandate is "speedy redress"; as you are aware, you had all the time to prepare and submit your complaint, the Respondent had to be given time to prepare and make their own case. Your right to respond is limited in the interest of justice and fairness, one of the reasons for that is the presumption that most of the information (if not all) has come in at this stage, and your right of response is just for clarification, and is limited to avoid unnecessary delay to resolution of the matter.

Congratulations on receiving your wife's international passport and wish you the best in Court.

[Oblique text hidden]



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Fri, Sep 4, 2020 at 5:48 PM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ONDAJE.IJAGWU@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear Florence,

Your kind concession is deeply appreciated.

There are very critical statements made in this response which I want to respond to with detailed evidence and I intend to keep Air Peace and other relevant persons in copy in the interest of justice and fairness.

However, it will seriously distract me from the on-going court filings.

I will endeavour to respond within the time you graciously granted.

Best regards,

Christopher Ogbonna

On 4 Sep 2020, at 09:25, Florence Abebe <florence.abebe@fccpc.gov.ng> wrote:



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Sat, Sep 12, 2020 at 5:23 PM

To: Florence Abebe <florence.abebbe@fccpc.gov.ng>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, aminu.suleman@flyairpeace.com, monsuru.akinbola@flyairpeace.com, akoja03@yahoo.com, ayodeji.adeyemi@flyairpeace.com, paulyinne.ikem@flyairpeace.com, toyin.olajide@flyairpeace.com, aurelia.amadi@flyairpeace.com, judith.obi@flyairpeace.com, florence.opia@flyairpeace.com, deborah.bazuaye@flyairpeace.com, legal@flyairpeace.com, allen.onyema@flyairpeace.com, hoperevival2000@yahoo.com, info@ncaa.gov.ng, webmaster@aviation.gov.ng, info@aviation.gov.ng, contact@faan.gov.ng, contact@faan.gov.nghenrietta.yakubufaan.gov.ng

Dear Florence,

Please find attached the following:

(a) My Reply to Air Peace Limited.

(b) DHL Cover Note

(c) Minutes of Meeting with FAAN

(d) Letter from Partners Associates & Co.

This video link is also part of the additional proof we wish to furnish:

<https://www.dropbox.com/s/mlk3pd3g14vp5mg/Aminu%20Video.mp4?dl=0>

Please copy and paste on your browser to open.

Best regards,

Christopher Ogbonna

4 attachments

Reply to FCCPC.pdf
238K

DHL Cover Note - DPO Rejection.pdf
112K

Minutes of Meeting with FAAN - Olumide Babalola.pdf
138K

Partners Associates and Co. Letter 1.pdf
3470K



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Mon, Sep 14, 2020 at 5:36 PM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear Florence,

Greetings!

I will be most grateful for your kind acknowledgement of receipt of my Reply and the attachments.

I realised that I left out an attachment. Please find attached my wife's Medical Report prepared by Dr Solomon Agbahowe, Honourary Consultant Psychiatrist at the Delta State University Teaching Hospital (DELSUTH), a full-fledged government hospital.

The Medical Report clearly stated that my wife will need further psychiatric counselling for at least a year to recover from the Post-Traumatic Stress Disorder (PTSD) inflicted on her by Air Peace Limited, FAAN and NCAA officials.

Accordingly, to enable my wife to get the best medical attention I can afford, I have made arrangements for her to commence online video psychiatric counselling with Dr Brent Piper a licensed Mental Health Counselor in New York, United States. She will be having two sessions per week until she makes a full recovery.

Please find the Proforma Invoice attached on the basis of which I already made payment.

Best regards,

Christopher Ogbonna

Viewed (redacted)

2 attachments

Medical Report Combined.pdf
2495K

Brent Piper Pro Forma Invoice .pdf
30K



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Florence Abebe <florence.abebe@fccpc.gov.ng>
To: Christopher Ogbonna <christopher.c.ogbonna@gmail.com>
Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu
<ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>,
"tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>,
Nneka Agbanusi <nnekaijeoma88@gmail.com>

Mon, Sep 14, 2020 at 8:35 PM

Mr Ogbonna, your mail and attachments are being analysed.

On Mon, 14 Sep 2020 at 17:36, Christopher Ogbonna <christopher.c.ogbonna@gmail.com> wrote:
Dear Florence,

Greetings!

I will be most grateful for your kind acknowledgement of receipt of my Reply and the attachments.

I realised that I left out an attachment. Please find attached my wife's Medical Report prepared by Dr Solomon Agbahowe, Honourary Consultant Psychiatrist at the Delta State University Teaching Hospital (DELSUTH), a full-fledged government hospital.

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Dear Florence,

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- (b) DHL Cover Note
- (c) Minutes of Meeting with FAAN
- (d) Letter from Partners Associates & Co.

This video link is also part of the additional proof we wish to furnish:

<https://www.dropbox.com/s/mlk3pd3g14vp5mg/Aminu%20Video.mp4?dl=0>

Please copy and paste on your browser to open.

Best regards,

Christopher Ogbonna

[Quoted text removed]



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Thu, Sep 17, 2020 at 12:48 PM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Dear Ms Abebe,

Please find attached the Affidavit in Support of the Fundamental Human Rights application which was filed at the Federal High Court, Ikoyi on behalf of my wife.

I am the deponent and it is essentially the same as the draft Statement of Claim which we filed as our Complaint save for additional facts which subsequently came to our knowledge that we included and further detailed clarifications of our narrative.

Given the puerile, barefaced lies and self-contradictory falsehoods that have been deliberately furnished to the FCCPC by Air Peace Limited, I have decided to provide our Complaint on oath to the FCCPC so that (i) it is evidence upon which the FCCPC can act and more importantly (ii) in the event that the FCCPC determines that my wife and I have furnished any iota of falsehood in our Complaint, in addition to the penalty under Section 112 of the FCCPA, I can also be prosecuted for perjury.

We earnestly look forward to the FCCPC's decision in this matter.

Grateful for your kind acknowledgement of receipt.

Best regards,

Christopher Ogbonna

This email has been checked for viruses by MailScanner, and it is clear.

Affidavit - Christopher Ogbonna (Optimised).pdf
12435K



Ema Ogbe <ogbeema@gmail.com>

Re: Mrs Nneka Ogbonna v. Airpeace

Florence Abebe <florence.abebbe@fccpc.gov.ng>

Thu, Sep 17, 2020 at 12:51 PM

To: Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Cc: "babatunde.irukera@fccpc.gov.ng" <babatunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, "tunde.irukera@fccpc.gov.ng" <tunde.irukera@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>

Received. Thank you.

[Quoted text hidden]

PRELIMINARY REPORT

PRELIMINARY ASSESSMENT: POSSIBLE VIOLATION OF PASSENGER (CONSUMER) RIGHTS - MRS NNEKA OGBONNA VS AIR PEACE

Summary/Allegations raised by Complainant:

The above complaint was filed July 3, 2020 by the Complainant Mrs. Nneka Ogbonna and Mr. Christopher Ogbonna (complainant's husband/Co-Complainant), wherein she alleged fundamental breach of air carriage contract, sexual assault, unlawful assault, harassment, intimidation, fundamental human rights abuse, and her attempted extortion by employees, agents and representatives of Air Peace Limited (Air Peace).

Specifically, the Complainant avows as follows:

1. The passenger alleges that the crew was discourteous to her, specifically she alleges that the Pilot, in supporting a cabin crew's decision, used inappropriate language, possibly profanity in addressing her.
2. Passenger alleges that she exercised restraint not to insult the Pilot and specifically conveyed her restraint by telling the Pilot, she is not insulting him because he is an old man.
3. Passenger alleges that aviation security/ law enforcement engaged in inappropriate contact with her body by the manner she was removed including sliding a hand in her private part and breaking her belt.
4. Passenger alleges that there was no rational basis for the type of treatment she received from Air Peace.
5. Passenger specifically alleges that she resisted checking in her cabin luggage because she knew it met the required dimensions even for that aircraft type.
6. At the cabin crew's insistence, but against her better judgment and will, passenger agreed to check in her cabin baggage.

In response to the Complainant's allegations on social media, Air Peace released a statement for which the team deduced as follows:

1. Airline responds that the reason passenger was required to check in her bag was that she was notified that other passengers had utilized most of the space in the overhead bins;
2. Airline states that it requested passenger's bag be tagged and checked in;
3. Airline further states that passenger refused to submit the bag as requested, rather pushed past staff and made her way into the aircraft;
4. Airline does not provide any evidence that the passenger specifically forced her way into the aircraft or in fact carried her carry-on luggage into the aircraft;
5. Airline alleges that passenger still declined to release her bag for checking and storage in the cargo hold, even after she entered the aircraft (purportedly with the bag);
6. Airline alleges that passenger was advised that carriage of cabin bags is subject to space availability and safety was paramount and superior to method of transporting bags;
7. Airline alleges that even at that, passenger "refused to bulge (sic) budge";
8. Airline alleges that passenger positioned self at entrance of aircraft making it impossible for other passengers to board the aircraft;
9. Airline alleges that passenger only released bags for checking after 30 minutes and intervention of other passengers;
10. Airline alleges that "passenger threw a tirade at flight crew", made videos and insulted airline staff (some video footage by passenger shows animated and contentious expressions but does not include insults to airline staff);
11. Airline alleges that when passenger's" unruly attitude became intolerable, Pilot-in- Command asked that passenger be de-boarded";
12. Airline alleges that passenger refused and stood on the stairs of the aircraft and remained unyielding even when airport security was invited (footage seen shows evidence of airport security engaging passenger

- while seated in her seat on the aircraft in a bid to cause her to disembark or be removed);
13. Airline alleges that Pilot shutdown the engines of the aircraft and only then was passenger successfully disembarked;
14. Airline further alleges that the disembarkation occurred after arrival of reinforcement from Federal Airport Authority of Nigeria (FAAN); and that airline subsequently referred the matter to the airport Police Command (footage shows that both FAAN operatives and police were part of the engagement inside the aircraft persuading passenger to disembark);
15. Further, footage seems to suggest that aircraft engines were running at the time of disembarkation;
16. Airline alleges that the Pilot approached passenger to inquire what the problem was but “returned to his seat when she threw insults at him”;
17. Airline alleges that Pilot-in-Command acted in accordance with civil aviation regulations;
18. Airline alleges that “at no time was Mrs. Ogbonna, harassed, intimidated or assaulted, whether sexually or otherwise”
19. Airline alleges that “the passenger’s unruly conduct was a threat to peace, hence report was made to the police”;

Based on the written complaint and video footage sent in by the Complainant, as well as the public statement by Air Peace; the case handlers have made the following initial /preliminary findings:

Scope

Prevailing legislations/regulations:

1. Nigerian Civil Aviation Regulation (NCAR) Part 17

- 17.97.1 Any passenger who becomes unruly at the airport terminal or on board an Aircraft commits an offence;
- 17.97.2 (c) Fighting or other disorderly conduct on board an aircraft or at the terminal building;
- 17.97.2(d) Any conduct/act constituting a nuisance to other passengers;

- 17.97.2 (e), Disobedience of lawful instructions issued by the aircraft commander
- 17.97.2 (f) Any conduct that endangers or is likely to endanger the safety of flight operations;
- 17.97.3- Where any passenger becomes unruly on board an aircraft or at the terminal building, the aircraft commander or airport authority shall take necessary measures including restraint where necessary.

2. Federal Competition and Consumer Protection Act

- S.17 (g) eliminate anti-competition agreements, misleading, unfair, deceptive or unconscionable marketing, trading and business practices;
- S17(s) ensure that consumers' interests receive due consideration at appropriate fora and provide redresses to obnoxious practices or the unscrupulous exploitation of consumers by companies, firms, trade associations or individuals;
- S. 17(y) ensure that all service providers comply with local and international standards of quality and safe service delivery;
- 124. (1) An undertaking or any person acting on its behalf shall not use physical force, coercion, undue influence or pressure, harassment, unfair tactics or any other similar conduct against any person in connection with –
 - (b) supply of goods or services to a consumer;
- 130. (1) When an undertaking agrees to perform any service for or on behalf of a consumer, the consumer has a right to –
 - (b) performance of the services in a manner and quality that reasonable persons are generally entitled to expect

Initial Findings/Assessment

1. Evidence shows animated conflict which delayed flight, aggravated other passengers and caused Pilot to disembark flight in part;
2. Evidence shows Law enforcement apparatus who based on the video acted appropriately and politely;



3. Evidence shows an upset passenger whose aggravation caused her to be somewhat animated and otherwise disruptive;
4. Evidence shows that the protracted disruption by the passengers in part on account of her being upset which led to an intransigent and resistance to comply with aviation security directives and request:
 - (i) Inordinately delayed flight departure, potentially compromising proper service to other passengers who have a legitimate expectation to on time departure and on time arrival, and
 - (ii) Regardless of how the conflict started, the escalation arising from the disruption could legitimately, conceivably be considered a certain level of unruliness that could present a risk to safe flight operation,
5. The evidence shows that the passenger in compliance with aviation security request and please, ultimately disembarked aircraft;
6. Evidence shows that passenger's belt, purportedly a belt she was wearing broke at some point during the conflict;
7. The evidence does not show the manner of removal from the aircraft or whether passenger was ultimately forcibly removed;
8. The evidence does not show any interaction between the passenger, cabin crew or the Pilot
9. The evidence shows disembarkation of other passengers, possibly in preparation and for the convenience of the disembarkation or removal of the passenger;
10. The evidence shows that at some point, flight deck crew announced over the public address, that the flight was delayed on account of what he concluded was an unruly passenger needing to be deplaned;
11. The evidence demonstrates a cacophony of aggravation and impatience by other passengers with respect to the delayed departure;
12. The evidence shows that passenger was transported from the foot of the aircraft to terminal building for further processing;



FCCPC

13. Evidence shows that explanation to passenger regarding further processing included both the law enforcement process regarding the complaint by the airline to remove passenger from the aircraft; and passenger's prerogative to pursue regulatory and law enforcement remedies, she may have against the airline.

Based on the foregoing, the team recommends that the complaint be forwarded to the Complainant(s), Air Peace (Respondent), the Nigerian Civil Aviation Authority (NCAA), Federal Airports Authority of Nigeria (FAAN) and the Police Command (Murtala Muhammed Airport Lagos) requesting for more information and support with respect to this inquiry.

fabebe

Florence Abebe

Asst. Chief Legal Officer



Ema Ogbe <ogbeema@gmail.com>

Re: #FCCPC/DSE/C/29740 - Mrs Nneka Ogbonna v. Airpeace - Request for Update, Urgent SOS Request for FCCPC Protection and Notification of Necessity to Terminate Proceedings

8 messages

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Sun, Oct 4, 2020 at 3:44 PM

To: tunde.irukera@fccpc.gov.ng

Cc: Florence Abebe <florence.abebe@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, okpoko@thompsonokpoko.com.ng, ajuyah@thompsonokpoko.com.ng, odeleye@thompsonokpoko.com.ng, akanduezebubekalulegals@gmail.com, olumide@oblp.org, olumide@olumidebabalolap.com, aminu.suleman@flyairpeace.com, monsuru.akinbola@flyairpeace.com, akoja03@yahoo.com, Ayodeji Adeyemi <ayodeji.adeyemi@flyairpeace.com>, paulynne.ikem@flyairpeace.com, Toyin Olajide <toyin.olajide@flyairpeace.com>, aurelia.amadi@flyairpeace.com, judith.obi@flyairpeace.com, florence.opia@flyairpeace.com, deborah.bazuaye@flyairpeace.com, legal@flyairpeace.com, allen.onyema@flyairpeace.com, hoperevival2000@yahoo.com, info@ncaa.gov.ng, webmaster@aviation.gov.ng, info@aviation.gov.ng, contact@faan.gov.ng, contact@faan.gov.nghenrietta.yakubufaan.gov.ng

Dear Dr Babatunde Irukera,

Please find attached our letter and relevant attachments for your kind attention.

As usual, in the spirit of fairness, fair hearing and transparency, I have copied all relevant parties.

Grateful for your kind acknowledgement, sir.

Best regards,

Christopher Ogbonna

On Sat, Sep 12, 2020 at 5:23 PM Christopher Ogbonna <christopher.c.ogbonna@gmail.com> wrote:

Dear Florence,

Please find attached the following:

- (a) My Reply to Air Peace Limited.
- (b) DHL Cover Note
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Best regards,

Christopher Ogbonna

4 attachments

 **DOC. 34.pdf**
800K

 **DOC. 43.pdf**
231K

 **DOC. 42.pdf**
5142K

 **Letter to FCCPC - 04102020.pdf**
3507K

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>**Sun, Oct 4, 2020 at 3:49 PM**

To: tunde.irukera@fccpc.gov.ng

Cc: Florence Abebe <florence.abebe@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, okpoko@thompsonokpoko.com.ng, ajuyah@thompsonokpoko.com.ng, odeleye@thompsonokpoko.com.ng, akanduezebubekalulegals@gmail.com, olumide@oblp.org, olumide@olumidebabalolap.com, aminu.suleman@flyairpeace.com, monsuru.akinbola@flyairpeace.com, akoja03@yahoo.com, Ayodeji Adeyemi <ayodeji.adeyemi@flyairpeace.com>, paulynne.ikem@flyairpeace.com, Toyin Olajide <toyin.olajide@flyairpeace.com>, aurelia.amadi@flyairpeace.com, judith.obi@flyairpeace.com, florence.opia@flyairpeace.com, deborah.bazuaye@flyairpeace.com, legal@flyairpeace.com, allen.onyema@flyairpeace.com, hoperevival2000@yahoo.com, info@ncaa.gov.ng, webmaster@aviation.gov.ng, info@aviation.gov.ng, contact@faan.gov.ng, henrietta.yakubu@faan.gov.ng

4 attachments

 **DOC. 34.pdf**
800K

 **DOC. 43.pdf**
231K

 **DOC. 42.pdf**
5142K

 **Letter to FCCPC - 04102020.pdf**
3507K

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>**Wed, Oct 14, 2020 at 5:35 AM**

To: tunde.irukera@fccpc.gov.ng

Cc: Florence Abebe <florence.abebe@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, CHIEF OKPOKO <okpoko@thompsonokpoko.com.ng>, MR AJUYAH <ajuyah@thompsonokpoko.com.ng>, odeleye@thompsonokpoko.com.ng, akanduezebubekalulegals@gmail.com, olumide@oblp.org, olumide@olumidebabalolap.com

Dear Sir,

Please be informed that in the absence of any direct update from the FCCPC, I have been trying to keep track of

the progress of the subject Complaint using the FCCPC App on my phone.

This morning, I noticed that the subject Complaint has been "closed". Please find proof attached below.

I will be grateful for your kind confirmation that the Complaint has, indeed, been "closed" and what it implies.

Will the parties shortly receive your decision or does the closure mean that you will no longer be investigating the matter?

I will be most grateful for your response, sir.

Best regards,

Christopher Ogbonna

 [FCCPC Case Closed.pdf](#)
312K

Babatunde Irukera <tunde.irukera@fccpc.gov.ng>

Wed, Oct 14, 2020 at 9:07 AM

To: Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Cc: Florence Abebe <florence.abebe@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, CHIEF OKPOKO <okpoko@thompsonokpoko.com.ng>, MR AJUYAH <ajuyah@thompsonokpoko.com.ng>, odeleye@thompsonokpoko.com.ng, akanduezebubekalulegals@gmail.com, olumide@oblp.org, olumide@olumidebabalalp.com

There is no absence of any update. You have been updated about the status of your complaint. You're in multiple direct communication with the CEO and a senior operative with supervisory authority over your complaint. Yours is one of thousands and you've had the access and responsiveness that is in excess and impracticable does all, so there's neither tardiness or lack of diligence in addressing your complaint or engaging you.

The complaint is certainly not closed. I will forward this mail to Tech Support to appraise them of this observation.

Thanks.

Sent from my iPhone

On 14 Oct 2020, at 05:35, Christopher Ogbonna <christopher.c.ogbonna@gmail.com> wrote:

<FCCPC Case Closed.pdf>

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Thu, Oct 15, 2020 at 4:06 AM

To: Babatunde Irukera <tunde.irukera@fccpc.gov.ng>

Cc: Florence Abebe <florence.abebe@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, CHIEF OKPOKO <okpoko@thompsonokpoko.com.ng>, MR AJUYAH <ajuyah@thompsonokpoko.com.ng>, odeleye@thompsonokpoko.com.ng, akanduezebubekalulegals@gmail.com, olumide@oblp.org, olumide@olumidebabalalp.com

Dear Dr Irukera,

Ordinarily, I would have let this slide out of the deep respect I have for you and the FCCPC but since over 80% of your response seems to call me a liar, I strongly feel there is a need for me to respectfully respond and set the

records straight, sir.

Please be informed that there has been no update provided in this matter to me beyond the one-liner "*Mr Ogbonna, your mail and attachments are being analysed*" which I received a month ago.

You are correct that I have been in multiple direct commission with the CEO and a senior operative with supervisory authority over my complaint but what has been the nature of my communication with these persons?

For purposes of confidentiality, my deep respect and appreciation for the privilege, I will not dwell publicly on my private conversations with the CEO but I am certain that he will agree that given the tenor of our communication, he was certainly not providing me with any updates.

You can also ask your senior operative when last I contacted her directly, I have her number but I have not contacted her directly, not even for even a second. With the exception of initial Twitter chats, all my correspondences have been by email. I respect boundaries a lot, I endeavour not to abuse privilege or opportunity and, more importantly, I always strive to ensure that my actions and statements are within the strict boundaries of the law and social etiquette.

All I keep asking to know is: what is going on with our complaint at the FCCPC? On several occasions, I have had to prompt before even receiving an email acknowledgement. Even my last email has not been acknowledged up till now. These things cause me serious concern, sir.

There are now 3 active court cases associated with this matter with potential for a 4th case - **FHC/L/CS/1206/2020 Nneka Ogbonna v. Air Peace Limited and 4 others** (my wife's fundamental rights action), **FHC/L/CS/1347/2020 Nneka Ogbona & Christopher Ogbonna v. Air Peace Limited & 4 others** (the purely civil suit), and **ID/ADR/1570 Air Peace Limited & 3 Others v. Christopher Ogbonna** (the N270m defamation lawsuit filed against me at the State High Court which I intend to vigorously defend and counterclaim against).

In each of the above cases, I know exactly what is going on. I know the timelines, deadlines and what is expected of me at each point. However, I don't have the same comfort with the FCCPC proceedings.

This is especially important to me given the fact that Air Peace Limited has, in my humble opinion, demonstrated an audacious and unbridled tendency to lie without remorse even in the face of the stark provisions of s. 112 of the FCCPC Act.

Where the company gets such supreme confidence from is what I am yet to wrap my head around. You should see what they and their lawyer had the unbridled temerity to file in court under oath for no other reason other than the fact that they think that the company has the money, power and influence to do anything it pleases to anybody in Nigeria and get away with it! Well, that may be so but certainly not to me or my wife!

Then, with respect, sir, you keep making and emphasising the point that my wife's complaint is merely one out of thousands. I honestly don't think that is a fair or proper comparison to make. This case goes to the heart of unwholesome practices, poorly defined policies and institutionalised injustices that have been seriously undermining consumers of aviation products and services within Nigeria's aviation sector.

I don't know the resolve with which other complainants have been diligently prosecuting their complaints before the FCCPC but I am certainly not tardy with mine and I don't think that I should not be judged, compared or punished for my diligence. I remain determined to facilitate sweeping reform and to ensure that the abominable things that happened to my wife, especially in the circumstances that they did, never happen to any other Nigerian.

I will be grateful for an acknowledgement of receipt of my email and I humbly look forward to an expeditious resolution of our complaint one way or another to avoid conferring any technical advantage to any party in the on-going court proceedings.

Best regards,

Christopher Ogbonna

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Mon, Oct 19, 2020 at 7:06 PM

To: Babatunde Irukera <tunde.irukera@fccpc.gov.ng>

Cc: Florence Abebe <florence.abebe@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, CHIEF OKPOKO <okpoko@thompsonokpoko.com.ng>, MR AJUYAH <ajuyah@thompsonokpoko.com.ng>, odeleye@thompsonokpoko.com.ng, AKANDU EZEBUBE&KALU <akanduezebubekalulegals@gmail.com>, olumide@oblp.org, olumide@olumidebabalolalp.com

Dear Dr Babatunde Irukera,

Please be advised that the **Complainants**, my wife and I, are **irrevocably withdrawing and terminating** Complaint No. #FCCPC/DSE/C/29740 before the FCCPC in favour of concentrating on prosecuting the multiple lawsuits which have been instituted in relation to the subject matter.

We honestly expected that 3 months would be sufficient time for the FCCPC to reach a decision regarding our Complaint.

However, we do not wish for the FCCPC proceedings to interfere with or in any way affect or diminish our ability to fully express our grievances in court and to seek appropriate remedies. **Hence, we are exercising our right to unequivocally and irrevocably withdraw the Complaint.**

We are hopeful that this irrevocable withdrawal will streamline issues for the FCCPC and pave way for the FCCPC to concentrate on prosecuting Air Peace Limited and all its affected employees for violations of Section 112 of the FCCPC Act.

We trust that you are aware that this *prima facie* commission of a crime by Air Peace Limited and its employees is not in any way diminished by the withdrawal of our Complaint since the commission of the offence is not tethered to the pendency of a live Complaint.

We thank you and the FCCPC for all your efforts and wish you the best in your future endeavours.

Best regards,

Christopher Ogbonna



Florence Abebe <florence.abebe@fccpc.gov.ng>

Thu, Oct 22, 2020 at 2:59 PM

To: Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Cc: Babatunde Irukera <tunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, CHIEF OKPOKO <okpoko@thompsonokpoko.com.ng>, MR AJUYAH <ajuyah@thompsonokpoko.com.ng>, odeleye@thompsonokpoko.com.ng, AKANDU EZEBUBE&KALU <akanduezebubekalulegals@gmail.com>, olumide@oblp.org, olumide@olumidebabalolalp.com

Greetings Mr. Ogbonna,

The Federal Competition and Consumer Protection Commission (Commission) has received your withdrawal and termination of Complaint No.#FCCPC/DSE/C/29740.

However, at this point, there is a public interest and expectation in part on account of mandate and role statutorily, and also your robust and extremely public but understandable campaign for transparency and resolution.

The Commission concluded gathering information including from passengers and has almost finalised the Report. Based on your letter, your request will be captured in the Report and at your request, we will not make an order as to what any party should do with respect to the complaint, but we intend to make findings and recommendations that should improve industry and educate consumers.

www.fccpc.gov.ng

Christopher Ogbonna <christopher.c.ogbonna@gmail.com>

Thu, Oct 22, 2020 at 5:09 PM

To: Florence Abebe <florence.abebe@fccpc.gov.ng>

Cc: Babatunde Irukera <tunde.irukera@fccpc.gov.ng>, Ondaje Ijagwu <ondaje.ijagwu@fccpc.gov.ng>, Ema Ogbe <ogbeema@gmail.com>, FCCPC Nigeria <contact@fccpc.gov.ng>, Nneka Ogbonna <nneka.i.ogbonna@gmail.com>, Nneka Agbanusi <nnekaijeoma88@gmail.com>, CHIEF OKPOKO <okpoko@thompsonokpoko.com.ng>, MR AJUYAH <ajuyah@thompsonokpoko.com.ng>, odeleye@thompsonokpoko.com.ng, AKANDU EZEBUBE&KALU <akanduezebubekalulegals@gmail.com>, olumide@oblp.org, olumide@olumidebabalolap.com

Greetings Ms Abebe,

We note your insistence on continuing with Complaint No.#FCCPC/DSE/C/29740 despite the withdrawal of the Complainant and frankly, we are not surprised.

However, for purposes of the lawsuit which we may have to institute to challenge whatever findings and recommendation which you insist on publishing, we wish to categorically state the following:

1. It has come to our knowledge that your CEO, Mr Babatunde Irukera was the legal adviser to the Nigerian Civil Aviation Authority (NCAA) and was indeed instrumental to writing the Nigerian Civil Aviation Regulations (NCARs) one of the principal legislation which is primarily concerned with the abominable and unfortunate events of 10 December 2019 which happened to Nneka Ogbonna. The NCAA is an interested party in the outcome of this Complaint and a Defendant/Respondent to the lawsuits that we filed at the Federal High Court.

2. Also, Mr Babatunde Irukera wields a larger than life influence over the FCCPC and is almost synonymous with the FCCPC in the public eye. We also have evidence that Mr Babatunde Irukera and the Chairman of Air Peace Limited, the architect of the events of 10 December 2019, are known to each other in social circles and have attended at least one webinar together. Finally, we are aware that Mr Babatunde Irukera recently underwent Senate screening with a view to confirmation of his position as the CEO of the FCCPC so, it is understandable that he may not wish to ruffle feathers at this time by allowing the FCCPC to make adverse findings against a major Nigerian airline and two prominent government agencies, the FAAN and the NCAA.

3. Accordingly, we wish to humbly and respectfully state without casting any aspersions whatsoever on his sterling personality and good reputation, that we firmly believed that in the interest of fair hearing, Mr Babatunde Irukera and the FCCPC should have recused themselves from handling this matter and, at the very least, stayed further action after we withdrew the Complaint in favour of pursuing court proceedings to which the Air Peace Ltd., FAAN and NCAA are parties. See *Dimes v. Proprietors of Grand Junction Canal and Others* (1852) 3 HL Cas 759, [1852] EngR 789, (1852) 10 ER 301.

4. Secondly, we established beyond any doubt whatsoever, a *prima facie* violation of S.112 of the FCCPC, Act by Air Peace Limited when one Aminu Isa Suleiman lied blatantly about what had transpired between him and Nneka Ogbonna on 10 December 2019 and these lies, which were deliberately intended to mislead and occasion a miscarriage of justice, were forwarded to the FCCPC by one Deborah Bazuaye on behalf of Air Peace Limited. In the discharge of our constitutional responsibilities under s. 24 of the 1999 Constitution, we notified the FCCPC of this and furnished proof and to the best of our knowledge, nothing has been done.

5. What is really mind-numbing is that despite our repeatedly desperate requests begging for an update on the FCCPC proceedings which the FCCPC ignored, the FCCPC was busy conducting secret proceedings by interviewing witnesses provided by Air Peace Ltd. without our knowledge. In fact, Mr Babatunde Irukera stated publicly on Twitter that the Complainants had no right whatsoever to cross-examine witnesses provided by Air Peace, a party who furnished lies to the FCCPC because the FCCPC is not a court. Well, we think he is mistaken because judicial authorities abound on the point that the rules of fair hearing apply not only to judicial but quasi-judicial proceedings like that of the FCCPC.

6. At the very least, we should have been obliged with the statements of these so-called witnesses as well as statements which Mr Babatunde Irukera stated were provided by NCAA so that we can have an opportunity to

rebut them! **The FCCPC would NEVER have known that Air Peace's Aminu Isa Suleman was lying if we were not furnished with the response of Air Peace Limited! Why then did the FCCPC then keep the statements of FAAN, NCAA and their witnesses away from us yet the FCCPC is willing to rely on them to reach a decision in the complaint?** That is the height of abuse of the rules of fair hearing and we are very confident that an unbiased court will agree with us and quash the entire proceedings of the FCCPC.

7. We also note, without surprise, that while the FCCPC is not going to make any order on account of what should be done regarding the petition, the FCCPC is willing to make findings (of liability) and recommendations ostensibly in the interest of improving the industry and educating consumers. We firmly believe that this is nothing but an attempt to provide a defence for Air Peace Ltd., FAAN and NCAA in the on-going court proceedings and to colour the mind of the public and the court. However, please be assured that we will firmly and stoutly resist this by all legal means possible.

8. The entire FCCPC proceedings have been tainted by a grievous breach of the Complainants' right to fair hearing and we firmly believe that anything proceeding from it is fruit from a poisoned tree.

9. We encourage the FCCPC that is not too late to shake off any undue influence that it may be labouring under, turn back and preserve its good name and reputation. However, should the FCCPC insist on going down this path, please be assured that we shall certainly turn to the courts which is the ultimate hope of the common man and seek the justice that we believe we have been denied.

10. In this regard, we are solemnly guided by the true and eternal words of Lord Chief Justice Hewart which he uttered nearly 100 years ago that "***Justice should not only be done but should manifestly and undoubtedly be seen to be done***".

Best regards,

Christopher Ogbonna

OGBONNA, CHRISTOPHER
Flat 6, Block V, Shell Estate, Edjeba, Warri, Delta State
christopher.c.ogbonna@gmail.com
07034142612 and 08095240307

04 October 2020.

The Chief Executive,

The Federal Competition and Consumer Protection
Commission (FCCPC),
No. 17, Nile Street,
Maitama,
FCT, Abuja.



Dear Dr Babatunde Irukera,

RE: #FCCPC/DSE/C/29740 - MRS NNEKA OGBONNA AND CHRISTOPHER OGBONNA V. AIR PEACE LIMITED – OPEN LETTER REQUEST FOR UPDATE, URGENT SAVE OUR SOULS (SOS) PLEA FOR FCCPC PROTECTION AND NOTIFICATION OF URGENT NECESSITY TO CONCLUDE FCCPC PROCEEDINGS TIMEOUSLY GIVEN LAWSUITS INSTITUTED AT THE FEDERAL HIGH COURT.

Introduction

I write you this letter as a private Nigerian citizen in pursuit of justice, fairness and equity for himself and his family.

Since my wife and I submitted the attached Complaint to the FCCPC on **03 July 2020**, over 3 months ago, we have been hopeful and expectant that the FCCPC will ensure "speedy redress" in line with its mandate and given the assurances of your Ms Florence Abebe that the commission takes its mandate very seriously. In fact, we understand that the FCCPC publicly professes to resolve cases of this nature which do not require protracted court proceedings within 1 - 45 days. However, the delay in the resolution of this matter is now giving me, my wife and our team of lawyers cause for concern.

Institution of Lawsuits at the Federal High Court

In the 3 months' period since we submitted our Complaint to the FCCPC, we have also filed two lawsuits. The first one is a fundamental rights action titled *Suit No. FHC/L/CS/1206/2020 - Mrs Nneka Ogbonna v. (1) Air Peace Limited, (2) Inspector General of Police, (3) Nigerian Civil Aviation Authority (4) Federal Airports Authority of Nigeria, and (5) Captain Horace Millar-Jaja* while the second one is a purely civil

law suit titled *Suit No. FHC/L/CS/1347/2020 - Mrs Nneka Ogbonna & Anor. v. (1) Air Peace Limited, (2) Inspector General of Police, (3) Nigerian Civil Aviation Authority (4) Federal Airports Authority of Nigeria, and (5) Captain Horace Millar-Jaja.*

Unusual Delay in the Progress of the Complaint and Absence of Periodic Updates

Over a month ago (precisely 4 September 2020), the FCCPC seemed on the verge of wrapping up this matter. In fact, your Ms Florence Abebe was emphatic that "*the Commission's mandate is "speedy redress"; as you are aware, you had all the time to prepare and submit your complaint, the Respondent had to be given time to prepare and make their own case. Your right to respond is limited in the interest of justice and fairness, one of the reasons for that is the presumption that most of the information (if not all) has come in at this stage, and your right of response is just for clarification, and is limited to avoid unnecessary delay to resolution of the matter.*"

However, since we provided the required "clarification" via our attached Reply three whole weeks ago, this matter seems, in my humble opinion, to have suddenly entered a lull. We have not been provided with any updates on your investigation and even if the FCCPC was investigating the weighty issues we raised in our Reply, we believe that the FCCPC should have been done by now.

In court proceedings or even police investigations, we would have been entitled to updates so that we can be kept fully informed of the progress of our matter. The need for periodic updates in this matter is even more pressing considering that one party (Air Peace Limited and its employees) has manifested a strong penchant for lying, deceiving, manipulating, and attempting to mislead the FCCPC into reaching an unfair and perverted decision through the supply of false and misleading information in violation of section 112 of the FCCPC Act.

We have also furnished you with evidence from Air Peace's own documents which strongly supports our suspicions that falsified documents (beginning with the Incident Report of 10 December 2019) were deliberately presented to the FCCPC in a blatant and audacious attempt by Air Peace Limited to pervert the course of justice.

Apparent Absence of Police Involvement in FCCPC Investigation and the Complainants' Cause for Concern

We had earlier emphasised to you the supreme importance of the police file created *ab initio* in this matter. That file contains the earliest testimony of all the witnesses including my wife. It will also clearly show you the chronology of reticulate lies that Air Peace Limited and its employees have been weaving in this matter since inception while our narrative has remained consistent and persistent.

Furthermore, without even first obtaining his consent, we leveraged on the fact that he was a public officer discharging a public duty and provided you with the contact information of the IPO (Superintendent of Police Ben Anyalogu 08054384721 07068290828) at the IGP's Monitoring Unit, Abuja who has been handling the police version of this matter in the hope that you will contact him and conduct a very

thorough investigation. However, to date, we are not aware that you have contacted him or even made any attempt to obtain a copy of the police file. Rather, it seems that you have preferred and been content to work with severely compromised and biased regulators who have a personal axe to grind in this matter and whom we have already sued to court.

The last straw that broke the camel's back was yesterday, 03 October 2020 when one of the thousands of Nigerians who are now diligently following this matter on Twitter asked you at what point the FCCPC will take appropriate action in this matter and you responded that "*[a]ppropriate action [was] being taken in accordance with appropriate timing.*" (emphasis supplied). I was surprised by your public response and reference to "appropriate timing" considering the facts that:

- a. We have the knee of oppression belonging to Air Peace Limited resting firmly and calmly on our neck as if the FCCPC proceedings do not exist or even matter! No fear or even hesitation on the part of Air Peace Limited!
- b. Air Peace Limited and its employees had the unbridled temerity and inexplicable audacity to send blatantly false and misleading statements to the FCCPC despite the genuinely frightening criminal implications and financially crippling consequences of doing so under Section 112 of the FCCPC Act. I have furnished the FCCPC with incontrovertible video evidence of this violation of Section 112 of the FCCPC Act by Air Peace Limited and at least two of its employees (Isa Aminu Suleman and Deborah Bazuaye) who shamelessly and remorselessly furnished false and misleading evidence to FCCPC. Yet, we are yet to see any traction.
- c. Rather, we have been informed by total strangers sympathetic to our cause that the Air Peace Lagos Station Manager, Aminu Isa Suleman, who courageously and mischievously laid the foundation for the false and misleading statements furnished to the FCCPC in violation of Section 112 of the FCCPC Act, has been going about boasting and bragging about how nothing will come out of FCCPC's investigation because he comes from a family that has 4 Senior Advocates of Nigeria (SANs) who will ensure that nothing comes out of our Complaint to the FCCPC.
- d. While we admit that we have no way of confirming this fact, we verily believe it to be true given my wife's encounter with him inside the aircraft, the consummate ease with which he lied about their encounter to the FCCPC and the responses we have received from members of the public on social media who claim to have been his victims in the past. These persons have also emphasised on how narcissistic, boastful, arrogant and utterly unprofessional he is! One previous victim even offered to furnish us with video evidence!
- e. We have also pointed out to the FCCPC that there are substantial grounds (arising from Air Peace's own documents submitted to the FCCPC) for suspecting the authenticity of the Incident Report of 10 December 2019 which was allegedly furnished by Air Peace Limited to NCAA. Yet, the best we received from the FCCPC three weeks ago was that our Reply was being analysed.

- f. My wife, Nneka, who is now pregnant after she suffered 5 years of childlessness immediately after we buried the last of 2 daughters, diagnosed with PTSD by two independent professionals as a result of the activities of Air Peace, FAAN, NCAA and who has been declared medically unfit to travel is expected at the office of the Head, IGP Monitoring Team in Abuja on Thursday 8/10/2020. This is despite on-going FCCPC investigation.
- g. Also, the IGP himself is sued as a party in the two lawsuits we have instituted. The next adjourned date in the fundamental rights action is 19th October 2020 and the IGP is fully aware of that date. As you are, no doubt aware, it is trite law that in such a scenario, parties are obliged to maintain the *status quo* and to avoid foisting a *fait accompli* on the court. Yet, my wife and I have received summons to appear before the IGP, a party sued in the two lawsuits. Without a doubt, we see the hand of Air Peace Limited in all these.

Despite the foregoing and despite having the full powers under the FCCPC Act to intervene and prevent this obstruction, intimidation and interference with on-going FCCPC investigations by Air Peace Limited, the FCCPC seems to have remained silent. We are now left wondering, what else does a complainant have to do or provide to the FCCPC to qualify for “appropriate timing” and get the FCCPC to take action?

Resolute Determination to Pursue this Matter to a Logical Conclusion

Even in the rare and unlikely scenario that the FCCPC fails us, one thing that I am 100% sure of is that I will not back down a millimetre or be intimidated in any manner whatsoever into abandoning getting justice for my wife in this unfortunate matter. I am a lawyer. I know the law and more importantly, I know how to lawfully wield it like a formidable weapon in defence of self and family!

I will never live like a fugitive in my own country for daring to stand up to bullying, oppression and injustice. I have already invested millions of naira in the pursuit of justice in this matter, and I will persist in this course even if it means getting to the Supreme Court! I will not stand for this! No man or entity, however powerful, affluent, or connected, should be allowed in any sane, democratic society to wreak this kind of havoc on another man's wife and get away with it!

Over the course of this matter, total strangers claiming to be insiders sympathetic to our cause have contacted me to inform me of some grand plan to sue me on account of my persistent social media activities in this matter which are aimed at creating and sustaining public awareness in addition to keeping my family safely in the public eye.

Personally, I honestly do not care! In fact, I actually look forward to those proceedings being instituted against me so that even more public awareness of our travails in the hands of Air Peace Limited will be created and I can provide a robust defence of my social media activities in line with section 39 of the 1999 Constitution and Article 9 of the African Charter on Human and Peoples Rights which will even

further develop Nigerian law since I believe those provisions are severely underutilised in Nigeria.

Reasons for Instituting the Two Lawsuits and the Need to Conclude FCCPC Proceedings in a Timely Manner.

There is a clear and present risk of being statute-barred in the court proceedings related to this matter. So, I had to ensure that our lawsuits were filed in September 2020 and no later than that in line with the pre-action notices we issued to NCAA and FAAN.

It is really of critical importance that the FCCPC proceedings are concluded in a timely manner since it is ill-advised for the FCCPC proceedings to run interminably alongside the two lawsuits that we have already instituted at the Federal High Court.

This is crucial because we cannot afford to allow the FCCPC to inadvertently aid the lawyers to Air Peace Limited, NCAA and FAAN to latch on to any frivolous technicality to frustrate the two lawsuits that we have filed at the Federal High Court.

Accordingly, we will be most grateful if the FCCPC proceedings are completed on or before 16th October 2020 well before the next court hearing date of 19th October 2020.

Summary and Conclusion

We beg to humbly reiterate that our requests are as follows:

- (i) Going forward, we will greatly appreciate comprehensive weekly updates on the progress of the FCCPC in this matter to, *inter alia*, enable us promptly catch and immediately debunk any further deliberate lies, falsehoods, misrepresentations or potential falsifications with which Air Peace Limited intends to deceive and mislead the FCCPC and pervert the course of justice in this matter in further violation of Section 112 of the FCCPC Act.
- (ii) We are in dire need of the protection of the FCCPC given the incessant attempts at intimidating and harassing my wife by Air Peace Limited using the Nigeria Police.
- (iii) We will greatly appreciate a prompt resolution of this matter without any further delay, preferably on or before 16th October 2020 to avoid any frivolous claim of abuse of court process by any of the Defendants in the court proceedings.

Please be assured of our highest regards and continued faith that the FCCPC will manifestly and undoubtedly be seen to have dispensed justice in this matter.

Yours faithfully,



Christopher Ogbonna



AIR PEACE LIMITED
your peace our goal

August 28, 2020.

The Director General
Federal Competition & Consumer Protection Council
No 17 Nile Street
Maitama, Abuja



Attn: Tam Tamungkonbia

Dear Sir,

**RE: NOTICE OF INQUIRY INTO POSSIBLE VIOLATION OF PASSENGER (CONSUMER) RIGHTS
UNDER THE FEDERAL COMPETITION AND CONSUMER PROTECTION ACT (FCCPA) AND
SUNDAY ENACTMENT/GUIDELINES-MRS NNEKA OGBONNA VS AIR PEACE**

We write in response to your letter dated August 4, 2020 with Ref Nos: FCCPC/HQ/QCE/689/Vol 1. Please find below our response to the listed request contained therein.

1. We have attached the hard copy of the incident report sent via email by our Chief Security Officer on the day of the incident. (A)
2. The matter is currently being investigated by the Police. We had, on that day reported the matter to the Airport Police Command, Lagos. At the instance of the complainant, it was transferred to the IGP Monitoring Unit, Abuja.
3. Kindly find attached the statement of the undersigned, the Lagos Station Manager and the cabin service executives that attended to the complainant on that day (Aurelia Amadi and Judith Obi). (Bi, Bii and Biii)
4. There is currently no discussion on the resolution of the conflict going on. The last which was fixed by the Federal Airport Authority of Nigeria seems to have ended in deadlock as the complainant has continued to peddle lies against the airline on social media.

We have also attached extracts from the following which deals with unruly passengers.

- i. The Publications made by Mrs. Ogbonai's husband (Christopher Ogbonna) on twitter. (C)
- ii. Letter from Partners Associates requesting settlement. (D)

Thank you.

With our warmest regards,


Deborah Bazuaye

For: Head, Legal & Corporate Services

A

Deborah Bazuaye

From: Aminu Suleman
Sent: Monday, August 17, 2020 1:12 PM
To: Deborah Bazuaye
Subject: Fwd: REPORT ABOUT UNRULY/DISRUPTIVE PASSENGER INCIDENT ON FLIGHT APK P47210 OF 10/12/19

FYI

Warmest regards,

Aminu Isa Suleman
Station Manager | Air Peace Ltd
25 Sobo Arobiodu Street GRA, Ikeja, Lagos, Nigeria.
Tel: +234 (0) 803 338 2559 | email: aminu.suleman@flyairpeace.com
www.flyairpeace.comyour peace, our goal

From: Monsuru Akinbola <monsuru.akinbola@flyairpeace.com>
Sent: Tuesday, December 10, 2019 8:10:46 PM
To: Okplefu Akoja <akoja03@yahoo.com>
Cc: Wole Oludare <wole.oludare@ncaa.gov.ng>; Aminu Suleman <aminu.suleman@flyairpeace.com>; Ayodeji Adeyemi <ayodeji.adeyemi@flyairpeace.com>; Paulyinne Ikem <paulyinne.ikem@flyairpeace.com>; Toyin Olajide <toyin.olajide@flyairpeace.com>
Subject: REPORT ABOUT UNRULY/DISRUPTIVE PASSENGER INCIDENT ON FLIGHT APK P47210 OF 10/12/19

Dear Sir,

Good Afternoon,

Kindly find below report of Unruly/ Disruptive passenger incident on flight 7210 of date(Lagos-Warri).

The flight was being boarded at about 11.06 hours of date, when a passenger later identified as Mrs Ogbonna Nneka, was requested to submit her carry-on bag to be loaded in the cargo hold, as the airplane-embraer- has limited capacity for carry on items. She refused and forced her way into the aircraft. The cabin crew, in a similar manner requested that the baggage be released for storage in the hold. She refused, stating that she would not release the bag even with the intervention of the Pilot In Command, it was almost twenty minutes before she eventually released the abg. The action disturbed the boarding process, as she blocked the entrance to the airplane. After releasing the bag, she entered the airplane and started using profanities on the pilot, Captain Orasimila Jaja. In addition to this, she made unauthorised video recording in the aircraft. All attempts at calming her down did not yield any results, in spite of intervention from fellow passengers. The PIC was forced to shut down the aircraft engine. At this point, the Pilot demanded that she be off loaded. She refused, thereby holding the flight

hostage. At this stage, the airport avsec at MM2 was summoned to effect the order, she remained recalcitrant. There was a reinforcement, from the CII at the MMIA. At about 12.10 noon, the pilot shut down the engine. Only at this point, was she able to be brought down. Afterwards, the flight proceeded after about an hour of delay, resulting from the unruly act of this passenger.

The case was referred to the airport police for further handling.

Thank you sir

--

Best Regards,



...your peace, our goal



Monsuru Akinbola
Chief Security Officer
Air Peace Limited
25, Sobo Aroblodu Street,
G.R.A Ikeja, Lagos
E-mail:monsoru.akinbola@flyairpeace.com
Mobile: +2348176689701, +2348023646027
Website: www.flyairpeace.com

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for your planet. Good for your Business.

"The contents of this e-mail including any attachment are confidential to Air Peace and intended solely for the person(s) to whom they are addressed. Any reader of this email who is not the intended recipient is notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately and delete all copies from your computer system. Subsequent alterations to this email after its transmission will be disregarded."

Bi

Re: Nneka Ogbonna

The matter was reported to the Airport Police Command and the complainant was taken into custody. A meeting was further fixed by the police soon after. At that time, the complainant had been released.

On the day on the meeting, I was at the airport police station with my colleague to wait for Mrs Ogbonna who did not show up. After about an hour, the IPO called her, and she said she did not know about the meeting. A new date was fixed. Mrs Ogbonna also failed to keep that appointment. About the end of December 2019, we received a letter from her solicitors apologizing for Mrs. Ogbonna's behavior requesting settlement. A new date (9/1/2020) was fixed for the meeting.

On that day, we informed the party of management's decision that the complainant should cover the cost of one trip since the delay she caused was over an hour for a 50-minutes trip. At this, her lawyer flared up and asked how were dared to request financial compensation. At that point we requested that the settlement should be called off and that the matter be dealt with appropriately by the police. However, the DPO appealed for calm between parties and asked that the complainant decide on what they were willing to offer and revert on a further date. A date was fixed subsequently.

The complainant refused to honour the date and proceeded to publish distorted account of what transpired on social media. He has also written numerous petitions against us. The Federal Airport Authority of Nigeria (FAAN) invited us for a meeting on the strength of one of such petitions.

Deborah Bazuaye

Bii

ACCOUNT ON NNEKA OGBONNA

On 10th December 2019, I was informed that there was an unruly passenger on board the Lagos - Warri (P47210) flight that was resulting in the delay of the flight. When I got there the passenger (Mrs Ogbonna, PNR: AKGK5P) has sat on one of the seats and was still throwing insults around. I went to her to find out what the problem was. She responded to my greetings with a sharp, 'get out of here'.

I went to the cockpit to be briefed by the captain who informed me that the passenger had been throwing insults at our staff even before boarding. I gathered from the ground and flight staff that they had asked her to release her bag for check-in and she refused saying that the already approved it as a carry-on luggage from the check in counter. The ground staff explained that since the plane was a smaller plane (Embraer jet) it will not allow her luggage in the over head counter and that she had forced her way into the plane without submitting her boarding pass for tagging.

I went back to her, but she was unwilling to listen to me and kept throwing insults at us. When she refused every of my effort to placate her, I had to report to the Captain on board who asked that she should be deboarded. Following the approved protocols, FAAN Avsec was invited to deboard her. She refused to follow their instructions. They had to ask for reinforcement from their international airport station who sent uniform officers to deboard her. All the passengers seating in front of her was asked to go down so she can be deboarded. A female FAAN AVSEC officer guided her out of the aircraft until she got to the door of the aircraft where the then DPO of the Airport Police Command accidentally came up and asked that they let her come down on her own. Even at that she was still being difficult and refused to come down until the Captain was forced to shut down the power in the plane. That was when she was eventually taken down from the plane. She was then taken by FAAN AVSEC to Tango City.

The delay caused by Mrs. Ogbonna took about 1 hour, 10 minutes.

Thank you.

Aminu Isa Suleman
Station Manager

Deborah Bazuaye

From: Aurelia Amadi
Sent: Thursday, August 20, 2020 11:17 AM
To: Judith Obi; Deborah Bazuaye
Cc: Florence Opia; Legal Corporate Services
Subject: Re: RE: MRS NNEKA OGBONNA

On the said day during boarding, I heard some noise coming from the stairs from where I was standing I saw captain coming out of the cockpit, so I walked towards the boarding door to see what was going on that's when I heard captain telling the said woman to listen to the Purser and go tag her bag as there was no space for that size of bag for is a small a plane again she refused so the captain ask her to step aside from other passengers to board but she refused again.

It took the intervention of other passengers behind her who started talking to her before she finally stepped out to tag her luggage

When she came back to board the Purser ask for her boarding pass she walked past and refuse giving her and Judith ask again this time and turn and dropped the pass on the floor and Judith bent down to pick it and check then hand it over back to her. At this point she turn and looked towards the cockpit and saw captain looking at him and she said "stupid old man" "tool" and she went to her seat

Captain then sent for Airpeace AVSEC they came and pleaded with her but she refused then they requested for MM2 AVSEC ,the station manager, assistant station manager they all pleaded with her passengers inclusive but she refused instead she call her husband who told her not to leave but make a video of what was happening we were delayed for over an hour before she was taken off the aircraft

Kind regards
Amadi Aurelia

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From: Judith Obi <judith.obi@flyairpeace.com>
Sent: Wednesday, August 19, 2020 5:33:28 PM
To: Deborah Bazuaye <deborah.bazuaye@flyairpeace.com>; Aurelia Amadi <aurelia.amadi@flyairpeace.com>
Cc: Florence Opia <florence.opia@flyairpeace.com>; Legal Corporate Services <legal@flyairpeace.com>
Subject: Re: RE: MRS NNEKA OGBONNA

Dear Deborah,

On the said day during boarding, I noticed the lady in question had a luggage that was too big to fit in the Embraer hatrack so I told her to kindly tag her bag as it wouldn't fit in the hatrack. She refused and stood on the aircraft stairs arguing and impeding the boarding process. I appealed to her to kindly step aside so other passengers could go through as a long queue was beginning to build behind her which she also refused. The Captain had to come out of the cockpit and told the lady to listen and do as I had said. It took the intervention of other passengers behind her before she finally stepped aside to tag her luggage.

At the door, I welcomed her and asked to see her boarding pass but she walked past me before dropping it on the floor. I bent down to pick the boarding pass, checked it and handed same back to her. At this point, the Captain was by the

cockpit door, then the lady looking at him said "stupid old man". That was when Captain requested for AVSEC. Air Peace AVSEC, MM2 AVSEC. The Station Manager and The Assistant Station Manager all came to appeal to her to leave the aircraft but instead she called her husband on the phone who told her to make a video and not leave the aircraft. We were delayed for over an hour before she was eventually taken off the aircraft.

Kind Regards,

Judith Obi
08055055609

[Get Outlook for Android](#)

From: Deborah Bazuaye <deborah.bazuaye@flyairpeace.com>
Sent: Wednesday, 19 August 2020, 12:25 pm
To: Judith Obi; Aurelia Amadi
Cc: Florence Opia; Legal Corporate Services
Subject: RE: MRS NNEKA OGBONNA

Dear Judith Obi and Aurelia Amadi

We are in receipt of the attached letter from the FCCPC on an unruly passenger on our Los-Q^W flight of December 10, 2019.

To enable us respond to the commission, you are required to individually send in your account of the encounter with the pax to this email.

Your urgent response to this request is necessary.

Thank you.

Best Regards,



Deborah Bazuaye
Legal Executive | Air Peace Limited
25, Sobo Arobiodu Street.
G.R.A Ikeja, Lagos
E-mail:deborah.bazuaye@flyairpeace.com
Mobile: +2349087280638
Website: www.flyairpeace.com

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)



Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

@Qnscero

Human Rights Activist, Radical Change Catalyst, Extra-Passionate Lawyer, and Logical to a Fault. Loving 😊 Family Man and Hyper-Protective 🤗

© Lagos Nigeria Joined January 2011

775 Following 1,448 Followers

Not followed by anyone you're following

Tweets Tweets & replies Media Likes

Banned Tweet

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) @Qnscero · 11 Jan

1. Nigerian aviation industry regulators [@FAAN](#) Official & [@NigerianAAIB](#) are now threatening to prosecute my wife, Nneka, to intimidate us into abandoning [#getpeaceforNneka](#) & reaching an amicable settlement with [@CityofPeaceNG](#) These are the same aviation industry regulators who...

21 11 240 595

Show this thread

Thread

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) 30 seconds ago

Following  2...Nneka & I approached as far back as February 2020 & begged them to exercise their INVESTIGATIVE POWERS to investigate her complaint and they ignored us. Suddenly, they now realise that they have PROSECUTORIAL POWERS against the VICTIM just to intimidate and discourage us.

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) 30 seconds ago

3...from pursuing our law suit in court 🤦 Hmmm 😂 I laugh in Swahili! 😂 WHAT A SHAME AND A SHAM! 🤦 They say when you are in a hole the wise thing to do is to stop digging but apparently, it will take more profound national embarrassment and more strident public outcry.

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) 30 seconds ago

4...against the injustices Nneka & I have suffered before 🤦 and rise to their statutory responsibilities. The GARGANTUAN AND SHAMELESS LIE of a PUBLIC RESPONSE issued by 🤦 about what actually happened is still hanging in the public space.

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) 30 seconds ago

5...yet, instead of investigating that, the focus of 🤦 and 🤦 is on prosecuting my wife, the victim! 🤦 What a joke! 😂 The same 🤦 and 🤦 who handed Nneka over to 🤦 for prosecution now suddenly realise 8 months later after...

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) 30 seconds ago

6... 🤦 and 🤦 could not establish any criminal offence against Nneka and we indicated our intention to institute civil proceedings against them, that they have powers to prosecute her! 😂 Please you have stayed silent for long enough.

 **Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)**

7..we humbly urge your IMMEDIATE intervention in this matter in the public interest before @FAAN_Official and ~~@FAAN_Aberdeen~~ embarrass themselves and the government of His Excellency It is a CRIMINAL OFFENCE and a CIVIL WRONG for @FAAN_Official and ~~@FAAN_Aberdeen~~

 **Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)**

8..to threaten us with frivolous criminal prosecution as a means of discouraging us from seeking civil remedies in court! It is also OBSTRUCTION of on-going @CeciliaGera & Tundejuoluwa investigation! We want to settle amicably too but we will not do so with a gun held ...

 **Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)**

9..to our HEADS! @tyairpeace MUST accept full responsibility for its actions, retract the humongous lies it published against Nneka & me, compensate us on a full indemnity basis + jara, then issue a public apology to be published in 2 national newspapers. THOSE ARE OUR TERMS!

 **Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)**

10..on the part of @FAAN_Official & ~~@FAAN_Aberdeen~~ .. we expect them to research and publish a fair, transparent and equitable Disembarkation Protocol that'll ensure that no pax ever suffers the same sheer abuse of power & cruelty that Capt. H. Jaja-Millar facilitated against Nneka!

 Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

On 10th December 2019, my wife [@CarlyNex](#) arrived at the Murtala Muhammed International Airport, Lagos to board [@Wairpeace](#) flight 7210 from Lagos to Warri.

[@NigerianLAA](#) [@NGSenate](#) [@ISI_Nigeria](#) [@NGPresidency](#) [@PNNigeria](#)

12:39 PM - 12 Dec 2020 · Twitter for iPhone

1.9K Retweets and comments · 2K Likes

 Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

Replying to [@CarlyNex](#)
She arrived with only hand luggage which was approved and tagged as cabin luggage. The 11am flight was delayed by about 30 minutes. When she was about to board at about 11:30am, the flight attendant refused to let her board with her approved hand luggage

 Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

She was still pleading with the female flight attendant when the pilot Capt. Horace Millar-Jaja abandoned his responsibilities at the cockpit, came to the entrance of the plane and asked her if she was stupid or mad. She was shocked at this unwarranted outburst

 Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

We didn't even want apology! Just allow [@S](#) to release my wife's international passport and let us put the past behind us since we are customers! [@S](#) refused! Two very rude lawyers Doyin and Deborah thought they could extort N3m from us!

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) @Qris... Jul 24
Allen Onyema - YOU ARE NOT GOD! And you will NEVER be God! You cannot trample on people the way you please simply because you have power and influence! What you [@NigerianCAA](#) and [@FAANOffice](#) did to my wife [@CoralMak](#) is WRONG. We will not stay silent! 🙏

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) @Qris... Jul 24
I shudder to think of what would've happened if this horrible incident happened to an ordinary Nigerian without the resources that we have been able to muster and throw at this issue! I paid \$150 for this tweet to go viral on [@Twitter](#) and for YOU to see it..

Times people saw this Tweet on Twitter

1 036 organic 6 877 promoted

Total engagements 688

Times people interacted with this Tweet

1 151 organic 537 promoted

[View all engagements](#)

Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen) @Qris... Jul 24
...what if we did not have the money to fight this? [@NigerianCAA](#) the so-called apex regulator of aviation in Nigeria that is supposed to protect all air

Partners Associates & Co.

70, Olonode Street, Off Hughes Avenue, Alagomeji Yaba, Lagos.
Tel: 08170931297 | E-mail: vpartnerassociates01@gmail.com

D

WITHOUT PREJUDICE

20 December 2019

The Chief Executive Officer
Air Peace Nig. Limited
25 Sobo Arobiodu Street
GRA, Ikeja-Lagos.
ATTN: MRS. PAULINE IKEM (HEAD LEGAL)

Dear Sir,

LETTER REQUESTING FOR A SETTLEMENT MEETING WITH YOUR STAFF IN RESPECT OF THE
INCIDENT THAT OCCURRED ON 10/12/2019
Greetings and the above subject matter refers.

We are Solicitors to Mrs. Nneka Ogbonna, our "client" and it is on her behalf that we write you this letter.

We have been informed by our client of the incident that occurred on the 10th of December 2019, involving her, your Pilot and some of the Cabin Crew on Air Peace Flight P4 7210 to Warri. Having had the opportunity to hear from all the parties concerned, we are of the considered opinion that it is such an unfortunate incident and do sincerely apologise for any inconveniences this may have caused your business operations.

Indeed we have advised our client, on Tuesday evening when our firm was notified of the incident, to apologise to your Pilot and any other crew member that may have been involved in the altercation and we are aware that on the morning of the 11th of December 2019, she was at your Airport Office to do so.

We have also been informed by the Police in charge of this matter, that your company intends to press charges against her and it is for this reason that we write you this letter.

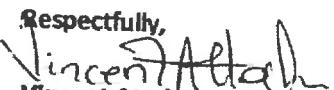
As Counsel in the temple of Justice, we affirm parties' rights to seek redress, whenever aggrieved, but also have a duty to ensure that parties consider an amicable settlement of disputes before resort to Courts. It is in this regard, that we humbly request that you use your good offices to ensure that this matter is resolved peacefully between your company and our client, who is also one of your loyal customers.

We would be happy to meet with any of your designated representatives at your earliest convenience, preferably in the first week of the New Year, to have this matter amicably resolved.

Again, we wish to reiterate our commitments to the belief that in any human endeavours there is bound to be conflict, however, a peaceful resolution of this conflict restore parties back to the position they were before the occurrence of the dispute.

We do crave your indulgence and thank you in advance of fatherly role in settling this matter.

Respectfully,



Vincent Attah

Partner

Partners Associates & Co.

CC: The DPO Nigerian Police Force

Domestic Airport Division

Ikeja.



Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

Unconfirmed info reaching us is dt @NigerianPolice
intends to use ⚔ PoliceNG to arrest my wife & charge
her for a frivolous criminal offence to silence me! 🤦 We
don't've your money and power but we'll not stay silent
❗ Is justice delayed
justice denied?

53

53



Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

Someone just advised that my wife and I should run immediately with all our evidence to the US 🇺🇸 or UK 🇲🇬 Embassy and seek political asylum. Sounded funny at first but now I am seriously thinking 😱 Have things really gotten this bad in Naija? 🤔



Christopher Ogbonna LLB, BL, LLM (Dist. Aberdeen)

Sir! If there is any truth in the allegation that
intends to use ⚔ PoliceNG to harass and intimidate my wife
after she filed a complaint w/ 🚓, that is obvious OBSTRUCTION
within the meaning of S.110 of the FCCPA!

REPLY TO AIR PEACE LIMITED

Dear Florence,

I write in response to your email that I respond to the letter written by Deborah Bazuaye dated August 28, 2020, and titled "*Re: Notice Of Inquiry Into Possible Violation Of Passenger (Consumer) Rights Under The Federal Competition And Consumer Protection Act (FCCPA) And Sundry Enactment/Guidelines – Mrs Nneka Ogbonna Vs Air Peace*" which is Air Peace Limited's official response to the Complaint filed by my wife and I before the FCCPC.

I am going to state a few facts in this Reply which carry far-reaching legal implications for the persons involved and I like to be very fair to whoever I am accusing of anything. Hence, I have copied all affected persons in this email so that in the spirit of fairness, they can have an opportunity to respond too.

SUBSTANTIVE RESPONSES

Paragraph 2 of Deborah Bazuaye's Forwarding Letter

The truth is that, two police investigations have been completed in this matter with none of them finding my wife guilty of any crime. Yet employees of Air Peace continue to push the Nigeria Police, albeit without much success, for my wife to be charged with some trumped up criminal charge in a rather misguided attempt to harass and intimidate us. At the Airport Police Command, Lagos, two Air Peace employees (Deborah Bazuaye and Adedoyin Adeniji) wielded so much undue influence over the police there that, even when we wrote to the DPO demanding for the immediate release of my wife's international passports which were being held without an order of court in violation of her Fundamental Human Rights, the DPO was so thoroughly intimidated by them that, he collected the letter, read it and returned it to the DHL courier for return to the sender. *Please find the DHL Cover Note attached as proof.*

Furthermore, at the settlement meeting of 9th January 2020, Deborah Bazuaye and Adedoyin Adeniji insisted that the DPO, Airport Police Command, Lagos held on to my wife's international passports as leverage for them to extort the sum of N3,070,000.00 (Three Million and Seventy Thousand Naira) from her allegedly as compensation for a delay that was caused by Captain Horace Millar-Jaja who deliberately refused to fly the aircraft until he labelled my wife "a hijacker" who had hijacked the aircraft, facilitated her assault and unlawful removal from an aircraft seat she was lawfully and contractually occupying, thereby leaving her stranded in Lagos State for 2 days, away from her family and at great risk to her life and personal safety.

So, to countermand the influence of Air Peace Limited over the Airport Police Command, Lagos, I engaged the services of Breakthrough Legal Consult and petitioned the office of the Inspector General of Police (IGP) and the IGP's office requested for the immediate transfer of the case file to Abuja. *A copy of that petition was attached to our Complaint to your Commission.* That transfer ended the investigation by the Airport Police Command, Lagos and the era of Air Peace's undue influence without any criminal charge being proffered against my wife because she had committed no crime whatsoever.

Air Peace wrote their own separate petition to the IGP's office sometime in August 2020 which prompted an all-parties invitation. My wife could not attend due to her current delicate medical state occasioned largely by the PTSD she is still suffering as a result of the actions of Captain Horace Millar-Jaja and other Air Peace Limited employees including officers of FAAN and NCAA. So, I attended on her behalf. *Please find her medical report from a government hospital attached.*

It was a very polemic and contentious 7 hours' meeting before an officer of the IGP Monitoring Team in Abuja. However, at the end of the day, in a fair, objective and pragmatic decision, the officer representing the IGP released my wife's international passports to me on bond after Air Peace Limited's legal representative, Adedoyin Adeniji, did a surprising volte-face and denied that Air Peace Limited had anything whatsoever to do with the detention of my wife's international passports in the custody of the Nigeria Police for over 8 months!

My wife's international passports contained valid visas to the United Kingdom and the United States and clearly showed her frequent international travel history since within the last four years, my wife and I have travelled together to Australia, South Korea, United States of America, United Kingdom, France, Spain, Germany, Italy, Netherlands, Switzerland, Belgium and the United Arab Emirates for business and for family vacations. The legal implication of continuing to detain my wife's international passports without an order of court was obvious to the Nigeria Police. So, the Nigeria Police did the right thing by washing its hands clean and immediately releasing my wife's international passports to me under bond. This was something we could not achieve at the Airport Police Command in Lagos State.

We have now instituted an action at the Federal High Court in ***Suit No FHC/L/CS/1206/2020 – Mrs Nneka Ogbonna v. Air Peace Limited & 4 Others*** to seek redress against Air Peace, NCAA, FAAN, the Inspector General of Police and Captain Horace Millar-Jaja for the multiple violations of my wife's fundamental human rights. However, instead of filing its defence in court, Air Peace Limited is traumatising my unwell wife yet again by prompting another police invitation to meet with the Head, IGP Monitoring Unit, Abuja on Thursday, 17th September 2020.

The intention can be none other than to re-establish the sort of undue influence over the Nigeria Police which Air Peace Limited enjoyed in Lagos State. This incessant police harassment has continued even though there is on-going FCCPC investigation of this matter which, for reasons I will demonstrate further below, Air Peace Limited seems to hold in utter disdain and contemptuous disregard.

However, quite fortunately for us, the ship of police harassment has now sailed - never to return - since we sued the IGP himself in my wife's fundamental human rights action. It is trite law that having been served with court processes, parties are bound to maintain the *status quo* and to avoid taking any further step that will foist a *fait accompli* on the court.

Who is Really Peddling Lies?

Deborah Bazuaye also alleged that I have continued to peddle lies against Air Peace on social media and in an attempt to prove that, she attached print outs from my Twitter account. Now, let us examine her evidence of my “lies”. In those particular Twitter posts, I called out FAAN and NCAA and stated that we approached them as far back as February 2020 to intervene in the matter and they ignored us. I have already sent to the FCCPC copies of the letters to them which they initially ignored so, clearly, that is not a lie.

I also stated that FAAN and NCAA threatened to prosecute my wife if we don't settle with Air Peace. *Please find attached as proof the minutes prepared by my lawyer, Mr Olumide Babalola who attended the 11 August 2020 meeting on our behalf.* I also roundly condemned what FAAN and NCAA did without mincing words and invited the Minister of Aviation and the Ministry of Aviation to intervene before FAAN and NCAA embarrass themselves and the Government of His Excellency, President Muhammadu Buhari.

I went further to state that it is a civil wrong for FAAN and NCAA to threaten my wife and me with prosecution as a means of forcing us to settle with Air Peace. I stated the terms of settlement acceptable to us and condemned what Captain Horace Millar-Jaja did to my wife.

Deborah's other attachment is my original series of Twitter posts where I stated what transpired on 10 December 2019 in chronological sequence. Our story has not changed one bit since day one. Our narrative has been consistent and persistent. Furthermore, I stand by every single comma and full stop that I have posted on social media. So, which lie am I peddling?

However, I cannot say the same for Air Peace Limited. I am really not surprised that their initial official response titled ***“Response to Christopher Ogonna’s Post”*** did not form part of their official response to you. **Air Peace Limited had prepared that response when they did not know that we had incontrovertible video evidence of what transpired on that day.** Air Peace Limited's official response was such a seminal study in puerile, shameless, barefaced falsehood, riddled with self-contradictory narratives which conflicted irreconcilably with what actually transpired and all the evidence we had, that Air Peace Limited was compelled to abandon it by deleting it from their own Twitter account when we released video evidence.

The Letter from Partners Associates & Co. Dated 20/12/2019

The fact that Deborah Bazuaye sent this letter clearly marked “Without Prejudice” to a quasi-judicial body such as the FCCPC clearly demonstrates, with respect, her exceptionally poor legal professionalism, as well as the unfortunate mischief and consummate ill-will that has characterised her actions in this matter to date. Perhaps, this explains why this issue which any other averagely competent in-house counsel could have easily resolved amicably has escalated to this point where it is now a national embarrassment to her employer, the aviation industry regulators and Nigeria's entire aviation sector as a whole. It is only a matter of time before this unfortunate story is picked up by the international media and other international aviation certifying bodies such as ICAO and IATA and it will become a global

embarrassment while Deborah Bazuaye sits comfortably in her office. Of course, I admit that I have assumed that she still has an office.

It is pedestrian law which Nigerian courts have reaffirmed *ad nauseam* and which Deborah Bazuaye ought to know, that a document marked “Without Prejudice” is inadmissible for purposes of establishing the legal rights of any party. See the decisions in **UNIVERSITY OF ABUJA V. AMCON & ORS (2019) LPELR-47306(CA)** and **ASHAKA CEMENT PLC V. ASHARATUL MUBASHSHURUN INVESTMENT LTD (2016) LPELR-40196(CA)** and **IBIYEYE & ANOR V. GOLD & ORS (2011) LPELR-8778(CA)**.

Therefore, the fact that Deborah Bazuaye feels confident enough to present such a letter to the FCCPC is rather unfortunate and indicative of her consummate mischief and, with respect, perhaps incompetence. We are legally entitled to request the FCCPC to disregard that letter. However, we will not do so since my wife and I have **absolutely nothing** to hide. I will even provide a deeper and proper background to that letter.

After my wife was released on bail from the Airport Police Command, Lagos around 4:00 pm on 10th December 2019, she was stranded in Lagos and had to look for a nearby hotel to spend the night. I vividly recall transferring money to her to beef up her account and provide some measure of comfort for her to find a nearby hotel to spend the night alone. Please bear in mind that she has just come in from the United States, she was ill and had not eaten anything since the day before. In fact, at some point when she was at FAAN/NCAA office, she collapsed from exhaustion and the officers of FAAN/NCAA had to call in medical assistance for her. They dare not deny this fact which shows the level of callousness with which they treated my wife.

While alone in her hotel room, my wife was inconsolable. Since we met, I have never heard my wife cry from the depths of her soul like that before even when I hurt her in our relationship. She had been so battered, humiliated and tortured that I could sense her pain and deep grief over the phone. Her experiences seemed like scenes from a horror movie. I feared for her life and safety that night. I was with her on the phone almost all through the night consoling her. At some point, she told me in tears that she had never felt so small, powerless and stripped of all human dignity in all her life but that since what bullies crave the most is the submission from their victims, and if what it will take for the issue to be resolved was for her to be the “bigger man”, apologise to the pilot and her international passports will be returned, that she was willing to humiliate herself and do so. As a lawyer and her husband, I was **LIVID!** I told her she had legal rights which had been trampled on and we could sue. My wife refused. The very next morning, true to her words, she went to the Airport Police Command, Lagos Police Station, met with Inspector Jonathan (the DCO) explained her intentions to him and together, they actually went to seek out the pilot so my wife could apologise to him and this issue could be resolved amicably without necessarily admitting any culpability.

I WAS LITERALLY SHAKING AND BESIDE MYSELF WITH UNBRIDLED RAGE AND ANGER but since it was my wife’s wishes and she was adamant, I respected it. Inspector Jonathan’s number is 07061502370. You can call him and confirm this. They did not see the pilot but they met some staff of Air Peace Limited who promised to contact the pilot. The next day,

12th of December 2019, she finally got an Aero Contractors flight and travelled home to me in Warri. Needless to say, the woman who returned to me was not the same woman I left in the United States just a few days back. She was thoroughly humiliated, abused and slipping fast into depression but she still wanted amicable settlement so that she could put the issue firmly behind her.

Out of the deep sense of shame and helplessness I felt on account of my wife's decision, I wanted no part whatsoever in the amicable settlement so I contacted my colleague, classmate and friend, Mr Vincent Attah who also advised swallowing our pride and settling amicably to ensure the return of my wife's international passports. It is against this background that Mr Vincent Attah wrote the letter marked "Without Prejudice" to the CEO of Air Peace and marked for the attention of Mrs Paulyne Ikem. This same Deborah Bazuaye responded with a letter dated December 23, 2019, where she clearly stated that Air Peace Limited was "*not opposed to exploring out of court settlement in this matter.*" She even proposed 3rd January 2020 at Air Peace Limited Head Office for the meeting!

There was no mention whatsoever of any demand for payment on account of delay in that letter. I would have furnished the FCCPC with that letter signed by Deborah Bazuaye but it is marked "Without Prejudice" and quite unlike some other persons, I am a thoroughbred legal professional. I play strictly by the legal rules of engagement.

Now, let us consider the letter itself in details, my wife **NEVER** admitted to any wrongdoing. It was a genuine and conciliatory hand of friendship, an olive branch offer for an amicable settlement which Deborah Bazuaye and Adedoyin Adeniji thought they could capitalise on, to extort money from my wife. When I was informed that they had insisted that my wife either paid up their extortionist demands or her international passports would remain in police detention, I told my wife that, that was the end of the amicable settlement. I was determined to step into the matter and to clearly demonstrate to Air Peace Limited that the extortion party was **OVER!** When Air Peace released the initial lies which comprised its Official Response on Twitter, Mr Vincent Attah of Partners, Associates & Co., was so upset by the distortion of the role his Law Firm played in the attempt to amicably resolve the matter that he wrote directly to Mr Allen Onyema himself informing him of the shenanigans of his legal team. *A copy of that letter is attached.*

All these just goes to demonstrate to the FCCPC that we never set sail for the legal and national social media storm which this matter has degenerated to. My wife was hurt, she was injured, she was deeply wounded, she was falsely accused of being a criminal and forced out of an Air Peace aircraft simply because Captain Horace Millar-Jaja was playing tin god. Yet, despite all that was done to her, my wife still wanted peace at all cost. It was when the Air Peace Legal Team insisted on their extortion scheme that I swore to pursue her strict legal rights to the Supreme Court if necessary.

Monsuru Akinbola's Incident Report Forwarded to Aminu Suleman is Suspicious

I will deal with the falsity of the contents of this incident report later. I merely wish the FCCPC to observe the following:

- a. That incident report was sent by 8:10:46 PM in the evening of an alleged "hijack" incident which, reckoning by the report itself, happened between 11:06 AM and 12:06 PM on 10/12/2019. However, what is surprising is that at 8:00 PM at night, the sender is still greeting "Good Afternoon". This is suspicious to say the least and indicates a cut and paste job.
- b. You will also observe from the borders that it was not a direct email printout. One can clearly see that it is a photocopy of another paper which bears suspicious signs of tampering since the fonts are clearly not the same.

The foregoing are the reasons why I strongly suspect that no incident report was actually sent on 10 December 2019 as required by law. This so-called incident report smacks of an afterthought. Therefore, I humbly urge the FCCPC to investigate this incident report before accepting it. I am not saying it is a forgery, but I have stated valid grounds to suspect its authenticity. Let all the recipients of that email acknowledge receipt then let one of the email boxes and computers of the named recipients be physically inspected for sighting of this suspicious incident report.

Attachment Bi – Deborah Bazuaye

My wife never absented herself from any agreed meeting. I was with her in Warri when the IPO called a week later on the 17th of December stating that there was supposed to be a meeting that day and that my wife should have been around. We had not received any notice of meeting whatsoever and my wife clearly told the IPO that she was not aware of any such meeting. It is patently false for Deborah to contend that there was a second meeting which my wife did not attend. I have already explained the background to the letter from Partners and Associates and the response from the same law firm. So, I will not dwell on it again.

The only point I want to address is where Deborah Bazuaye says "*The DPO appealed for calm between parties and asked that the complainant decide on what they were willing to offer and revert on a further date. A date was fixed subsequently.*" Deborah Bazuaye is clearly admitting here that Air Peace Limited was happy to use the Nigeria Police as debt recovery agents contrary to court decisions on the point forbidding same. See **NB PLC V. AKPERASHI & ANOR (2019) LPELR-47267(CA)**. Furthermore, my account of what transpired is not distorted in any way and I have consistently and persistently maintained my narrative since my wife and I are telling the simple truth.

Account on Nneka Ogbonna (Bii) - Aminu Isa Suleman

This statement by Aminu is a complete and utterly fabricated lie intended to deceive and mislead the FCCPC contrary to Section 112 of the FCCPC Act. Below is a true account of what really transpired:

Isa Aminu Suleman approached my wife inside the aircraft. He introduced himself as the Station Manager and tried to lure my wife into leaving the aircraft by telling her that he wants to have a conversation with her downstairs, outside the aircraft. My wife saw through

his tricks and calmly told him that she was available to have the conversation with him inside the aircraft on her seat where she was seating with her seatbelt fastened.

When his attempts to lure my wife outside the aircraft failed, Isa Aminu Suleman then demonstrated an exceptionally poor and shallow understanding of a simple contract of carriage by air (which he ought to be familiar with as Air Peace Lagos Station Manager) by misinforming my wife that Air Peace Limited had an unfettered right to unilaterally refuse to carry my wife who was already seated inside the aircraft and that all she was entitled to was a full refund of the amount she paid for her ticket!

My wife, who was not even a lawyer, agreed that even if Air Peace Limited had such a right, then Air Peace Limited must have a valid reason to ask her to leave the aircraft seat she paid for. Isa Aminu Suleman then asked her who determines the validity of the reason whether Air Peace or my wife. My wife conceded that it was Air Peace Limited and asked why she was being asked to leave the aircraft. Aminu then stated that the reason they wanted to disembark my wife from the aircraft was that she brought in an overweight bag into the aircraft. My wife immediately exposed this for the lie that it was by pointing out to Aminu that her bag was not inside the aircraft since she had surrendered her approved cabin luggage for tagging and placement in the cargo hold even before entering the aircraft.

Isa Aminu Suleman was immediately caught off-guard by this truth. He then recovered and changed tact by claiming that my wife tried to push her way into the aircraft which my wife immediately vehemently denied. Having lost the argument on all grounds, Aminu then resorted to placing the blame for the delay in the departure of the aircraft on my wife who was calmly seated on her seat with her seatbelt fastened. He falsely stated that my wife, a fee-paying passenger who was seated on the seat she paid for and who had done absolutely nothing to warrant disembarkation was holding other passengers against their will.

However, the delay in the take-off of the aircraft was caused by Captain Horace Millar-Jaja, the pilot-in-command who was at the controls of the aircraft and who had deliberately put the lives, comfort and safety of all the passengers on board the aircraft at risk by refusing to fly the aircraft in his unlawful, malicious and cruel intention to abuse his office and powers as a pilot in pursuit of personal vendetta against my wife.

It is noteworthy that in all the engagement between my wife and Isa Aminu Suleman, at no point whatsoever (even when my wife asked him directly what her offence was) did Isa Aminu Suleman who claimed in his statement to the FCCPC to have been fully briefed about what had transpired inside the aircraft by Captain Horace Millar-Jaja, the flight crew and the ground crew accuse my wife of throwing profanities, using abusive language or insulting Captain Horace Millar-Jaja or any other member of the cabin crew for the very simple reason that she **NEVER** did such. If my wife had done anything of such, Isa Aminu Suleman would have immediately told her there and then that that was her offence when he was groping around for a reason to disembark her.

When my wife remained calmly seated in her seat with her seat belt fastened, Isa Aminu Suleman's last words to her in anger were: "**Nobody should talk to her again. I have asked you for the last time. You are not going off the plane. Now, we are going to arrest you.**" Isa Aminu

Suleman then stormed off the aircraft. Isa Aminu Suleman was actually the architect and enforcer of Captain Horace Millar-Jaja who helped the latter actualise his pursuit of personal vendetta against my wife. I have attached a link to the video of my wife's engagement with Isa Aminu Suleman and I can send a soft copy via flash drive to the FCCPC if required.

We even have another video of the female passenger who subsequently started falsely accusing my wife of insulting the pilot when her children started crying out of discomfort as a result of the heat generated inside the cabin after Captain Horace Millar-Jaja turned off the air conditioning, where the same female passenger initially admitted that she knows that my wife had done nothing wrong to the pilot but that she was appealing to my wife to come with her so that both of them can go and beg Captain Horace Millar-Jaja so that, in her words, "he will have calm mind" and fly them to Warri. My wife saw no need for this human idol worship and politely declined to do such since she had done nothing wrong to Captain Horace-Millar Jaja. We would have loved to share that video with the FCCPC but since Air Peace Limited has clearly demonstrated a strong penchant for adjusting and recalibrating its official lies in direct proportion to the evidence we produce, we are saving that video for courtroom trial so that we can nail any false witness that they produce on the spot for perjury the same way we have convincingly nailed Aminu Isa Suleman here.

From the foregoing, it is easy to deduce that the Incident Report is false and that Judith Obi and Aurelia Amadi were lying when they said my wife called the pilot "stupid old man" "fool". The only difference between them and Aminu Isa Suleman is that they still have a little fear of God unlike Isa Aminu Suleman, the Air Peace Station Manager who absolutely lacks any iota of integrity and is clearly a pathologically irresponsible liar bent on misleading the FCCPC.

It is really unfortunate that these cabin crew women who are young enough to be Captain Horace Millar-Jaja's children have been placed in such an awkward position where they have to lie to cover the shame of their father, a 63 years old man (at the time) who momentarily lost control of his person and emotions simply because my wife told him to stop shouting at her, and for no just cause, in his rage, he abused his powers as a pilot-in-command and placed us all in this unfortunate mess where we are today.

The FCCPC is invited to note that there was no statement made by the Captain Horace Millar-Jaja himself despite his being in the eye of the storm. It will be interesting to see whether at the age of 64 years when he should be aspiring towards nobility and respectability in all his affairs in preparation to wrapping up his affairs on this earth, he will descend into telling childish lies like his children have been compelled to do on his behalf.

On behalf of my wife and in my capacity as a co-complainant, I most humbly urge the FCCPC to redeem itself and reassert its authority in the face of the clear disregard and apparent contempt with which Air Peace Limited holds the FCCPC by immediately invoking the provisions of S.112 of the FCCPA against Aminu Isa Suleman (the maker of the false statements to the FCCPC), Deborah Bazuaye (the transmitter of the false statements to the FCCPC who knew or ought reasonably to have known that Aminu Isa Suleman's statements were false) and Air Peace Limited (the corporate entity on whose behalf the false statements were made to the FCCPC), and to commence the process of ensuring their prosecution in accordance with the law.

Legal Arguments Canvassed in Court Proceedings in Relation to the Civil Aviation Act, 2006, and the Nigerian Civil Aviation Regulations, 2015.

We are fully aware that the FCCPC is statutorily empowered to consider only matters strictly within its statutory mandate. However, for completeness, we wish to disclose that we will be canvassing some novel legal arguments intended to enable the Federal High Court to pronounce on specific provisions of the Civil Aviation Act, 2006 and the Nigerian Civil Aviation Regulations, 2015 with a view to ensuring that the unfortunate incident that happened to my wife never happens to any other consumer of aviation products and services in Nigeria. The arguments are as follows:

POINT NO. 1: Judith Obi (the Air Peace Limited Air Hostess) Caused Air Peace Limited to violate the Nigerian Civil Aviation Regulations, 2015 when she insisted that my wife, Nneka, Surrender her Approved Hand Luggage as a Pre-Condition for Entering Air Peace Flight 7210 from Lagos to Warri on 10 December 2019.

1.1 **Regulation 17.58.1 of NCARs** provides that “an aircraft operator [such as Air Peace Limited] shall ensure that at aerodromes [i.e. at the check-in counter], screening is conducted of (a) **passengers** [such as my wife, Nneka], transit passengers, transfer passengers and crew travelling on his aircraft (b) **carry-on baggage of persons under paragraph (a)** [such as Nneka’s carry-on baggage], (c) checked baggage of persons under paragraph (a)...”

1.2 **Regulation 17.58.4(c)(ii) of NCARS** provides that “an aircraft operator [such Air Peace Limited] or person authorized by him shall use the procedures and the facilities and equipment described in his Aircraft Operator Security Programme to ... **ensure that baggage carried in the aircraft is checked-in by a properly trained agent** and that identification is obtained from all passengers and persons shipping goods or cargo on board the aircraft”

1.3 My Lord, the Applicant, Nneka, has gone to the details of reproducing the above sections of NCARs for the sole purpose of demonstrating convincingly to this Honourable Court that having successfully passed through all of Air Peace Limited’s statutory checks at the airport on 10 December 2019 with her hand luggage and being issued with EXHIBIT CO 4 (tag for hand luggage) by **a properly trained agent** of Air Peace Limited, Nneka was entitled by law to enter the aircraft with her approved hand luggage.

1.4 Nneka humbly submits that having passed through all of Air Peace Limited’s security checks, the decision to surrender her approved hand luggage for tagging and placement in the cargo hold was entirely at her discretion. Nneka was entitled, at the very minimum, to enter the aircraft and attempt to fit her approved hand luggage into the overhead locker without hindrance or interruption from any cabin crew member. Accordingly, Air Peace Limited disregarded the clear

provisions of NCARs when its employees Judith Obi and Captain Horace Millar-Jaja demanded that she surrender her approved cabin hand luggage as a precondition for entering into Air Peace flight 7120 from Lagos to Warri of 10 December 2019. All subsequent breaches of Nneka's fundamental rights arose from this singular and deliberate disregard of NCARs by Air Peace Limited's employees.

1.5 My Lord, incontrovertible proof in support of the foregoing submission that Air Peace Limited is statutorily obliged to allow Nneka and, indeed, any passenger who has gone through the statutory checks listed in NCARs with an approved cabin hand luggage to enter into the aircraft with that approved cabin hand luggage is readily found in the provision of *Regulation 8.14.5 of NCARs* which expressly states that "an operator [i.e. Air Peace Limited] shall specify procedures to ensure that all baggage carried onto an aircraft and taken into the passenger cabin is adequately and securely stowed."

1.6 So, at the very least, My Lord, according to the law, Nneka ought to have been allowed to carry her approved cabin hand luggage onto the aircraft and she should have further taken it into the passenger cabin before the issue of how to adequately and securely stow it arises.

POINT NO. 2: "Hijacking" is clearly defined in **Section 56(2)** of the Nigerian Civil Aviation Act and the penalty is N10,000,000.00 (Ten Million Naira) fine plus life imprisonment. As a pilot with over 35 years' industry experience, when Captain Horace Millar-Jaja called Nneka a "hijacker" who had "hijacked" Air Peace flight 7120 from Lagos to Warri of 10th December 2019, he knew EXACTLY what he was doing.

1.7 My Lord, faced with the raw and unedited video recording which clearly shows that Captain Horace Millar-Jaja while in a fit of inexplicable and uncontrolled rage, and in pursuit of personal vendetta against Nneka called her a hijacker who had hijacked Air Peace flight 7120 from Lagos to Warri of 10th December 2019, Air Peace Limited and Captain Horace Millar-Jaja have subsequently sought to downplay the gravity of Captain Horace Millar-Jaja's utterances by claiming at various fora that there is a loose or secondary meaning to the term "hijacking".

1.8 Nneka humbly submits that the only meaning of "hijacking" in Nigeria's entire aviation industry is as contained in **Section 56(2) of CAA** which provides that:

Whosoever on board an aircraft either on ground or in flight unlawfully, by force or threat of force, or by any other form of intimidation, seizes or exercises control of that aircraft, commits the offence of hijacking of such aircraft.

The penalty for hijack is clearly stated in **Section 56(4) of CAA** as follows:

Any person who commits the offence of hijacking shall be liable on conviction to imprisonment for life and also to a fine of not less than N10,000,000.00 (ten million naira).

1.9 Captain Horace Millar-Jaja is an aviation veteran with over 35 years' industry experience under his belt. He knew exactly what he was doing and the grave implications when he called Nneka a hijacker to the hearing of all the passengers and persons on board Air Peace flight 7120 from Lagos to Warri of 10th December 2019.

POINT NO. 3: Contrary to the presumptions and assertions of Air Peace Limited, Nigerian Civil Aviation Authority and Federal Airport Authority of Nigeria, the truth is that Captain Horace Millar-Jaja (as a Pilot-in-Command) did not have absolute powers under the Nigerian Civil Aviation Act, 2006 and the Nigerian Civil Aviation Regulations, 2015.

- 1.10 As the pilot-in-command of Air Peace flight 7120 from Lagos to Warri of 10th December 2019, the Captain Horace Millar-Jaja wielded enormous statutory powers. In fact, Regulation 8.5.1.1(a) and (b) of NCARs provides that "*the PIC shall be responsible for the operations and safety of the aircraft and for the safety of all persons on board, during flight*" and that "*the PIC of an aircraft shall have final authority as to the operation of the aircraft while he or she is in command.*"
- 1.11 However, Nneka humbly submits that contrary to the assertions which have been strongly canvassed by Air Peace Limited, NCAA, and FAAN at different fora that Captain Horace Millar-Jaja as a PIC had absolute powers, the reality of the NCARs is that his powers (as a PIC) under the CAA and NCARs are not absolute. It is certainly not the intention of the CAA or the NCARs that a PIC becomes a god unto himself or that he begins to abuse or misuse his powers to pursue personal vendetta. Furthermore, ***Regulation 8.5.1.2. of NCARs*** clearly provides that "*the PIC shall comply with the relevant laws, regulations and procedures of the States in which the aircraft is operated.*" In Nigeria, this includes the recognition and respect for the Fundamental Rights of persons on board the aircraft under his command)
- 1.12 As at the 10th of December 2019, the State in which Air Peace flight 7120 from Lagos to Warri of 10th December 2019 was operated was Nigeria and part of the relevant laws which Captain Horace Millar-Jaja was under an obligation to comply with are the Constitution and the African Charter which he not only breached severally but also facilitated the breach of by Air Peace Limited, NCAA and FAAN.
- 1.13 We submit further under this head that even the powers, however enormous and huge, allowed Captain Horace Millar-Jaja under the provisions of the CAA, NCARs and FAANA, must immediately bow in the presence of the provisions of the Constitution dealing with Human Rights. In the case of **UDO vs. ROBSON & ORS**

(2018) LPELR-45183(CA), the Court of Appeal cited and followed per Kayode Eso JSC in RANSOME-KUTI vs. THE AG FEDERATION (1985) 2 NWLR (PT 6) 211 and held fundamental right to be one which "*stands above the ordinary laws of the land and which in fact is antecedent to the political society itself. It is a primary condition to a civilized existence. An action under the Fundamental Enforcement Procedure Rules is a peculiar action. It is a kind of action which may be considered as "sui generis" i.e. it is a claim in a class of its own though with a closer affinity to a civil action than a criminal action..... Fundamental Rights are so basic and inalienable to every man that they have to be enshrined directly in the Constitution.*" Thus, in the exercise of any statutory powers, Captain Horace Millar-Jaja ought not to have trampled on Nneka's rights guaranteed under the Constitution. *He can only do so at the expense of obvious judicial consequences, and we urge the Court to so hold.*

POINT NO. 4: Barring the commission by a passenger of an offence which threatens the safety of the aircraft or other passengers, there are only two circumstances under the Nigerian Civil Aviation Act, 2006 and the Nigerian Civil Aviation Regulations, 2015 in which a Pilot-in-Command (such as Captain Horace Millar-Jaja) can order a passenger already inside an aircraft to leave the aircraft.

1.14 Regulations 17.40.3, 17.58.8 and 17.93.4 of NCARs provide as follows:

17.40.3 *Where, after having boarded an aircraft, a passenger is required by an aviation security officer or aviation security screening officer to submit to the screening of his person, or of the goods that he carried or had placed on board the aircraft and he refuses such a screening, the aviation security officer or aviation security screening officer shall order such person to disembark the aircraft and remove the carry-on baggage, goods or checked baggage of such person.*

17.58.8 *Notwithstanding being in possession of a boarding pass, where the pilot in command of an aircraft has reasonable grounds to believe that a person is in violation of this Part, the pilot in command may order that person to disembark such aircraft.*

17.93.4 *Where a person has been ordered to disembark an aircraft in accordance with 17.40, he shall disembark the aircraft and remove his carryon baggage and have his checked baggage removed from the aircraft.*

1.15 My Lord, disembarking a passenger who has paid a fare, entered an aircraft and is relying on an air operator such as Air Peace Limited to carry him/her to a destination is such a serious matter that the NCARs recognises only the two scenarios stated above as the only circumstances under which a passenger already inside an aircraft may be ordered to disembark. Clearly, none of the two

scenarios applied to the Nneka whose only offence was that she told Captain Horace Millar-Jaja who had already severely embarrassed and humiliated her publicly to please stop shouting at her and using foul language against her.

- 1.16 As the Captain and Pilot-in-Command of Air Peace flight 7210 from Lagos to Warri of 10th December 2019, Captain Horace Millar-Jaja was imbued with extensive powers under the CAA and NCARs which he was supposed to exercise diligently and circumspectly to protect the life and safety of passengers on board the aircraft, including that of Nneka, since with great power comes even greater responsibility.
- 1.17 Not only did Captain Horace Millar-Jaja fail in this responsibility, in tandem with his employer, Air Peace Limited, and NCAA and FAAN, they have remained unrepentant and determined to concoct lies to cover up this flagrant violation of Nneka's fundamental human rights. Nneka humbly urges this Honourable Court to take the attitude of Air Peace Limited, NCAA and FAAN into cognisance in the dispensation of justice in this matter.

CONCLUSION

NCAA and FAAN who are supposed to regulate Air Peace Limited and protect consumers of aviation products and services such as my wife have already failed her woefully by manifesting clear signs of *regulatory capture*.¹ We are confident that given the good work and reputation of Dr Babatunde Irukera, the FCCPC will not fall into this category. We humbly urge the FCCPC to stand tall, brush aside any attempts to unduly influence it and reach a fair, just and equitable decision which all Nigerians who are keenly watching the development of this case will be truly proud of.

¹ *Regulatory Capture* is a theory which postulates that regulatory agencies (such as NCAA and FAAN) may come to be dominated by the stakeholders and players in the industries or interests they are charged with regulating (such as Air Peace Limited). The result is that an agency, charged with acting in the public interest, instead, acts in ways that benefit the stakeholders and players in the industry that it is supposed to be regulating. It has been speculated that it was regulatory capture that led to Boeing (the aircraft maker) dominating the United States' Federal Aviation Administration (FAA) so thoroughly that the aircraft maker was able to compromise strict FAA certification procedures and release defective aircrafts into the skies for which humanity paid a very dire and gruesome cost. Please see: <https://www.economist.com/business/2019/03/23/regulatory-capture-may-be-responsible-for-boeings-recent-problems>