

LC 69337

FILED
MAY 17 2022
Superior Court of New Jersey
Civil Division - Essex Vicinage

**IN THE ESSEX COUNTY SUPERIOR COURT
STATE OF NEW JERSEY
CIVIL DIVISION**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
ESSEX VICINAGE
MAY 17 2022
FINANCE DIVISION
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ANAS AREMEYAW ANAS

VS

KENNEDY OHENE AGYAPONG, DEFENDANT

VS

FREDERICK ASAMOAH, DEFENDANT

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) Case Number:
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PLAINTIFF'S COMPLAINT FOR DAMAGES

Comes now, Plaintiff, Anas Aremeyaw Anas ("Plaintiff") in the above styled matter, and now files this Complaint for damages against the defendants herein; and shows as follows:

Jurisdiction and Venue

1. Plaintiff is an internationally acclaimed investigative journalist and attorney at law, who works primarily to uncover corruption and human rights abuses in the Republic of Ghana and all over Africa.
2. In 2008, Plaintiff received the United States ("US") State Department Heroes award for his work relating to the combat of human trafficking; while the Global Health Council in Washington DC (USA) honored him with an award for excellence in Journalism in 2010.
3. Plaintiff's work has received special mention by various world leaders including Former US President, Barack Obama, former UN General Secretary Kofi Annan, Indian Prime Minister Manmohan Singh and other world leaders.
4. Plaintiff has collaborated with the British Broadcasting Corporation ("BBC"), Aljazeera English ("AJ"), Cable News Network ("CNN"), and others on some of his investigative works.

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5. Plaintiff has received awards including, foreign journalist of the year from the US based Association of Black Journalists (NABJ) in 2021, International Sports Press Association in Switzerland in 2019; the key to the city of Worcester, Massachusetts in the US in 2016, and the African Hero award from the Ohio University in the US in 2016.
6. Plaintiff was invited to France by the former United Nations (UN) Secretary General, Mr. Kofi Annan, the 39th President of the USA, President Jimmy Carter, the former President of Ireland, Nobel Peace Prize laureate, and former UN High Commissioner for human rights, Mary Robinson, and Nobel Peace Prize Laureate, Archbishop Desmond Tutu; and was decorated for his fight against human rights abuses in the world.
7. Prior to the conduct that underlies this action, Plaintiff was frequently engaged and invited to speak at universities and colleges like Harvard University, Duke University, Cambridge University, Oxford University, and London School of Economics, among others.
8. Plaintiff frequently visits the US, where he visits several states including the State of New Jersey; where he has family, friends, and supporters.
9. Defendant, Kennedy Ohene Agyapong, ("the First Defendant") is a self-proclaimed "rich" businessman, who is a former US permanent residency card holder; and a property owner in the city of West Orange in Essex County, in the State of New Jersey; and has business interests in other parts of the US and is a current member of the Parliament of the Republic of Ghana in West Africa.
10. Defendant, Frederick Asamoah, ("the Second Defendant") is a self-styled "social media commentator," who hails from the Republic of Ghana, and is currently a resident of the State of Maryland.
11. The Second Defendant owns and operates a website, www.theannouncernews.com, which is dedicated to reporting news from and about the Republic of Ghana, that targets as its audience, citizens and former citizens of the Republic of Ghana, resident in the US including in the State of New Jersey; and who also operates an internet based broadcast service dubbed "the Daddy Fred Show," which is broadcast live and on demand via social media platforms like Facebook and YouTube.
12. The Daddy Fred Show is targeted at an audience that consist of citizens and former citizens of the Republic of Ghana, resident in several States in the US including the State of New Jersey.
13. The First Defendant is subject to the personal jurisdiction of this Court by

virtue of his tortious conduct committed by the First Defendant, during an interview conducted over the internet with the Second Defendant, while in his house within the jurisdiction of this Court, and purposely intended for the consumption of citizens of the State of New Jersey, which constituted "virtual contacts" sufficient for specific jurisdiction purposes; and can be served in his family home at 7 Walter Street, West Orange, New Jersey, 07052.

14. The Second Defendant is subject to the personal jurisdiction of this Court by virtue of his tortious conduct committed by transmitting via the internet, defamatory material emanating from within the jurisdiction of this Court, and purposely intended for consumption of citizens of the State of New Jersey, constituted "virtual contacts" sufficient for specific jurisdiction purposes.

15. Venue is proper in this Court because the tortious conduct that forms the basis of this action was committed in the city of West Orange, in Essex County, in the State of New Jersey.

Factual Background

16. On 6 June 2018, Plaintiff debuted a documentary produced in conjunction with the BBC which chronicled the corrupt practices in Ghanaian and African professional football titled "Betraying the Game," popularly known in the Republic of Ghana as "Number 12."

17. Some scenes from "Betraying the Game" contained allegations that the President of the Republic of Ghana, and some high-ranking members of his cabinet were open to being financially influenced in exchange for the performance of official acts, on a quid pro quo basis.

18. The Republic of Ghana is a constitutional democracy that practices what is known as "winner takes all politics;" which, in the Ghanaian sense, is the practice by which by means of divisive and partisan selection, all Ghanaians who are not part of one of two main political parties that gains the most popular votes in the most recent Presidential elections, are excluded from national governance and decision making in a manner that polarizes the nation and dissipates its human resource endowments.

19. At all times relevant to this Complaint, the government of the Republic of Ghana ("GOG") was controlled by the members of the New Patriotic Party ("NPP"); of which the First Defendant is a key member.

20. The allegations referenced in paragraph 17, caused an uproar amongst citizens of the Republic of Ghana and further afield, resident within the Republic of Ghana; and resident elsewhere in the world, including places like West Orange

and other parts of the State of New Jersey; and embarrassed the GOG; amid threats by its citizens to change the political fortunes of the government of the day.

21. At all times relevant to this Complaint, the First Defendant held himself out to be a de facto spokesperson for his party, the NPP and mouthpiece of the GOG.

22. In the aftermath of the debut of "Betraying the Game;" the First Defendant stated his intent to launch an *ad hominem* attack on the Plaintiff, to assassinate his character; so as to ostensibly neutralize the effect of the allegations referenced in paragraph 17 herein, in the minds of the citizens and voters of the Republic of Ghana.

23. As part of the attack referenced in paragraph 22 herein, the First Defendant released pictures and the identity of Ahmed Suale, an undercover journalist who hitherto kept his identity a secret, and who worked on "Betraying the Game;" and openly called for his assault. Again, the First Defendant disclosed Ahmed Suale's residential address which was also hitherto, unknown to the public and threatened to put out the car numbers of Ahmed Suale because he (First Defendant) had tracked the said car numbers.

24. On 16 January 2019, Ahmed Suale, was shot twice in the heart and once in the neck and murdered in broad daylight by unknown assailants.

25. As of the time of authoring this Complaint, no one has been tried and convicted for the murder referenced in paragraph 24 herein.

26. The First Defendant has also been exceptionally vicious and brazen in his attacks on the Plaintiff, calling on the general public to physically attack and assault him as well as calling for the Plaintiff to be lynched, on both live radio and television programs.

27. The First Defendant signified his commitment to his call for the lynching of the plaintiff by his gesture of making a choking sound and dragging his finger across his throat during a live television program on 29 May 2018.

28. Similarly, the defendant incited the general public to physically attack and assault the plaintiff on 30 May 2018 during the course of a live program on television.

29. Then also on 4 June 2018 during a live program broadcast on radio called for the hanging of the plaintiff.

30. Between 29 May 2018 and 20 November 2018, the First Defendant made a series of defamatory statements on a radio station owned by the First Defendant in the Republic of Ghana regarding the Plaintiff; including that he murdered several Chinese nationals.

31. On 8 June 2018, the Plaintiff instituted legal action against the First Defendant in Ghana for the conduct referenced in paragraph 30 herein.

32. On or about 18 March 2019, the First Defendant was quoted on live radio broadcast in the Republic of Ghana, as saying;

"after mounting a spirited defense for the party against undercover journalist Anas Aremeyaw Anas, I was disgraced in parliament like a child. Look at how the party is using me and eventually will disgrace me. I have had enough and I am quitting I am telling you in plain words. Before the Anas video came out, those who had the chance to preview it were alarmed and knew it will put the party in a bad light. They sent emissaries to my house at dawn to go and defend the party; thereafter they disgraced me in parliament. Anybody who is at the NPP headquarters lobbying to be a Minister if I am not an MP he cannot run me down. Nobody can also come and ask me to leave my house at 7am and go to defend the party on radio or television. Politics is not the only means through which one can make it. I am tired of NPP and the embarrassments."

33. On 19 July 2021, the First Defendant testified under cross examination in the legal action referenced in paragraph 30 herein; wherein admitted that does not have evidence to prove the Plaintiff murdered several Chinese nationals.

34. On 7 September 2021, the First Defendant appeared as a guest of the Daddy Fred Show as a guest of the Second Defendant.

35. According to the Second Defendant, the First Defendant's appearance on the Daddy Fred Show was to "clear the air" regarding the reputation and character of the First Defendant before citizens and former citizens of the Republic of Ghana resident in the US, including the State of New Jersey.

36. During the interview referenced in paragraphs 34 and 35 herein, the First Defendant stated, that he was speaking from his home in West Orange in the State of New Jersey.

37. According to the Second Defendant, the interview referenced in paragraphs 34, 35, and 36 herein, was transmitted live on Facebook and on other internet-based platforms and will and has been made available on demand on

Facebook and on other internet-based platforms till date; garnering over twenty-nine thousand views on Facebook alone as of authoring the instant Complaint.

Count One
Defamation

38. Plaintiff repeats and realleges each and every prior allegation of this Complaint as if set forth in detail herein.

39. During the interview referenced in paragraphs 34, 35, 36, and 37, the First Defendant stated at minute 33:44, that Plaintiff is a criminal.

40. By criminal, the First Defendant meant it to be understood by right-thinking members of society, that Plaintiff has been convicted of a crime in the Republic of Ghana.

41. The statement in paragraph 39 is false.

Count Two
Defamation

42. Plaintiff repeats and realleges each and every prior allegation of this Complaint as if set forth in detail herein.

43. On 7, September 2021, during the interview referenced in paragraphs 34, 35, 36, 37 and 39 herein, the First Defendant stated at minute 35:31 to minute 35:36, that Plaintiff is behind the murder of Ahmed Suale.

44. The statement in paragraph 43 was intended to be understood by right-thinking members of society that Plaintiff is a primary actor or a co-conspirator to the crime of murder as defined by the laws of the Republic of Ghana.

45. The statement in paragraph 43 is false.

Count Three
Defamation

46. Plaintiff repeats and realleges each and every prior allegation of this Complaint as if set forth in detail herein.

47. On 7 September 2021 during the interview referenced in paragraphs 34, 35, 36, 37, 39 and 43 of this Complaint, the First Defendant, at minute 35:56 to 36:27, stated, that Plaintiff is responsible for the death of multiple Chinese nationals in the Republic of Ghana, and that, he has videos to that effect.

48. The statement in paragraph 47 was intended to be understood by right-thinking members of society that Plaintiff is the primary actor or a co-conspirator in multiple murders as defined by the laws of the Republic of Ghana.

49. The statement in paragraph 47 is false.

Count Four **Defamation**

50. Plaintiff repeats and realleges each and every prior allegation of this Complaint as if set forth in detail herein.

51. On 7 September 2021, during the interview referenced in paragraphs 34, 35, 36, 37, 39, 43, and 47 of this Complaint, the First Defendant stated at minute 37:00 to 37:07, that Plaintiff is a thief as defined by the laws of the Republic of Ghana.

52. The statement in paragraph 51 is false.

Count Five **Defamation**

53. On 7 September 2021, during the interview referenced in paragraphs 34, 35, 36, 37, 39, 43, and 47 herein, the First Defendant, at minute 35:56 to 36:27, stated, that, he, the First Respondent has proven in a court of law, that, the Plaintiff has indeed murdered multiple Chinese nationals.

54. The statement in paragraph 53 was intended to be understood by right-thinking members of society that Plaintiff is a primary actor or a co-conspirator in multiple murders as defined by the laws of the Republic of Ghana.

55. The statement in paragraph 53 is false.

Particulars of Actual Malice

56. Plaintiff repeats and realleges each and every prior allegation of this Complaint as if set forth in detail herein.

57. The First Defendant uttered and published the false statements referenced in paragraphs 34, 35, 39, 43, 47, 49, and 53 in the instant Complaint with malice and/or with reckless disregard to the reputational damage that will be suffered by the Plaintiff.

58. At the time all five defamatory statements were uttered, the First Defendant was aware of the falsity of his utterances because he had previously been cross examined and admitted to those falsity the statements referenced in paragraphs 43, 47, 53 while testifying under oath.

59. Prior to the time all five defamatory statements were made, the First Defendant is on record to have admitted that he was commissioned by his political party to launch a false *ad hominem* attack on the Plaintiff to discredit Plaintiff and to soften the impact of the contents of Betraying the game.

60. Consistent with the statements made by the First Defendant in paragraph 54 herein, the First Defendant subsequently, uttered and published the false statements referenced in paragraphs 34, 35, 37, 43, 47, 49 and 53 herein, intending for it be believed by right thinking members of society, and knowing that it will be foreseeably consumed in the State of New Jersey.

61. The Second Defendant is a pro NPP platform which is engaged in a pattern of conduct that can only be reasonably described as the use of its platform in the conduct of public relations for the NPP-led GOG in the US, which is also used by the First Defendant to manage his reputation in the eyes of citizens of the Republic of Ghana resident in the US.

62. The Second Defendant deliberately provided the First Defendant with a platform to publish the defamatory statements referenced in paragraphs 34, 35, 37, 43, 47, 49 and 53 herein, under the guise of clearing his name; knowing that the statements were false and failed to give the Plaintiff the opportunity to rebut the statements referenced in paragraphs 35, 37, 43, 47, and 53. This is especially true because the intent of the First Defendant for his false *ad hominem* attacks on the Plaintiff as communicated by the First Defendant himself and referenced under paragraphs 32 and 59, were public and same was known to the Second Defendant at the time of his tortious conduct.

Damages

63. The Plaintiff has been traumatized by the actions complained of in this Complaint and has suffered severe emotional distress; because he has had to field mortifying questions from former clients, agents, business associates, and family members who reside all over the world including the City of West Orange in the State of New Jersey.

64. Plaintiff also states that the words complained of are utterly false, products of the First Defendant's imagination and were mischievously calculated by First Defendant to disparage the Plaintiff and to create disaffection for him and to bring him into odium in the eyes of right-thinking members of the society in West Orange, Newark, and other parts of the State of New Jersey and the global community.

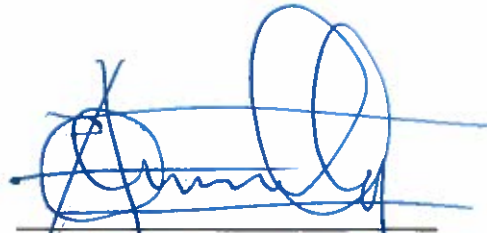
65. For his reward, for launching the false ad hominin attack on the Plaintiff, the First Defendant was awarded several lucrative government contracts by the NPP led government of the Republic of Ghana, running into hundreds of millions of United States Dollars.

Wherefore Plaintiff prays for relief as follows;



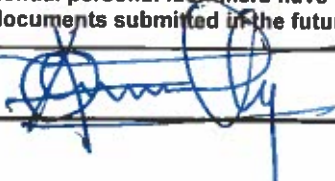
- a. An award of presumed damages in the amount of five million (5,000,000.00) United States Dollars;
- b. An award of special damages in the amount of ten million (10,000,000.00) United States Dollars;
- c. An award of actual damages in the amount of five million (5,000,000.00) United States Dollars;
- d. An award of punitive damages in the amount of ten million (10,000,000.00) United States Dollars;
- e. An order restraining the First Defendant from further making the utterances complained of; and ordering the Second Defendant to permanently delete all defamatory statements it has published about the Plaintiff on the worldwide web;
- f. Any other relief as the Court may deem fit.

Respectfully and humbly submitted,

This day of April, 11, 2022.



Anas Aremeyaw Anas
Plaintiff Pro Se
C/O Emmanuel Ansah Mclord
P.O. Box 48
Lodi, NJ 07644
USA

	<h2>Civil Case Information Statement (CIS)</h2> <p>Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed</p>		For Use by Clerk's Office Only Payment type: <input type="checkbox"/> ck <input type="checkbox"/> cg <input type="checkbox"/> ca Chg/Ck Number: Amount: Overpayment: Batch Number:		
	Attorney/Pro Se Name ANAS AREMEYAW ANAS		Telephone Number (202) 823-7851	County of Venue Essex	
	Firm Name (if applicable)		Docket Number (when available)		
	Office Address P.O Box 48, Lodi, NJ 07644		Document Type COMPLAINT		
			Jury Demand <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Name of Party (e.g., John Doe, Plaintiff) ANAS AREMEYAW ANAS		Caption ANAS AREMEYAW ANAS V. KENNEDY AGYAPONG			
Case Type Number (See reverse side for listing) 609	Are sexual abuse claims alleged? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is this a professional malpractice case? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If you have checked "Yes," see <i>N.J.S.A. 2A:53A-27</i> and applicable case law regarding your obligation to file an affidavit of merit.			
Related Cases Pending? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If "Yes," list docket numbers			
Do you anticipate adding any parties (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Name of defendant's primary insurance company (if known) <input checked="" type="checkbox"/> None <input type="checkbox"/> Unknown			
The Information Provided on This Form Cannot be Introduced into Evidence.					
Case Characteristics for Purposes of Determining if Case is Appropriate for Mediation					
Do parties have a current, past or recurrent relationship? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If "Yes," is that relationship? <input type="checkbox"/> Employer/Employee <input type="checkbox"/> Friend/Neighbor <input type="checkbox"/> Other (explain) <input type="checkbox"/> Familial <input type="checkbox"/> Business			
Does the statute governing this case provide for payment of fees by the losing party? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition. I BELIEVE THAT THIS CASE LENDS ITSELF TO DISPOSITION BY SUMMARY JUDGMENT. THE DEFENDANT DOES NOT DENY MAKING THE DEFAMATORY STATEMENTS COMPLAINED OF.					
 Do you or your client need any disability accommodations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, please identify the requested accommodation.			
Will an interpreter be needed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		If yes, for what language? AKAN TWI (GHANA)			
I certify that confidential personal identifiers have been redacted from documents now submitted to the court and will be redacted from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i> .					
Attorney Signature: 					

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION
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Side 2



Civil Case Information Statement (CIS)

Use for initial pleadings (not motions) under *Rule 4-5-1*

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I - 150 days discovery

- | | |
|---|---|
| 151 Name Change
175 Forfeiture
302 Tenancy
399 Real Property (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
502 Book Account (debt collection matters only)
505 Other Insurance Claim (including declaratory judgment actions) | 506 PIP Coverage
510 UM or UIM Claim (coverage issues only)
511 Action on Negotiable Instrument
512 Lemon Law
801 Summary Action
802 Open Public Records Act (summary action)
999 Other (briefly describe nature of action) |
|---|---|

Track II - 300 days discovery

- | | |
|---|---|
| 305 Construction
509 Employment (other than Conscientious Employees Protection Act (CEPA) or Law Against Discrimination (LAD))
599 Contract/Commercial Transaction
603N Auto Negligence – Personal Injury (non-verbal threshold) | 603Y Auto Negligence – Personal Injury (verbal threshold)
605 Personal Injury
610 Auto Negligence – Property Damage
621 UM or UIM Claim (includes bodily injury)
699 Tort – Other |
|---|---|

Track III - 450 days discovery

- | | |
|---|--|
| 005 Civil Rights
301 Condemnation
602 Assault and Battery
604 Medical Malpractice
606 Product Liability
607 Professional Malpractice | 608 Toxic Tort
609 Defamation
616 Whistleblower / Conscientious Employee Protection Act (CEPA) Cases
617 Inverse Condemnation
618 Law Against Discrimination (LAD) Cases |
|---|--|

Track IV - Active Case Management by Individual Judge / 450 days discovery

- | | |
|---|---|
| 156 Environmental/Environmental Coverage Litigation
303 Mt. Laurel
508 Complex Commercial
513 Complex Construction | 514 Insurance Fraud
620 False Claims Act
701 Actions in Lieu of Prerogative Writs |
|---|---|

Multicounty Litigation (Track IV)

- | | |
|--|---|
| 271 Accutane/Isotretinoin
274 Risperdal/Seroquel/Zyprexa
281 Bristol-Myers Squibb Environmental
282 Fosamax
285 Stryker Trident Hip Implants
286 Levaquin
289 Reglan
291 Pelvic Mesh/Gynecare
292 Pelvic Mesh/Bard
293 DePuy ASR Hip Implant Litigation
295 AlloDerm Regenerative Tissue Matrix
296 Stryker Rejuvenate/ABG II Modular Hip Stem Components
297 Mirena Contraceptive Device
299 Olmesartan Medoxomil Medications/Benicar
300 Talc-Based Body Powders | 601 Asbestos
623 Propecia
624 Stryker LFIT CoCr V40 Femoral Heads
625 Firefighter Hearing Loss Litigation
626 Ability
627 Physiomesh Flexible Composite Mesh
628 Taxotere/Docetaxel
629 Zostavax
630 Proceed Mesh/Patch
631 Proton-Pump Inhibitors
632 HealthPlus Surgery Center
633 Prolene Hernia System Mesh
634 Allergan Biocell Textured Breast Implants |
|--|---|

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category Putative Class Action Title 59 Consumer Fraud