



**RECORD OF PROCEEDINGS OF THE NGF COMMITTEE ON THE  
RECONCILIATION OF CLAIMS/DISPUTES IN RESPECT OF THE  
1<sup>ST</sup> LINE CHARGE REFUNDS**

**DATE: Wednesday, 7<sup>th</sup> May, 2017**

**TIME: 8:30 PM**

**VENUE: PLATEAU STATE GOVERNOR'S LODGE, ASOKORO**

## PARTICIPANTS

S/N	NAME	DESIGNATION
1.	Oluwarotimi Akeredolu SAN	Governor, Ondo State
2.	Simon Lalong	Governor, Plateau State
3.	Ezenwo N. Wike	Governor, Rivers State
4.	Mohammed A. Abubakar	Governor, Bauchi State
5.	Dr Ibrahim H. Dankwambo	Governor, Gombe State
6.	Aminu Waziri Tambuwal	Governor, Sokoto State
7.	A.B. Okauru	Director - General
8.	Chuku Chijioke	Head, Legal
9.	Chima Juliet	T.A to the DG
10.	Ayo Daisa	Chief Detail
11.	Dr Kayode Ajulo	Principal Partner Kayode Ajulo & Co
12.	Awa Kalu SAN	RIOK Counsel
13.	Prince-Orji Nwafor	RIOK Counsel
14.	Prince Ukachukwu	RIOK
15.	Daniel Nwokedi	RIOK
16.	Tunde Onamusi	J-K Gadzama
17.	Onyeka Nwokedo	Rolls Law Firm
18.	Ned Nwoko	Linus International
19.	Joe-Kyari Gadzama SAN	J.K Gadzama
20.	Joe Agi SAN	Joe Agi & Ass
21.	Sambo Garba	GSSL BIZPLUS
22.	Adedeji Ademiyilola	GSSL BIZPLUS
23.	P.I.N Ikwueto SAN	GSSL BIZPLUS
24.	Atunbi J. Olaniyi	GSSL BIZPLUS Counsel
25.	O.K Ukoha	NGF Counsel
26.	Adewalw Odeleye for R.A Lawal Rabana & Co	NGF Counsel

27.	Ojiako Chiamaka	Research Assistant
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### **APOLOGIES**

1.	Henry Seriake Dickson	Governor, Bayelsa State
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S/N	NOTES	ACTION BY
1.0	<b>Opening</b>	
	The meeting commenced at 9:08 p.m.	
2.0	<b>Opening Remarks</b>	
	<ul style="list-style-type: none"> <li>• The Chairman welcomed everybody to the meeting and gave an overview of the purpose of the meeting which was to explore the modus for settling the various claims on the 1<sup>st</sup> Line Charge Refund. Following background facts and information by the Committee Chairman, the governors contributed to the chairman's opening remarks thus:</li> <li>• The monies in the NGF account are not meant for ALGON or contractors but meant for consultants' fees; ALGON had no business with the NGF and only elected Local councils can claim to be members of ALGON. There were currently very local councils across the country with elected officials.</li> <li>• Each case would be treated on its merit.</li> <li>• There was need for caution on the Ned Nwoko case in view of the consent judgment entered by the court. The Forum can no longer wish him away.</li> <li>• Oyo State Government had instituted a case against the NGF seeking to set aside the said consent judgment on the grounds of misrepresentation etc</li> <li>• States cannot be made to pay for a contract that they were not a party to regardless of the court's consent judgment.</li> <li>• Even though the NGF can be said to have made a mistake in entering the consent judgment, it was nonetheless a joint mistake which all the Governors' should be jointly responsible for, to avoid ridicule.</li> <li>• The issue of reconciliation of the over-payments was inexplicable because reconciliations had since been concluded and paid for.</li> </ul>	

	<b>METHODOLOGY</b>	
	<ul style="list-style-type: none"> <li>The meeting agreed that each Consultant/claimant would be invited to address the Committee and each distinct case would be addressed on the merits.</li> </ul>	
<b>3.0</b>	<b>Discussions with the Representatives of the GSCL-BIZPLUS</b>	
	<ul style="list-style-type: none"> <li>The Chairman welcomed the consortium representatives and thanked them for honouring their invitation.</li> <li>He said that the Forum would comply with the agreement which provides for settling matters <b>amicably</b> in the event of a dispute.</li> <li>He stated that when the consortium was formed, the Forum had made a case for the accommodation of other consultants but the extent of accommodation was not discussed.</li> <li>The Leader of the Consortium made a distinction between recovery from first line charge and recovery from London Paris Club Refund.</li> <li>The Nigeria Governors Forum Secretariat was asked to excuse the Committee.</li> </ul>	
<b>4.0</b>	<b>Discussions with NED NWOKO Team (NED NWOKO SOLICITORS AND LINAS INTERNATIONAL)</b>	
	<ul style="list-style-type: none"> <li>The Chairman welcomed the team and observed that Ned Nwoko Solicitors had instituted an action with regards to the consultancy job they had done for States.</li> <li>The plaintiff's lawyer informed the committee that they had two claims, one for Ned Nwoko and the other for LINAS.</li> <li>According to him, their case was peculiar because the court had given judgments in their favour. One of the judgments was a consent judgment and the other was given against the Federal Government and ALGON.</li> <li>The Committee noted that the terms of settlements identified that the engagements did not involve all the states.</li> <li>The team was asked if they were aware that the monies being paid to the states presently was not for London Paris Club refund but from the 1<sup>st</sup> line charge and that the payments for the London Paris Club Refund had been made years back by the Federal Government to the State and Local Governments?</li> <li>Ned said that he did not agree that all the London Paris Club Refund monies had been paid and explained that the first line</li> </ul>	



	<p>charge related to the London Paris Club Refund and that the first part of the work done related to specific loans taken by various states that were overpaid.</p> <ul style="list-style-type: none"> <li>• He insisted that the current issue relates to the deductions that were made towards the payment made for the exit of the Nigerian Government from the London Paris Club Loans.</li> <li>• Governor of Gombe State and former Accountant General of the Federation recalled that a consultant was hired and 1% was paid for the Paris Club exit.</li> <li>• The Chairman in conclusion stated that the issues were clear but the terms of settlement provided for negotiations between the parties. The Forum would therefore get back to them. He also advised them to submit any documents to the Forum that would assist the Committee's work.</li> <li>• The counsel for LINAS stated that the local governments did not borrow any money and that they had a judgment against the Federal Government, Ministry of Finance, Attorney General of the Federation and the Accountant General of the Federation.</li> <li>• The Committee learnt that the Ministry of Justice had given the Judgment creditors a fiat to execute the judgment against the Federal Government but had excluded themselves.</li> </ul>	
	<p><b>Discussions with AJILO</b></p>	
	<ul style="list-style-type: none"> <li>• The Forum wondered if the consultant was asking for N900 million as consultancy fee for interpreting a judgment in relation to the London Paris Club Refund.</li> <li>• The consultant explained that he was briefed in 2015 and that he only got a letter when one of the consultants was disengaged.</li> <li>• He said that beyond interpreting the judgments he has engaged on strategic and confidential procedures to recover the monies.</li> <li>• That the initial money agreed was 5% of what comes to the Nigeria Governors' Forum and that subsequently it was renegotiated to 1-2%.</li> <li>• The Committee sought to know if there were any documents contracting him to reconcile the London Paris Club funds refund.</li> </ul>	

	<ul style="list-style-type: none"> <li>• The Committee told the consultant that based on his letter of reference his claim could not hold because the Jang faction did not succeed.</li> <li>• The Forum was however leaving all options open but they would operate by a realistic amount.</li> </ul>	
	<b>DISCUSSIONS WITH RIOK</b>	
	<ul style="list-style-type: none"> <li>• The Chairman gave an overview of the RIOK Limited claim especially relating to contractual sum for work done for ALGON.</li> <li>• The Forum learnt that RIOK joined the Forum to the action in the belief that the monies due to the local government was paid through the states.</li> <li>• The Lawyer for RIOK's team said that the case against <del>ALGON</del> had been concluded and that the issue was for enforcement.</li> <li>• The Chairman explained that the monies due to the local governments had been released to them and that it was not paid to the Forum.</li> <li>• He said that if LINAS case fails then their case would equally fail because LINAS did not do a job for London Paris Club Refund.</li> <li>• The Committee opined that the Forum was not the appropriate party to sue but it will consider the matter and get back to them.</li> </ul>	
<b>5.0</b>	<b>Conclusion</b>	
	<ul style="list-style-type: none"> <li>• The Chairman thanked all the members of the committee for coming and that the meeting had uncovered some hitherto unknown facts.</li> <li>• The meeting was adjourned to Tuesday, 13<sup>th</sup> June, 2017 at the residence of the Chairman, NGF.</li> </ul>	
<b>6.0</b>	<b>Closing</b>	
	The meeting closed by 2:45am	