

Umno lawyer defends 'clarification' letter to WSJ

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By Hafiz Yatim

Umno lawyer Mohd Hafarizam Harun today defended the firm's action in issuing a letter of clarification to The Wall Street Journal (WSJ) last week.

Hafarizam (photo) said this was done by other lawyers as well, for example Anwar Ibrahim's lawyer Sankara Nair.

"My client (Prime Minister Najib Abdul Razak) sought clarification as the first few paragraphs of the first article seem to suggest the money came from 1MDB.

"However in the fifth paragraph onwards, the daily said the source is unknown. I advised that the article is not clear and I do not want to file an action where I have to assume the money comes as alleged in the article.

"Otherwise, I would be bordering on conjecture to assume they meant 1MDB or otherwise. What is their (WSJ) position in this? Following this, my client (Najib) agreed to write in for clarification," he said.

Hafarizam said the letter of clarification was sent so that WSJ will take a position whether the article meant the funds came from 1MDB or otherwise.

After they state their position, he added, then only the legal letter of demand can be issued.

Najib sent the letter via email to Dow Jones through the firm of Hafarizam Wan & Aisha Mubarak on July 8 following the articles on WSJ dated July 3 and 6, that an amount of RM2.6 billion was deposited into the PM's accounts in March 2013, just before the 13th general elections.

Several lawyers including former de facto law minister Zaid Ibrahim, have criticised the contents of the letter.

No reply yet from WSJ

Hafarizam was met on the sidelines of Najib's suit against PAS mouthpiece Harakah, where the PM sought to strike out certain paragraphs in Harakah's defence.

However, today's hearing did not go on as he had just given case authorities and additional submission to support the application on Friday, and Harakah's lawyers Mohd Hanipa Maidin (photo) and Faiz Fadzil need time to reply.

Following this Kuala Lumpur High Court judge Justice Hue Siew Kheng fixed July 23 at 3pm to hear Najib's application and make a decision.

Hafarizam added that his firm had yet to receive any reply from Dow Jones over the letter sent last Tuesday.

Maybe the reply will come next week as they were given 14 days to reply.

After that, Hafarizam said they will seek further instructions from Najib.

“From there we will get my client's instructions on whether the article refers to 1MDB or not, and whether to proceed or not. If we proceed, then the legal letter of demand will be sent. It would then depend on whether they apologise.

“I am aware that my law firm says the articles are defamatory. But if I wrongly give an advice, I could be subjected to professional negligence. For this reason, the letter of clarification was written,” he said.

The WSJ and Sarawak Report articles had resulted in an ongoing probe by a special task force that comprise of the police, the Malaysian Anti-Corruption Commission, Bank Negara and the Attorney-General's Chambers.

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