

## **Najib fails to strike out part of Harakah's defence**

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**By Hafiz Yatim**

Prime Minister Najib Abdul Razak has today failed to strike out certain parts of Harakah and Harakahdaily's defence statement in a defamation suit over a report which cited a New York Times article about his step-son.

It follows Kuala Lumpur High Court judge Justice Hue Siew Kheng's decision that there are triable issues on the matter.

"The court fixed trial dates beginning Oct 7 to 16, for the case to be heard," said Najib's lawyer Mohd Hafarizam Harun.

He said the court agreed that the defences raised by Harakah under qualified privilege and fair comment are statements on fact, not opinion, and as such should go for trial.

The judge made the decision in her chambers.

Hafarizam (photo) told reporters that he will advise Najib to file an appeal against today's decision as the article was published online and not on print newspaper.

"Only newspaper can claim the defence of qualified privilege and not the online portals," he said.

### **Misused 1MDB funds**

Harakah's lawyer Faiz Fadhil had submitted last month that the defence of qualified privilege was also applicable to news portals as it relates to the issue of public interest.

Najib filed the suit on March 18 this year, where he named Harakah managing director Dr Rosli Yaakob and Harakahdaily chief editor Taufek Yahya as defendants.

It concerned the publication of an article written by Rosli on Feb 19 on the issue of 1MDB.

Najib in his statement of claim alleged that the article contained words which implied that he had misused 1MDB funds.

As such, the prime minister alleged, the publication of the article had damaged his reputation and caused him to be condemned by the social media and the mass media.

Besides filing the suit against Harakah, Najib had also filed separate suits against DAP's Petaling Jaya Utara MP Tony Pua, PKR vice-president Rafizi Ramli and Taiping MP Nga Kor Ming, most of it in relation to the 1MDB issue.

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