

Financial institutions, Najib ordered to assist in 1MDB suit

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Financial institutions Affin Islamic Bank Bhd, AmIslamic Bank Bhd and global investment banking firm Goldman Sachs, which helped issue notes for 1MDB, have been given 14 days to answer to the High Court in Kuala Lumpur on the troubled sovereign state fund.

Affin Islamic is the bank with which 1MDB subsidiary Ihsan Perdana Sdn Bhd has an account, while AmIslamic is the bank where Prime Minister Najib Abdul Razak had his personal accounts, into which RM2.6 billion were allegedly deposited.

Besides this, Najib, BN secretary-general Tengku Adnan Tengku Mansor and 1MDB will also be required to furnish details of their accounts and expenditures to the High Court within the 14 days.

The order to the three financial institutions follows an application of discovery filed by the plaintiffs, among them the party PKR, on Aug 28, which will be served on them today.

A lawyer for the plaintiffs, Michelle Sunita Kummar (photo, second from right), said the application was filed on Aug 28 and following the long holidays, the document and supporting affidavit by PKR vice-president, Nurul Izzah Anwar and was extracted yesterday.

"We will serve these three entities today, and they have 14 days to reply on whether they will be assisting the court in the discovery of documents relating to the case," Sunita said. "They can comply to give the documents via an affidavit, or object to it."

"If they object, than a hearing for the discovery will be held on why they cannot comply with the request. This is until the court makes the order. The plaintiffs have given them a chance in doing so and whether they will oppose not to disclose," she added.

One of the plaintiffs, Nurul Izzah Anwar, who was also present in the press conference, said Malaysians may, for the first time, learn what actually happened with regard to 1MDB and Najib's involvement in the alleged embezzlement of it its funds through proper documents.

'Malaysians should support our suit'

"Malaysians and especially Umno members should support our suit in a bid to get answers into the whole affair," Nurul Izzah said.

"We are seeking that all the detailed accounts, expenditure, transfers and deposits be revealed," she said.

A discovery process order from civil proceedings is a procedure by means of which one

party obtains compulsory disclosure of documents and other information relevant to those proceedings from another party or from a non-party.

Affin Islamic, Amlslamic and Goldman Sachs are non-parties in the civil suit filed against Prime Minister Najib Razak and 1MDB on Aug 12 for violating electoral rules through funds used in the 13th general election campaign.

PKR, along with PKR de facto leader, Anwar Ibrahim, former secretary-general Saifuddin Nasution Ismail, PKR vice-presidents, Nurul Izzah Anwar and Chua Tian Chang (Tian Chua) and former PAS MP Dr Dzulkefly Ahmad are parties in the suit in the High Court in KL.

They also named Tengku Adnan (photo, above) as BN secretary-general and the Election Commission as defendants in the suit.

This follows reports by The Wall Street Journal and Sarawak Report reports that RM2.6 billion had somehow found its way into Najib's personal bank accounts.

Yesterday, Najib was ordered by the High Court in Kuala Lumpur to file his defence in this suit by Oct 1. The court also ordered the BN to file its defence on Sept 15, while 1MDB and the Election Commission (EC) have to respond on Sept 14.

'Declare GE13 null and void'

The matter has been fixed for case management before Justice Mohd Zaki Wahab, who will preside on Oct 9.

The plaintiffs had in the suit argued that Najib, who also heads 1MDB's board of advisers, could have used the money and allocation to flout EC laws on expenditure limit for elections.

The plaintiffs are seeking several declarations, among them that Najib committed corrupt practices with the fund of RM2.6 billion entering into his personal accounts; that the BN be de-registered; that the conclusion of the 222 parliamentary seats had been compromised and that the results of 13th general election be set aside.

They also want the court to rule that each of the defendants, either acting individually or with each other, had maliciously and dishonestly practised fraud on the Malaysian electorate by committing corrupt and illegal practices and as a consequence, the results of GE13 should be declared null and void.

The six of them want orders that an inquiry be held on 1MDB or 1MDB-related companies dealt with by Najib and BN for the purpose of the 13th general election and that any payment the prime minister received from 1MDB or other sources and used for the said elections be disclosed.

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