

## AMENDED CLAIM

# '1MDB US\$8B SUIT ABUSE OF PROCESS

**Removing 7  
defendants initially  
named in the suit  
casts suspicion,  
says Najib**

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**D**ATUK Seri Najib Razak has described 1Malaysia Development Bhd's (1MDB) US\$8 billion civil suit against him as an abuse of the court process.

He also said it was dubious that 1MDB, in its amended statement of claim, had dropped seven names linked to the suit.

"It is apparent from the amended writ of summons that the wrongdoers who were initially named have been removed.

"This casts suspicion and is

disingenuous of the plaintiffs in the filing of this suit. This amounts to abuse of process," he said.

It was reported that 1MDB and its four subsidiaries had dropped seven of the 15 defendants in their US\$8 billion suit against former office bearers of the companies.

Those dropped from the suit were 1MDB's former directors, Tan Sri Che Lodin Wok Kamaruddin, Tan Sri Ismee Ismail, Tan Sri Ong Gim Huat and Ashvin Jethanand Valiram, former chief executive officers (CEO) Datuk Shahrol Azral Ibrahim Halmi and Mohd Hazem Abdul Rahman and former chief financial officer (CFO) Azmi Tahir.

Hazem, Shahrol, Ismee and Azmi were key prosecution witnesses in Najib's criminal trials involving the sovereign state fund and its former subsidiary, SRC International Sdn Bhd.

The remaining defendants are Najib, Terence Geh, Jasmine Loo, Casey Tang Keng Chee, Vincent



*Former prime minister Datuk Seri Najib Razak arriving at the Kuala Lumpur High Court on Wednesday.*  
PIC BY SAIFUL LIZAN TAMADI

Beng Huat Koh, Radhi Mohamad (former CFO and subsequently chief operating officer), Kelvin Tan Kay Jin (director of investments) and Nik Faisal Ariff Kamil (former CEO).

On Feb 11, both parties agreed that the suit will not proceed until the disposal of Najib's trial involving the state fund.

It was reported that 1MDB had obtained a High Court order to freeze Najib's assets and allow the former prime minister to withdraw only RM100,000 a month.

On May 10 last year, 22 1MDB-related civil suits were filed against various parties, including Najib, to recover RM96.6 billion in assets, including RM300 million against various local parties.

The Finance Ministry said six

of the 22 writs were filed by 1MDB, and the remaining 16 were by SRC International.

The writs filed by 1MDB are against nine entities, including two foreign financial institutions, and 25 individuals.

They are being sued for various wrongdoings, including breach of contractual, statutory, common law and fiduciary duties; breach of trust, fraud, conspiracy to defraud, fraudulent misrepresentation, fraudulent breach of duties and trust, fraudulent concealment, fraudulent misappropriation, dishonest assistance in misappropriation of funds, negligence, knowing receipt and unjust enrichment.

It was reported that fugitive businessman Low Taek Jho, or Jho Low, had filed his defence to

deny his involvement in one of the 1MDB's civil suits.

Jho Low said he did not have any position or legal standing to control 1MDB, which was fully owned by the government through the Ministry of Finance Incorporated.

His name is heavily mentioned in Najib's 1MDB corruption trial.

Najib, in his other criminal trial involving SRC International, contended that he did not have any knowledge of any wrongdoing and alleged it was masterminded by Jho Low and his associates.

Najib was sentenced to 12 years' jail and fined RM210 million for abuse of power, criminal breach of trust and money laundering involving RM42 million from SRC.