

# NAJIB FAILS TO DISQUALIFY LAWYERS

Court of Appeal affirms High Court decision that there was no element of prejudice against ex-PM

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**D**ATUK Seri Najib Razak has failed to nullify the appointment of two lawyers from Messrs Tommy Thomas to represent for-

mer attorney-general Tan Sri Tommy Thomas in his RM1.9 million suit against the latter.

This is after the Court of Appeal affirmed the High Court's decision that there was no element of prejudice against Najib on the appointment of Alan Adrian Gomez and Lai Wei Shiung in the case.

Judge Datuk Hanipah Farikullah, when reading the unanimous judgment of the appellate court panel, said there was no nexus between the two solicitors and Najib's suit against Thomas.

"We believe the two lawyers can maintain their professional independence and act in the best interest of the administration of justice.

"Thus, there was no error committed by the High Court judge in

dismissing the application," she said.

In August last year, High Court judge Datuk Ahmad Bache ruled that the two lawyers and the firm had no personal or pecuniary interests in the matter.

He said they would not gain any benefit if they won the case as all proceeds from the cost of proceedings would go to the government.

He said Thomas was just a consultant at the firm and did not enjoy any profit as he did not have shares in the firm.

Najib, in his application, ques-

tioned whether they would be able to maintain their professional independence and

act objectively in the suit, which was filed on Oct 22 two years ago.

He said Thomas, as the first defendant in the suit, was a founder and consultant or partner of the legal firm, and his partners also had financial interests in the firm.

In the statement of claim, Najib said he had been wrongfully accused in court over the Malaysia Development Bhd and International Petroleum Investment Company scandal.



*Datuk Seri Najib Razak*

Najib claimed the charges against him were part of a move planned in advance by Thomas, which was also in line with the Pakatan Harapan government's agenda at the time.

He claimed that in 2015, Thomas had met then prime minister Tun Dr Mahathir Mohamad to discuss Najib's alleged wrongdoing and mismanagement of 1MDB funds, and also advised Dr Mahathir to take civil and criminal action against him.

Najib is seeking RM1.9 million in damages and a declaration that Thomas had committed misfeasance in public office, including consultation fees for the audit team to review documentation for preparation of facts to address prosecution against him.