

PM Not Delaying To File Suit Against WSJ, Says Lawyer
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KUALA LUMPUR, Nov 2 (Bernama) -- Prime Minister Datuk Seri Najib Tun Razak is not delaying to file a suit against The Wall Street Journal (WSJ) over the 1Malaysia Development Berhad (1MDB) issue, but is waiting for WSJ's response on the SPEECH Act, according to his lawyers.

Lawyer Datuk Mohd Hafarizam Harun said he did not want the suit to be dismissed on a technicality, if not properly done.

"We are not delaying to file the suit, but we want to do it right the first time. We do not want the suit to be suddenly knocked off or dismissed on a technicality," he said when asked why the suit had yet to be filed.

He said that he had to wait the answer from WSJ on whether it would use the SPEECH Act in its defence.

"I am waiting a clear answer from WSJ, but their lawyers did not want to state whether they would be invoking the SPEECH Act or not," he said.

The SPEECH (Securing the Protection of our Enduring and Established Constitutional Heritage) Act is a federal statutory law in the United States that makes foreign libel judgments unenforceable in US courts, unless either the legislation applied offers at least as much protection as the US First Amendment (concerning free speech), or the defendant would have been found liable even if the case had been heard under US law.

On where the suit would be filed, lawyer Datuk Firoz Hussein Ahmad Jamaluddin said that Najib, as the plaintiff, had the right to choose the location.

If his client wanted to file the suit, he would prefer to do it in Malaysia and not in the United States as he was well-known here, said the partner of Hafarizam Wan & Aisha Mubarak.

"The plaintiff will file the suit (if he wants to file a suit) in the country where his reputation is affected. Consider the rationale - why would you want to sue in a country where you are not living?" he said.

If the suit was filed, the plaintiff would seek not only vindication but also assessment of damages, said Firoz Hussein.

On July 8, Messrs Hafarizam Wan & Aisha Mubarak sent a letter to Dow Jones, publisher of The WSJ, seeking clarification on its stand on the allegations that RM2.6 billion of 1MDB funds had been deposited into Najib's personal bank accounts, in the articles published on July 2 and 6.

WSJ, on July 23, in reply to the letter, stated that there was no need for it to explain its stand on the two articles.

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