

**Najib to give evidence in suit against Harakahdaily, says lawyer**  
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**By V. Anbalagan**

Datuk Seri Najib Razak is scheduled to take the stand next month in his defamation suit against PAS organ Harakahdaily despite an advice by the Court of Appeal earlier this month to settle the matter out of court, said lawyer Mohd Faiz Fadzil.

"We were told the prime minister and two others will testify for the plaintiff," said Faiz, who is appearing for the publisher's managing director Rosli Yaakob.

Faiz said the defendants have lined up eight witnesses, including former prime minister Tun Dr Mahathir Mohamad and former New Straits Times Press group editor-in-chief Datuk A. Kadir Jasin.

"We will apply to subpoena Dr Mahathir, Kadir and other authors of articles from news portals to strengthen our defence" he told The Malaysian Insider after a case management before High Court Judge Hue Siew Kheng.

Trial has been fixed for five days from March 16.

Najib failed again to strike out the defence and a three-man bench chaired by Datuk Mohd Zawawi Salleh on February 5 said the prime minister's appeal to remove the defence of qualified privilege and fair comment was not sustainable.

Zawawi said the issue of whether both the defence was available to Harakahdaily should be heard and determined after a full trial.

Zawawi, who sat with Datuk Zamani A. Rahim and Datuk Hasnah Mohammed Hashim today, also advised the parties to settle the suit out of court.

Najib has until March 7 whether to go the Federal Court to appeal against the Court of Appeal decision.

"I am not sure at this juncture whether the plaintiff intends to pursue to matter further in the apex court," Faiz said.

Lawyer Datuk Mohd Hafarizam Harun was not available for comment.

The other defendant is Harakahdaily portal chief editor Taufek Yahya who is represented by Mohamed Hanipa Maidin.

Najib is suing PAS organ Harakahdaily over an article quoting a New York Times report on businessman Jho Low and Najib's son Riza Aziz.

On August 6 last year, Hue dismissed Najib's application to strike out Harakahdaily's defence over an article linking his stepson to state-owned investment firm 1Malaysia

Development Berhad (1MDB).

Najib filed the suit against Taufek and Rosli over an article by Rosli on February 19 last year titled "Dana 1MDB biayai syarikat filem Riza Aziz? (Bhg 2)" (1MDB funds used to pay for Riza Aziz's film? Part 2).

In his statement of claim filed on March 18, Najib said the article contained words which implied that he had misused 1MDB funds.

Najib said the publication of the article had damaged his reputation and caused him to be condemned in social media and mass media.

He also said Taufek failed to practise responsible journalism by not verifying the authenticity of the article before publishing it.

The prime minister has been under scrutiny over the Finance Ministry-owned state investment vehicle, of which he is advisory board chairman. – February 23, 2016.

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