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Proceeding No.	92059944
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Part	1	of	2
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92059944

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May 13, 2016

VIA ELECTRONIC FILING AND FIRST-CLASS MAIL

U.S. Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

**Re: Peoples Club of Nigeria International (PCNI) Princeton Junction
Branch, et al v. Peoples Club of Nigeria International, Inc.
(Registration No. 4,591,874)
Proceeding No. 92059944 - 86116372**

Members of the Board:

As part of our ongoing obligation to provide responsive documents, enclosed herewith please find trial deposition transcript, exhibits and errata sheets for the following individuals that were electronically filed today:

- Ambrose O. Mgbako, M.D.
- Gordian Ndubizu
- Anayo Ukeje, Ph.D.

Very truly yours,

STARK & STARK
A Professional Corporation

By: Gene Markin /emp?
GENE MARKIN

GM/emp
Enclosures

cc: Matthew H. Swyers, Esq. (w/o enc.)(via first-class mail)



05-16-2016

NEW JERSEY • PENNSYLVANIA • NEW YORK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

PEOPLE CLUB OF NIGERIA :
INTERNATIONAL (PCNI), :
PRINCETON JUNCTION BRANCH, :
PCNI CHICAGO BRANCH, PCNI :
MIAMI BRANCH, :

Petitioners,

v.

PEOPLES CLUB OF NIGERIA
INTERNATIONAL, INC., a New
Jersey Corporation,
Defendant.

- - -

DEPOSITION UNDER ORAL EXAMINATION OF
GORDIAN NDUBIZU

Lawrenceville, New Jersey

Tuesday, December 8, 2015

- - -

REPORTED BY: JENNIFER MAUTE, CCR

- - -

MAGNA LEGAL SERVICES

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1 Transcript of the deposition of GORDIAN
2 NDUBIZU, called for Oral Examination in the
3 above-captioned matter, said deposition taken
4 pursuant to Superior Court Rules of Practice and
5 Procedure by and before JENNIFER MAUTE, Certified
6 Court Reporter and Notary Public for the State of
7 New Jersey, at the offices of Stark & Stark, 993
8 Lenox Drive, Building 2, Third Floor,
9 Lawrenceville, New Jersey 08648, commencing at
10 10:41 a.m.

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1 APPEARANCES:

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(Present Via Telephone)

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DEPOSITION SUPPORT INDEX

Direction to Witness Not to Answer

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None

Request for Production of Documents

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None

Stipulations

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None

Question Marked

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None

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GORDIAN NDUBIZU, after having been duly sworn, was examined and testified as follows:

4

- - -

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6

MR. TAYLOR: Okay. Mr. Swyers, Mr. Ndubizu has been sworn in. We're ready -- are we ready to go?

8

9

10

11

MR. SWYERS: Yes, I am. And just, you know, for the record, I just wanted to clarify, can we just get a brief proffer from counsel that counsel does represent this witness?

12

13

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19

MR. TAYLOR: For the record, our office does not represent Mr. Ndubizu in an individual capacity. Mr. Ndubizu is here as a fact witness and will testify consistent with any knowledge he has related to PCNI Princeton Junction branch. We represent the branch itself, PCNI, Princeton Junction, they are the named party in the petition to cancel.

20

21

22

MR. SWYERS: Counsel is aware that he's just waived any attorney/client privilege with the witness?

23

24

25

MR. TAYLOR: We can visit that at the time of any questions, but I understand your position on that.

1 MR. SWYERS: So to be clear, your firm
2 does not represent this witness?

3 MR. TAYLOR: Correct.

4 MR. SWYERS: Thank you. Kindly proceed.

5 BY MR. TAYLOR:

6 Q. Okay. Mr. Ndubizu, good morning.

7 A. Good morning.

8 Q. My name is Matthew Taylor and I'm an
9 attorney at Stark & Stark. We represent the
10 petitioners in this matter. A few minutes ago you
11 were placed under oath by the court reporter and I
12 want you to understand that that means that you
13 have an obligation to testify truthfully here
14 today. Do you understand that?

15 A. Yes.

16 Q. And I note we're in an informal setting
17 here in a conference room, but you understand that
18 testimony you're going to provide today is the same
19 as if you were sitting in a court before a judge?

20 A. Yes, I understand that.

21 Q. Okay. Just so you're clear about how
22 we're going to proceed today, I am going to ask you
23 a series of questions and it's going to be
24 important that you verbalize a response to those
25 questions. Do you understand that?

1 A. Yes.

2 Q. Okay. And the reason for that is
3 because the court reporter is making a written
4 transcript of this proceeding. Do you understand
5 that?

6 A. Yes.

7 Q. And that transcript will be filed with
8 the Trademark Trial and Appeal Board in this case.

9 A. Yes.

10 Q. Okay. At certain points I will ask you
11 a question and Mr. Swyers, who is appearing by
12 telephone, may object to that question. If he does
13 so, please allow him to voice his objection and
14 afterwards we'll handle the question as
15 appropriate. Do you understand that?

16 A. Yes.

17 Q. Okay. Great.

18 And, also, if you want to take any
19 breaks or if you need to get up, or anything like
20 that, just please let me know. Okay?

21 A. Okay. Thank you.

22 Q. Okay. So, Mr. Ndubizu, we're going to
23 start off, can you just, please, give me a brief
24 description of your educational background
25 following grade school?

1 A. Well, I received my bachelor degree in
2 accounting from Suny Binghamton State University of
3 New York in 1958 and then I got my master's, maybe,
4 in 1980. And then a Ph.D. from Temple University
5 accounting, also, in 1985.

6 Q. Okay. Can you give me a brief
7 description of your professional background?

8 A. I have been assistant professor at the
9 University of North Texas. Then I came, in 1985,
10 '86, came to Drexel, was promoted associate with
11 tenure and became full professor at Drexel in the
12 last, maybe, about 20 years now. So I have been at
13 Drexel for about 30 years.

14 Q. Okay. And that's Drexel University in
15 Philadelphia?

16 A. In Philadelphia.

17 MR. TAYLOR: Mr. Swyers, can you hear
18 the witness okay?

19 MR. SWYERS: I can hear him beautifully.
20 Thank you for asking.

21 BY MR. TAYLOR:

22 Q. Mr. Ndubizu, where do you currently
23 live?

24 A. I live in Princeton Junction, New
25 Jersey.

1 Q. Okay. And how long have you lived in
2 Princeton Junction?

3 A. About 21 years.

4 Q. Okay. Thank you.

5 All right. Mr. Ndubizu, what is the
6 Peoples Club of Nigeria International?

7 A. It is a social club. People getting
8 together to socialize and do networking and do a
9 little bit of charity, essentially, in US.

10 Q. Can you describe your involvement with
11 PCNI, please?

12 A. Well, I joined the club in Washington
13 D.C. in 1994. We're the second club in US. The
14 first one was in Houston. The second one was in
15 Washington D.C. I was among the founding members
16 in Washington, the regional members of Washington.
17 So I was going to meeting from Princeton Junction
18 to Washington and that's quite a distance.
19 Eventually, we -- I got enough people interested in
20 Peoples Club from New Jersey area who were -- who
21 became members of Washington and we decided to form
22 one in Princeton Junction.

23 Q. Okay. And what year was that, that you
24 formed the Princeton Junction?

25 A. Well, we form one in Princeton in 1998.

1 Well, we found it '96, '97. We are having
2 meetings. We incorporated, maybe, around '96 or
3 '97. Then we inaugurate, meaning our affiliation
4 with Nigeria, Peoples Club of Nigeria, that's what
5 it's known. That's the name in Nigeria, Peoples
6 Club of Nigeria. But the one we have in US is
7 Peoples Club of Nigeria International and that
8 distinction should be clear. In Nigeria it's
9 Peoples Club of Nigeria. It's not Peoples Club of
10 Nigeria International. I have the registration
11 with me. I sue them in Nigeria, so I have to
12 obtain that clarity --

13 Q. Okay.

14 A. So the name in Nigeria is Peoples Club
15 of Nigeria. The name in America is Peoples Club of
16 Nigeria International. That's what we have here.
17 That's what we created in Princeton in 1998. But
18 before then, we already having meetings. In 1997,
19 '96 we incorporate and then in '98 we did the
20 alliance, which we'll call inauguration, with
21 Nigeria.

22 Q. Okay. What year was PCNI Princeton
23 Junction branch formed?

24 A. 1998.

25 Q. That's the Princeton Junction branch,

1 was 1998?

2 A. Yeah, Princeton Junction.

3 Q. Okay.

4 A. And I was the chairman, the founding
5 chairman.

6 Q. Okay. And what positions have you held
7 within PCNI?

8 A. I was the founding chairman of Princeton
9 and when you become two-time chairman, meaning
10 three years, I was chairman for three years -- in
11 fact, I was chairman for three years before we got
12 inaugurated. Chairman for three years, then I run
13 for another election and won. I was chairman for
14 another three years. So after that, I became
15 chairman in -- founding chairman. Meaning that I
16 was the chairman that founded the branch, created
17 the branch. Then I was chairman of that branch for
18 two times of three years each, so equally founding
19 chairman of Princeton.

20 Q. Okay. And what positions have you held
21 within PCNI Princeton Junction branch?

22 A. In Princeton Junction I am the chairman
23 of the Board of Trustees of Princeton Junction
24 branch. That's what you're asking me.

25 Q. And how long have you held that

1 position?

2 A. Since 1997.

3 Q. Okay. And I -- forgive me if you said
4 this earlier. You're also a member --

5 A. I am also a member of Princeton Junction
6 branch.

7 Q. Okay.

8 A. In fact, I'm also instrumental in
9 forming the Princeton Junction branch, which came
10 out of Princeton because of the conflict of court
11 case.

12 Q. Okay. Can you describe to me the
13 organizational structure of PCNI, generally?

14 A. With PCNI it -- PCNI I like to use the
15 word PCNI Peoples Club of Nigeria International to
16 describe the American branches. And I use the PCN,
17 Peoples Club of Nigeria, to describe the Nigerian
18 branches because that's the official name in
19 Nigeria. That's the name with which they're
20 incorporated in Nigeria. Because if you go to
21 Nigeria and use PCNI, you cannot sue them with that
22 name because it's not recognized by the government
23 of Nigeria. It's not their name.

24 Q. Okay. And I think you just answered
25 this question, but does PCNI operate

1 internationally?

2 A. Well, PCNI, yes, we have branches in
3 Canada and in London.

4 Q. Okay. And can you tell me what is the
5 leadership structure for PCN?

6 A. PCN has central executive committee.
7 And the central executive committee is made up of
8 chairman of all the branches. So every branch
9 chairman is a member of that central executive
10 committee. And the secretary of all the branches
11 is also part of it. And then the patrons are part
12 of it. These are what constitute this central
13 executive committee.

14 Then there is elected officers of
15 central executive committee, which will be the
16 president, the vice and treasurer, legal adviser
17 and other officers that they elected. These are
18 the groups. If you put all of them together, there
19 may be, who knows, maybe up to 70 of them.

20 So if you think in terms of who, that
21 tells you how many members will be present in order
22 to have any legitimate meeting, and all their
23 meetings at the headquarters. They don't have
24 meetings outside of the headquarters.

25 Q. Where is their headquarters located?

1 A. In Onitsha, Nigeria. Any meeting
2 outside of headquarters is illegitimate. So they
3 will hold meetings at headquarters.

4 Q. Okay. And are you familiar with the
5 term "PCNI branch"?

6 A. Right.

7 Q. Okay. And what is a "branch"?

8 A. Branch is the club have really no
9 central membership. Headquarter have no
10 membership. Headquarter is really all the branches
11 coming together. So what are the branches? The
12 branches are very autonomous. Each branch must
13 have a minimum membership of 20. And it will have
14 chairman elected, vice chairman elected, financial
15 secretary elected, treasurer elected and legal
16 advisor sometimes appointed and all of the other
17 acquisitions they need depending on the goal and
18 objective of the branch because each branch is
19 unique. They are not the same. Sometimes you can
20 apply for membership in one branch and you are
21 denied, you go to another branch and they will
22 accept you, to tell you how unique the branches
23 are.

24 Q. Okay. So what are the different types
25 of positions that an individual could hold within a

1 PCNI branch?

2 A. These are the -- you can be appointed.
3 You can be elected. Yearly the goal election,
4 chairman, vice chairman, secretary, assistant
5 secretary, financial secretary, assistant financial
6 secretary, treasurer. Sometimes some branches have
7 assistant treasurer. Then they have legal advisor.
8 Then they have house master. These are the various
9 and any other positions the branch may think is
10 necessary.

11 I know in the one branch would think
12 organizing our children is important so there is
13 position for somebody to lead in that direction.
14 Other branches don't focus on that. Other branches
15 own -- some branches own properties, so they have
16 committee or position to manage the property. So
17 these are depending on what the branch wants to do.

18 Q. Okay. And what are some nonelected
19 positions within a PCNI branch?

20 A. Nonelected position would be, maybe,
21 something like -- they all have board of directors
22 because in US all the -- all the -- all the
23 branches in US are incorporated. Positions of
24 limited liability, nonprofit limited liability.
25 And incorporation in this country is a state law.

1 So they have to incorporate in the various states.

2 And to incorporate you there have to
3 identify -- most states will require that you
4 identify the trustees. Minimum of three in New
5 Jersey. Some states we're at five, so on and so
6 forth. So all of them have their own directors of
7 trustees.

8 Q. Okay. And where does the PCNI branch
9 register as a business entity?

10 A. In the state.

11 Q. In the --

12 A. You mean the one in the US?

13 Q. Yes.

14 A. PCNI, they already signed various
15 states. What do they call it? The state --
16 Secretary of State Office. That's where.

17 Q. Of the state in which they're operating
18 and their organization operates?

19 A. Correct. In the state where they
20 operate, they go to the state government where
21 incorporation is done and they do the incorporation
22 there.

23 Q. Okay. Just so I'm clear, can you tell
24 me what steps are required to establish a PCNI
25 branch in the United States?

1 A. All that's required is that the members
2 that are together and decided to incorporate. Then
3 they go to the state and form the article of
4 incorporation. Here they focusing on nonprofit
5 article of incorporation. And there they will ask
6 you the name which you want to use. That's one of
7 the first questions and they will identify what
8 name they want and they will do a name search. And
9 if they approve it, then they will ask you other
10 questions, what are the legal address, legal
11 address in the state. They will ask you questions,
12 such as, who trustee. You have to identify three
13 or five trustees with their address in the state;
14 who is incorporating agent. Things like that. Ask
15 normal question you see in the article of
16 incorporation throughout most of the state. These
17 are common questions.

18 Q. Okay. And how many members are needed
19 to start a PCNI branch within the United States?

20 A. About 20.

21 Q. Okay.

22 A. 20 members.

23 Q. All right. Can you tell me what is the
24 relationship between a PCNI branch in the United
25 States and PCN in Nigeria?

1 A. The relationship is an alliance. This
2 alliance, we started to create this alliance to
3 strengthen cultural relationship with the country
4 where we came from. So we wanted to have an
5 association, an alliance with the club there, where
6 we can do cultural exchange for the benefit of our
7 children who don't know that much about the
8 culture.

9 So, initially, when I was in Princeton
10 branch, we will invite them over, we will invite
11 members of Peoples Club of Nigeria over. We will
12 write the letter to US embassy in Lagos, Nigeria
13 asking them to give them visa to come and we
14 will -- in our letter we will ensure, we'll tell
15 the embassy that we will be financially responsible
16 for their coming and their stay in US. And when
17 they get here, usually I will distribute them to
18 members who will want them to come and stay in
19 their homes so that they can socialize with the
20 homes.

21 So that was how we started with them
22 at that time. It was us inviting them over to come
23 in and socialize with us. So members pick whoever
24 they would like to have in their home for the
25 period that they will stay and we'll pay all of the

1 expenses.

2 Q. Okay. What role do -- I'm sorry.
3 Strike that.

4 What role does the headquarters in
5 Nigeria play in an individual's decision to become
6 -- or an individual's ability to become a member of
7 a PCNI branch in the United States?

8 A. Well, we create member then -- we write
9 them we want affiliation with them. And they will
10 say, yes. They never said no because they need --
11 we're going to pay the money on which they
12 desperately need. An average income in Nigeria, a
13 year is, like, \$20. So we here and sending money
14 to help build that club, their club at home, in
15 Nigeria. And, essentially, that's what we did,
16 because their club in Nigeria was on the verge of
17 going bankrupt. So we provided the fees to review
18 their club, clean it up and that's how that club
19 was still in existence now. Otherwise, it would
20 have gone bankrupt.

21 Q. Okay. Well, what financial
22 contributions do branch members in the United
23 States make to PCN in Nigeria?

24 A. In Nigeria, well right now, if we invite
25 them over to create a new branch, we give them

1 thousand dollar. For each member we dock -- for
2 each member that we get, we give them, I think it's
3 \$500 for each member. And then we also -- there is
4 an insurance program we have with them that
5 everybody pays \$31 a year.

6 Q. \$31 per year?

7 A. Per year. And people like me, who is a
8 patron, I have to go over there and build -- build
9 -- help build, like, suite, three-bedroom suite.
10 Three of them, furnish it and they rent it out in
11 hotel and get money.

12 Q. Where is that suite located?

13 A. It's located at headquarters.

14 Q. And what was your involvement with the
15 development of that suite?

16 A. It's part of my contribution for making
17 me patron. So all these things are money we spend.
18 In my membership of 21 years, I probably have spent
19 around \$200,000 for the club. The money that I
20 have spent for this club.

21 Q. And that's money that you've,
22 personally, spent?

23 A. My personal money that I spend for this
24 club.

25 Q. Okay. How many PCNI branches are

1 operating in the United States currently?

2 A. Well, it should be about 20 or so.

3 Q. You think about 20?

4 A. Yes.

5 Q. And do you have personal knowledge of
6 whether PCN is a registered entity in Nigeria?

7 A. PCNI --

8 Q. Well, my question is PCN, we'll start
9 there.

10 A. Okay. PCN is registered.

11 Q. It is; okay.

12 And where is it registered?

13 A. It's registered at Abuja. In Nigeria,
14 corporate registration is, like, federal law. It's
15 just like in this country, it's -- incorporation is
16 a federal law. In US, here, incorporation is a
17 state law, so everybody goes to the state. In
18 Nigeria it's a federal. Despite the fact that
19 Nigeria has 36 states and each state has their own
20 law, which, state law in Nigeria has nothing to do
21 with incorporation. It's the federal law that
22 incorporates in Nigeria.

23 Q. So PCN is registered one time in
24 Nigeria?

25 A. PCN have only one incorporation and all

1 the branches are covered under that one
2 corporation.

3 Q. Okay. How about, is PCNI registered in
4 Nigeria?

5 A. No. PCNI is not registered in Nigeria.

6 Q. Okay. Mr. Ndubizu, are you familiar
7 with the trademark at issue in this lawsuit?

8 A. Yes.

9 Q. Okay. And can you describe that
10 trademark for me?

11 A. The trademark is the PCN -- PCNI,
12 Peoples Club of Nigeria International is the name
13 and the logo, they're three rings.

14 Q. Okay. And to your knowledge, has this
15 trademark been used by PCNI branches operating in
16 the United States?

17 A. Yes. We've been using it since I join
18 in 1994, we using the name, we using the logo in
19 all of our transactions, letterhead, our
20 invitations, our social event, our invitation card,
21 our brochure, our photographs, our DVD we develop.
22 All in the package we develop, even on our Web
23 site.

24 Q. Okay. So we're clear, is the trademark
25 you're referencing the trademark at issue in this

1 lawsuit that was registered with the US Patent
2 Trademark office?

3 A. Yes.

4 Q. Okay. When did PCNI Princeton Junction
5 branch start using the trademark?

6 A. We started using it because we come out
7 of Princeton, so we been using it since 1996, '97.
8 Then Princeton was inaugurated in '98. We
9 continued to use it when Princeton then was split,
10 we continued to use it in Princeton Junction.

11 Q. And when you say "use it," you mean for
12 the purposes that you testified to a few minutes
13 ago?

14 A. Yes. We continued to use it in our
15 letterhead, our social events invitation, any of
16 our activity.

17 Q. Okay. To your knowledge, did the
18 petitioner, PCNI Chicago, use this mark that we're
19 discussing?

20 A. Yes.

21 Q. And to your knowledge, when did PCNI
22 Chicago use the mark?

23 A. PCNI Chicago was created in 1996 and was
24 inaugurated '97. They've been using it in all
25 invitation I get, all their brochures, everything,

1 I see Peoples Club of -- PCNI Chicago.

2 Q. Okay. And to your knowledge, did
3 Petitioner PCNI Miami use the trademark that we've
4 been discussing today?

5 A. Yes. PCN Miami was created the same
6 time as PCN Princeton that I was the founding
7 chairman. They were using it the same time we were
8 using it in Princeton. They were created a week
9 before us. So they were inaugurated, they were
10 using it and they came out of Houston branch. They
11 were using it from Houston branch, they come to
12 Miami, they continued to use it.

13 Q. So each of the petitioner branches used
14 the mark prior to 2013?

15 A. Yes. They were all using it prior to
16 2013. And everyone knows that.

17 Q. Okay. All right. Mr. Ndubizu, who is
18 the president of PCN currently?

19 A. PCN, currently, is a Chief Sam
20 Iwuchukwu.

21 Q. Spell that, please.

22 A. Sam will be S-A-M, which means Samuel.
23 Short name for Samuel. Iwuchukwu will be
24 I-W-U-C-H-U-K-W-U.

25 Q. Okay. And to your knowledge, who else

1 claims to be the president of PCN?

2 A. Is Joseph Ilonze, I-L-O-N-Z-E.

3 Q. Can you tell me why there is a dispute
4 over who is the rightful president of PCN?

5 A. Well, the dispute is the reason why I
6 and two other patrons from US join and sued Peoples
7 Club in Nigeria for not following their rules.
8 There are bylaws in the constitution, which is they
9 don't want to have election. So the older people
10 that are traditional rulers in Nigeria that are
11 members, because they're traditional rulers, the
12 citizens are afraid of them and they're also
13 members of Peoples Club. And one of them was
14 appointed trustee 13 years ago. His name is
15 Ezeokpoko.

16 Q. Can you spell that for us?

17 A. Ezeokpoko will be E-Z-E-O-K-P-O-K-O.
18 Ezeokpoko was appointed trustee of the club 30
19 years ago. And the constitution of the club said
20 trustee appointment is five years each time. But
21 you can only have a maximum time of two times,
22 which means a total of ten years. So he has stayed
23 there for more than 20 years extra and refused to
24 remove himself in variation of our rules. So we
25 sued him and the rest of them, they stay out.

1 Ilonze is his big friend. Friend in the sense that
2 Ilonze collect money from him from the club. So if
3 he wants Ilonze to be chairman so Ilonze will be
4 collecting all the rent money from the premises.
5 Anything he wants as if the headquarter is his
6 private property.

7 When branches in Nigeria sell their
8 property, some of them own land, he said he's the
9 trustee, he has to sign so that the sale will be
10 approved by the government because trustee has to
11 sign any sale of land. That's why you need trustee
12 in Nigeria. But you have to have four trustees.
13 So he continued to force himself as trustee. He
14 want Ilonze to be present so that he will -- so
15 that he will use the property of the club as his
16 personal property. He wants Ilonze without
17 election and we insist that the election be
18 conducted. And when they refused, sue, that
19 election be conducted and Peoples Club constitution
20 be followed. That's all the lawsuit is all about.
21 And they're fighting the lawsuit, which means they
22 don't want the constitution to be followed.

23 Q. Who is "they"?

24 A. Ezeokpoko and Ilonze and their group.
25 So the club is divided into two. There is group

1 who benefit if we don't follow the rules.

2 Q. Okay. And --

3 A. So to answer your question, Ilonze was
4 handpicked by this group. Then the rest of the
5 club who holding meeting, advertise in the
6 newspaper that they want to have an election and
7 they held that election and Sam Iwuchukwu was
8 elected.

9 Q. Okay. And --

10 A. So we had Sam Iwuchukwu elected and we
11 have Joseph Ilonze handpicked by this other group
12 who doesn't want election.

13 Q. Can you explain to me what -- you're
14 referencing a group. Can you tell me what is this
15 group that you're referencing, what is the name of
16 it?

17 A. The group that I referencing is called
18 the Pentagon.

19 Q. Okay. And what is the Pentagon Group,
20 can you explain that?

21 A. Pentagon is this group of branches that
22 do not want to follow the rules, our constitution.
23 They want to handpick who will be the president.
24 And then we have another group who is against such
25 dissent -- and the group that wants the

1 constitution to be followed, our bylaws followed,
2 we call them the Progressive. And then we have
3 Progressive branches and Pentagon branches. And
4 the lawsuit have divided the club into two.

5 The Pentagon branches are demanding
6 that everyone condemn the lawsuit and the
7 Progressive branches said there's nothing to
8 condemn, let the lawsuit go forward, let the court
9 hear it. The Pentagon group went to court and said
10 the court should drop our lawsuit, that we're not
11 even members. Because in America, we are Peoples
12 Club of Nigeria International. And in Nigeria they
13 are Peoples Club of Nigeria, that we're different.

14 Q. Okay.

15 A. The judge ruled on it and said that we
16 are patrons of Peoples Club, which is the highest
17 rank in the club. People of that level in the
18 club, their complaint cannot be thrown away. So
19 the judge have ruled that we have a local standing,
20 that they must hear us. And after the judge ruled
21 that they must hear us, which was done on July 8,
22 2013. Then they decided to expel. Expel, they
23 start writing letter that this person is expelled.
24 This person is expelled. And expelling somebody,
25 rule, file a legitimate lawsuit in retaliation in

1 common law. Including Nigeria.

2 So with that we have assemble all the
3 electors of retaliation and we ask them for
4 injunction of them --

5 Q. Okay.

6 A. -- which is still ongoing.

7 Q. Okay. We're going to get to that.

8 A. The court put an injunction on them.

9 Q. All right. Well, we're going to get to
10 that in a little bit here. And, actually, well,
11 let me -- I guess while we're on the topic here,
12 are you currently -- do you have an understanding
13 -- or are you expelled as a member of PCNI?

14 A. Right. That the letter they wrote said
15 I am expelled member, but the court have ruled on
16 July 8th that I am a member and I have a local
17 standing, that they will hear my lawsuit.

18 Q. Okay. So you received a letter from
19 somebody at PCN that indicates that you are
20 expelled as a member of PCNI?

21 A. Joseph Ilonze, the president.

22 Q. And he is the individual that --

23 A. Signed a letter.

24 Q. -- indicated you were expelled as a
25 member?

1 A. Right.

2 Q. And are you aware of what authority Mr.
3 Ilonze had to take this action to expel you?

4 A. He had no such authority.

5 Q. Okay. And prior to this expulsion, were
6 you provided with any written notice advising you
7 that you were going to be expelled?

8 A. Nobody called me to even come and hear
9 me out. There's no due process. All of a sudden,
10 I saw on the Internet the letter signed from
11 different people that I'm expelled.

12 Q. Okay. So I think you might have
13 answered this, but what process were you given to
14 challenge your expulsion, personally?

15 A. Nobody give me any -- any room to -- any
16 place to go and challenge the expulsion.

17 Q. Okay. And why was PCNI Princeton
18 Junction branch expelled as a branch, to your
19 knowledge?

20 A. Because they wrote a letter to our
21 chairman and asked him to write a letter saying
22 that he's against the lawsuit filed by the patron,
23 US patron, against them for not following the
24 constitution. And our chairman refused to do it.
25 And there's other chairmen that refused to do it in

1 US. Those ones that refuse to do it in US, they
2 expelled them. But the ones that refused to do it
3 in Nigeria, they did not expel them.

4 Q. Now, who claims that the Princeton
5 Junction branch was an expelled branch?

6 A. I think it's, again, a letter from
7 Joseph Ilonze, once again, the same guy that claim
8 to be president.

9 Q. Okay. To your knowledge, what authority
10 did Mr. Ilonze have to expel the Princeton Junction
11 branch?

12 A. He has no such authority. And even to
13 dissolve Princeton Junction, have no such authority
14 an incorporated entity, and we writing a letter
15 from our legal -- our lawyer telling him that this
16 Princeton Junction is an incorporated entity and
17 our bylaw say that no external force can expel our
18 executive or can dissolve the company. The only
19 one who can do it is the membership or our
20 trustees. We can go to the State of New Jersey and
21 file a dissolution if we wish to dissolve.

22 Q. Okay.

23 A. That no entity externally have such an
24 authority. Even Nigeria government have no such
25 power. And I have written to Joseph Ilonze to warn

1 him that Nigerian government have no idea that he
2 is writing such letter. That if visit Nigeria I
3 will take some of his letter and submit it to
4 Nigeria external affairs because they are not aware
5 that he's writing such a letter and sending it
6 overseas.

7 Q. Okay. Well, I want to ask you a
8 question, here, did PCNI or -- strike that.

9 Did PCNI provide any written notice
10 advising that the Princeton Junction branch was
11 going to be expelled --

12 A. No.

13 Q. -- prior to that decision?

14 A. No.

15 Q. Okay. And to your knowledge, what
16 procedures or process was the Princeton Junction
17 branch given to challenge the expulsion?

18 A. Nothing. It was the -- they were
19 accused of fraudulent petition to US PDO. And when
20 it became apparent that the formal application was
21 fraud, then they were looking for answer. And then
22 they couldn't figure out an answer. They thought
23 by writing that they dissolve us that will be an
24 answer to it.

25 Q. Okay.

1 A. And that was what they were cooking.
2 Other than that, there is nothing, like, dissolving
3 us. Never happen in original Peoples Club.

4 Q. To your knowledge, what is the
5 relationship between Mr. Ilonze and the registered
6 PCNI, Inc.?

7 A. He has no such authority with it and the
8 side agent -- PC -- Peoples Club of Nigeria, PCNI
9 New Jersey that is incorporated, Ilonze have
10 nothing to do with it. Sam Iwuchukwu, the
11 president, he's the one that give Dr. Mgbako
12 \$5,000 to pay for the registration.

13 Q. Okay. Yeah, we'll discuss that, that's
14 fine. Let's just get back to this here. And I
15 think you testified to this, but does the Princeton
16 Junction branch still exist as a New Jersey entity
17 presently?

18 A. Yes.

19 Q. Okay. And I want to switch gears a
20 little bit. You mentioned this individual. Now,
21 do you know an individual named Dr. Iddi Mgbako?

22 A. Yes.

23 Q. And can you tell me who he is?

24 A. Dr. Mgbako is Nigerian that live in
25 Edison, New Jersey. When I started the Peoples

1 Club, PCNI Princeton, one of his relatives came and
2 asked me to admit him to the club. I told his
3 relative that I don't know him. He said he live in
4 New Jersey. He's a psychiatrist that is relative.
5 We're doing our inauguration the next day. I said
6 bring him to my hotel room in Newark. Let me see
7 him. So he brought him, so I talked to him, look
8 at his age, slightly older than me. So I said,
9 okay. I told him, it's too late for admission
10 committee to meet with him and interview him.
11 That's the normal procedure. We couldn't interview
12 him and find out. I said, well, as the chairman
13 let me gamble here. Hopefully, they will not be so
14 upset with me. I said, dress up, show up at the
15 inauguration and I will smuggle you in with the
16 lineup.

17 So he showed up and I told him to sit
18 with the group that are going to be inaugurated.
19 So he showed up with them. Sooner or later one of
20 them came out and said, who is this? I said, Don't
21 worry, I will explain later. So he was inducted
22 without filling application, without filling the
23 form, without nothing.

24 Q. What year was all of this?

25 A. September, I believe, 1998.

1 Q. Okay. And what branch did he become a
2 member of?

3 A. Became member of Princeton.

4 Q. Okay.

5 A. So I admitted him without the committee
6 approval.

7 Q. To your knowledge, what branch or
8 organizations is Dr. Mgbako affiliated with today?

9 A. Princeton.

10 Q. And do you know what his title is there?

11 A. I don't think he has any position, but
12 other than he's a patron of the club.

13 Q. Okay. Have you ever filed a lawsuit
14 against Dr. Mgbako in Nigeria?

15 A. Well, when he became a member of
16 Princeton, at some point he encourage some members,
17 group of members, against me and the executive.
18 And then when -- we resolve that matter and then we
19 conducted election. After the election he organize
20 the newly appointed elected president and told him
21 to move the branch from Princeton, where we have
22 meeting, that's why it's Princeton, to Newark. And
23 they moved the branch to Newark and that's what led
24 to lawsuit.

25 So we went to court and said in

1 Peoples Club you don't move a branch. If you want
2 to form a Newark branch all they need to do in --
3 and the rest of them living around one can apply
4 just like we were all Washington branch, we were
5 all going to Washington and wanted the branch close
6 by. We apply and then we created a branch in
7 Princeton. Now he came in, instead of following
8 the procedure, he went and won election and took
9 our branch there. So we went to court, finally,
10 and we settle out of court that we divided the
11 money and the -- and the name.

12 Q. Following that lawsuit in New Jersey,
13 what were the names of the two different branches?

14 A. That's how the two name become
15 Princeton, Princeton Junction.

16 Q. And those two branches were created
17 after that lawsuit?

18 A. After that lawsuit, after the Princeton.

19 Q. So my question is, have you ever filed a
20 lawsuit against Dr. Mgbako in Nigeria?

21 A. In Nigeria, no.

22 MR. TAYLOR: Okay. All right. Mr.
23 Swyers, do you have the documents that I sent you?

24 MR. SWYERS: I do. Thank you very much.

25 BY MR. TAYLOR:

1 Q. Okay. All right. I am going to take a
2 look at some of these now.

3 All right. Mr. Ndubizu, I have what's
4 marked as PP-1 and I'm going to show this to the
5 witness. And just for the record, I have three
6 copies of the documents here in the conference
7 room, one of which is with the court reporter, I
8 have one and then I have another one for the
9 witness.

10 Mr. Ndubizu, can you take a look, I
11 have showed you, here, what is marked as
12 Plaintiff's Exhibit PP-1 bearing Bates stamp
13 Petitioners 0009. Do you recognize this document?

14 A. Yes.

15 Q. And what is this document?

16 A. This is the incorporation for Peoples
17 Club, PCN, Princeton Junction branch.

18 Q. How do you recognize this document?

19 A. This is the incorporation we did for
20 Princeton Junction in 2000 -- I believe in 2006,
21 yes. You can see that we incorporated before we
22 actually did the alliance with the Peoples Club of
23 Nigeria in 2007. So we're already in existence and
24 then we seek alliance with them.

25 Q. Okay. And is this a true and accurate

1 copy of that document?

2 A. Yes.

3 Q. Okay. I have what's been marked here as
4 Exhibit PP-7.

5 MR. TAYLOR: Mr. Swyers, I handed a copy
6 of that document to Mr. Ndubizu.

7 MR. SWYERS: Thank you for letting me
8 know.

9 BY MR. TAYLOR:

10 Q. Okay. And, Mr. Ndubizu, I handed you a
11 document that has been marked as PP-7 for
12 identification, bearing Bates stamp Petitioners
13 0230. Do you recognize this document?

14 A. Yes.

15 Q. Okay. And what is this document?

16 A. This document written by Gabby Nwankwo,
17 whom I know, saying that they dissolve the
18 Princeton Junction branch because they did not
19 contend (ph) the lawsuit, which in itself is
20 illegal. It's a retaliation.

21 Q. Okay. To your knowledge, did you -- was
22 this letter sent to you at some point?

23 A. I have gotten it, yeah.

24 Q. And you see that the letter is dated
25 July 20 of 2013; is that right?

1 A. Yes.

2 Q. Okay. And do you believe this to be a
3 true and accurate copy of this letter?

4 A. Right.

5 Q. Okay. I have what has been premarked
6 here as PP-9. I am handing a copy of this document
7 to the witness. And, Mr. Ndubizu, I just handed
8 you a document that has been identified --
9 identified as PP-9, bearing Bates stamp Petitioners
10 0059 and 0060. And do you recognize this document?

11 A. Yes.

12 Q. Okay. And what is this document?

13 A. This is another letter they wrote saying
14 the final expulsion and suspension of members. And
15 I think my name was on this, too.

16 Q. Okay. Take a look at it. Do you see
17 your name on that list?

18 A. Yes. My name is Number 9.

19 Q. Okay. And how do you recognize this
20 document?

21 A. It's the document, the Pentagon Group
22 and their leader sent them out. We initially
23 thought they were trying to use it to intimidate
24 our own group. And so we -- the Pentagon group,
25 because the club is divided into two, our group are

1 -- is called Progressive. Their group is Pentagon
2 group. So their leader in their group is writing
3 this to our members, selecting our member and
4 telling them that they're suspended or expelled to
5 intimidate them. And, generally, we ignore them
6 since the court ruled that the people who sued you
7 have local standing and the case goes on so what's
8 the point.

9 Q. Okay. Thank you. I'm going to hand you
10 what's been premarked here as Exhibit PP-10.

11 MR. TAYLOR: Mr. Swyers, I'm handing
12 that document to the witness.

13 BY MR. TAYLOR:

14 Q. And this is marked as Plaintiffs Exhibit
15 PP-10, bearing Bates stamp Petitioners 0068 and
16 0069. Mr. Ndubizu, I have handed you this
17 document. Do you recognize this document?

18 A. Yes.

19 Q. Okay. And what is this document?

20 A. This is a letter written by the
21 president, Chief Sam Iwuchukwu, the president that
22 was elected. Not Ilonze that was appointed. And
23 he's writing them that they cannot intimidate us
24 with trademark. We've all been using the mark and
25 the name for many years and it belongs to all of

1 us.

2 Q. When you say them, are you referencing
3 the registrant in this case --

4 A. The Pentagon.

5 Q. -- who has, in fact, registered the
6 trademark that we're -- subject to this litigation?

7 A. Right. The registrant is the Pentagon.
8 And the purpose of the registration is to
9 intimidate the Progressive who the court ruled.

10 Q. Okay. And do you recognize the
11 letterhead at the top of this document?

12 A. Right. The letterhead here say Peoples
13 Club of Nigeria/International.

14 Q. Who is identified as the president on
15 this document?

16 A. The president is Chief Sam Iwuchukwu.

17 Q. And this letter is dated --

18 A. 16th July 2014.

19 Q. Okay.

20 A. And signed by his secretary as well.

21 Q. Do you agree that this is a true and
22 accurate copy of this document, to the best of your
23 knowledge?

24 A. Yes.

25 MR. TAYLOR: Mr. Swyers, I have what's

1 marked as PP-11. I'm going to hand that to the
2 witness at this time.

3 BY MR. TAYLOR:

4 Q. Mr. Ndubizu, I've handed you document
5 PP-11, which bears two separate bates references.
6 It's Petitioners 0006 and Number 000002. And Mr.
7 Ndubizu, do you recognize this document?

8 A. Yes.

9 Q. Okay. And can you tell me what this
10 document is?

11 A. This document is a letter from Joseph
12 Ilonze claiming to be president of PCNI and saying
13 that final dissolution and withdrawal of charter of
14 Chicago, Miami and Princeton Junction.

15 Q. And what is this letter dated?

16 A. It's dated January 17, 2014.

17 Q. Okay. And do you recognize the
18 letterhead and the --

19 A. Yes.

20 Q. And do you recognize the logo on the top
21 there?

22 A. Right. Peoples Club of
23 Nigeria/International. The same logo we all been
24 using for ages.

25 Q. And do you believe this to be a true and

1 accurate copy of this letter?

2 A. Yes.

3 Q. Okay. Thank you. I'm handing Mr.
4 Ndubizu a document identified as PP-12. It's been
5 labeled PP-12 and it bears Petitioners Bates stamp
6 0058. And I handed that document to the witness.

7 Mr. Ndubizu, do you recognize this
8 document?

9 A. Yes.

10 Q. And what is this document?

11 A. This is, again, a letter from the same
12 Joseph Ilonze that claim to be president. And
13 again he said, reminder, expulsion names. So he
14 named all those people who doesn't agree with him
15 that if he wants to be president that election
16 should be called and we see who wins.

17 Q. And are you identified in this letter as
18 an expelled member?

19 A. Yes. Here, now, I'm number 10.

20 Q. Okay. And how about, to your knowledge,
21 are any of the petitioner -- strike that.

22 To your knowledge, are any of the
23 individuals listed on this letter members of the
24 petitioner branches?

25 A. No. They're all Progressive people.

1 This is people who are members of the Progressive
2 that he's telling they're expelled, that they have
3 expelled them to intimidate them. But not people
4 from the Pentagon Group.

5 Q. Okay.

6 A. In fact, the first name there is one of
7 the two living trustees that are left. And he's a
8 royal highness. He's a traditional ruler, Desmond
9 Oguguo. He's one living trustee and the other one
10 is Ezeokpoko, that I gave you before. Ezeokpoko is
11 on the Pentagon Group. He's the one that wants to
12 melt down the revenue from the headquarter. And
13 these other gentlemen is the one that say, no, you
14 can't do it. And they put him on this side.

15 Q. Okay. Okay. I have what's been marked
16 as PP-13. I'm going to hand that to Mr. Ndubizu at
17 this time. This document is identified as
18 Plaintiff's Exhibit PP-13 and it's bearing Bates
19 stamp Petitioners 0236. And, Mr. Ndubizu, I've
20 handed you this document. Do you recognize this
21 document?

22 A. Yes.

23 Q. And what is this document?

24 A. This is the letterhead for Peoples Club
25 of Nigeria International.

1 Q. Okay. And who is identified as the
2 president on this document?

3 A. It's Chief Sam Iwuchukwu.

4 Q. And where is that information located on
5 the letter?

6 A. It's on the left-hand side.

7 Q. Okay. And what is the -- is there a
8 date on this letter?

9 A. Yes.

10 Q. Okay.

11 A. July 16, 2014.

12 Q. Okay. And how do you recognize this
13 document?

14 A. I have seen it many times.

15 Q. Okay. And do you believe this to be a
16 true and accurate copy of this document, of this
17 letterhead?

18 A. Yes.

19 Q. Okay. Thanks. And now I have what's
20 been marked as PP-14.

21 MR. TAYLOR: Mr. Swyers, I am handing
22 that to the witness.

23 BY MR. TAYLOR:

24 Q. And this document, identified as
25 Plaintiff's Exhibit PP-14, bears Bates stamp

1 Petitioners 0237. And, Mr. Ndubizu, I have handed
2 you this document. Do you recognize it?

3 A. Yes.

4 Q. Okay. And what is this document?

5 A. Peoples Club letterhead. Peoples Club
6 of Nigeria/International.

7 Q. Okay. And what is the date on this
8 document?

9 A. It's April 15, 2015.

10 Q. And who is identified as the president
11 on this letterhead?

12 A. It's Joseph Ilonze.

13 Q. And is this information contained
14 anywhere on the document?

15 A. Yes, on the left-hand side.

16 Q. Okay. And do you believe this do be a
17 true and accurate copy of this letterhead?

18 A. Yes.

19 Q. Okay. And, finally, I have here what's
20 marked as PP-15. And I'm going to hand this
21 document to the witness. I'm doing that now.

22 A. Okay.

23 Q. And, Mr. Ndubizu, I have just handed you
24 a document that's been premarked as Plaintiff's
25 Exhibit PP-15 and it's bearing Bates stamp

1 Petitioners 0307 through 0341. And do you
2 recognize this document?

3 A. Yes.

4 Q. Okay. Can you tell me what this
5 document is?

6 A. This is the lawsuit we filed in Nigeria
7 Federal High Court of Awka Judicial Division. And
8 this lawsuit sued Ezeokpoko and Ilonze and his
9 group. That they're not -- and the trustees. The
10 two living trustees, that they're not following the
11 Peoples Club constitution that is registered with
12 Nigerian government.

13 Q. Okay. And what was your involvement in
14 the filing of this lawsuit?

15 A. My involvement is that -- I am part of
16 the Plaintiff in this lawsuit.

17 Q. Okay. So do you have knowledge?

18 A. I hired, actually, the lawyer.

19 Q. Okay. And do you have knowledge of the
20 information contained in this lawsuit?

21 A. Yes.

22 Q. Okay. And can you tell me, briefly,
23 what relief you are seeking in this lawsuit, just
24 briefly?

25 A. What we're asking in the lawsuit, and

1 then there's an amendment to it, the main lawsuit
2 is that they follow the Peoples' Club constitution
3 as registered with the Nigerian government, which
4 is also attached. And the constitution said that
5 trustees will be not less than four, four trustees.
6 And each trustee will serve for five years, one
7 time -- two times. Each time is five years. But
8 the trustees we have, the living trustee we have
9 are two of them. Ezeokpoko and Desmond Ogougo.
10 And both of them have served for 35 years.

11 Q. Can you spell those?

12 A. Ezeokpoko is E-Z-E-O-K-P-O-K-O.
13 Desmond, D-E-S-M-O-N-D. Ogougo, O-G-O-U-G-O. That
14 these two trustees be removed because they have
15 served their two times of five years each and
16 they're still there for extra 25 years.

17 And we need four trustees to be a
18 functional group, because we need four trustees to
19 sign any document. And election be held. For the
20 last 15 years no election has been held. The
21 people appointing whoever they want. We can't do
22 business like that anymore. And what happens with
23 that, they appoint whoever they want.

24 Then they force the American members
25 to come to Nigeria and give them bribe which is a

1 violation of foreign practices act. And Americans,
2 when we go overseas, we must live by American
3 rules. And that's why we're suing them so that our
4 people going there will not be exposed to such
5 accusations.

6 So in suing them they went to court
7 and say that we are not even members of their club
8 because they're Peoples Club of Nigeria and we're
9 Peoples Club of Nigeria International. So the
10 judge looking at them ruled on it on July 8th, 2013
11 and said that these people suing you are patrons,
12 the highest rank in your club and they have local
13 standing. And three of four are myself, Gordon
14 Nbudizu, Dr. Fabion (ph) and Dr. Alaju (ph).

15 MR. SWYERS: If I may just interject as
16 we roll along here. I just want to put a standing
17 objection to hearsay and what the court ruled, to
18 the extent that there is no documents to support
19 that. And, moreover, to what the court said, that
20 would be hearsay. Thank you.

21 THE WITNESS: Okay.

22 BY MR. TAYLOR:

23 Q. Okay. Sir, thank you. You answered my
24 question, I think.

25 I want to turn your attention to,

1 within the document, page -- it's bearing Bates
2 stamp Petitioner 0324.

3 A. 0323.

4 Q. I'm sorry. 0323, okay. And can you
5 tell me what is this document or this page here?

6 A. This particular page is the certified
7 true copy of the incorporation.

8 Q. Okay. And are you referencing a stamp
9 on this document, is that what you're referring to?

10 A. Right. The stamp on it come from the
11 Corporate Affairs in Nigeria that does
12 incorporation.

13 Q. So to your knowledge, where is this
14 document maintained?

15 A. It's maintained at Corporate Affairs.

16 Q. And is this document on file?

17 A. On file at Corporate Affairs at Abuja,
18 the capital of Nigeria. So we went there and get a
19 certified true copy for the Court because our
20 charges is that the trustees are no longer four and
21 they're overstated. So they certified true copy
22 of, first of all, the name of the entity. It says
23 Peoples Club of Nigeria, which shows you the name
24 of the entity Nigeria on top, Peoples Club of
25 Nigeria. Not Peoples Club of Nigeria

1 International.

2 You see, the second, they give you the
3 list of all the trustees. And when you look at it,
4 all of them are dead, except two, and ou can see
5 that they were all registered over 35 years ago.

6 Q. Okay. When did you -- I'm sorry, I
7 don't mean to interrupt, but when did you obtain
8 this copy?

9 A. We obtain it -- the stamp showed when we
10 filed the lawsuit in 2013.

11 Q. Okay.

12 A. So we needed to certify true copy to
13 submit to the Court.

14 Q. And you were involved in the process of
15 actually retrieving this document?

16 A. I'm involve. I paid the lawyer to go
17 and get it.

18 Q. And can you tell me the individuals
19 identified there, which ones are deceased?

20 A. All right. The ones that are
21 deceased -- the first one is deceased. Second one
22 is deceased. Third one deceased. Fourth,
23 deceased. The last one is alive. Desmond Ogougo
24 is the last one. Let me see, Ezeokpoko.

25 Q. So I'm clear, you're going down the list

1 from top to bottom?

2 A. Okay. The first one is deceased. The
3 second one is alive.

4 Q. Okay. And you're going from top to
5 bottom down this list?

6 A. I am going from top. The first one is
7 deceased. The second one is Ezeokpoko. So
8 Ezeokpoko is nickname. Ezzdwa (ph) is his real
9 name. So that's him. The third one is dead.
10 Fourth one dead. Next one dead. Next one dead.
11 Next one dead. The last one is Desmond Ogougo is
12 alive. So those two are the living trustees.

13 Q. Thank you.

14 I want to turn your attention now to
15 the next page. Can you turn, for me, to the page
16 that starts Petitioner 0324. Do you recognize this
17 document here?

18 A. Yes.

19 Q. Can you tell me, what is this document?

20 A. This document is the certified true copy
21 of the constitution of Peoples Club of Nigeria.
22 The constitution that is registered with Nigerian
23 government, the Corporate Affairs Commission.

24 Q. To your knowledge, how many
25 constitutions for Peoples Club of Nigeria are

1 registered?

2 A. Only this one.

3 Q. Okay. And can you -- I am having a
4 tough time. Can you read to me what that says at
5 the bottom? It looks like it's a stamp of some
6 sort.

7 A. The stamp from the Corporate Affairs say
8 on top, it says, Corporate Affairs Commission
9 Certified True Copy. January 22nd, 2013.

10 Q. Okay. And is this copy of this
11 document -- was this -- strike that.

12 Were you responsible in retrieving
13 this document?

14 A. Yes.

15 Q. Okay. And what steps did you take to do
16 that?

17 A. I paid the lawyer to go to this
18 Corporate Affairs and get the certified true copy
19 because that's what the Court wants. And if you
20 look at the name -- the name there, it says Peoples
21 Club of Nigeria. It didn't say Peoples Club of
22 Nigeria International, which is their name.

23 Q. And just so I'm clear, this document and
24 the one we just referenced on Petitioners 0323, are
25 these true and accurate copies of the document as

1 you recall?

2 A. Yes.

3 Q. Okay. Can you tell me, to your
4 knowledge, what -- whether this constitution
5 applies to the PCNI organization operating in the
6 United States?

7 A. No. Because this constitution never
8 mentioned PCNI.

9 Q. So who does this constitution apply to?

10 A. To Peoples Club of Nigeria.

11 Q. Okay. And why was this document
12 attached to this lawsuit?

13 A. Because we sued Peoples Club of Nigeria.

14 Q. Okay. To your knowledge, does this
15 document say anything about the proper procedure
16 for expelling a member?

17 A. Right.

18 Q. It does?

19 A. It does.

20 Q. And can you just explain to me what that
21 procedure is?

22 A. Due process.

23 MR. SWYERS: Just objection on
24 foundation, given what he has just testified to,
25 but the witness can answer subject to my objection.

1 BY MR. TAYLOR:

2 Q. Okay. So, Mr. Ndubizu, you can go ahead
3 and answer that question.

4 A. Yes. There is a section here on due
5 process on members if there is a dispute among
6 members of branch, that the branch -- that dispute
7 resolution be set up and both side we had and --
8 and the matter be resolved.

9 MR. SWYERS: Can I ask, for the record's
10 clarity, for the witness to reference which page,
11 by Petitioner's Bates stamp, he is referencing?

12 THE WITNESS: I can -- I can see if I
13 can give you. If you look at this constitution, I
14 think the Section 18 talks about suspension of
15 members.

16 BY MR. TAYLOR:

17 Q. Okay. And what page are you
18 referencing, Mr. Ndubizu, on the bottom right-hand
19 corner?

20 A. Bottom it says 0337. And there may be
21 other sections, too, that I cannot pull out right
22 here. But once I look at the whole document, I can
23 give you the other section that I related to the
24 same suspension, expulsion. But this one just
25 jumped out in front of me.

1 MR. TAYLOR: Mr. Swyer's, I think if we
2 can just take a quick break.

3 MR. SWYERS: Okay.

4 (Whereupon, a short break was taken.)

5 BY MR. TAYLOR:

6 Q. All right. Now, I have what's been
7 premarked as PP-5. And I am going to hand that to
8 Mr. Ndubizu now. Here you go. I handed the
9 witness the document and this document has been
10 premarked PP-5 and it bears Bates stamp Petitioners
11 0258. And, Mr. Ndubizu, I've handed you a document
12 marked as PP-5. Do you recognize this document?

13 A. Yes.

14 Q. And what is this document?

15 A. This is a letter from -- appointing me
16 the agent, permanent agent of Peoples Club of
17 Nigeria International, Incorporated in New Jersey.

18 Q. Okay. And when is this letter dated?

19 A. This was in September 25, 2012.

20 Q. Okay. And do you believe this to be a
21 true and accurate copy of this document?

22 A. Yes. This is true and accurate.

23 Q. Okay.

24 MR. SWYERS: Pending a proffer, I'm
25 going to reserve the right, at this juncture, then,

1 to potentially strike any and all testimony that
2 has been given here today, based upon a conflict of
3 interest. Pending a proffer as to actually what
4 permanent agent means and whether or not the
5 witness is now being proffered as both a witness
6 for one of the petitioners, but then, also,
7 allegedly, the registrant, as well.

8 MR. TAYLOR: Okay. So I think at the
9 outset of this testimony we made clear our
10 understanding that Mr. Ndubizu is here to testify
11 as an individual and as a fact witness with
12 information related to the PCNI Princeton Junction
13 branch. We have not identified him as an
14 individual that is, otherwise, acting on behalf of
15 the registrant in this case. So I don't know if
16 you want to follow up with that at some point, you
17 know, after today, I suspect that you might. But I
18 just want to make that clear, that at the outset of
19 this matter we did make that proffer.

20 MR. SWYERS: I understand. I just think
21 that by going through and allowing the witness to
22 now testify, per this letter, that he is the,
23 quote, unquote, permanent agent of the Peoples Club
24 of Nigeria International, Incorporated in the State
25 of New Jersey USA, which I believe, and please

1 correct me if I'm wrong, you are going to contend
2 in your trial brief or, otherwise, is the
3 registrant of this mark. He is about to, in
4 essence, offer testimony as to both. That is
5 correct; right?

6 MR. TAYLOR: I don't believe that is
7 correct, no. I think that the issues that are in
8 dispute in this controversy are the application
9 that was made with the US PTO related to the
10 trademark that was eventually issued. And I
11 believe that Mr. Ndubizu will testify that he had
12 no involvement with the filing of that trademark
13 application on behalf of the registrant.

14 MR. SWYERS: Why don't we do this, why
15 don't I reserve my objection for now, and I also
16 thank you for refreshing my recollection that your
17 firm has not taken a representative capacity for
18 this individual witness. He is merely here as a
19 fact witness first. Why don't I reserve my
20 objection for now, pending how he defines permanent
21 agent. I assume you're going to ask him in the
22 context of this letter. Fair?

23 MR. TAYLOR: Certainly.

24 BY MR. TAYLOR:

25 Q. Mr. Ndubizu, what are your

1 responsibilities as a permanent agent of PCNI in
2 and around 2012?

3 A. Well, in 2012, when this started, the
4 Peoples Club have a lawsuit and I have to get them
5 a lawyer. So I arrange the law firm of Dan Martin
6 and the law firm of Emmanuel Ahia.

7 Q. Can you spell that?

8 A. Dan Martin is D-A-N, Dan, Martin,
9 M-A-R-T-I-N. That's one law firm. The second one
10 is Emmanuel Ahia, A-H-I-A. These two law firms I
11 arrange, met with the President Onwuachu and his
12 group. And they both represented them in New York
13 and I also attended the subsequent court hearing on
14 their behalf. And then they ask Iddi Mgbako, who I
15 believe was a temporary agent who did incorporation
16 for them, to send me all the necessary -- all the
17 documents that he has, which includes the
18 incorporation, includes the tax ID, it includes the
19 bank statement, it includes the actual handwritten
20 application for incorporation. It includes the
21 original search from a law firm of Clover and
22 Jackson in 2010 and this search that they did.

23 And it includes -- what else -- so all
24 those documents that I have never seen before were
25 then sent to me from Dr. Mgbako on -- on the

1 direction of Chief Onwuachu, the president. He
2 asked them to send that to me, that I'm now the
3 permanent agent. So Mgbako send me all those
4 documents. So he knew and I went to court in New
5 York to represent them. And when I got to court,
6 the judge said that the dispute --

7 MR. SWYERS: Objection as to hearsay,
8 once again.

9 THE WITNESS: The judge said that the
10 dispute among members is cry out for settlement.
11 That he didn't have a professor among them, that
12 unless you get them to try to work it out. And I
13 happen to be a professor. So at the end of the
14 court I call the two group and said, give me your
15 telephone number, I'll call you. So I did call
16 them, engaged them for a number of months and we
17 came up with agreement. And I took the agreement,
18 as the agent, to Nigeria, the annual general
19 meeting of Peoples Club in December, presented it
20 and they all were happy and accepted it. It was
21 read at the --

22 MR. SWYERS: Once again, if I may just
23 interject, I'm going to object on hearsay and also
24 I'm going to object, on multiple counts, that none
25 of this was produced in discovery. If he wants to

1 continue the forum with this story, that's fine.

2 But, again, from the New York lawsuit
3 to taking this to Nigeria, these were the relevant
4 things that we asked for discovery, to the extent
5 that it's accurate or should have been, otherwise,
6 produced.

7 So two parts, hearsay, we can't
8 testify to what other people are saying. Secondly,
9 none of this was produced in discovery, despite it
10 being asked for. Subject to that, if he wants to
11 continue to tell the story, subject to objection,
12 that's fine.

13 MR. TAYLOR: That's fine. We are going
14 to move on. I just have one last question here.

15 BY MR. TAYLOR:

16 Q. Mr. Ndubizu, did you have any knowledge
17 or involvement in processing the registrant's
18 trademark application in 2013?

19 A. No. The only thing I did was, they
20 asked me to find out from Mgbako what was the
21 result of the 2010. So I called Dr. Mgbako and
22 said, What was the outcome of the 2010 registration
23 for trademark? He told me that I should expect
24 the certificate any time. And once he gets it, he
25 will forward it to me as the new agent and I never

1 got it.

2 Q. Okay. So did you have any involvement
3 in the preparation of the trademark application
4 that is subject to this lawsuit?

5 A. No.

6 MR. TAYLOR: Okay. I think for now,
7 Matt, I think that's the only questions that we
8 have, so if you want to go ahead.

9 BY MR. SWYERS:

10 Q. Okay. Just jumping right -- both feet
11 first. So Counsel didn't really ask you what, in
12 your impression, does permanent agent mean for this
13 PCNI incorporated in the State of New Jersey? Is
14 that a registered agent or something more?

15 A. Well, the word "permanent" means in
16 contrast to the temporary one they had.

17 Q. Do you know what a registered agent is
18 for the state?

19 A. My understanding of registered agent is
20 somebody who is acting, who is representing the
21 entity and receive information on the behalf of the
22 entity, information from the state, information --
23 represent them in anything involving US that they
24 don't know about, that they want me to represent
25 them, like, go to court, find them lawyer, things

1 that I have done for them. If -- whatever they ask
2 me, file all the papers, things like that.
3 Whatever they asked me to do and I advise them all,
4 too. I have been chairman of so many board of
5 trustees.

6 Q. Okay. Your definition of registered
7 agent is a little bit broader than what we have
8 here before the secretaries of state of the 50
9 United States. Registered agent, from my
10 understanding, is, in essence, empowers you to
11 receive documents on behalf of the company, but
12 then pass it on to the officers of the company and
13 things of that nature. You're not empowered to run
14 the actual company.

15 So within the context of that, are you
16 more empowered, are you testifying today, to run
17 Peoples Club of Nigeria International,
18 Incorporated, State of New Jersey or are you simply
19 someone who's supposed to receive documents and
20 pass it on to the membership hierarchy?

21 A. Well, I'm just registered agent. The
22 word "registered agent" is what I am.

23 Q. Okay. So you contend that you're the
24 registered agent for Peoples Club of Nigeria,
25 Incorporated, the registrant in this case?

1 A. Yes.

2 Q. Okay. You do not contend that you are
3 an officer for that; is that correct?

4 A. I am not -- I am here as registered
5 agent. That doesn't preclude me from being an
6 officer, but I'm saying --

7 Q. Well, are you an officer? I'm asking
8 you very directly. Are you an officer?

9 A. I can't -- I can't answer that because
10 we have not really -- that whole thing about
11 officers is -- is, how do I describe it, is my
12 description -- I'm looking for appropriate word,
13 which is something --

14 MR. TAYLOR: I'm going to object. The
15 definition, I am not sure the witness understands
16 what you mean by "officer." Can you maybe provide
17 a little bit of clarity on that?

18 MR. SWYERS: Of course. I'll be happy
19 to.

20 BY MR. SWYERS:

21 Q. I'm trying to find out, both for myself
22 and for the board, who later will read this
23 transcript, exactly what role you have for -- or
24 claiming to have for what amounts to my client.
25 And, you know, so we were provided with documents

1 that showed that you were the registered agent and
2 it seems that you're trying to say that you're
3 something more than the registered agent here, that
4 you're actually the person that runs the company.
5 So I'll just say that as broadly as possible and
6 then we can keep stepping it back. Are you the
7 person that runs the company now?

8 A. Right now -- right now, I am not
9 claiming to run the company. I'm saying that I'm
10 the registered agent.

11 Q. Okay. And the registered agent who is
12 charged with, you know, receiving documents on
13 behalf of the company but nothing more?

14 A. Nothing more. And remember that I also
15 am a patron of the club. I'm also --

16 Q. Which club?

17 A. Peoples Club of Nigeria International.

18 Q. International Incorporated or Princeton
19 Junction?

20 A. Peoples Club of Nigeria. I'm a patron
21 of Peoples Club of Nigeria and Peoples Club of
22 Nigeria International.

23 Q. Which one?

24 A. All of them.

25 Q. There's about 22 of them?

1 A. All of them I'm a patron of.

2 Q. All right. Very simple question. Are
3 you a patron of Peoples Club of Nigeria
4 International, Princeton Junction?

5 A. Yes.

6 Q. Are you a patron of Peoples Club of
7 Nigeria, as you defined it, in Nigeria?

8 A. Yes.

9 Q. Okay. Are you a patron of Peoples Club
10 of Nigeria International, Incorporated in the State
11 of New Jersey?

12 A. Yes.

13 Q. How so?

14 A. Because I'm a worldwide patron of the
15 club.

16 Q. Which club? Please tell us which one.

17 A. Peoples Club of Nigeria.

18 Q. Very well. So it's your belief that,
19 as you've defined it at the onset of this
20 deposition, Peoples Club of Nigeria -- when you
21 say "Peoples Club of Nigeria" and you,
22 specifically, are excluding the term
23 "International," so when you simply say Peoples
24 Club of Nigeria, your testimony is that because you
25 are a patron of the Nigerian Peoples Club of

1 Nigeria, you're a patron of all associated and
2 affiliated clubs?

3 A. Right.

4 Q. Thank you. I was just trying to clarify
5 that.

6 All right. So you are the registered
7 agent for Peoples Club of Nigeria International,
8 Incorporated, in the State of New Jersey, but
9 nothing more?

10 A. Right.

11 Q. Correct; okay.

12 Now, you testified earlier that, and
13 forgive me, I want to make sure that I get your
14 words properly. Peoples Club of Nigeria
15 International and Peoples Club of Nigeria have,
16 what you called an alliance. Do you recall saying
17 that?

18 A. Yes.

19 Q. Okay. But it's a little bit more than
20 an alliance, isn't it?

21 A. Well, I'm -- depends on how somebody
22 else wants to describe it.

23 Q. Well, there's actually a formal
24 committee that actually governs all of the
25 chapters, both in Nigeria and in the United States;

1 isn't that correct?

2 A. Central Executive Committee.

3 Q. Yes?

4 A. Yes.

5 Q. Correct?

6 A. Yes.

7 Q. Okay. And you would agree with me, you
8 previously testified that there were, you believe,
9 around 20 branches here in the US; correct?

10 A. Right.

11 Q. Do you know how many branches there are
12 in Nigeria?

13 A. Well, in Nigeria, you can say they may
14 have around, maybe, 20 -- another 22, but then when
15 you go into those 22, it may well be they only have
16 ten branches that are real branches because many of
17 their branches doesn't really exist. There is no
18 branch anymore. People don't come to meetings,
19 they don't have chairmen, they never hold any
20 meetings in the last five years, ten years.

21 Q. Thank you. And I appreciate that
22 annotation. You know, just I'm trying to, sort of,
23 understand the structure and for my benefit and for
24 the board's benefit. So the structure, you'll
25 agree with me, is, the Central Executive Committee

1 is comprised of the, I guess, the chairpersons of
2 these, you know, roughly 20 US branches, 22
3 Nigerian branches and I believe you previously
4 testified there's a London and Canadian branch; is
5 that also correct?

6 A. Right.

7 Q. So if my addition is roughly correct, we
8 have about 44 branches, give or take, you know,
9 different areas of involvement, that comprise the
10 Central Executive Committee; correct?

11 A. Well, they're part of it, but then we
12 have a -- we have elected -- we have elected
13 central officers, like, president, vice, legal
14 advisor, treasurer assistant, financial secretary
15 assistant, house master global, all those centrally
16 elected officers, I don't know how many there will
17 be, but, approximately, maybe another 15 or 20. If
18 you add it on top of that 44, then you have all the
19 patrons. All the patrons are also members of this.
20 So we have about 20, 30 patrons added on that, so
21 you're talking about a large number of people.

22 Q. Fair enough.

23 But the Central Executive Committee
24 generally is the management structure through which
25 PCNI, that's the US one, and PCN, that's the

1 Nigerian, operate as this, as you termed it,
2 alliance; correct?

3 A. Well, our relationship with them is
4 alliance in this sense because the US branches, and
5 I will say maybe most of the overseas, but let me
6 speak on US branches that I know very well. US
7 branches, they all have separate incorporation as a
8 separate entity. That's what incorporation means.
9 In Nigeria all the 22 branches have one
10 incorporation. So they're under one umbrella.

11 So you can -- that one umbrella can
12 control them. They can now say you're no longer a
13 part of this umbrella, throw them out. In US you
14 couldn't do that because these are all separate
15 entity. And we accommodate the structure dealing
16 with US because each branch is autonomous. And
17 that's really what makes that an important feature
18 of the club that makes it unique.

19 Q. So each branch is autonomous --

20 A. Yeah.

21 Q. Let me speak, please. Thank you.

22 So each branch is autonomous, so there
23 is no management structure, is that what you're
24 telling me?

25 A. Autonomous means each branch, basically,

1 do their own thing different from the other
2 branches. But there is common areas where we get
3 it together. And that common area should be
4 controlled by the constitution that we all agree.
5 And if this constitution that has been aware and we
6 have hypocrisy forcing people if you don't do this,
7 you are thrown out, that we are putting the lawsuit
8 --

9 Q. If I may, and just as a reminder and I
10 know that we're getting through some tough stuff.
11 But let's try, both of us, to, you know, take
12 breaks so we can, you know, interject and have a
13 nice conversation back and forth. And also we
14 don't want the nice court reporter to have to say
15 bad things to us that remind us she can only take
16 down one of us at a time. Okay.

17 So you're speaking, and this is where
18 I'm getting a little bit confused, on one hand
19 you're trying to say it's completely autonomous but
20 on the other hand you're sort of referencing the
21 fact that, well, it's not completely autonomous
22 because we've had to sue them because they are
23 violating the constitution under which we're
24 supposed to be governed. So is it autonomous or is
25 it that you all do have a set of rules and you guys

1 just are upset that the rules weren't being applied
2 the way you thought they should be applied?

3 A. Let me repeat myself again. I say that
4 there is common areas where we all operate. And
5 that common area that clearly is defined by our
6 constitution. Then --

7 Q. Let's stop right there for a second.

8 A. Okay.

9 Q. So now that we agree, at least, that
10 there's common areas under which you operate, can
11 we come all the way back to the original concept,
12 which I wanted to talk to you about, which is those
13 common areas are governed by the -- if you want to
14 say the constitution, but also the Central
15 Executive Committee. Wouldn't you agree with me in
16 that regard?

17 A. Well, the Central Executive Committee
18 has to follow the constitution. They cannot say --
19 do what they want. They have to follow the
20 constitution.

21 Q. Let's put the constitution -- I
22 understand everything you want to talk about today
23 is the constitution because we understand that you
24 clearly are involved in the lawsuit that's ongoing
25 in Nigeria about the constitution. But I just want

1 to talk to you about how things are supposed to be
2 run and you keep --

3 A. Well, as American citizen, I love the
4 country because of the constitution. You can see
5 that -- I can't go to anyplace and be part of any
6 club where it will not follow the constitution.
7 It's amazing that the significance of the
8 constitution and everyone complying with it. To
9 me, that is unbelievable --

10 Q. One second. Hold on. You're not even
11 answering my questions.

12 A. Okay.

13 Q. So what I want to know from you is,
14 then, assuming that everyone follows the
15 constitution that you are so vehement about talking
16 about, okay, there is a Central Executive Committee
17 that gets together and makes votes and makes
18 decision for PCNI and PCN; correct?

19 A. Right. Okay.

20 Q. Thank you. That's all I was trying to
21 get to. Thank you so much.

22 A. Okay.

23 Q. Now, you testified that you were one of
24 the founding members, I believe, of Princeton
25 Junction branch; correct?

1 A. Princeton branch.

2 Q. Princeton branch; excuse me.

3 A. And, also, Princeton Junction.

4 Q. And then later Princeton Junction?

5 A. Right.

6 Q. And then you also testified about when
7 Chicago and Miami received their branches. Do you
8 remember that?

9 A. Yes.

10 Q. Okay. Now, at the time, you all
11 began -- there are different times, but at the time
12 you all began, the trademark that we're talking
13 about here, today, was already in existence, you
14 would agree with me; right?

15 A. Well, the Nigerian group, their name --

16 Q. Let me ask you a different way: Did you
17 create the trademark that we're talking about,
18 here, today?

19 A. Yes. The American group created the
20 name, PCNI.

21 Q. You, actually, physically, drew this
22 trademark on a piece of paper and said, here's the
23 trademark?

24 A. They -- they -- we, the American group,
25 created it.

1 Q. Now, I haven't heard about the American
2 group yet. Who's this new American group?

3 A. Well, the PCNI is the American group.
4 The Nigerian group is Peoples Club of Nigeria.

5 Q. No, but your group that you're here to
6 testify today for is the Princeton Junction Club,
7 is the Miami Club and the Chicago Club, and that's
8 it. So my question is, and now you're adding in
9 this, well, all the Americans figured this out or
10 the American group. Well, who is the American
11 group? It's one of those three.

12 A. Well, maybe -- let me put my knowledge
13 back that I'm one of the pioneers that create this
14 whole branch, the American. All these branches,
15 half of them, half of them came from Princeton and
16 I'm the one who recruited all the people who
17 created -- I'm the one who recruited a guy who
18 created Philadelphia, who created Canadian branch,
19 who created Cherry Hill branch, who created New
20 York branch, who created -- the people that I
21 recruited created almost more than 30, 40 branches
22 in America.

23 Q. You're not here today for them. You're
24 here today for Princeton Junction --

25 A. So all I'm saying is -- I'm saying --

1 MR. TAYLOR: I'm going to object to that
2 characterization.

3 THE WITNESS: I'm saying that I have
4 knowledge.

5 MR. SWYERS: Hold on. Let's take a
6 break. We're on the record, but let's take a
7 break. Matt, can you just help us out to make sure
8 that we both try not to speak over each other so
9 the court reporter can get all this down.

10 MR. TAYLOR: Of course, yeah. Mr.
11 Swyers needs to make sure that he can complete his
12 question. And make sure you're answering just the
13 question that he's asking.

14 THE WITNESS: Okay.

15 MR. TAYLOR: I just want to -- maybe you
16 can repeat, I think you said to Mr. Ndubizu that he
17 was here today to testify on behalf of PCNI
18 Princeton Junction. I state my objection to that
19 for the reasons that we discussed before, but go
20 ahead. I'm sorry.

21 THE WITNESS: My reaction to that is
22 that --

23 MR. TAYLOR: Let Mr. Swyers ask a
24 question.

25 MR. SWYERS: Yeah, there's no question

1 pending. Thank you. I appreciate that.

2 BY MR. SWYERS:

3 Q. So very simple, and I will try to do
4 this and I mean this in no sarcastic manner,
5 whatsoever, but I want to take this back to baby
6 steps. So did anyone in the Peoples Club of
7 Nigeria International Princeton Junction branch
8 create the logo that my client has registered as a
9 trademark?

10 A. We created the logo. Princeton Junction
11 created the logo they are using in their letterhead
12 and all their -- all their brochure.

13 Q. Princeton Junction, your testimony is
14 that Princeton Junction created the logo that my
15 client applied for as a trademark?

16 A. The logo --

17 Q. I just want to make sure I heard that
18 clearly.

19 A. Let me describe what I'm telling you so
20 that we're not -- you don't misunderstand me. I'm
21 telling you that every branch creates their logo on
22 their letterhead and the brochure invitation, put
23 whatever sign they want, whatever color they want,
24 whatever way they want to do it. Every branch have
25 done that. And that's what has been going on and

1 we have been using this since 19 -- even before
2 '94. I got involved since '94.

3 Q. You'll agree with me that the logo
4 existed prior to Princeton Junction branch
5 existing; correct?

6 A. I don't know that.

7 Q. And so the logo -- it's your testimony
8 today that Princeton Junction actually created the
9 logo that my client applied for?

10 A. My testimony is that the logo was not
11 registered anywhere in Nigeria or in US.

12 Q. That's not my question.

13 MR. SWYERS: Counselor, can you instruct
14 the witness to answer my question?

15 MR. TAYLOR: Yes. Mr. Ndubizu, his
16 question is, did you, physically, create the logo
17 as in the way that it appears with the words and
18 with the rings, did you actually create that?

19 THE WITNESS: Different people created
20 our logo. Different people.

21 MR. SWYERS: The answer is no. He just
22 won't state it. Is he going to answer the question
23 or not? I can go and get an order from the Court
24 to make him answer my question.

25 MR. TAYLOR: So the answer, then, to

1 that question is, you did not create the logo,
2 would you agree?

3 THE WITNESS: What exactly does he mean
4 by creating the logo? Because I tell him that when
5 we prepare our invitation, our letterhead, we
6 created the logo there.

7 MR. TAYLOR: Okay. What year was that?

8 BY MR. SWYERS:

9 Q. I'm not speaking about copying a logo
10 that is already in existence. That's like saying,
11 well, yes, the Coca Cola logo that's in my hand
12 right now, I created it because I made a photocopy
13 of it when I made my new letterhead. What I'm
14 simply saying is, in reference to my Coca Cola
15 analogy, were you the ones that first came up with
16 the Coca Cola logo? And in your instance, were you
17 the ones that first came up with and created the
18 trademark that my client owns and applied for and
19 registered?

20 A. Okay. If I tell you it was copy, then I
21 will tell you where it was copied from. I don't
22 know where anyone copied it from. That's why I
23 cannot answer you and tell you it was copied from,
24 when I don't know where it was copied from.

25 Q. So can we finally agree you did not

1 create it?

2 A. I made up -- when I was chairman I made
3 up the logo that was on my letterhead. And I don't
4 know where it was copied from. I made up the logo
5 and the name on my letterhead. I made them up with
6 different color.

7 Q. You made new letterhead using an
8 existing logo; correct?

9 A. Logo from where?

10 Q. That's the question. And so the
11 question remains, you didn't create the logo;
12 correct?

13 A. That question, I will tell you that
14 we --

15 Q. You used the logo?

16 A. We made the logo --

17 Q. You used the logo to create new
18 letterhead, but you didn't create the logo itself;
19 correct?

20 A. The logo, at the minimum, is a common
21 good. People make it up.

22 Q. That's still not my question. My
23 question is, did you, or anyone at Princeton
24 Junction, create the logo? And I will suggest to
25 you the answer is, no. I understand you don't want

1 to say that.

2 A. Because it's common good. It's a common
3 good.

4 MR. TAYLOR: The question is not is it a
5 common good. The question is, did you create it?

6 THE WITNESS: Am I the creator?

7 MR. TAYLOR: Yes.

8 THE WITNESS: Oh, no, I'm not the
9 creator.

10 MR. TAYLOR: Okay. That's the question.

11 MR. SWYERS: Thank you, Counselor. I
12 appreciate it.

13 THE WITNESS: Okay.

14 BY MR. SWYERS:

15 Q. What's the status of the lawsuit in
16 Nigeria right now?

17 A. Well, the status is that it's in court
18 of appeal.

19 Q. Okay. So it's ongoing?

20 A. It's ongoing.

21 Q. Okay. Thank you.

22 Have you ever been to Houston?

23 MR. TAYLOR: I'm sorry. Can you repeat
24 the question?

25 BY MR. SWYERS:

1 Q. Have you ever been to Houston?

2 A. Myself?

3 Q. Yes.

4 A. Yes.

5 Q. When?

6 A. I don't remember exact time I was there,
7 but I know I have been to Houston.

8 Q. Okay. But you can't remember when. Why
9 were you there?

10 A. I've been to Houston. My brother lives
11 there and my sister lives there and I have been
12 there for Peoples Club event.

13 Q. Okay. What event was that?

14 A. I think there was a meeting and there
15 was induction by the Houston branch.

16 Q. Okay. It's your testimony today that
17 you are the registered agent for the Peoples Club
18 of Nigeria International, Inc., my client, who owns
19 the registered trademark currently.

20 A. I am the registered agent for PCN
21 Incorporated in New Jersey.

22 Q. Is it your opinion that that is one in
23 the same with the person who -- excuse me, the
24 entity who registered or owns the registration for
25 the trademark?

1 A. I believe so.

2 Q. And you're here today as a witness, both
3 based upon your factual knowledge of PCNI and PCN,
4 but then, also, specifically for your knowledge for
5 Princeton Junction, and then in your capacity as
6 the registered agent for my client; correct?

7 A. I'm here as --

8 MR. TAYLOR: One second. I am just
9 going to object based on the discussion that we had
10 previously on the record regarding the scope of Mr.
11 Ndubizu's appearance today. Understand, he is
12 going to answer now, though, but I'm going to put
13 that objection on the record.

14 BY MR. SWYERS:

15 Q. Thank you. And so your counsel said you
16 can answer. I believe the answer is yes; correct?

17 A. I am here as a witness.

18 Q. Okay. So let's assume for the sake of
19 this argument that you are the registered agent.
20 Would you ever take actions that are detrimental to
21 the company?

22 A. I think this is hypothetical.

23 Q. It is.

24 A. Yeah.

25 Q. So would you take -- as a registered

1 agent, are you allowed to take actions that are
2 detrimental to the company?

3 A. I don't want to speculate.

4 Q. Well, let me ask you then, personally.
5 Would you ever take actions that are detrimental
6 to the company for which you are a registered
7 agent, no speculation involved?

8 A. So there's no speculation here I -- as
9 an agent, I will perform my role as an agent, which
10 is, as you well articulated earlier, that agent
11 receive papers and do what agent does.

12 Q. Fair enough.

13 And so if you were to receive, you
14 know, just what, you know, typical registered agent
15 stuff, a lawsuit, someone suing the entity, as a
16 registered agent you wouldn't just throw it in the
17 trash, you would give it to whoever you would give
18 it to, to make sure that they received notice of
19 the lawsuit; right?

20 A. Right.

21 Q. Okay. Because throwing in the trash
22 would be detrimental to the company because they
23 could default on the lawsuit; right?

24 A. Right.

25 Q. Okay. And so I think we can establish

1 that you probably would not take actions if you
2 were the registered agent for the company, that
3 would be detrimental to the company, fair; correct?

4 A. Fair.

5 Q. Okay. So why are you trying to cancel
6 the company's property from a registration as
7 opposed to trying to secure the registration
8 through other means?

9 MR. TAYLOR: I'm going to object to that
10 question. Again, the way it characterizes Mr.
11 Ndubizu taking -- it suggests that Mr. Ndubizu is a
12 party to this action and he is not a party to this
13 action. He is not named in an individual capacity
14 in the pending proceeding.

15 BY MR. SWYERS:

16 Q. We'll go back in discovery and find out
17 exactly how he was named. But I guess the question
18 would be, is, then and I can amend the question.
19 Does it make sense to you that someone should be
20 trying to cancel actual property rights? Why would
21 you want -- well, I guess let me go back. Ignore
22 that first part, because it was very rambling and I
23 don't even know where I was going with it?

24 Do you think the trademark
25 registration should be cancelled?

1 A. Can I answer you differently for --

2 MR. TAYLOR: Just answer the question.

3 THE WITNESS: Well, I think it should be
4 cancelled because it does not --

5 BY MR. SWYERS:

6 Q. You purport to be the registered agent
7 for my client and you believe that the trademark
8 registration should be cancelled, based upon what
9 you just said?

10 A. Yes.

11 Q. That for the entity that you purportedly
12 are the registered agent; correct?

13 A. Yes.

14 Q. Is that not taking action that's
15 detrimental to the company that you are the
16 registered agent for?

17 A. No. It's actually the other way around
18 because for social organization value is created
19 when there is unity and value is destroyed when
20 there is disunity and this patent is dividing the
21 club into Progressive and Pentagon, which is now
22 destroyed the value. When you remove it and the
23 two group comes together, value of the entity goes
24 up. Unlike a profit corporation, when profit
25 increase value and losses decrease value for social

1 nonprofit corporation. Unity create what? Value.
2 Disunity destroys value. Disunity is like losses.
3 So what is happening here is losses.

4 Q. If you are the registered agent for the
5 company, if a lawsuit comes in who do you give the
6 lawsuit to?

7 A. Lawsuit I give it to executive.

8 Q. Who is executive of the company?

9 A. Sam Iwuchukwu.

10 Q. Is it your testimony that the chief is
11 the executive officer for the company?

12 A. He is the president of Peoples Club.

13 Q. Well, once again, so I -- so the record
14 is clear, when you say "Peoples Club," are you
15 talking about Peoples Club of Nigeria in Nigeria or
16 are we talking about the officer, here, for the New
17 Jersey entity we've been talking about, Peoples
18 Club of Nigeria International, Inc.?

19 A. He's the one Peoples Club of Nigeria,
20 Inc. and Peoples Club of Nigeria PCNI. President
21 don't want to hand it over to him through election
22 and President Omus (ph) was the one who created
23 Peoples Club of Nigeria, Inc. in New Jersey and he
24 handed over to -- they did election and Chief Sam
25 Iwuchukwu won the election and is now handed over

1 to him.

2 Q. Okay. So under your philosophy, under
3 your theory, chief is -- runs or is responsible for
4 -- or is the entity for the client that I
5 represent?

6 A. Chief Fabion Owachu (ph) is the one that
7 created the Peoples Club of Nigeria incorporated in
8 New Jersey. He is the one who brought the money to
9 Sam Iwuchukwu. Sam Iwuchukwu give your client the
10 money to create it.

11 Q. Well, he gave the money to Dr. Mgbako.

12 A. Right.

13 Q. Who testified previously in this that
14 Dr. Mgbako, you'll agree, was charged with actually
15 creating the entity; correct?

16 A. Who charged him? They gave him the
17 money to do it.

18 Q. Well, he was told to do it; right?

19 A. It was Owachu -- Chief Owachu and Fabion
20 ask Sam Iwuchukwu to give him the money to do it.
21 And I was there when the money -- Sam Iwuchukwu
22 came and give the money in my hotel room.

23 Q. So you were there when the person that
24 you believe is the responsible person for the
25 entity who's my client, told Dr. Mgbako to organize

1 the entity in New Jersey?

2 A. When they gave him the money and when
3 they went to open the bank account, yes, I was
4 there.

5 Q. Where was this?

6 A. In the Hilton. Hilton, New Brunswick.

7 Q. Okay. In New Brunswick. And what year
8 was this?

9 A. Oh, that was the open up an account.
10 Gave the money in the Hilton. This money was given
11 to him before then, I think. But it was the same
12 time Iwuchukwu gave him the money.

13 MR. TAYLOR: What year?

14 THE WITNESS: The year Sam gave the
15 money, I don't know, but it should be on the
16 receipt. I think we have the receipt. The
17 document speaks for itself. I don't know. We can
18 look at the receipt and see. And Mgbako signed for
19 it. There isn't a disagreement that he received
20 the money. He's merely a messenger.

21 BY MR. SWYERS:

22 Q. So it's your testimony that -- now, that
23 Dr. Mgbako was authorized by the chief to form this
24 entity but that subsequent to that, you became the
25 registered agent for the entity that I represent?

1 A. Yes.

2 Q. Is that correct?

3 A. Right.

4 Q. Okay. Just so you know, part of this is
5 cross-examination. Part of this is -- this is the
6 most confusing thing I have dealt with in 19 years
7 of practicing law so I'm trying to get it right
8 myself.

9 A. Okay.

10 Q. So we can agree that Dr. Mgbako was
11 charged with creating this entity or organizing
12 this entity; correct?

13 A. Right.

14 Q. Okay. What was the purpose of the
15 entity? Why would you organize something?

16 A. Well, the entity -- there were -- when
17 we -- because the American branch, essentially, was
18 financing the Nigeria branch because Nigeria, you
19 know the economy there, cannot compare with US.
20 Most of the members here are well-to-do. If you
21 look, they all have Ph.D. So they have money to
22 help the one in Nigeria. So when they collect all
23 this money, they try how to get the money to
24 Nigeria. We advise them that it's best to open an
25 entity, create an account here and then wire

1 transfer. Now there's international wire transfer.
2 You can wire transfer from the account here to the
3 account in Nigeria. They have dollar accounts in
4 Nigeria. So why are they trying to carry currency
5 because they will be involved in currency
6 violation. There is a strict US currency violation
7 and we don't want them to get involved in that.

8 Q. We don't want to go too much into
9 anything that goes beyond trademark law here.

10 A. Okay. So I am telling you that that is
11 the -- that is the reason why this incorporation
12 was done. And immediately was done. Then they
13 wouldn't have open the account.

14 Q. Well, you previously -- but you also
15 previously testified that Dr. Mgbako, through the
16 corporation, was supposed to apply for the
17 trademark. Do you remember talking about that?

18 A. Right. There is all the reasons. But I
19 am telling you that this was the important at that
20 time. And that's why he did it and open an
21 account. The account of which your client took all
22 the money.

23 Q. Okay. Let's go back to the trademark
24 thing now. So we've established that, based upon
25 your testimony, Dr. Mgbako organized the entity,

1 which is my client, with the authority of who you
2 said had the authority to do so. So we have done
3 that. You've previously testified that Dr. Mgbako
4 was supposed to get the trademark done as well --
5 excuse me, filed for. That's correct; right?

6 A. It was asked in 2010 of which he had the
7 law firm to do. And then when they -- when they
8 appointed me agent and he was told that I'm now the
9 agent, to send me all the documentation. So there
10 is no surprise that I'm an agent. He knew that.
11 He's the one who send me the incorporation. I
12 didn't know. I didn't --

13 Q. Let's stop right there. You were the
14 registered agent and you've already testified that
15 you were the registered agent for the State of New
16 Jersey and that's all that this document meant,
17 here, that we're looking at today. It doesn't mean
18 you run the company. We've already established
19 that that's the gentleman, the chief, that, in
20 essence, told Dr. Mgbako to organize the entity.
21 And, then, you've now testified, is still the
22 actual person who, basically, is, you know, in your
23 mind, in charge of this.

24 A. Well, well let me --

25 MR. TAYLOR: Let him ask the question.

1 BY MR. SWYERS:

2 Q. So let me just -- I'm going to
3 completely skip over something and go to a
4 completely different place, if you don't mind.

5 How many chapters make up this
6 Pentagon group that you're referencing?

7 A. The Pentagon group is -- it could be any
8 branch that have members that believe in the other
9 group. That believe in --

10 Q. It could be, but who actually makes them
11 up? Be very specific.

12 A. First off, in Houston branch, Houston is
13 divided. There is at least 20 percent of Houston
14 branch that have loyalty to the Pentagon. And then
15 you have 80 percent that is Progressive. In
16 Washington you have 90 percent that is Progressive
17 and five percent that is Pentagon. In Princeton
18 Junction you have hundred percent that is
19 Progressive. In Chicago, hundred percent that is
20 Progressive. Miami, hundred percent is
21 Progressive. That's why you hear dissolution for
22 those ones. That where they could not give you one
23 percent, you see dissolution. Where they can get
24 some percentage they leave them. So in San
25 Francisco they do have at least another five

1 percent that is Pentagon and 95 percent that is
2 Progressive. So that's how you go. In New York,
3 you may have 50/50.

4 Q. But you, specifically -- okay. So the
5 Pentagon group, when you testified earlier today,
6 to just clarify what you said, it's not
7 necessarily, you know, a group of entire branches,
8 like each branch is, okay, a hundred percent of
9 this branch is now what we call the Pentagon group
10 and then a hundred percent of you guys are, you
11 know, the Progressive groups. It's more complex
12 than that. It's each branch, maybe 20 percent goes
13 there, 40 percent goes to the other one, whatever,
14 something like that?

15 A. Right. Because look at the elector.
16 The elector they wrote, they say they're appointing
17 the committee.

18 So if you go to branch and you select
19 four people and you say they are now in charge,
20 those four you appointed say, oh, we're in charge
21 of this branch while the actual executive of that
22 branch will ignore them and keep on running the
23 branch. So those people they call executive
24 committee will be saying, oh, we're executive
25 committee on the Pentagon for Houston. That's what

1 you see in Houston. There is Pentagon, at least
2 10, 15 percent. They appointed executive committee
3 that said that the Pentagon group for Houston, why
4 their membership of Houston is still Progressive
5 and controlled their property. In their own case
6 they own a big clubhouse. They spend close to two
7 million dollar. That is on the Progressive. And
8 these few people that they appointed to their
9 executive committee, the other group has 12, that's
10 what is going on. They are creating friction
11 within the group.

12 Why they're doing it, because in US
13 they have no legal power from Nigeria to control
14 any branch within US, except by dividing the
15 membership. So their lawyer advise them the only
16 power you can have in any of this branch is you can
17 create confusion within the branch and divide them.
18 So they writing the letter trying to see people who
19 are gullible and say, oh, we give you position,
20 you're now the chairman. Even if you weren't
21 elected on this branch, we give you this letter.
22 The other group expelled. You can use our logo.

23 So they're now trying to use their US
24 trademark to give support. And they said you
25 want -- people shouldn't use the name. We

1 appointed executive committee that is at the
2 legislate. And that's what this whole fight is all
3 about. It's all the branches in US and Canada, as
4 well.

5 Q. This is what confuses me with your
6 entire theory of your case, or whoever's case it
7 is, because we can't establish, you know, exactly
8 why you're here, except for being a fact witness.

9 If you all contend that you are the
10 actual owner of this trademark, why, then, are you
11 trying to cancel it? To me, it seems more along
12 the lines that you're trying to cancel it because
13 there's been a split, Pentagon or whatever you want
14 to call it. And then you're trying to cancel it
15 for whatever reason so it can't be used to enforce
16 against you. And I just -- I just don't see that,
17 effectively, that you guys are -- you know, that
18 you have the right to cancel the thing.

19 Anyways, sorry, that was sort of a
20 long diatribe. I apologize. There's no question.
21 You can strike it all, if you want?

22 I think at this juncture, let me just
23 check. I do not have any further questions at this
24 time.

25 A. Okay.

1 MR. TAYLOR: Matt, I want to move, while
2 I think of it, move the exhibits that we referenced
3 and presented to the witness, of course, subject to
4 your objections and our response is the same. But
5 I just want to go ahead and do that while we're
6 still on the record.

7 MR. SWYERS: And let's, if we may,
8 because I think at our last deposition we may have
9 put them all in and I want to clarify. I have in
10 order you referenced PP-1, I have no objection.
11 PP-5, I object to the authenticity, but, otherwise,
12 it should be attached. We are not attaching, I
13 assume, PP-3 or PP-4 because they weren't spoken
14 about.

15 MR. TAYLOR: Um-hum.

16 MR. SWYERS: I don't see where we spoke
17 of PP-6 either.

18 MR. TAYLOR: No, we didn't.

19 MR. SWYERS: Getting on to PP-7, I have
20 no objection to that. We skipped PP-8. PP-9, no
21 objection to that. PP-10, no objection. PP-11, no
22 objection. PP-12, 13, 14, no objection. And
23 PP-15, no objection. And that's the total exhibits
24 that I have that are going in.

25 MR. TAYLOR: What we have is PP-1, PP-5,

1 PP-7, and we have 9, 10, 11, 12, 13, 14 and 15?

2 MR. SWYERS: That's what I have,
3 correct.

4 MR. TAYLOR: Okay. Thanks. That was
5 helpful to do that. Okay. We're done.

6 - - -
7 (Whereupon, the witness was excused.)

8 - - -
9 (Whereupon, the deposition concluded at
10 approximately 12:20 p.m.)

11 - - -

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CERTIFICATE

I, JENNIFER MAUTE, a Notary Public and Certified Shorthand Reporter of the State of New Jersey, do hereby certify that prior to the commencement of the examination, GORDIAN NDUBIZU was duly sworn by me to testify to the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a verbatim transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

DEC 22 2015

Jennifer Maute, C.C.R.

JENNIFER MAUTE, CCR
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Notary Public, State of New Jersey
My Commission Expires: February 19, 2020
Date: December 20, 2015

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STATE OF NEW JERSEY
DEPARTMENT OF TREASURY
FILING CERTIFICATION (CERTIFIED COPY)

PEOPLE'S CLUB OF NIGERIA INTERNATIONAL
PRINCETON JUNCTION, NJ BRANCH INC.
0100972745

*I, the Treasurer of the State of New Jersey,
do hereby certify, that the above named business
did file and record in this department a
Certificate of Incorporation on December 4th, 2006
and that the attached is a true copy of this
document as the same is taken from and compared
with the original(s) filed in this office and now
remaining on file and of record.*

IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal
at Trenton, this
19th day of December, 2006



Bradley Abelow

Bradley Abelow
State Treasurer

PLAINTIFF'S
EXHIBIT

PP-1

Petitioners 0009

PEOPLES CLUB OF NIGERIA

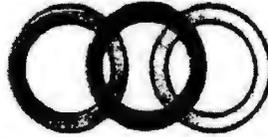
BANKERS:

First Bank of Nigeria Plc.
Union Bank of Nigeria Plc.

(REGISTERED IN NIGERIA) NATIONAL/INTERNATIONAL HEAD QUARTERS:
REG. NO. 1295

Onitsha / Owerri Road,
P.O. Box 5421,
Onitsha, Anambra State.
Tel: 046-322196

E-Mail Address: peoplesclubofnigeria@yahoo.com
Website: www.peoplesclubofnigeria.com



Motto: UNITY, LOVE & SERVICE

Our Ref:

Your Ref:

Date Ref: September 25, 2012

NATIONAL / INTERNATIONAL OFFICERS

President

Chief F.A. Onwuachu

Vice President

Hon. R. O.C. Ekedozie

Secretary General

Ichie P.C. Okechukwu

Asst. Secretary General

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Legal Adviser

Chief A.E. Enumah

Fin. Secretary

Chief Shed Ekwegh

Treasurer

Chief Dr. J.I. Nonze

Publicity Secretary

Chief K. Nwagba

Protocol Officer

Chief Alvan Okoye

SSS/WELFARE OFFICER

Chief L.C. Major

House master

Chief P.A. Amu

Professor Gordian Ndubizu, Patron
5 Milton Court
Princeton JCT, NJ 08550

Dear Patron Ndubizu,

With reference to a unanimous action by the Executive Committee of the People's Club of Nigeria International, it is my duty and honour to inform you that you have been appointed the *Permanent Agent* of the People's Club of Nigeria International incorporated in the State of New Jersey, USA (Incorporation # 010101702). Pursuit to this mandate and our discussions, your role and responsibilities take effect immediately and replaces the temporary position held by Dr. Iddi Mgbako.

Dr. Iddi Mgbako has been notified and asked to send you all relevant documents in his holding, including certificate of incorporation, tax identification number, bank account, and others.

Given your background as professor of accounting, we are excited on your appointment. Our club would surely benefit from your skills, expertise and experiences. Thank you and May God Bless you.

Sincerely,


Chief F.A. Onwuachu
Acharugo, Osofia Akokwa, Ogbuagu
Adazi-ani, Ochiagha Okegbu
President
Peoples Club of Nigeria HQtrs
Onitsha.


Ichie P.C. Okechukwu
Ichie Ebeke Abatete
Secretary General
Peoples Club of Nigeria HQtrs
Onitsha.



Petitioners 0258

PEOPLES CLUB OF NIGERIA INTERNATIONAL

(REGISTERED IN NIGERIA NO. 1265)

MEMBERS:
Zenith Bank of Nigeria Plc
Indaba Bank of Nigeria Plc

Your Rest

Your Rest



MOTTO: UNITY, LOVE & SERVICE

NATIONAL INTERNATIONAL HEADQUARTERS
1000
P.O. Box 501
Garden Estate
Tel: 8000000000
Email: pcni@pcni.org
www.peoplesclub.org

Date

CHIEF INTERNATIONAL OFFICERS

Chief Executive Officer

20/7/2013

TO: All Branches of PCNI

DISSOLUTION OF PRINCETON JUNCTION BRANCH EXECUTIVE OF PCNI

At the Central Executive Committee meeting of the Club held on Saturday 20/7/2013 at Embassy Suites, Dallas, USA, it was unanimously resolved as follows:

- a) That the Executive Committee of Princeton Junction branch be dissolved for insubordination and conducts grossly inconsistent with the aims and objective of the Club.
- b) That a Caretaker Committee is hereby established to take over and run the affairs of the branch for a period of (6) six months, and thereafter organize an election of officers of the branch.
- c) That the following persons be and are hereby appointed as chairman and members of the said Caretaker Committee:

1. Hon Chief George Akunna == Chairman
2. Hon. Chief Mike Okey Arinze == Secretary

Signed:

Hon. Elder Smart Ebere
National Secretary (PCNI)

Chief Dr. Gabby Nwankwo
Administrator (PCNI)

PLAINTIFF'S EXHIBIT
PP-7

TRUSTEES: Hon. Ige P.O. Ebo, Chief J.O. Ige, Chief E.K. Collins, Chief I.O. Collins, Hon. Ige E.K. Nwankwo, Chief I.C. Oke, Chief E.K. Oke.

Address of correspondence to the General Secretary

PEOPLES CLUB OF NIGERIA INTERNATIONAL

PNC Bank
Zenith Bank of Nigeria Plc.

Our Ref:

Your Ref:



UNITY, LOVE & SERVICE

Onitsha/Owerri Road,
P. O. Box 5421,
Onitsha, Anambra State,
Tel: 08038052005, 08066728872
E-mail: peoplesclubofnigeria@yahoo.com
website: www.peoplesclubofnigeria.com

Date:

25th October, 2013.

TO

1. All members of Peoples Club of Nigeria.
2. All members of Peoples Club of Nigeria International

NOTICE OF FINAL EXPULSION OF SUSPENDED MEMBERS OF PEOPLES CLUB OF NIGERIA INTERNATIONAL WHO TOOK PART IN REBELLIOUS AND MUTINOUS MEETING AT WASHINGTON DC ON 5TH OCTOBER, 2013.

Consequent upon the unanimous decision of the Central Executive Committee meeting (National Executive Committee) of the Club held on 25/10/2013, NOTICE is hereby given to all members and branches of Peoples Club of Nigeria and Peoples Club of Nigeria International in Diaspora of the final expulsion of the previously suspended members of Peoples Club of Nigeria International who took part in the mutinous/rebellious meeting of illegal "CEC meeting" at Washington DC on 5th October, 2013.

They Are:

1. Dr. Anayo Ukaeje - Chicago
2. Prof. Inno Eke - San-Francisco
3. Dr. Alphonsus Okpara - Huston
4. Chief Engr. Paul Ezeuka - Princeton Junction
5. Prof. (Dr) Chukwuma Achebe - San-Antonio
6. Dr. Chris, Nworjilh - New-York City
7. Nze Malachy Okolo - New-York City
8. Dr. Morris Efobi - New York City
9. Prof. Gordian Ndubuizu - Princeton Junction
10. Dr. Uche Alloy Eze - Huston
11. Sir. Chidi Nwogu - Washington DC.
12. Chief Sir Festus Anaele - Washington DC.
13. Chief Ngozi Ezeji - Chicago

PLAINTIFF'S EXHIBIT
PP-9

Chief Administrator
Chief Of (Colby A. Nwankwo)

Nze (Dr) Vincent I. Nwabeke
1st Deputy Administrator

Chief Of (E.O. Okoko)
2nd Deputy Administrator

Nze Sister Simons O. Ebere
General Secretary

Chief (Dr. Sir) Joseph E. Okeke
Treasurer

Chief Michael Akere
Financial Secretary

Chief (Dr. J.O. W. Onyama)
PR O

Chief (Dr. Inhere Okoro)
Publicity Secretary

PEOPLES CLUB OF NIGERIA INTERNATIONAL

PNC Bank
Zenith Bank of Nigeria Plc.

Our Ref.

Your Ref:



UNITY, LOVE & SERVICE

Onitsha/Owerri Road,
P. O. Box 5421,
Onitsha, Anambra State.
Tel: 08038052005, 08066728872
E-mail: peoplesclubofnigeria@yahoo.com
website:www.peoplesclubofnigeria.com

Date:

Chief Executive Officer
PCNI

Chief Administrator
Chief Dr. Gabby A. Nwankwo

Deputy Administrator
Chief Dr. Vincent I. Nwachere

Chief Dr. F. O. Okafor
Deputy Administrator

Chief Elder Smart O. Ebere
National Secretary

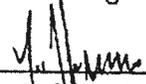
Chief Elder Augustine F. Okeke
Assistant

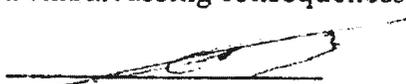
Chief Michael Akpan
Assistant

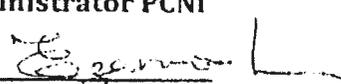
Chief Elder O. O. Okoro
Assistant

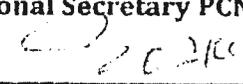
14. Evangeline Ahmed Akinkoye – Cherry Hill
15. Dr. Nicholas Akinkoye – Cherry Hill
16. Chief Onyeka Chika – Toronto (Canada)
17. Engr. Anthony Obidike – Former Princeton Branch
18. Dr. Nnabuike Okeke – San-Antonio
19. Ben Okoro – Washington DC
20. High Chief Sir Peter Nwaigwe – Washington DC
21. Chief Hycient Oboh – New York
22. High Chief Issac Akwara – Washington DC
23. Chief Hon. Sir Solomon Nduka – New York
24. Sir. Chibuzo Onwukwufor – Washington DC
25. Engr. Obi Iwuagwu – New York
26. Nze Adol U. Chikere – Washington DC.
27. Emeka Iwuji – Washington DC
28. Sunny Mbagwu – Washington DC.
29. Chief. Kenedy Obinna Nwalozie – Chicago
30. Sir. Ike Onyirimba – Washington DC.
31. Hon. Linus Eze – New York

Each of these expelled members is hereby warned in his/her own interest to desist forthwith from parading himself/herself as a member of Peoples Club of Nigeria International to avoid embarrassing consequences.


Dr. Gabby Nwankwo
Administrator PCNI


Hon. Elder Smart O. Ebere
National Secretary PCNI


HRM Igwe P.C. Ezenwa (MFR)
Chairman, Governing Council


Chief Sir Ojukwu I. Ike
PCNISecretary, Governing Council, PCNI



PEOPLES CLUB OF NIGERIA/INTERNATIONAL

BANKERS:
First Bank of Nigeria Plc.
Union Bank of Nigeria Plc.

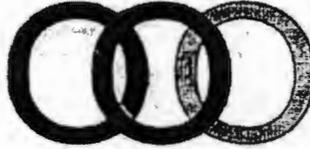
(REGISTERED IN NIGERIA)
REG. NO. 1295
STAKEHOLDERS

NATIONAL HEADQUARTERS:
Onitsha/Owerri Road
P.O. Box 5421
Onitsha, Anambra State
Tel: 046-322196
E-mail Address: peoplesclubofnigeria@yahoo.com

Our Ref:.....

Your Ref:.....

Date Ref:.....



Motto: UNITY, LOVE & SERVICE

16th July, 2014

NATIONAL/INTERNATIONAL OFFICERS

- President
Chief Sam Iwachukwu
- 1st Vice President
Chief (Dr) S. Ezembaikwu
- 2nd Vice President
Chief (Dr) Chika Monanu
- 3rd Vice President
Chief (Dr) C. Ashibogwu
- National Secretary
Hon. Alhaji A.N. Obiawa
- 1st Asst. National Secretary
Nze Ben Okafor
- 2nd Asst. National Secretary
Chief C. Onwukwufor
- National Financial Secretary
Chief (Sir) C.I. Ejeruruwa
- Asst. Nat. Financial Secretary
Hon Philo Olini
- 1st National Legal Adviser
Chief (Barr.) A.E. Emana
- 2nd National Legal Adviser
Chief (Barr.) J. Nwokocho
- 3rd National Legal Adviser
Chief (Dr) John Oronsaye
- National Treasurer
Chief Lawrence Ikonnye
- National Publicity Secretary
Chief Kennedy Nwalozie
- Asst. Nat. Publicity Secretary
Chief Cornelius Umoka
- National Protocol Officer
Chief Fidelis T. Akpue, JP
- Asst. Nat. Protocol Officer
Chief Ifeanyi Obob
- National Welfare Officer
Chief Willie Uzor
- Asst. Nat. Welfare Officer
Hon Sally Amamechi Ousarty
- National House Master
Chief J.G. Ikem
- Asst. Nat. House Master
Hon. J. Ekwunweke

To: All PCNI Branches,
All Members of PCNI,
Members of General Public.

UN-AUTHORIZED USE OF THE NAME OF PEOPLES CLUB OF NIGERIA INTERNATIONAL

The attention of National Executive Committee (NEC) of Peoples of Nigeria International has been drawn to the letters dated July 14, 2014, and signed by Chief Dr. Sir J. I. Ilonze and Mr. Smart Ebere but sent on July 11, 2014, addressed to Dr. Iddi Mgbako and purportedly granting him authority to prosecute users of Peoples Club of Nigeria International Trademark Design and the second letter addressed to "All Branches of PCNI and the General Public in USA".

To be clear, Peoples Club of Nigeria International and Club Trademark Design registered in New Jersey USA under the President Emeritus and Patron Trustee Elect, Chief Fabian Onwuachu regime, belongs to all PCNI Members, not to a few or selected individuals. Thus, any legal action instituted by any person(s) on the Trademark Design #B6116372 shall be met by a counterclaim.

I urge any person or group of persons who think(s) otherwise to heed this advice and warning, and to use civilized remedies, and desist from intimidation and harassment of the PCNI members in their legitimate exercise of their freedom of association.

Members of Peoples Club of Nigeria International have the right to freedom of association and pursuit of happiness; they also have the legal right to use the Club Name and Logo in all meetings and events.

Peoples Club of Nigeria International 2014 Convention and Inductions in America was approved by both Club NEC and by General Membership at the Extraordinary General meeting of the Club Stakeholders held on the 19th April, 2014 at Onitsha. The convention is open to all peace loving and law abiding members of Peoples Club of Nigeria International.

Petitioners 0068

I urge all law-abiding and peace-loving Members of our Club to remain calm and steadfast, and ignore any attempt to stop them from coming out en mass in exercise of their right to freedom of association and pursuit of happiness. Come to the 2014 convention and Induction ceremonies to have fun, network with other Club members in a spirit of love for one another and to serve each other and humanity in general.

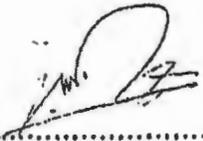
It has been stated time and again that the current situation in the Club can only be resolved in a peaceful atmosphere based on dialogue, the principle of give and take and abiding faith in God, and the rule of law, not by intimidations, arm twisting and blackmail.

Signed


Chief Sam C. Iwuchukwu
National President


Hon. Alhaji A. N. Obinwa
General Secretary

consequences.


.....
Chief (Sir) J.I. Ilonze
President P.C.N.I.


.....
Hon. (Blder) Smart O. Ebere
General Secretary P.C.N.I

**PLAINTIFF'S
EXHIBIT**
PP-11

2 of 2

PEOPLES CLUB OF NIGERIA/INTERNATIONAL

BANKERS:
PNC Bank
Zenith Bank of Nigeria Plc.



MOTTO: UNITY, LOVE & SERVICE

NIGERIA/INTERNATIONAL HEADQUARTERS:
Onitsha/Owerri Road,
P.O. Box 5421
Onitsha, Anambra State,
Tel: 08037080187, 08068728872
E-mail: peopleclubofnigeria@yahoo.com
Website: www.peopleclubofnigeria.com

Our Ref: _____ Your Ref: _____ Date: _____

17th January, 2014

**NATIONAL INTERNATIONAL
OFFICERS**

- President
Chief Sir J. I. Ilonze
- 1st Vice President
Chief Oyejide O. Oduro
- 2nd Vice President
Chief R. O. C. Ekeodua
- 3rd Vice President
Chief Bamikeye
- National Secretary
Eber Smart O. Ebere
- 1st Assistant National Sec.
Chief G. C. Ekeodua
- 2nd Assistant National Sec.
Chief D. O. Oduro
- Finance Secretary
Chief P. O. Oduro
- Legal Advisor
Chief F. O. Oduro
- Assistant Legal Advisor
Chief O. Oduro
- Publicity Secretary
Chief L. O. Oduro
- Assistant Publicity Sec.
Chief E. Oduro

To: All Members of P.C.N.I
All Branch of P.C.N.I. World
Chicago Branch of P.C.N.I
Miami Branch of P.C.N.I
Princeton Junction Branch of P.C.N.I
San-Antonio Branch of P.C.N.I

Final Dissolution and withdrawal of charter of Chicago, Miami and Princeton Junction Branches of P.C.N.I

Further to the decision of Central Executive Committee (C.E.C.) on 20th July, 2013 at Dallas Forth-Worth and letters of 7th September, 2013; dissolving the executive committee of Chicago, Miami and Princeton Junction branches pending the review of their status and re-constitution of new executives, the Club at its Annual General Meeting (AGM) held at its International Headquarters, Onitsha on 20th December, 2013, unanimously resolved as follows:

(1) To close down Chicago, Miami and Princeton Junction completely and withdraw and or cancel the Club's charter for

Dissolved

PEOPLES CLUB OF NIGERIA/INTERNATIONAL

CACIT/No. 1298
Registered in Nigeria.

BANKERS:
PNC Bank
Zenith Bank of Nigeria Plc.



MOTTO: UNITY, LOVE & SERVICE

US Serial No. 8816372
Registered in United States.

NIGERIA/INTERNATIONAL HEADQUARTERS:
Onitsha / Owerri Road,
P.O. Box 5421
Onitsha, Anambra State,
Tel: 08037080187, 08066728872.
E-mail: peoplesclubofnigeria@yahoo.com
Website: www.peoplesclubofnigeria.com

Our Ref:

Your Ref:

Date: 15/04/2015

NATIONAL/INTERNATIONAL OFFICERS:

- President
CHIEF SIR J. I. ILONZE
- 1st Vice President
CHIEF ONYEKACHI O. OKORO
- 2nd Vice President
CHIEF R. O. C. EKEDOZIE
- 3rd Vice President
CHIEF SAM NWIGWE
- National Secretary
CHIEF SMART O. EBERE
- 1st Assistant National Sec.
CHIEF C. C. MOJEKWU
- 2nd Assistant National Sec.
LADY DORIS ANYADOR
- Financial Secretary
CHIEF PAULINUS OHYENUFORO
- National Treasurer
CHIEF SIR DR. A. E. OKEKE
- Legal Adviser
CHIEF F. O. ONYEBUEKE
- Assistant Legal Adviser
ANTHONY OFILI EGBUSI (KSM)
- 2nd Assistant Legal Adviser
BARR. OKAY AKPOM
- Publicity Secretary
CAPT. J. O. W. OHYEMA
- Assistant Publicity Sec.
PROF. EMMA OPARA
- Protocol Officer
CHIEF ALVAN OKOYE
- Assistant Protocol Officer
HON. BON IBEKWE
- Welfare Officer
CHIEF GODDY GRANEDO
- Assistant Welfare Officer
LADY RUBY NNADI
- 2nd Assistant Welfare Officer
HZE BON IKWUAGWU
- 3rd Assistant Welfare Officer
BRO. GODWIN ADIEME
- 4th Assistant Welfare
CHIEF S. O. IGBOAMAEZE
- House Master
CHIEF MARTIN EZEKE
- Assistant House Master
CHIEF ERNEST O. UGORJI
- 2nd Assistant House Master
HON. VICTOR IHEZIE
- 3rd Assistant House Master
HON. ANANE OKEKE

To:

- 1) All Branch Chairmen and Secretaries of Peoples Club of Nigeria International
- 2) All members of Peoples Club of Nigeria International
- 3) The General Public



REMINDER: EXPULSION NAMES

This is to remind all members of Peoples Club of Nigeria International and the general public that the persons whose names appears below had since been expelled from the Club on the dates stated opposite their names, viz:

NAMES	DATE OF EXPULSION
1) HRH Eze Desmond Oguguo	7 December 2012
2) Chief Fabian Onwuachu	18 July 2014
3) Mr. Samuel Iwuchukwu	18 July 2014
4) Chief Chika Muonanu	18 July 2014
5) Mr. Christian Ashibogwu	18 July 2014
6) Attorney John Orosanye	18 July 2014
7) Mr. Jackson Iheomamere	18 July 2014
8) Attorney Ike Nwobikeze	18 July 2014
9) Mr. Aloysius Uche Eze	25 October 2013
10) Dr Gordian Ndubuizu	25 October 2013
11) Dr Alphonsus Okpara	25 October 2013
12) Dr Innocent Eke	25 October 2013
13) Dr Fabian Eluma	25 October 2013

The above named expelled members had earlier been warned to refrain and desist from parading themselves as members of Peoples Club of Nigeria International.

Signed:

Hon. Smart Eberé
General Secretary, PCNI.

Chief Sir Joseph I. Ilonze
President, PCNI

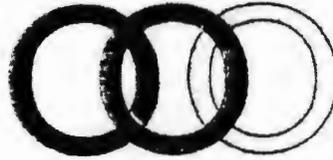
TRUSTEES: HRM Igwe P. C. Ezenwa, Chief J. O. Igwe, Chief E. N. Odillnye, Chief I. Ojukwu Ike, HRM Igwe R. N. Nwankwo, Chief J. C. Okafor, Chief F. N. Okakaeri
Address all correspondence to the General Secretary
honmartebereatmail.com (08066728872)

PEOPLES CLUB OF NIGERIA/INTERNATIONAL

BANKERS:
First Bank of Nigeria Plc.
Union Bank of Nigeria Plc.

(REGISTERED IN NIGERIA)
REG. NO. 1295
NIGERIA FOLDERS

NATIONAL HEADQUARTERS:
Onitsha/Owerri Road
P.O. Box 5421
Onitsha, Anambra State
Tel: 046-322196
E-mail Address: peoplesclubofnigeria@yahoo.com



Our Ref:.....

Your Ref:.....

Date Ref:.....

16th July 2014

NATIONAL/INTERNATIONAL OFFICERS

- President**
Chief Sam Iwuchukwu
- 1st Vice President**
Chief (Dr) S. Ezeabaku
- 2nd Vice President**
Chief (Dr) Chika Monanu
- 3rd Vice President**
Chief (Dr) C. Ashibogu
- National Secretary**
Hon. Alhaji A.N. Obinwa
- 1st Asst. National Secretary**
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Hon Philo Ohat
- 1st National Legal Adviser**
Chief (Barr.) A.E. Enuma
- 2nd National Legal Adviser**
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Chief (Dr) John Oronsaye
- National Treasurer**
Chief Lawrence Iloanya
- National Publicity Secretary**
Chief Kennedy Nwalozie
- Asst. Nat. Publicity Secretary**
Chief Cornelius Umeh
- National Protocol Officer**
Chief Fidelis I. Akupus. JP
- Asst. Nat. Protocol Officer**
Chief Hyacinth Obob
- National Welfare Officer**
Chief Willie Uzo
- Asst. Nat. Welfare Officer**
Mrs Saliy Amazezechi Owarrey
- National House Master**
Chief G. Ikem
- Asst. Nat. House Master**



Petitioners 0236

PEOPLES CLUB OF NIGERIA/INTERNATIONAL

CAC/IT/No. 1295
Registered in Nigeria.



US Serial No. 86116372
Registered in United States.

BANKERS:
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Tel: 08037080187, 08066728872.
E-mail: peoplesclubofnigeria@yahoo.com
Website: www.peoplesclubofnigeria.com

MOTTO: UNITY IS STRENGTH

Our Ref:

Your Ref:

Date: 15/04/2015

NATIONAL INTERNATIONAL OFFICERS

- President
CHIEF SIR J. I. LONZE
- 1st Vice President
CHIEF ONYEKACHI O. OKORO
- 2nd Vice President
CHIEF R. O. C. EKEDOZIE
- 3rd Vice President
CHIEF SAM NWIGWE
- National Secretary
ELDER SMART O. EBERE
- 1st Assistant National Sec.
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CHIEF ERNEST O. UGORJI
- 2nd Assistant House Master
HON. VICTOR IHEZIE
- 3rd Assistant House Master
HON. ANANE OKEKE



IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE FEDERAL HIGH COURT OF AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

SUIT NO: FHC/AWK/CS/ /2013

BETWEEN:

1. Chief Basil Ofole (JP)
2. Chief Dr. Alloysus Uchegbulam Eze
3. Chief Dr. Fabian Eluma
4. Chief (Prof.) Gordian Ndubuizu
5. Chief Engr. Paul N. Ezeuka
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Princeton Junction Branch)
6. Chief, Dr. Alphonsus Okpara
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Houston Branch)
7. Chief, Dr. Evaristus Chidi Nwaogu
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Washington DC Branch)
8. Chief, Dr. Emma Obiesia
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Miami Branch)
9. Captain Henry Onwuachu
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Toronto Branch)
10. Chief, Prof. Innocent Ekeh
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, San Francisco Branch)
11. Chief, Dr. Anayo Ukeje
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Chicago Branch)

Plaintiffs



12. Prof. Chukwuma Achebe
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, San Antonio Branch)
13. Chief Eddie Osuagwu
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Arlington Branch)

AND

1. Hon. Elder Smart O. Ebere
2. Dr. Gabby Nwankwo
3. Chief (Barr.) L. O. Arinze
4. Chief (Barr.) F. O. Onyebueke
5. Chief F. N. Okekearu
6. Chief J. O. Igwe
7. Chief M. O. Arinze
8. Chief (Sir) J. I. Ilonze
9. Chief G. U. Ezeji
10. Ichere Onyekachi Okoro
11. The Incorporated Trustees of People's Club of Nigeria
(The Registered Trustees of People's Club of Nigeria)

Defendants

STATEMENT OF CLAIM

1. The 1st Plaintiff is a member of People's Club of Nigeria while 2nd, 3rd and 4th Plaintiffs are Patrons of the said Club. The 2nd Plaintiff is also known as Dr. Uche Eze. On their own part, the 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th and 13th Plaintiffs are the Branch Chairmen respectively of Princeton Junction Branch, Houston Branch, Washington DC Branch, Miami Branch, Toronto Branch, San Francisco Branch, Chicago Branch, San Antonio Branch and Arlington Branch of Peoples Club. The 5th - 13th Plaintiffs bring this action for themselves and as representing the members of the Executive Committees of their respective branches of Peoples Club of Nigeria.
2. The Plaintiffs are Stakeholders in the affairs of the Club who would desire the smooth and orderly running of the affairs of the club.

3. 1st – 10th Defendants are disgruntled members of Peoples Club who are bent on hijacking the leadership without due regard to the constitution of the club.
4. People's Club of Nigeria is a social Organisation registered under Part C of the Companies and Allied Matters Act, contained in the Laws of Federation of Nigeria Cap C28, 2004 with RC No. 1295. A Certified True Copy of the particulars of trustees of the Peoples Club of Nigeria is hereby pleaded. The Club has its headquarters in Nigeria and has many branches in Nigeria and in Diaspora but the activities of the club including that of its numerous branches are run and/or controlled from the Headquarters in Nigeria.
5. Every member and branch of the club no matter his residence is answerable to and reports back to the Headquarters which is in Nigeria. The said Club has a Constitution duly deposited in the Corporate Affairs Commission upon its application for registration as an Association. The said Constitution clearly delimited and spelt out the offices, functions and duties of the Officers and the officials of the Club. The Plaintiffs plead the said constitution and shall rely on same at the trial.
6. The Plaintiffs are aggrieved by the acts of the 1st – 10th Defendants in jettisoning the Constitution of the Club in purporting to run the affairs of the Club. The Plaintiffs as stakeholders in People's Club of Nigeria are insisting on the implementation of the provisions of the constitution of the club for the smooth and orderly running of the affairs of the club and that insistence on due process has drawn the ire of the 1st – 10th Defendants and their cohorts.
7. Owing to the gimmicks and the unconstitutional acts of the herein 1st – 10th Defendants and other disgruntled members of Peoples Club of Nigeria who are bent on jettisoning the Constitution of the club in purporting to run the affairs of the club, the herein 2nd – 4th Plaintiffs and one Chief Marcel Ananukwa with the active support of a vast majority of the members of the club had instituted an action in Suit No. FHC/AWK/CS/24/2013 Between Chief Marcel Ananukwa & Ors v. HRM Igwe P. C. Ezenwa (MFR) & Ors. The said suit is at the time of filing the present suit pending at Federal High Court, Awka and the subject-matter of the said suit is a challenge to the claims of the therein Defendants to the leadership of the club as trustees and/or officers of the club. A copy of the extant originating processes in the suit is hereby pleaded. The suit seeks, *inter alia*,

- a. Declaration that the National Executive Committee of the club in order to function must include elected National Officers of the Club who should have been elected as provided for in the Constitution of the club.
- b. Declaration that the therein 1st and 3rd Defendants have no powers and/or are not entitled to carry out the functions of the National Executive Committee of the People's Club of Nigeria and that they have no right and are not entitled to issue out documents purporting to be acting for Peoples Club of Nigeria.
- c. **AN INJUNCTION** restraining the therein 1st, 3rd and 5th Defendants either with the active or the passive support of the other Defendants therein from interfering, meddling, usurping, taking over or carrying out the duties of the National Executive Committee of the People's Club of Nigeria.
- d. **AN INJUNCTION** restraining the therein 1st, 2nd, 3rd, 5th, 7th and 8th Defendants from issuing out Notices and/or documents purporting them to be acts of Peoples Club of Nigeria.
- e. **AN ORDER** setting aside as a nullity the purported appointment of the herein 2nd Defendant as the Administrator of the club.
- f. **AN ORDER** setting aside all the acts of the herein 2nd Defendant purported to have been done as the Administrator of Peoples Club of Nigeria from the date of the service of the said suit on him.
- g. **AN ORDER** directing that the herein 2nd Defendant refunds unto the club all monies withdrawn from all or any of the accounts of the club or any sums of money received on behalf of the club since the service of the Originating Processes in the said suit on him.
- h. **AN ORDER** setting aside as a nullity all or any of the acts of the therein 1st, 2nd, 3rd, 5th, 6th, 7th and 8th Defendants or any purported officers of the club acting under the therein 1st, 2nd, 3rd, 5th, 6th, 7th and 8th Defendants purporting those acts to be acts of the National Executive Committee or Board of Trustees/Patrons of the Club.

1. **AN ORDER** restraining the therein Defendants from suspending, expelling, punishing or in any other manner whatsoever, victimizing the Plaintiffs in the said suit and/or their teeming supporters for redressing the grievances pertaining to the dispute in the suit or any other matter related thereto in Court.
8. Upon becoming aware of the pendency of the suit, the herein 1st - 10th Defendants became aggressive against the herein Plaintiffs and other members of the Club.
9. The 1st - 10th Defendants spearheaded by the 1st Defendant are issuing out threats to members of the club who are averse to the Defendants' quest to stifle the club in their strangle-hold. The 1st - 10th Defendants are perfecting a scheme by which they are harassing the Plaintiffs and other members of the club to denounce the action that is pending in court.
10. Immediately upon becoming aware of the said suit, the 1st Defendant issued a letter to all the branches of Peoples Club of Nigeria calling on them to denounce the action already pending in court or face sanctions. The said letter is hereby pleaded.
11. The 1st Defendant has been churning out letters to different members and branches of the club threatening to suspend the members, patrons and/or dissolve the executives of the branches of the Club and also purporting to have suspended and/or dissolved them for supporting the action pending in Court.
12. The branches of Peoples Club of Nigeria which the 1st - 10th Defendants purport to have dissolved and/or threatened to dissolve include Princeton Junction Branch, Houston Branch, Washington DC Branch, Miami Branch, Toronto Branch, San Francisco Branch, Chicago Branch, San Antonio Branch and Arlington Branch.
13. The 1st and 2nd Defendants with the support of 3rd - 10th Defendants authored a letter dated 20/7/2013 in which they purport to have suspended the herein 2nd, 3rd and 4th Plaintiffs from the Club. In the said letter of 20/7/2013 which is hereby pleaded, the 1st - 10th Defendants purport to have taken the decision to suspend the 2nd, 3rd and 4th Plaintiffs in a meeting of a purported Central Executive Committee of Peoples Club.

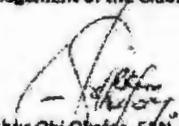
14. The 1st – 10th Defendants have styled themselves the Central Executive Committee, Governing Council and/or President-in-Council of Peoples Club of Nigeria and they are hiding under those aliases to harass members of the Club including the Plaintiffs.
15. There is no office or post under the Constitution of Peoples Club of Nigeria known as or referred to as Governing Council or President In council. There is also no committee under the Constitution of Peoples Club of Nigeria known as or called the Central Executive Committee of Peoples Club.
16. The club is governed by elected officers and not by hand-picked and/or imposed persons. The tenure of the last elected executive officers of the club were prematurely terminated in 2012 and upon the said termination, the herein 1st – 10th Defendants who are angling to hijack the leadership of the club and working in concert with their cohorts do not want the club to elect Executive Officers who will superintend the affairs of the Club. Instead, they contrived the appointment of the 2nd Defendant as the Administrator of the Club. The post of Administrator is not known to the constitution of the club and is part of the gimmicks of the 1st – 10th Defendants and their cohorts to manipulate the affairs of the club and prevent the holding of election to fill in the executive positions in the club.
17. The 1st – 10th Defendants have been meddling in the powers and functions of the President and other elected Executive Officers of the Club with a view to taking over same.
18. The 1st – 10th Defendants purporting to act as Administrators, Governing Council, President-in-Council or Central Executive Committee do not have the power to punish, discipline or suspend any member of Peoples Club of Nigeria especially with the pendency of Suit No. FHC/AWK/CS/24/ 2013 Between Chief Marcel Ananukwa & Ors v. HRM Igwe P. C. Ezenwa (MFR) & Ors.
19. The purported dissolution and/or suspension and threat of dissolution and/or suspension by the 1st – 10th Defendants is null, void and of no effect whatsoever.
20. Unless the Honourable Court intervenes, the 1st – 10th Defendants will continue to act in total disregard of and contrary to the Constitution of People's Club of Nigeria and harassing and witch-hunting the Plaintiffs and other members of the club in general.

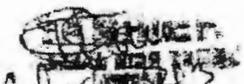
RELIEFS SOUGHT

Whereupon and given the foregoing particulars the Plaintiffs claim *inter-alia* against the Defendants the following Reliefs:

- A. **DECLARATION** that the governing body of the Peoples Club of Nigeria is constituted by the National Executive Committee of the Peoples Club of Nigeria and the general meeting of the Peoples Club of Nigeria.
- B. Declaration that in the absence of constitutionally elected National Officers of Peoples Club of Nigeria, the National Executive Committee and General meeting of the Club of Nigeria cannot lawfully operate as the governing body of the Club.
- C. Declaration that the 1st – 10th Defendants' purported President-in-Council, Governing Council and Central Executive Committee of Peoples Club of Nigeria are unconstitutional contraptions which should not exercise any functions, duties or responsibilities in Peoples Club of Nigeria.
- D. **DECLARATION** that the purported dissolution/suspension and/or threats of dissolution/suspension being issued by the 1st – 10th Defendants against the 5th – 13th Plaintiffs is null, void and of no effect whatsoever.
- E. **AN ORDER** restraining the 1st – 10th Defendants from carrying out the duties of National Executive Committee, suspending members, officers or patrons of the club, dissolving the executives of branches of the Peoples Club or in any other manner whatsoever interfering with the running of the branches of the Clubs or taking out disciplinary measures against members or patrons of the Club and/or undertaking the general management of the Club.

Dated this 30th day of July, 2013


Arthur Obi Okafor, SAN, FCI Arb.
For: Arthur Obi Okafor, SAN & Associates
Counsel to the Plaintiffs/Applicants
Whose Address for service is
No. 2 Elochukwu Street
Off 2nd Army Gate Barracks Gate
Onitsha


6/30/13
#1; 650-50
CRNW 1944825

For Service on:
1st - 11th Defendants
Peoples Club Secretariat
Onitsha - Owerri Road
Onitsha.

**IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE FEDERAL HIGH COURT OF AWKA JUDICIAL DIVISION
HOLDEN AT AWKA**

SUIT NO: FHC/AWK/CS/ /2013

BETWEEN:

1. Chief Basil Ofole (JP)
2. Chief Dr. Alloysus Uchegbulam Eze
3. Chief Dr. Fabian Eluma
4. Chief (Prof.) Gordian Ndubulzu
5. Chief Engr. Paul N. Ezeuka
*(For himself and as representing members
of the Executive Committee of Peoples
Club of Nigeria, Princeton Junction Branch)*
6. Chief, Dr. Alphansus Okpara
*(For himself and as representing members
of the Executive Committee of Peoples
Club of Nigeria, Houston Branch)*
7. Chief, Dr. Evaristus Chidi Nwaagu
*(For himself and as representing members
of the Executive Committee of Peoples
Club of Nigeria, Washington DC Branch)*
8. Chief, Dr. Emma Obiesie
*(For himself and as representing members
of the Executive Committee of Peoples
Club of Nigeria, Miami Branch)*
9. Captain Henry Onwuachu
*(For himself and as representing members
of the Executive Committee of Peoples
Club of Nigeria, Toronto Branch)*
10. Chief, Prof. Innocent Ekeh
*(For himself and as representing members
of the Executive Committee of Peoples
Club of Nigeria, San Francisco Branch)*
11. Chief, Dr. Anayo Ukeje
*(For himself and as representing members
of the Executive Committee of Peoples
Club of Nigeria, Chicago Branch)*

Plaintiffs

12. Prof. Chukwuma Achebe
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, San Antonio Branch)
13. Chief Eddie Osuagwu
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Arlington Branch)

AND

1. Hon. Elder Smart O. Ebere
2. Dr. Gabby Nwankwo
3. Chief (Barr.) L. O. Arinze
4. Chief (Barr.) F. O. Onyebueke
5. Chief F. N. Okekearu
6. Chief J. O. Igwe
7. Chief M. O. Arinze
8. Chief (Sir) J. I. Ilonze
9. Chief G. U. Ezeji
10. Ichere Onyekachi Okoro
11. The Incorporated Trustees of People's Club of Nigeria
(The Registered Trustees of People's Club of Nigeria)

Defendants

STATEMENT ON OATH OF CHIEF BASIL OFOLE

I, CHIEF BASIL OFOLE, Male, Nigerian Citizen, Christian, Businessman of No. 19 Francis Street, Onitsha, Anambra State of Nigeria do hereby make oath and state that:

1. I am a member of People's Club of Nigeria while 2nd, 3rd and 4th Plaintiffs are Patrons of the said Club. The 2nd Plaintiff is also known as Dr. Uche Eze. On their own part, the 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th and 13th Plaintiffs are the Branch Chairmen respectively of Princeton Junction Branch, Houston Branch, Washington DC Branch, Miami Branch, Toronto Branch, San Francisco Branch, Chicago Branch, San Antonio Branch and Arlington Branch of Peoples Club. The 5th - 13th Plaintiffs bring this action for themselves and as representing the members of the Executive Committees of their respective branches of Peoples Club of Nigeria.

2. The Plaintiffs are Stakeholders in the affairs of the Club and desire the smooth and orderly running of the affairs of the club.
3. 1st – 10th Defendants are disgruntled members of Peoples Club who are bent on hijacking the leadership without due regard to the constitution of the club.
4. People's Club of Nigeria is a social Organisation registered under Part C of the Companies and Allied Matters Act, contained in the Laws of Federation of Nigeria Cap C28, 2004 with RC No. 1295. We shall at the trial rely on Certified True Copy of the particulars of trustees of the Peoples Club of Nigeria.
5. The Club has its headquarters in Nigeria and has many branches in Nigeria and in Diaspora but the activities of the club including that of its numerous branches are run and/or controlled from the Headquarters in Nigeria.
6. Every member and branch of the club no matter his residence is answerable to and reports back to the Headquarters which is in Nigeria. The said Club has a Constitution duly deposited in the Corporate Affairs Commission upon its application for registration as an Association. The said Constitution clearly delimited and spelt out the offices, functions and duties of the Officers and the officials of the Club. The Plaintiffs shall rely on the said constitution at the trial.
7. The Plaintiffs are aggrieved by the acts of the 1st – 10th Defendants in jettisoning the Constitution of the Club in purporting to run the affairs of the Club. The Plaintiffs as stakeholders in People's Club of Nigeria are insisting on the implementation of the provisions of the constitution of the club for the smooth and orderly running of the affairs of the club and that insistence on due process has drawn the ire of the 1st – 10th Defendants and their cohorts.
8. Owing to the gimmicks and the unconstitutional acts of the herein 1st – 10th Defendants and other disgruntled members of Peoples Club of Nigeria who are bent on jettisoning the Constitution of the club in purporting to run the affairs of the club, the herein 2nd – 4th Plaintiffs and one Chief Marcel Ananukwa with the active support of a vast majority of the members of the club had instituted an action in Suit No. FHC/AWK/CS/24/2013 Between Chief Marcel Ananukwa & Ors v. HRM Igwe P. C. Ezenwa (MFR) & Ors.
9. The said suit is at the time of filing the present suit pending at Federal High Court, Awka and the subject-matter of the said suit is a challenge to the

claims of the therein Defendants to the leadership of the club as trustees and/or officers of the club. A copy of the extant originating processes in the suit shall be relied upon at the trial. The suit seeks, *inter alia*,

- a. Declaration that the National Executive Committee of the club in order to function must include elected National Officers of the Club who should have been elected as provided for in the Constitution of the club.
- b. Declaration that the therein 1st and 3rd Defendants have no powers and/or are not entitled to carry out the functions of the National Executive Committee of the People's Club of Nigeria and that they have no right and are not entitled to issue out documents purporting to be acting for Peoples Club of Nigeria.
- c. **AN INJUNCTION** restraining the therein 1st, 3rd and 5th Defendants either with the active or the passive support of the other Defendants therein from interfering, meddling, usurping, taking over or carrying out the duties of the National Executive Committee of the People's Club of Nigeria.
- d. **AN INJUNCTION** restraining the therein 1st, 2nd, 3rd, 5th, 7th and 8th Defendants from issuing out Notices and/or documents purporting them to be acts of Peoples Club of Nigeria.
- e. **AN ORDER** setting aside as a nullity the purported appointment of the herein 2nd Defendant as the Administrator of the club.
- f. **AN ORDER** setting aside all the acts of the herein 2nd Defendant purported to have been done as the Administrator of Peoples Club of Nigeria from the date of the service of the said suit on him.
- g. **AN ORDER** directing that the herein 2nd Defendant refunds unto the club all monies withdrawn from all or any of the accounts of the club or any sums of money received on behalf of the club since the service of the Originating Processes in the said suit on him.
- h. **AN ORDER** setting aside as a nullity all or any of the acts of the therein 1st, 2nd, 3rd, 5th, 6th, 7th and 8th Defendants or any purported officers of the club acting under the therein 1st, 2nd, 3rd, 5th, 6th, 7th

and 8th Defendants purporting those acts to be acts of the National Executive Committee or Board of Trustees/Patrons of the Club.

- i. AN ORDER restraining the herein Defendants from suspending, expelling, punishing or in any other manner whatsoever, victimizing the Plaintiffs in the said suit and/or their teeming supporters for redressing the grievances pertaining to the dispute in the suit or any other matter related thereto in Court.
10. Upon becoming aware of the pendency of the suit, the herein 1st - 10th Defendants became aggressive against the herein Plaintiffs and other members of the Club.
11. The 1st - 10th Defendants spearheaded by the 1st Defendant are issuing out threats to members of the club who are averse to the Defendants' quest to stifle the club in their strangle-hold. The 1st - 10th Defendants are perfecting a scheme by which they are harassing the Plaintiffs and other members of the club to denounce the action that is pending in court.
12. Immediately upon becoming aware of the said suit, the 1st Defendant issued a letter to all the branches of Peoples Club of Nigeria calling on them to denounce the action already pending in court or face sanctions. The said letter is hereby pleaded.
13. The 1st Defendant has been churning out letters to different members and branches of the club threatening to suspend the members, patrons and/or dissolve the executives of the branches of the Club and also purporting to have suspended and/or dissolved them for supporting the action pending in Court.
14. The branches of Peoples Club of Nigeria which the 1st - 10th Defendants purport to have dissolved and/or threatened to dissolve include Princeton Junction Branch, Houston Branch, Washington DC Branch, Miami Branch, Toronto Branch, San Francisco Branch, Chicago Branch, San Antonio Branch and Arlington Branch.
15. The 1st and 2nd Defendants with the support of the 3rd - 10th Defendants authored a letter dated 20/7/2013 in which they purport to have suspended the herein 2nd, 3rd and 4th Plaintiffs from the Club. In the said letter of 20/7/2013 which is hereby pleaded, the 1st - 10th Defendants purport to

have taken the decision to suspend the 2nd, 3rd and 4th Plaintiffs in a meeting of a purported Central Executive Committee of Peoples Club:

16. The 1st – 10th Defendants have styled themselves the Central Executive Committee, Governing Council and/or President-in-Council of Peoples Club of Nigeria and they are hiding under those aliases to harass members of the Club including the Plaintiffs.
17. There is no office or post under the Constitution of Peoples Club of Nigeria known as or referred to as Governing Council or President in council. There is also no committee under the Constitution of Peoples Club of Nigeria known as or called the Central Executive Committee of Peoples Club.
18. The club is governed by elected officers and not by hand-picked and/or imposed persons. The tenure of the last elected executive officers of the club were prematurely terminated in 2012 and upon the said termination, the herein 1st – 10th Defendants who are angling to hijack the leadership of the club and working in concert with their cohorts do not want the club to elect Executive Officers who will superintend the affairs of the Club. Instead, they contrived the appointment of the 2nd Defendant as the Administrator of the Club. The post of Administrator is not known to the constitution of the club and is part of the gimmicks of the 1st – 10th Defendants and their cohorts to manipulate the affairs of the club and prevent the holding of election to fill in the executive positions in the club.
19. The 1st – 10th Defendants have been meddling in the powers and functions of the President and other elected Executive Officers of the Club with a view to taking over same.
20. The 1st – 10th Defendants purporting to act as Administrators, Governing Council, President-in-Council or Central Executive Committee do not have the power to punish, discipline or suspend any member of Peoples Club of Nigeria especially with the pendency of Suit No. FHC/AWK/CS/24/ 2013 Between Chief Marcel Ananikwa & Ors v. HRM Igwe P. C. Ezenwa (MFR) & Ors.
21. The purported dissolution and/or suspension and threat of dissolution and/or suspension by the 1st – 10th Defendants is null, void and of no effect whatsoever.
22. Unless the Honourable Court intervenes, the 1st – 10th Defendants will continue to act in total disregard of and contrary to the Constitution of

People's Club of Nigeria and harassing and witch-hunting the Plaintiffs and other members of the club in general.

23. The Plaintiffs shall at the trial claim the reliefs contained in their Statement of Claim.

24. I depose to this affidavit in good faith, conscientiously believing the contents to be true and correct to the best of my knowledge and in accordance with the Oaths Act.


DEPONENT

Sworn to at the Federal High Court registry

This _____ day of _____ 2013

Before me

Commissioner for Oaths

People's Club of Nigeria and harassing and witch-hunting the Plaintiffs and other members of the club in general.

23. The Plaintiffs claims *inter-alia* against the Defendants the following Reliefs:

- a. **DECLARATION** that the governing body of the Peoples Club of Nigeria is constituted by the National Executive Committee of the Peoples Club of Nigeria and the general meeting of the Peoples Club of Nigeria.
- b. **DECLARATION** that in the absence of constitutionally elected officers of Peoples-Club of Nigeria, the National Executive Committee and General meeting of the Club of Nigeria cannot lawfully operate as the governing body of the Club.
- c. **DECLARATION** that the 1st – 10th Defendants' purported President-in-Council, Governing Council and Central Executive Committee of Peoples Club of Nigeria are unconstitutional contraptions which should not exercise any functions, duties or responsibilities in Peoples Club of Nigeria.
- e. **DECLARATION** that the purported dissolution/suspension and/or threats of dissolution/suspension being issued by the 1st – 10th Defendants against the 5th – 13th Plaintiffs is null, void and of no effect whatsoever.
- f. **AN ORDER** restraining the 1st – 10th Defendants from carrying out the duties of National Executive Committee, suspending members, officers or patrons of the club, dissolving the executives of branches of the Peoples Club or in any other manner whatsoever interfering with the running of the branches of the Clubs or taking out disciplinary measures against members or patrons of the Club and/or undertaking the general management of the Club.

DEPONENT

Sworn to at the Federal High Court registry

This day of 2013

Before me

Commissioner for Oaths

15

07115

GENERAL INFORMATION

CERTIFICATE NO.	INCORPORATED TRUSTEE NAME	DATE REGISTERED	ADDRESS	CLASSIFICATION
1293	PEOPLES CLUB OF NIG.	1971	1937, MARTIN STR., 5TH FLOOR LAGOS LAGOS	BUSINESS

AIMS AND OBJECTIVES

NAME	ADDRESS	NATIONALITY	OCCUPATION
D. I. UMEZUKE	ALONG ONITSHA OWERI ROAD	NIGERIAN	BUSINESS
L. N. C. EZENWA	ONITSHA ONITSHA ANAMBRA		BUSINESS
P. P. B. C. NWANKWO	ALONG ONITSHA OWERI ROAD		BUSINESS
AUGUSTINE R. OGBURN	ONITSHA ONITSHA ANAMBRA		BUSINESS
L. I. AKWEREKWU	ALONG ONITSHA OWERI ROAD NIGERIAN		BUSINESS
C. N. OBIOMA	ONITSHA ONITSHA ANAMBRA		BUSINESS
C. MOORE OBIOMA	ALONG ONITSHA OWERI ROAD NIGERIAN		BUSINESS
EZEDES OGBOLUA	ONITSHA ONITSHA ANAMBRA		BUSINESS

PARTICULARS OF THE TRUSTEES OF PEOPLES CLUB OF NIG.

PREVIOUS NAME	NEW NAME	DATE OF CHANGE	REASON

INITIAL ADDRESS

1. HISTORY OF CHANGE OF ADDRESS OF PEOPLES CLUB OF NIG.
 1937, MARTIN STR., 5TH FLOOR LAGOS LAGOS LAGOS

NAMES OF OLD TRUSTEES

2. PARTICULARS OF CHANGE OF TRUSTEES
 NAMES OF NEW TRUSTEES DATE OF CHANGE

REASON FOR ALTERATION/AMENDMENT OF CONSTITUTION

3. PARTICULARS OF ALTERATION/AMENDMENT OF CONSTITUTION
 DATE OF ALTERATION/AMENDMENT

YEARS FILED

DATE OF DISSOLUTION

Notarized True Copy

Notarized True Copy

PEOPLE'S CLUB OF NIGERIA
CONSTITUTION

NAME:

The Club shall be known as and called "THE REGISTERED TRUSTEES OF PEOPLE'S CLUB OF NIGERIA".

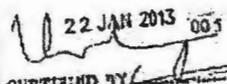
AIMS & OBJECTS:

The Club is a social organisation and as such its aims and objects shall be-

- (a) To provide and promote recreational and social amenities, activities for, and understanding among, its members in particular and the members of the public in general;
- (b) To provide club houses at various branches of the Club;
- (c) To provide and establish social, welfare and entertainment centres and institutions for the members in particular and the community in general;
- (d) To provide members with benefits where necessary such as assistance and relief in sickness, accidents, disability and distress;
- (e) To make periodic contributions for the advancement and promotion of charitable or benevolent activities and organisations in the country;
- (f) To affiliate or co-operate with any other social clubs in this country having similar aims and objects as People's Club of Nigeria;
- (g) To create and encourage the creation of an endowment fund and to raise fund either by borrowing or by fund-raising activities within the limits permitted by law for the purpose of carrying out all or any of the above mentioned objects.

HEADQUARTERS:

The Headquarters of the Club shall situate at Onitsha or at any other place as may from time to time be decided at Annual General Meetings.

CORPORATE AFFAIRS COMMISSION
 CERTIFIED TRUE COPY
 22 JAN 2013 005
 CERTIFIED BY 

OFFICERS:

The Club shall have the following officers:-

1. Elected Officers:

- (a) President (Chairman)
- (b) 1st Vice President
- (c) 2nd Vice President
- (d) 3rd Vice President
- (e) 1st National Legal Adviser
- (f) 2nd National Legal Adviser
- (g) National Secretary
- (h) 1st National Assistant Secretary
- (i) 2nd National Assistant Secretary
- (j) National Financial Secretary
- (k) National Treasurer
- (l) National Publicity Secretary
- (m) National Protocol Officer
- (n) National Assistant Protocol Officer
- (o) National Welfare Officer
- (p) National Assistant Welfare Officer
- (q) National House Master
- (r) National Assistant House Master

ii. Officers appointed by National Executive Committee Every Year:

A u d i t o r s.

iii. Patrons who are special officers for life nominated by branches or who are retired National Presidents after two terms or officers of 3 years each and approved by the National Executive. They are free to choose any name on installation.

iv. Officers appointed by General Meetings:
The Registered Trustees of the Club.

v. Special National Officers.

5. DUTIES OF OFFICERS:

i. Elected Officers:

- (a) President: He shall direct the affairs of the Club and preside at all the general, executive and extra ordinary general meetings and other social engagements of the Club which are on National level. He shall have a casting vote at meetings.

CONFIRMED BY
22 JAN 2013 005

- (b) Vice President: There shall be three Vice Presidents in the order of 1st, 2nd and 3rd Vice Presidents. Not more than one Vice President shall be elected from one branch and none shall be elected from the branch from which the President is elected. They shall assist the President and deputize for him in his absence.
- (c) National Legal Advisor: There shall be two National Legal Advisors, 1st and 2nd National Legal Advisors. They shall advise the executive in particular and the club in general on all legal and constitutional issues affecting the Club. They shall be ex-officio members of any Committee, Ad-hoc or otherwise established by the National Executive Committee.
- (d) National Secretary: He shall be responsible for the Secretarial duties of the Club and in particular record minutes of all the meetings of the Club, deal with correspondence and shall submit annual written report approved by the National Executive Committee on the activities of the Club.
- (e) 1st and 2nd Assistant National Secretaries: There shall be two Assistant National Secretaries. They shall assist the National Secretary and deputize for him in his absence.
- (f) National Financial Secretary: He shall be responsible for collecting monies payable to the Club, issuing receipts and paying sums over to the National Treasurer. He shall be responsible for proper recording of income and expenditures of the Club, and shall prepare an annual financial statement of account. It shall be his duty to notify branches of any default on their part to pay any outstanding dues. He shall at the request of any Auditor or Auditor appointed by the Club produce his books for inspection and audit.

Approved by the National Executive Committee
Date: 11/11/2011
Signature: [Signature]

National Treasurer: He shall receive and issue receipts for all monies of the Club collected through the National Financial Secretary. He shall keep a cash book in plain and correct figures. He shall keep the custody of all the Club Bank Books. He shall produce his cash book for auditing together with all other relevant papers, at the request of any Auditor or Auditors appointed by the Club.

(h) National Publicity Secretary: He shall be responsible for issuing releases on behalf of the Club. He shall publicize and issue press releases in respect of all matters approved by the Club or the National Executive Committee.

(i) National Protocol Officer and His Assistants: They shall be responsible for accommodation of National Officers and Executives as well as general maintenance of order and order of protocol or sitting arrangements at all National meetings, banquets and functions, engagements including funeral ceremonies, installation of Patrons and other occasions when the National body is required to attend as such. They have no right to interfere in branch functions including initiation ceremonies unless requested by the branch.

(j) National Welfare Officer and His Assistants: They shall be responsible for the welfare of the Club members which includes ensuring that adequate food, drink and victuals are provided and properly and fairly distributed at all National banquets, functions and engagements including funeral ceremonies, funeral ceremonies, installation of Patrons and other occasions when the National body is required to attend as such. They have no right to interfere in branch functions including initiation ceremonies unless requested by the branch. They shall account for any surplus of drinks during National functions.

(k) National House Warden and Assistants: They shall be responsible for maintenance of law and Order at the National Executive and General Meetings and security of members and their vehicles at all engagements of the National body. They shall cooperate with the National Welfare Officers in ensuring proper custody of Club's property.

Officers to be Appointed by National Executive Committee

Auditors: Competent members shall be appointed before the end of every year and before the annual General Meeting by the Executive Committee to audit the books of the Club. They shall submit their report for debate at the annual general meeting of the Club.

iii. Patrons:

Special Officers for Life:

- (a) Any financial and active member certified as such by his branch and has been a member of the Club for not less than five years may apply through his branch to the National Executive for the office of Patron.
- (b) On receipt of the application, the National Secretary shall present the application to the next meeting of the National Executive Committee for consideration.
- (c) In considering the application, the National Executive shall take into consideration the following factors:-
 - (i) The applicant's character and social status.
 - (ii) His contributions to the Club.
- (d) The number of Patrons at any given time shall not exceed 12, without prejudice to the appointment of Retired Presidents, National Lord or any special concession by the National Executive.
- (e) There shall be no branch Patrons.
- (f) A Patron shall not hold any elective office of the Club except the office of Trustee.
- (g) A retired President as stated above shall be conferred with a title of Patron as mark of honour for his meritorious services to the Club at a ceremony to be arranged by the National Executive Committee. He shall however pay a token fee for registration of his title as may be decided by the National Executive Committee.

iv. The Registered Trustees of the Club: They shall be members of the National Executive Committee and may hold any other office.

6. ADMISSION OF NEW MEMBERS:

- (i) Admission of new members shall be at the branch level but before

admitting any new members the branch shall ensure that the applicant satisfies the following conditions:-

- (a) He must be over 21
- (b) He has a visible means of livelihood
- (c) His character is unquestionable
- (d) He has never been convicted of a criminal offence involving fraud or dishonesty.
- (e) No female applicant can be admitted unless she is single or has been legally divorced from her husband or her husband is dead.
- (f) Both husband and wife cannot be full members of the People's Club as herein defined.
- (g) When a man marries a woman who becomes a member of People's Club after the date of coming into effect of this Constitution the woman shall renounce her membership in favour of her husband failing which she will be expelled.
- (h) She is not a former wife of a member.

Procedure & Induction Ceremony:

Every candidate for membership shall be proposed on the Club's approved form and seconded by at least two members of the Club. Thereafter, if his/her candidature is approved by the branch to which he/she applies for membership, he/she shall be admitted after induction ceremonies of the branch.

ii) Registration of New Members:

On admission, the new member shall be registered with the branch with the National Secretariat.

ELECTION OF OFFICERS:

Every office except those of Auditors, Patron, Treasurer and Executive Election of officers shall be by secret ballot after the reports of the Auditors, the Secretary and the National President. Any vacant position in the course of the three years shall be filled at the next immediate annual general meeting but the National Executive Committee may, before the Annual General Meeting appoint any acting officer.

...../7-

OFF OFFICERS:

Every elected officer holds office for three years from the Annual General Meeting at which all officers are elected to the third General Meeting after that but would be eligible to offer himself for re-election for another term of office of three years.

- i) Except for the Trustees, an elected officer can hold the same office for more than two terms of office of three years each, save that a National President who has held office previously for successive two terms of three years each, shall be conferred with title of Patron in compensation for his services. Other officers can after two successive terms of office in the same office vie for election into a different office. The provision of this section shall not have retrospective effect. Hence, the two terms of office shall have effect from the date of approval of this amendment unless a particular officer decides not to offer himself for re-election.
- ii) The first set of the National Officers shall in relinquishing their office under the provisions of this section be appointed permanent members of the National Executive Committee of the Club and designated 'Special National Officers' as a mark of recognition of their contributions to the founding of the Club.
- (iv) The provisions of sub section (i-iii) above shall mutatis mutandis apply to branch officers except that every passing branch Chairman and Secretary shall remain a member of the branch Executive Committee.

QUALIFICATION FOR ELECTION INTO THE VARIOUS OFFICES AT THE NATIONAL LEVEL

- (a) The Club adopts generally the principle of seniority based on the date of admission into the Club.
- (b) To qualify for various National Offices, the candidates must satisfy the following conditions:
 - (i) Generally they must possess certificates from those branches of being Active and Financial members of their branches.

COMPANY AND SECURITIES
 CERTIFIED TRUE COPY
 22 JAN 2013 025
 CERTIFIED BY

- (ii) For the post of President and Vice Presidents, they must have been active and financial members of the Club for a minimum period of five years.
- (iii) Other elective offices - a minimum period of five years.
- (iv) Partners and Trustees - a minimum period of five years.
- (v) Branch Chairmen and their officers who are members of the National Executive by virtue of their position at the branch, if they have not been members of the Club for a minimum period of three years shall not be entitled as of right to seats at the restaurant during functions unless there is ample space.

0. DISQUALIFICATION OF NATIONAL OFFICERS:

A National Officer shall cease to hold office before the expiration of a term of three years if he:-

- (i) Resigns his office;
- (ii) Becomes insane;
- (iii) Is officially declared bankrupt;
- (iv) Is convicted of a criminal offence involving fraud or dishonesty by a Court of competent jurisdiction;
- (v) He is recommended by the National Executive for removal from office and such recommendation is carried by a two-third majority vote of the members present at the next General Meeting;
- (vi) He ceases to reside in Nigeria;
- (vii) He is found guilty of misconduct by his branch and a report of the finding is made to the National Executive which is voted with power to uphold the decision of the branch. This section applies if the National Executive upholds the findings of the branch.

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CONSTITUTION:

(a) National Executive Committee:

The National Executive Committee shall consist of all the officers, Trustees, Patrons and one representative from each branch for the first 100 or less and one additional representative for every other hundred. The list of the branch executives shall be deposited with the Secretary and renewed as the branches may from time to time decide. The Executive Committee shall have powers to deal with the following matters:-

- (i) Resolution of disputes between branches and in case of individuals by way of petitions from branch decisions.
- (ii) General Management of the Club on national level including dealing with such matters as may be specifically referred to it by the General Meeting. Its decisions are, except in cases of emergency and in all non-constitutional matters, subject to ratification by the General Meeting.

(b) Ad Hoc Committees: Ad Hoc Committees may be set up at the General Meetings or by the Executive Committee to deal with such matters as may be referred to them and shall stand dissolved on submission of their reports unless re-appointed for the same matter or any other matters. Their powers shall be limited to the terms of reference on appointment.

(c) National Advisory Committee: National Advisory Committee is to advise the National Executive Committee on all financial matters. It is also the Finance Committee of the Club and in that capacity takes responsibility for the management of the Club which includes raising, collecting, controlling and investing all Club's funds. Their decisions are subject to verification by the National Executive Committee except in cases of emergency. The membership shall be limited to the National President, Vice President, Trustees, Patrons, Legal Advisor and his Assistant, National Secretary, National Treasurer, National Financial Secretary and three other

...../10.

members of the Club as-upted by the National Advisory Committee.

- (a) Committee of Registered Trustees: The Registered Trustees of the Club shall be responsible for the overall management of all the Club's real properties and for that purpose they shall be constituted into a Committee of the Club and shall hold meetings at least twice in a year.

12. M E E T I N G S:

- (a) Annual General Meetings: Annual General Meetings shall be held once a year in the month of October at the Club Headquarters at Onitsha. At least twenty-one (21) days written notice of Annual General Meeting of the Club shall be given to all members through their branches by the National Secretary in addition to publication in Daily Newspaper to be approved by the National Executive Committee.

(b) Quorum at Meetings:

- (i) General Meetings: A number of members not less than 100 present within 30 minutes after the scheduled time for the meeting shall form a quorum provided that such members represent not less than 2/3 (two-thirds) of the number of all the branches of the Club.

- (c) Extra Ordinary General Meetings: Extraordinary General Meetings of all the members shall, subject to condition (14) days notice be summoned by the General Secretary on the order of the National Executive or National President.

- (d) National Executive Committee Meeting: National Executive Committee meeting shall be held at such time and place as the President shall decide.

CORPORATE AFFAIRS COMMITTEE
 22 JAN 2013 005
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13. T R U S T E E S:

- (a) The Trustees of the People's Club of Nigeria for the purposes of the Land (Perpetual Succession) Act, Chapter 98 shall be appointed at a General Meeting of which at least 14 days notice was given.

...../11

Quorum at such meeting shall be any number of members not less than one hundred (100) present fifteen minutes after the scheduled time for opening the meeting. Such Trustees hereinafter referred to as "THE TRUSTEES" shall be six in number and shall be known as "THE REGISTERED TRUSTEES OF THE PEOPLE'S CLUB OF NIGERIA."

In the absence of any act of misbehaviour or disqualification (c) hereunder every trustee shall be entitled to be re-appointed for another period of 5 years after the expiration of the previous period of five years.

(c) The Trustees may hold office for five (5) years but a Trustee shall cease to hold office if he:-

- (i) Resigns his office.
- (ii) Ceases to be a member of the registered Trustees of the People's Club of Nigeria.
- (iii) Becomes insane.
- (iv) Is officially declared bankrupt.
- (v) Is convicted of a criminal offence involving dishonesty by a Court of competent jurisdiction.
- (vi) Is recommended for removal from office by a resolution (2/3) majority vote of members present at any General Meeting of the People's Club of Nigeria.
- (vii) Ceases to reside in Nigeria.

(d) Upon a vacancy occurring in the number of Trustees, a General meeting will be held to appoint another Trustee of the People's Club of Nigeria.

(e) The Trustees shall have a Common Seal.

(f) Such Common Seal will be kept in the custody of the Secretary who shall produce it when required for use by the Trustees.

(g) All documents to be executed by the Trustees shall be signed by at least any four of them and sealed with the Common Seal.

(h) The Trustees shall apply to the Minister for Certificate of Incorporation under the Land (Perpetual Succession) Act, Chapter 96.

FOR THE TRUSTEES OF
 CERTIFIED TRUE COPY
 22 JAN 2013
 CERTIFIED BY

(ii) If such certificate is granted, the Trustees shall have power to accept and hold in trust, all funds belonging to the People's Club of Nigeria subject to such conditions as the Minister may impose.

11. BANKERS:

The Club shall appoint one or more Banks as the Bankers to the Club. All funds received by the National Treasurer shall immediately be paid into the account of the Club at nominated branch of the Bankers of the Club. The National Treasurer shall keep in his personal custody at any time not more than ₦100.00 (five hundred naira) as Impress Account for meeting emergency expenses.

12. SIGNATURES TO THE BANK ACCOUNTS:

The President, 1st Vice-President, the National Secretary and the National Treasurer shall be the signatories to the Club's Bank Accounts. Withdrawals from the Club's Bank Accounts shall be on the signature of the President and any one of the other signatories. In the absence of the President, absent or through illness, the 1st Vice-President shall sign in his place. When none of the signatories mentioned above is a Trustee, one of the Trustees must be appointed by the National Executive as one of the signatories to the account.

13. MEMBERS & PRIVILEGES:

(a) Full Members: Full members are ~~entitled~~ ^{entitled} to their own rights who are entitled to all the ~~rights~~ ^{rights} and privileges provided in the Constitution.

(b) Honorary Members: Wives of full members shall be ~~admitted~~ ^{admitted} as honorary members. They shall be ~~exempted~~ ^{exempted} from contribution of all dues of the Club. They ~~are not permitted~~ ^{are not permitted} to attend the meetings of the Club but they may attend at all social ceremonies and other engagements of the Club. On the death of their husbands, honorary members may apply to become full members and the branch may admit them if satisfied on their payment of National Registration Fee. They are not required to pay any further fee or go through induction ceremony.

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22 JAN 2013

(c) Recognition of Honorary Members: The Club shall recognize one wife of a member in case of a member having more than one wife as an honorary member.

LOSS OF MEMBERSHIP & DISCIPLINE OF THE CLUB:

A member shall lose his benefits and membership of the Club in the following ways:-

- (i) Resignation: He resigns from the Club.
- (ii) Expulsion: A member shall be expelled from the Club on the following grounds if he/she:-
 - (i) Ceases to be a financial member of his branch for a period of one year.
 - (ii) Regularly absents himself from the meetings and other engagements of the branch Club for a period of one year without acceptable excuse.
 - (iii) He defrauds, dupes, cheats, deceives or makes false claims or declaration to any member of the Club or the Club itself.
 - (iv) Does anything which is calculated to bring the Club in disrepute or if by his conduct the Branch shall be of the opinion that he is thereby rendered unfit for membership of the Club. Before any such member is expelled the Secretary of the Branch shall give him at least seven days written notice to attend a general meeting of the branch at which the causes of the complaints against him shall be discussed. If the member shall be expelled without first having an opportunity of appearing before the branch at its general meeting and answering the complaints made against him, he shall nevertheless be expelled if after receiving the notice of the meeting at which the complaints against him shall be discussed he shall fail to attend the meeting.

Resignation, suspension or expulsion of a full member carries with it the resignation, suspension or expulsion of his wife. On resignation, suspension or expulsion, the member shall forfeit all contributions he must have made to the Club. Letters of resignation shall be submitted to and accepted by branches. Right of publication and acceptance of resignation shall be exercised by the branches with notice to the National Secretary for information of other branches.

18. SUSPENSION OF MEMBERS:

- (a) A member may be suspended indefinitely for a breach of any of the provisions of the constitution.
- (b) A suspended member and his wife shall not be entitled to the benefits, rights and privileges conferred on him by this Constitution during the period of his suspension.
- (c) Notice of suspension of a member shall be given by the branch suspending him to the National Secretary who, soon after receipt of such notice, inform all the branches of the suspension of the member.
- (d) A member suspended or expelled from the Club can appeal against the decision of the branch suspending or expelling him to the National Executive Committee by way of petition within two months of his suspension or expulsion. The National Executive Committee after considering the petition including direct evidence from the suspended or expelled member shall refer the case to the next general meeting or rejection to the next general meeting and the decision of which on the case shall be final.

CORPORATE AND ASSOCIATION
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19. DEATH OF MEMBERS:

- (1) On the death of a member or his wife he/she belongs shall immediately inform the branch of the funeral arrangements and all members shall endeavour to attend the funeral. The primary responsibility for arrangements on such funerals shall be that of the branch.

(ii) Comorancers: Where a man who is a full member of the Club dies at the same time with his wife, the Club shall be bound to make only one contribution and amount one funeral death benefit shall be paid to the next of kin as if only one of them had died.

(iii) On the death of a member or his wife, the surviving husband or wife or in the absence of either, the next of kin of the deceased shall be given of the funeral, customary the cash death benefit in trust for himself or herself and all the children of the deceased.

20. APPLICATION OF CLUB FUNDS OR MONIES:

(a) No money or property of the Club or any gain arising from the carrying on of the Club shall be applied otherwise than for the benefit of the Club as a whole or for such charitable or benevolent purposes or purposes chosen by the resolution of Annual General Meeting or by the National Executive Committee.

(b) Investment of the Club's Funds: The National Executive Committee shall have power to invest the funds of the Club in any way considered by it to be in the best interest of the Club as a whole.

21. ESTABLISHMENT OF BRANCHES:

Branches of the Club may be established in any State of the Federation of Nigeria provided that the number of members of any branch shall not be less than fifty and that at least fifty of them must have been active members of the Club or some of its branches. The proposed Chairman of the new Club must have been a member of another existing branch of the Club for a minimum period of three years and must present a certificate from his former branch that he has been an active and continuous member of the branch. The fifty people who have satisfied the above requirements shall write the National Secretary indicating their intention to form a branch of the Club.

CORPORATE SECRETARY
CERTIFIED TRUE

On receipt of such letter, the National Secretary shall present it to the National Executive Committee for consideration and approval. Before considering the letter, the Executive Committee must approve of the candidatures of the intending members. If the executive approves the candidatures of the intending members, it shall give approval for the establishment of the branch on a date to be advised to the intending members. The Executive Committee shall be fully represented on the establishment ceremony of the new branch and shall also present instruments establishing the branch as one of the branches of the Club and instruct the new members on payment of their respective minimum membership fees, National registration fees and other induction fees. Thereafter, the National Secretary shall inform all the branches of the establishment of the new branch. No new branch shall be established in any place which the Executive Committee considers poor enough to be existing branch as to make it unnecessary for a new branch to be established at such a place.

BRANCH REGULATIONS:

Every branch shall have its local regulations for the day and month running of the branch activities but no provision of such rules and regulations shall derogate from, nor shall it be repugnant to any of the provisions of this Constitution. Copies of such Regulations shall be submitted to the National Secretary.

HONOURS REGISTER & PHOTOGRAPHS:

There shall be maintained at the National Headquarters of the People's Club of Nigeria a Register called - HONOURS REGISTER OF MEMBERS REGISTER OF HONOURS REGISTER. The Register shall be engraved in marble in a conspicuous part of a wall at the Club Headquarters. Photographs of especially meritorious members will be allowed to be displayed at the National Headquarters.

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 CERTIFIED TRUE COPY
 22 JAN 2013
 NATIONAL HEADQUARTERS
 PEOPLE'S CLUB OF NIGERIA
 LAGOS

WINDING UP OR DISSOLUTION OF THE CLUB:

The Club shall be wound up or dissolved on the happening of any of the following events that is to say:-

- (a) The members of the Club in all the branches put together fall below 50 (fifty).
- (b) Sixty (60) days written notice of a resolution to wind up or dissolve the Club is received and passed at any annual meeting of the Club by 2/3 (two-thirds) majority of all the members on the roll of the Club.

25. AMENDMENT:

No alteration, addition or amendment to this constitution shall be made except by a resolution carried by a majority of at least two-thirds of the members present at any general meeting. The notice of a motion for amendment of any of the provisions of this constitution shall contain particulars of the proposed alteration, addition, or amendment. At least 60 (sixty) days notice of any motion for addition, alteration or amendment shall be given before the annual general meeting. Such addition, alteration or amendment shall not take effect unless the same shall have been previously submitted to and approved by the Minister.

26. SPECIAL CLAUSE:

THE TRUSTS AND PROPERTY of the People's Club of Nigeria which are derived shall be applied solely towards the promotion of the objects of the People's Club of Nigeria. AND no person shall, directly or indirectly, by way of dividend, bonus or otherwise howsoever by way of profit, to himself or to any other person, receive any benefit from the assets of the People's Club of Nigeria.

2. PROVIDED that nothing herein shall be construed to prevent any person from receiving any benefit in good faith, or reasonable and proper remuneration to any officer or servant of the People's Club of Nigeria or to any officer of the People's Club of Nigeria in return for any services actually rendered to the People's Club of Nigeria but so that no member

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7 JAN 1965
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The Council of Management or Governing Body shall be appointed to any period office of the People's Club of Nigeria paid by law; and that no remuneration or other benefit in money or moneys shall be given by the People's Club of Nigeria to any member of such Council or Governing Body except repayment of out-of-pocket expenses or reasonable and proper cost of premises donated, or let to the People's Club of Nigeria provided that the provision that aforesaid shall not apply to any payment of any money to a member of the People's Club of Nigeria who is a Company in which such member shall not hold more than one-hundredth part of the capital, and such member shall not be bound to account for any share of profits he may receive in respect of any such payment.

NO ADDITION, alteration, or amendment shall be made to or in the constitution for the time being in force, unless the same have been previously submitted to and approved by the Minister.

In the event of a winding up or dissolution of the People's Club of Nigeria there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the People's Club of Nigeria but shall be given or transferred to some other institution or institutions, having objects similar to the objects of the People's Club of Nigeria and the any or bodies are prohibited from distributing its or their income and property among its or their members to an extent at least as is imposed on the People's Club of Nigeria under or by virtue of the SPECIAL CLAUSE aforesaid, such institution or institutions to be determined by the members of the People's Club of Nigeria at or before the time of dissolution and if in so far as effect cannot be given to the aforesaid provision then to some charitable object.

APPROVED BY THE EXTRAORDINARY GENERAL MEETING OF THE PEOPLE'S CLUB HELD AT OSHINA ON THE 20TH DAY OF SEPTEMBER 1960

[Signature]
NATIONAL SECRETARY

[Signature]
NATIONAL LEGAL ADVISER

[Signature]
NATIONAL PRESIDENT

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ACKNOWLEDGMENT OF DEPONENT

I, Gordian Wsubizu, do hereby certify that I have read the foregoing pages, 1 - PGS, and that the same is a correct transcription of the answers given by me to the questions therein propounded, except for the corrections or changes in form or substance, if any, noted in the attached Errata Sheet.

Nsubizu

3-29-16

WITNESS NAME

DATE

Subscribed and sworn

to before me this 29 day of March, 2016.

~~My commission expires:~~

~~[Signature]~~
Notary Public

Gene Markin, Esq.
Attorney at Law
State of New Jersey

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD
In the Matter of Trademark Registration
No.: 4,591,874.

PEOPLES CLUB OF NIGERIA :
INTERNATIONAL (PCNI), PCNI,
PRINCETON JUNCTION BRANCH,
PCNI, CHICAGO BRANCH,
PCNI, MIAMI BRANCH :
Petitioners,

VS.

PEOPLES CLUB OF NIGERIA
INTERNATIONAL, INC., a :
New Jersey Corporation,
Registrant.

December 11, 2015

Sworn deposition of DR. ANAYO UKEJE, held at the law offices of STARK & STARK, P.C., 993 Lenox Drive, Building 2, Lawrenceville, New Jersey, on the above date, commencing at 10:00 a.m., before ANGELA R. WATERS, a Certified Court Reporter, and a Federally Approved reporter of the United States District Court for the Eastern District of Pennsylvania.

MAGNA LEGAL SERVICES.

WWW.MagnaLS.com

(866) 624-6221

1 A P P E A R A N C E S:

2 STARK & STARK, P.C.

BY: H. MATTHEW TAYLOR, ESQ.

3 993 Lenox Drive, Building 2

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4 Lawrenceville, New Jersey 08648

(609) 896-9060

5 mtaylor@stark-stark.com

Counsel for Petitioners

6

7 THE TRADEMARK COMPANY

BY: MATTHEW H. SWYERS, ESQ.

8 (Via telephone conference)

344 Maple Avenue West

9 Suite 151

Vienna, Virginia 22180

10 (800) 906-8626 Extension 100

mswyers@thetrademarkcompany.com

11 Counsel for the Registrant

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I N D E X

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WITNESS:

DIRECT

CROSS

4

ANAYO M. UKEJE.

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BY MR. TAYLOR

5

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BY MR. SWYERS

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7

E X H I B I T S

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NO.

DESCRIPTION

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PC-1

Letter of officers of
Peoples Club of Nigeria/
International
Dated July 16th, 2014.

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PC-2

Letter of Officers of
Peoples Club of Nigeria/
International

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PC-3

Certificate entitled
Instrument Establishing A.
Branch

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PC-4

Letter dated January 20, 2006
from the Office of the Secretary
of State, Jesse White.

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PC-5

Memo entitled Hon. (Elder)
Smart O. Ebere to Chief
Dr. Anayo Ukaeje dated
October 23, 2013

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PC-6

E-mail from Kennedy Nwalzoie to
Dr. Ukeje dated October 23, 2013

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PC-7

Compilation of documents
Bates stamped 0352 to 0359
first page entitled "In the
Federal High Court of Nigeria
(Attached)

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LITIGATION SUPPORT PAGE

REQUEST FOR PRODUCTION OF DOCUMENTS:

NONE.

STIPULATIONS:

NONE.

OBJECTIONS: INSTRUCTION NOT TO ANSWER:

TESTIMONY MARKED:

NONE.

1 Dr. ANAYO MICHAEL UKEJE, after having
2 duly been sworn was examined and testified as
3 follows:

4 DIRECT EXAMINATION

5 BY MR. TAYLOR:

6 Q. Good morning, Dr. Ukeje.

7 A. Good morning.

8 Q. My name is Matthew Taylor. I'm an attorney
9 here at Stark and Stark. And I represent the
10 Petitioners in the pending lawsuit pending before the
11 TTAB.

12 A few minutes ago the court
13 reporter gave you an oath. Do you understand that you
14 have an obligation to testify truthfully here this
15 morning?

16 A. I do.

17 Q. Okay. And I know we're in an informal setting
18 here in a conference room, but you understand that the
19 testimony you are about to give has the same effect as
20 if you were sitting in court before a judge?

21 A. I do.

22 Q. And the way it's going to proceed this morning
23 is I'm going to ask you a series of questions, and Mr.
24 Swyers will have an opportunity to ask you questions.
25 And we just ask that you verbalize your responses to

1 those questions.

2 A. Okay.

3 Q. Because there's going to be a written
4 transcript of this morning's proceeding --

5 A. Okay.

6 Q. -- which is going to be filed with the TTAB.
7 Okay? Do you understand that?

8 A. I understand.

9 Q. Okay. Great.

10 And at this point I think we can
11 just go ahead and just get started.

12 Can you start off and just give
13 me a description of your educational background
14 following grade school?

15 A. I hold a Doctorate degree in Chemical
16 Engineering from Imperial College, University of London.
17 And a Master's degree in chemistry from the University
18 of Lagos, Nigeria. And a Bachelor's degree in Chemistry
19 from the University of Maiduguri, Nigeria.

20 Q. When did you receive your PhD degree, what
21 engineer?

22 A. My PhD degree I completed in 1999. And
23 I graduated in 2000 -- 2000.

24 Q. Okay. Can you just give me a brief description
25 of your professional background?

1 A. Yes. I am currently a manager of Technical
2 Operations with Pfizer, Inc. My background is in
3 R and D, Research and Development in pharmaceutical
4 products. Spanning over 15 years I have worked in
5 various capacities. As recently I was a principal
6 consultant with Inspiron, Lake Forest, Illinois.

7 Senior Development Engineer with CPS,
8 Catlon Pharmaceutical Solutions. And down the line
9 I also was manager of Process Development and Clinical
10 Supply with a small company called Nastich, involved in
11 Washington State. N-A-S-T-I-C-T-H, Nastich.

12 Q. And Doctor, where do you currently live?

13 A. I live at 7717 -- 7717 Keller K-E-L-L-E-R,
14 Avenue, Skokie, Illinois 60076 --

15 Q. How long --

16 A. -- in the State of Illinois.

17 Q. Okay. I'm sorry.

18 And how long have you been at
19 that address?

20 A. Over nine years.

21 Q. All right. Thank you.

22 And, sir, I'm going to ask you
23 now, can you generally tell us what is the Peoples Club
24 of Nigeria International?

25 A. The Peoples Club of Nigeria International is a

1 social club for cause in organizing and hosting events
2 for members in order to encourage them to interact
3 socially and network with each other.

4 Q. Okay. Can you tell me generally what is the
5 Peoples Club of Nigeria?

6 A. Peoples Club of Nigeria is a version of the
7 club that is registered in Nigeria with the headquarters
8 at Onitsha and a number of states in Nigeria.

9 Q. Okay. Are you familiar with the term
10 "PCNI Branch"?

11 A. I am very familiar with the term PCNI Branch.
12 It means Peoples Club of Nigeria International,
13 registered in their respective locations voluntarily
14 affiliated with other branches to form an entity. The
15 independent entities are called "branches."

16 Q. Okay. And do these branches operate in the
17 United States?

18 A. They do.

19 Q. Okay. Approximately how many PCNI branches are
20 there in the United States currently?

21 A. Roughly, today, there are 23.

22 COURT REPORTER: 23?

23 THE WITNESS: Yes, two, three.

24 BY MR. TAYLOR:

25 Q. Okay. And can you describe your involvement

1 and relationship to the PCNI organization?

2 A. As a -- as a -- my involvement includes
3 organizing. I'm happy to register Peoples Club of
4 Nigeria International, Chicago, Illinois with the State
5 of Illinois, organizing and helping to recruit members
6 that were elected into the executive offices of the
7 club, organizing and helping to affiliate Peoples Club
8 of Nigeria International, Chicago branch, which order
9 Peoples Club Nigeria, Inc branches in USA and Canada
10 organizing and helping to affiliate Peoples Club of
11 Nigeria International Chicago with peoples Club PCN
12 Nigeria headquarters at Onitsha.

13 MR. TAYLOR: For the record I
14 think it's O-N-I-T-C-H-A (sic.)

15 BY MR. TAYLOR:

16 Q. Can you tell me what positions and titles
17 you've had with PCNI Chicago?

18 A. I am the founding Chairman of Peoples Club of
19 Nigeria International, Chicago; the Chairman of the
20 Board of Directors of the Peoples Club of Nigeria
21 International, Chicago and Special National Officer of
22 the Peoples Club of Nigeria International.

23 Q. Okay. Can you tell us what steps are required
24 to establish a PCNI branch such as PCNI Chicago?

25 A. Typically, in Illinois, where peoples club of

1 Nigeria international Chicago is registered. Minimum
2 three trade directors are required to file application
3 with the State of Illinois, and once that application is
4 accepted, the next step is to recruit and elect the
5 branch executive officers, appoint commentaries and the
6 members, which are required to operate the branch.

7 Q. Okay. And can you tell me how an individual
8 would become a member of a PCNI branch?

9 A. For an individual to become a member of Peoples
10 Club of Nigeria International branch, the member has to
11 apply to the local branch, pay the application fee,
12 registration fee, induction fee as prescribed by the
13 local bylaw of the branch.

14 Q. And are you currently a member of
15 PCNI Chicago?

16 A. I am.

17 Q. Okay. And can you tell us again when you first
18 became a member of PCNI Chicago?

19 A. Became a member of PCNI Chicago in 2005 when we
20 started organizing and collecting materials to register
21 PCNI in Chicago as one of the directors.

22 Q. When was PCNI Chicago registered with the State
23 of Illinois?

24 A. It was registered in January 2016 (sic.)
25 Sorry. January 2006.

1 Q. January 2006.

2 A. Yes. Sorry.

3 Q. Okay. And to your knowledge, does PCNI have
4 operations internationally, or --

5 A. Yes.

6 Q. Okay. And in what countries?

7 A. PCNI have operations in the United States,
8 Canada, and United Kingdom.

9 Q. Can you tell us the relationship between PCNI
10 branches operating in the United States and PCN?

11 A. Their relationship between the PCNI and PCN are
12 derived from voluntary affiliation of the independent
13 entities registered in the United States with the
14 central entity registered in Nigeria called the "PCN."

15 Q. What oversight, if any, does PCN have in the
16 operations of a PCNI branch operating in the United
17 States?

18 A. Basically they derive from the relationship is
19 a common -- is a common national and international
20 executives elected by participating branches to form the
21 National Executive Officers, and the Central Executive
22 Officers to operate -- and to operate the affiliation or
23 manage the alliance. So that is where members,
24 particularly of the affiliation of the annual meeting
25 makes decision and interacts socially and commune with

1 each other culturally.

2 Q. And I believe you testified to this, but where
3 do PCNI branches operating in the United States register
4 as entities?

5 A. They are registered in the state where they
6 reside.

7 Q. And to your knowledge, do branch members of
8 PCNI branches in the United States pay dues to PCN?

9 A. No.

10 Q. Okay. And do branch members make financial
11 contributions to their PCNI branch?

12 A. They do in the form of annual dues.

13 Q. And can you just explain --

14 A. They do pay the dues to the local branch in the
15 form of annual dues to maintain their membership and to
16 administer the local branch.

17 Q. Okay. I'm going to change subjects here and
18 ask you about the trademark at issue in this lawsuit.

19 Are you familiar with the
20 trademark --

21 A. Yes.

22 Q. -- at issue in this lawsuit?

23 A. Yes.

24 Q. Can you describe that trademark?

25 A. The Trademark is made up of three rings: The

1 blue, the red, and the yellow with the red crossing the
2 blue, and the yellow crossing the red, and vice versa.

3 Q. Okay. To your knowledge has the mark that you
4 just described been used by PCNI branches operating in
5 the United States?

6 A. Yes.

7 Q. Can you tell us when the US branches of PCNI
8 started using that mark?

9 A. They started using the marks during the
10 registration of the PCNI in their respective state and
11 localities. After the registration of PCNI, before the
12 affiliation to the other PCNI branches in the United
13 States, after the affiliation of the other PCNI in the
14 United States, before the affiliation to PCN in Nigeria
15 and after that affiliation to the PCN in Nigeria. By
16 the way the affiliation to the PCN in Nigeria is called
17 Inductions -- called chartering of inductions. It's
18 called chartering of inductions of a branch.

19 Q. And to your knowledge, approximately what year
20 did a PCNI branch operating in the United States start
21 to use the mark?

22 A. To my knowledge, the first PCNI branch in
23 United States started using the mark as far back as
24 1989. That would be Houston. That was eventually
25 chartered, meaning affiliated to the PCN in Nigeria in

1 1990.

2 Q. Was Houston the first PCNI branch to operate in
3 the United States?

4 A. It was the first PCNI branch to operate in the
5 United States and to operate internationally outside
6 Nigeria.

7 Q. When did PCNI Chicago start using the
8 trademark?

9 A. The PCNI Chicago started using the Trademark
10 from 2005 during the registration, after the
11 registration in 2006, and continued to use it before and
12 after affiliation with other branches in US and
13 continued to use it after affiliation with the PCN in
14 Nigeria and continued to use it to date.

15 Q. And there hasn't been any stop or any gap in
16 the usage of the mark by the PCNI Chicago branch?

17 A. No, there hasn't been any gap.

18 Q. Can you describe to us how did PCNI use the
19 mark?

20 A. PCNI used the mark in the letterheads to
21 advertise for the meetings and for first international
22 to affiliate with other branches in USA and Canada and
23 UK and affiliated with PCN in Nigeria.

24 Q. So I'm clear, the use you just described, did
25 PCNI Chicago use the mark for those purposes?

1 A. Yes.

2 Q. Okay. Thank you.

3 Is PCNI Chicago still a
4 registered entity presently?

5 A. Yes, it is.

6 Q. Okay. And it's registered in the State of
7 Illinois?

8 A. Yes.

9 Q. Okay. All right. Thank you.

10 Can you tell me, what is PCNI,
11 Inc.?

12 A. The PCNI, Inc., is a registrant. The PCNI that
13 is registered in the State of New Jersey.

14 Q. Okay. And to your knowledge is PCNI, Inc, an
15 entity registered in Nigeria?

16 A. No.

17 Q. Okay. I want to talk about PCN again.

18 And can you tell me, to your
19 knowledge, who is the lawful President of PCN in
20 Nigeria?

21 A. It's Chief Sam Iwuchukwu. Iwuchukwu is spelled
22 I-W-U-C-H-U-K-W-U, Iwuchukwu.

23 Q. Who else claims to be the President of PCN?

24 A. It was an appointed President and his name is
25 Chief Joe Ilonze. He was appointed by Igwe, PC.

1 Q. Can you tell spell that for us?

2 A. Ilonze, Joe Ilonze, I-L-O-N-Z-E.

3 Q. And you said he was appointed by who?

4 A. Igwe, I-G-W-E, P.C. Ezenwa, E-Z-E-N-W-A.

5 Q. Okay. And who is Mr. Ezenwa?

6 A. Igwe Ezenwa is one of the two surviving
7 PCN Trustees registered in Nigeria.

8 Q. Okay. Can you tell us, briefly, why there is a
9 dispute over who is the President of PCN?

10 A. The background is that the election scattered
11 to hold at PCN headquarters at the end of Chief Fa
12 Onwuachuo President -- Onwuachuo is O-N-W-U-A-C-H-U-O,
13 Onwuachuo's presidency in 2012.

14 And when the affiliated members
15 from US, Canada, UK go to Nigeria, Igwe P.C. Ezenwa and
16 his supporters refused for the election to hold; rather
17 they appointed their supporters to run the affairs of
18 the club for one year.

19 In addition to that, Igwe P.C.
20 Ezenwa unilaterally changed the decision of AGM on
21 several issues, including the running of the election.
22 And that led to US patrons, the PCNI US patrons suing
23 Igwe P.C. Ezenwa and his supporters. This lawsuit,
24 Igwe P.C. Ezenwa and his supporters challenged -- they
25 challenged the lawsuit on the basis that the USA patrons

1 Nigeria.

2 This has brought about the split of
3 Peoples Club of Nigeria, and Peoples Club of Nigeria
4 International affiliation into two. And today there are
5 two groups of Peoples Club of Nigeria, two groups of
6 Peoples Club of Nigeria International, one group
7 supporting Igwe P.C. Ezenwa, and the other group
8 supporting the remaining registered trustees. There are
9 two trustees: One is Igwe P.C. Ezenwa, and the second
10 remaining one is Eze Desmond Oguguo. Eze, E-Z-E, and
11 then the name Desmond, D-E-S-M-O-N-D, and the last name
12 Oguguo, O-G-U-G-U-O. O-G-U-G-U-O.

13 Q. We'll discuss the difference in a second here.

14 I want to ask you to go back to
15 something you just mentioned though.

16 And can you tell me what year
17 did Mr. Ezenwa refuse to hold or participate in the
18 election?

19 A. That was 2012.

20 Q. Can you tell me what month approximately, if
21 you remember?

22 A. December 2012 at the NY General Meeting where
23 the election was properly scheduled.

24 Q. And the lawsuit that you were discussing, can
25 you tell me who were the parties to that lawsuit as best

1 as you remember?

2 A. The first lawsuit that was filed February 2013.
3 The parties to the lawsuit, include Professor Gordian
4 Ndubizu, who's a patron PCNI, US; Dr. Fabian Eluma is a
5 patron PCNI US; Dr. Uche Eze. Uche is U-C-H-E, Eze,
6 E-Z-E. He is a patron of PCNI US.

7 Q. Who were the Defendants?

8 A. The Defendants in the lawsuit was
9 Igwe P.C. Ezenwa, and the Board of PCN Nigeria, where --
10 I mean -- is the Defendant.

11 Q. Okay. And you identified two different
12 factions or groups a few minutes ago.

13 And can you tell me what is the
14 name of the group that supports Mr. Ezenwa?

15 A. The group that support Igwe P.C. Ezenwa, we
16 call them the Pentagon, meaning they are the group that
17 is in support of the violation of the Club 1979
18 Constitution that called for election at AGM and for
19 which Igwe P.C. Ezenwa refused to hold. We called them
20 the Pentagon. Igwe P.C. Ezenwa and his supporters that
21 are in violation of the club's constitution that
22 resulted in the patron's lawsuit.

23 Then the patrons that filed the
24 lawsuit, and the Trustee, the only remaining Trustee, is
25 Eze Desmond Oguguo. Their group and their supporters

1 are called the Progressives.

2 Q. Okay. Now, do you know Dr. Iddi Mgbako?

3 A. I do.

4 Q. And how do you know him?

5 A. Um -- since I become a member of Peoples Club
6 of Nigeria International, which is 2005, I know him as
7 equally a member of Peoples Club of Nigeria
8 International, Princeton branch. And I have interacted
9 with him at Princeton Convention 2009. He was at my
10 branch at the induction of new members, admission of new
11 members in 2012 as a patron of Peoples Club of Nigeria
12 International.

13 Q. Of those two groups you just testified about,
14 do you know what group Dr. Mgbako is a member of?

15 A. Dr. Mgbako is a member of Pentagon Group and
16 acts for Pentagon Group, performs functions.

17 Q. How about you, what group are you a member of?

18 A. I belong to the Progressive Group, the group
19 that is fighting for the restoration of rule of law, and
20 respect for the club's constitution.

21 Q. Okay. Thank you. So I want to turn your
22 attention now.

23 Did someone at PCN attempt to
24 expel you from PCNI?

25 A. They did. There was a group of members of PCN

1 that attended a private event at Dallas in the year
2 2013. And this group wanted various branches in US to
3 write condemning the legally filed lawsuits in Nigeria.
4 And the branches that refused to write and condemn the
5 lawsuit, they decided -- this group decided from PCN
6 that they would expel anybody who refused to write,
7 dissolve any executive branch, affiliated branch that
8 refused to write, dissolve any branch that could not put
9 the caretaker committees. Three events: Write and
10 condemn properly a filed lawsuit. Failure to do that,
11 they will expel you and dissolve the executives, and put
12 a caretaker committee in that branch. If they cannot,
13 or they fail -- if they fail to succeed in putting the
14 caretaker committee, they would dissolve the branch.

15 Q. Okay. You're saying "they." Can you just tell
16 me, to your knowledge, who was present at this meeting
17 and made these decisions?

18 A. The person that was present at this meeting was
19 appointed President Chief Joe Ilonze. It was the legal
20 present was Mr. Igwe P.C. Ezenwa. It was the legal
21 advisor was Mr. Onyechmaeke -- I'm going to spell that
22 one.

23 MR. SWYERS: Sorry. You got me
24 on that one.

25 A. O-N-Y-E-C-H-M-A-E-K-E, Onyechmaeke and others.

1 There were more of them.

2 Q. Okay. Were these people generally members of
3 the Pentagon? Are they generally members of the
4 Pentagon branch?

5 A. They are members of the PCN, Pentagon from
6 Nigeria, foreigners.

7 Q. Okay. And did somebody -- did someone at PCN
8 attempt to dissolve PCNI Chicago?

9 A. Yes, they did. In the similar alleged letter
10 that PCNI Chicago refused to condemn the lawsuit; rather
11 PCNI Chicago wrote to ask that all issues be resolved
12 peacefully or the legal process be allowed to play out.
13 They wrote back still alleging that they have dissolved
14 this.

15 Q. As far as you know, does PCN have the authority
16 to expel the PCNI organization that's operating in the
17 United States?

18 A. They do not. Number one, they are not members
19 of PCNI; number two, they are not American citizens;
20 number three, they don't have any right as they are not
21 part of the local branch who are registered to issue any
22 directives.

23 The ultimate authority to
24 discipline, expel, suspend, dissolve lies with the local
25 branch board and the membership, not foreign visitors.

1 Q. Okay. And I believe you testified to this --
2 but I'll ask you again -- is PCNI Chicago still a --
3 does it still exist as an Illinois entity?

4 A. Yes, it is.

5 Q. To this day it does?

6 A. To this day, yes.

7 Q. And when did Mr. Ilonze first claim to be the
8 President of PCN?

9 A. The first claim was on December 2012. And
10 there was a publication that had their claim in -- no,
11 no, I'm sorry. It's December 2013. And there was a
12 publication that -- the publication that indicated that
13 claim that I saw in December -- sorry -- in January
14 2014. So the first claim was December 2013. And it was
15 published, of course. It went public on January 2014.

16 Q. Okay. To your knowledge, when was the
17 Trademark application -- strike that. I'm sorry.

18 To your knowledge, when was the
19 application to register the Trademark at issue in this
20 lawsuit? When was that filed?

21 A. The initial application was discussed and the
22 authority to file was given by all the affiliate
23 branches, where, you know, all the affiliate branches
24 were listed, and this happened in 2010. And Dr. Iddi
25 Mgbako was appointed a temporary agent to pursue this

1 application. Dr. Mgbako was appointed by the then
2 President, Chief Fa Onwuachu -- F-A, O-N-W-U-U-A-C-H-U
3 -- to pursue this application. That was the initial
4 discussion and initial movement on the application for
5 the Trademark.

6 Q. Do you have knowledge of when the Registration
7 application was filed in 2013?

8 A. No. When it was filed in 2013, the crisis has
9 started, the group has split into two. And the PCN
10 Pentagon and their supporters went secretly, removed all
11 the names of branches and members from the Progressive
12 Group, and then went to US PTO and filed the application
13 secretly without the knowledge of the Progressive Group.

14 Q. Just so I'm clear with the timeline, that
15 secretive action that you just mentioned, when did that
16 occur?

17 A. The secret -- the filing of -- the second
18 filing of the registration for the Trademark occurred in
19 March of 2014 -- about that time range. That is after
20 the existing lawsuit to US against the -- against the
21 Pentagon and their supporters -- and multiply Nigeria
22 was up to four lawsuits against the again the PCN, and
23 their supporters. So the filing for the registration
24 occurred secretly in -- in order to avoid disclosure of
25 the various lawsuits for which the two groups were

1 involved.

2 Q. Okay. I believe you testified that in December
3 of 2013 there was an election that was held, or there's
4 a dispute about an election. Can you clarify that
5 again?

6 A. Yes. In December 2012 the election was
7 scheduled. And PCNI is -- the registered Trustee, who,
8 by the way, have solved out his trustees five years and
9 another five years, a total of 10 years. He sat for
10 another five years, and he refused to go. The PCNI
11 refused for the election to be held in December 2012.
12 Then in December 2013, he called his group.

13 Q. Who's "he"?

14 A. The Pentagon Group. PCNI's Ezenwa called the
15 Pentagon Group and his supporters and appointed Chief
16 Joe Ilonze and Mr. Smart Ebere -- Ebere is E-B-E-R-E --
17 as the Pentagon PCN President and Pentagon PCN secretary
18 respectively. This occurred December 2013.

19 Q. To your knowledge did the Petitioners in this
20 action have any sort of disagreement with Mr. Ilonze and
21 Mr. Ebere?

22 A. Yes, we do. The Petitioners in this -- in this
23 Trademark have an existing lawsuit filed on behalf of
24 the branches for -- I mean against Ilonze, and Eze
25 Oguguo and the Pentagon, because of illegal actions they

1 took against the Progressives and the Petitioners, first
2 of all, to write letters alleging that they've
3 expelled -- alleging that they have dissolved elected
4 local branches, alleging that they have dissolved some
5 branches, including Chicago, Princeton Junction and
6 Miami branches.

7 So we filed a lawsuit, meaning
8 the Chairman of branches of the Progressives filed a
9 lawsuit in Nigeria to stop them from the illegal
10 activities -- meaning in the US, to stop the PCN and
11 Pentagon from illegal activities they are doing in the
12 US.

13 Q. Okay.

14 MR. TAYLOR: Mat, I want to show
15 the witness PC-1.

16 BY MR. TAYLOR:

17 Q. I want to show you what's been marked as PC-1.

18 MR. TAYLOR: Do you have the
19 documents there?

20 MR. SWYERS: I do. And thank you
21 for sending them down as always.

22 MR. TAYLOR: Okay. I'm going to
23 hand this to the witness now, so you know also
24 just like we've done the last couple, I gave
25 a copy of all the exhibits to the court

1 reporter, so she has a copy here that's been
2 marked.

3 MR. SWYERS: Thank you. Much
4 appreciate it.

5 MR. TAYLOR: For the record,
6 I just handed a document that's been marked
7 PC-1 bearing Bates stamped Petitioners 0236.
8 And I've handed this to the witness.

9 BY MR. TAYLOR:

10 Q. And, Dr. Ukeje, do you recognize this document?

11 A. Yes, I do.

12 Q. Okay. Can you tell us what this document is?

13 A. This is the letter heading of the contending --
14 the properly elected officers of Peoples Club of Nigeria
15 International headed by Chief Sam Nwigwe.

16 Q. Is Sam's name identified on this document?

17 A. Yes.

18 Q. Okay. What is this --

19 A. Sam's name is identified in this document as
20 the President.

21 Q. Okay. And do you see a date on this document?

22 A. Yes, I see a date of 16th July 2014.

23 Q. Okay. And the letterhead at the top, it
24 indicates "Peoples Club of Nigeria International."

25 A. Yes.

1 Q. Do you see that? Do you have any idea why the
2 word "International" is on the letterhead? I believe
3 you testified that Sam is the President of PCN?

4 A. Yes. President of PCN. And by the virtue of
5 affiliation of PCNI through the affiliation we become --
6 I mean through that affiliation we work together under
7 one president of PCN and PCNI.

8 Q. Okay. Do you believe this is a true and
9 accurate copy of this letterhead?

10 A. Yes.

11 Q. Is is. Okay. Thank you. You can put that
12 right there.

13 MR. TAYLOR: Mr. Swyers, I'm
14 going to show the witness what's been marked
15 as PC-2.

16 MR. SWYERS: Thank you.

17 BY MR. TAYLOR:

18 Q. Dr. Ukeje, I've handed you a document that's
19 been identified as PC-2. And it's bearing Bates stamped
20 Petitioner 0237.

21 Are you familiar with this
22 document?

23 A. Yes, I've seen this document probably at least.

24 Q. Can you tell me what this document is?

25 A. This document is purported officers of PCN,

1 Pentagon Group.

2 Q. Okay. And what is this document dated?

3 A. The date on the document I'm looking at is
4 15/04/2015.

5 Q. Okay. And is there -- who is the identified
6 President of the organization on this document?

7 A. It's Chief Joe Ilonze.

8 Q. And is this a true and accurate copy of this
9 letterhead?

10 A. I wouldn't say it's not something I've
11 identified.

12 Q. Okay. I'm asking if you disagree -- if you
13 agree that Mr. Ilonze is the President. I'm just asking
14 is this a true and accurate copy of the letterhead he
15 would have used and a letter he would have sent to your
16 knowledge?

17 A. Again, to my knowledge it is a copy of the
18 letterhead just shown to me before. It's a copy of it.

19 Q. Okay. Okay. Thanks.

20 MR. TAYLOR: Mat, I have PC-3 I'd
21 like to show the witness.

22 MR. SWYERS: Thank you.

23 BY MR. TAYLOR:

24 Q. Dr. Okeje, I handed you a document that's been
25 premarked PC-3, bearing Bates stamp Petitioners 0165.

1 to register Peoples Club of Nigeria International
2 Chicago branch.

3 Q. Okay. And how do you recognize this document?

4 A. My name is in this document as one of the three
5 directors that initially applied for Peoples Club of
6 Nigeria International to be registered. And my
7 signature is on the third page to indicate that I was
8 part -- one of the three directors that originally
9 applied to the State of Illinois for PCNI Chicago and be
10 registered.

11 Q. This application was made in 2006; is that
12 right?

13 A. The application was made in 2005, the response,
14 which is the one we're looking at -- sorry -- let me
15 just go back and make sure. Yes, the application was
16 made in 2006.

17 Q. Okay. And do you believe this to be a true and
18 accurate copy of this document?

19 A. It is.

20 Q. Okay. Thank you.

21 MR. TAYLOR: Mat, I have here
22 PC-5 I'd like to show the witness.

23 A. (Witness reviews document.)

24 Q. Dr. Okeje, I've handed you a document that's
25 been premarked as PC-5, bearing Bates stamp Petitioners

1 0239 and 0240.

2 And can you tell me, do you
3 recognize this document?

4 A. Yes, I recognize this document.

5 Q. Okay. Can you tell us what this document is?

6 A. This --

7 MR. SWYERS: If I may just interject
8 briefly, I'll just interject an objection on
9 the grounds of hearsay.

10 Subject to my objection, Doctor, you
11 can continue to testify. Thank you.

12 BY MR. TAYLOR:

13 Q. And do you recognize this document?

14 A. I do.

15 Q. Okay. How do you recognize this document?

16 A. This is a document sent to me as an attachment,
17 an e-mail by Mr. Smart Ebere, E-B-E-R-E, complaining
18 about the action taken by the Progressive Group against
19 the Pentagon Group for the illegal activities of the
20 Pentagon Group in US. And the action that's been
21 complained of happened in October 2013 at Washington,
22 D.C. PCNI branch.

23 Q. Okay. Without looking at the document -- or
24 reading from the document, can you just tell me what is
25 your understanding of why this was sent to you by Mr.

1 Ebere?

2 A. The reason why it was sent to me by Mr. Ebere
3 was I recorded the document, the communique, after the
4 meeting of October 5, 2013 at Washington, D.C. So he
5 saw my name as the person that recorded it, the
6 communique that called out the illegal activities. That
7 is why he sent a personal document -- a personal
8 response to me.

9 Q. Okay. Can you just tell us again who is Smart
10 Ebere and what title does he have?

11 A. Smart Ebere was the PCN Pentagon appointed
12 Secretary in Nigeria.

13 Q. Okay. And, presently, do you know what his
14 title is?

15 A. He's still the appointed secretary with Ilonze,
16 serving with Ilonze as the appointed secretary with
17 Ilonze.

18 Q. Okay. And the best you can remember, can you
19 briefly tell me who was in attendance at this
20 Washington, D.C. meeting on October 5, 2013?

21 A. One of the two surviving trustees -- there are
22 two trustees of PCN: One of them is Desmond Oguguo, who
23 was in attendance at the Washington, D.C. meeting, the
24 US patrons, all three of them: Professor -- US patrons
25 Dr. Eluma Fabian, Dr. Uche Eze, that sued in Nigeria,

1 and all of the Progressive branch Chairman, and members
2 of Progressive branches in America where they were
3 present at the Washington, D.C, meeting, where the
4 illegal activities of the Pentagon was discussed and the
5 press release issued. It was that press release that
6 elicited Mr. Smart Ebere's response to me.

7 Q. When was this response -- when did Mr. Ebere
8 send you this response?

9 A. If I remember, he sent this response about
10 October 2013 --

11 Q. Okay.

12 A. -- after he has read and digested the press
13 release early around in October 5, 2013.

14 Q. And this document marked as PC-5, is this a
15 true and accurate copy of this letter that was sent to
16 you from Mr. Ebere?

17 A. Yes.

18 Q. Okay. All right.

19 MR. TAYLOR: Mat, I have here
20 PC-6 I'd like to show the witness.

21 MR. SWYER: Thank you. Since I'm
22 actually speaking, though I don't have to
23 interrupt the witness, I would just
24 object respectively to PC-6, also on the
25 grounds of hearsay.

1 Subject to the objection, the
2 witness can testify and also, if I may,
3 let me just put -- so I don't have have
4 to jump in every 10 seconds or so -- a
5 standing objection on the grounds of
6 hearsay to anything the witness testifies
7 to that was told to him by somebody else
8 or somebody else who is not a party to
9 this, or otherwise, also on the grounds
10 of hearsay. Thank you.

11 BY MR. TAYLOR:

12 Q. Okay. Dr. Ukeje, I've handed you a document
13 that's been identified as PC-6, Ebere Bates stamp
14 Petitioner 0269 through 0278.

15 And can you tell me, do you
16 recognize this document?

17 A. I do recognize this PC-6.

18 Q. Okay. And generally, what is this document?

19 A. The PC-6 was my personal response to PC-5.
20 That is the response I wrote for the Ebere Smart, Ebere
21 PC-5.

22 Q. Okay. And did you prepare this document?

23 A. I did prepare the document. Then I sent it to
24 the publicity of Peoples' Club of Nigeria International
25 Chief Kennedy Nwalozie, N-W-A-L-O-Z-I-E to review.

1 Q. And can you tell us, generally, what it was --
2 what message you conveyed in this e-mail?

3 A. What it was -- what I did with this, my
4 response, is to clarify to Mr. Smart Ebere the basis for
5 the communique, the press release for which he wrote me
6 personally, and make him understand that he is not a
7 member of PCNI; that he does not -- he and his
8 supporters, the Pentagon, do not have power in the
9 United States to remove elected executives or dissolve
10 branches registered in accordance with the rules and
11 state laws. And that all the activities that are
12 carried out in the United States are illegal, null and
13 void. That was the thrust of my response to his
14 personally related to me.

15 Q. Okay. And who did you send this e-mail to?

16 A. I sent it directly to Ebere in response to his
17 own e-mail, copied P.C. Ezenwa, all the Pentagon members
18 that can get e-mail, all of the Progressive members in
19 the e-mail list, because I have a comprehensive e-mail
20 list of all of them.

21 Q. When did you send this e-mail to those
22 individuals?

23 A. I sent out this e-mail, specifically, on
24 Wednesday October 23, 2013, 1:21 p.m.

25 Q. After you sent this, did you receive a

1 response?

2 A. No, that was the end of my exchange with Mr.
3 Smart Ebere.

4 Q. Okay.

5 MR. TAYLOR: Mat, I have here
6 a document PC-7, which I'd like to show to the
7 witness.

8 MR. SWYERS: No objection in
9 showing it to the witness and him
10 authenticating it once again.

11 I'll just put a standing
12 objection on the record for any testimony
13 concerning rulings, things the court may have
14 said or others may have said all under the
15 guise of hearsay. Thank you.

16 BY MR. TAYLOR:

17 Q. Okay. Dr. Ukeje, I've handed you what has been
18 marked for identification PC-7, bearing Bates stamp
19 Petitioners 0352 through 0359. And do you recognize
20 this document?

21 A. Yes, I do recognize the document.

22 Q. Okay. Can you tell me what this document is?

23 A. This is the lawsuit in which I'm the Plaintiff,
24 I'm No. 11 on this lawsuit, we filed against the
25 Pentagon Igwe P.C. Ezenwa and their supporters against

1 the illegal activities of alleged expulsion, suspension
2 and dissolution of branches in Nigeria.

3 Q. Whose interest do you represent in this
4 lawsuit?

5 A. We represent -- I mean I represent the
6 interest of Peoples Club of Nigeria International
7 Chicago branch in this lawsuit as part of the Peoples
8 Club of Nigeria International.

9 Q. Okay. Can you tell me what relief you are
10 seeking in this lawsuit, generally?

11 A. Yeah. The relief I was seeking in this lawsuit
12 is very simple. We are asking the judge to declare that
13 there are -- the Defendant has no right to carry out the
14 action they are carrying out in the United States; that
15 is to say, a declaration: We're asking the judge to
16 declare that the Governing Council headed by Igwe P.C.
17 Ezenwa of the Peoples Club of Nigeria is not properly
18 considered by the National Executive Committee -- a
19 declaration of the court to say that the Peoples Club of
20 Nigeria is not properly constituted by the National
21 Executive Committee of Peoples Club of Nigeria, and the
22 general -- at the general meeting of Nigeria; no. 2, we
23 want the judge to declare in the absence of
24 constitutionality, that they do not have the right,
25 because they do not have elected officers of Peoples

1 Club of Nigeria as required by the constitution. They
2 do not have the support of National Executive Committee
3 and general membership to lawfully operate Peoples Club.

4 We're asking the judge to declare
5 that all the peoples sued -- which are 10 of them --
6 called the Defendant -- are naming the President and
7 Council are illegal. The club -- and the club has no
8 named President and Council and it's unconstitutional.
9 We want the club declared unconstitutional; and
10 therefore, they do not have a right to carry out any
11 duties under this name.

12 Finally we ask the court that we
13 are to declare illegal all the purported dissolution,
14 and/or threats of dissolution/suspension be issued by
15 face and defendant in this documents against the 5th and
16 13th Plaintiffs, including myself, to declare it null
17 and void and of no effect.

18 Q. I believe you mentioned but Mr. Ebere and Mr.
19 Ilonze are named Defendants in this lawsuit; is that
20 true?

21 A. Yes, they are, because they are appointed
22 President and secretary respectively of Pentagon.

23 Q. And can you tell me just generally what the
24 status of this litigation is? Has the court made a
25 decision on the relief that you seek yet?

1 A. The court maybe made decision to solve this;
2 that one that we are handing because there was challenge
3 initial challenge to -- face the lawsuit we in lawsuit
4 do not have standing to sue the PCN against the
5 activities illegal activities that carried out in the US
6 the court made decision on that, we have standing, on
7 this particular case, we have standing, and the court --
8 said the, solved so this exist and symptom the illegal
9 activities that carry outside in the US.

10 Q. Okay. And this document PC-7, is this a true
11 and accurate copy of the document?

12 A. Yes, it is.

13 Q. Okay. Can you turn to the last page, that's
14 Bates stamped Petitioner's 0359, and tell me what
15 that -- it appears at the bottom there's a stamp. It
16 says, "Register." Do you have any knowledge what that
17 means?

18 A. This means as a stamp of the registrar
19 authorizing this document to be solve to the
20 Defendants -- sorry, to the Defendants. And this
21 happened on Thursday, 19th of September 2013, 10:00 AM.

22 Q. To your knowledge was this document in fact
23 served on the Defendants?

24 A. Yes, it was served.

25 Q. Okay.

1 MR. TAYLOR: I want to look at my
2 notes real quick, if that's okay? Are you
3 okay? Do you need to take a break or --

4 MR. SWYERS: I'm fine. If we
5 want to go off the record for a brief second
6 so we can just chat about that.

7 (Discussion held off the record.)

8 MR. TAYLOR: I don't have any
9 other questions.

10 CROSS-EXAMINATION

11 BY MR. SWYERS:

12 Q. Doctor, again, my name is Matthew Swyers. And
13 I represent the Registrants in this matter. I just have
14 a few follow-up questions for you.

15 A. Okay.

16 Q. A couple minutes you testified that the
17 Trademark was supposed to be filed for back in 2010. Do
18 you remember telling us that?

19 A. Yes, I do.

20 Q. Okay. Great. I want to focus on your
21 attention on that 2010 timeframe, if I can.

22 Now you'll agree with me that the
23 Trademark was supposed to be filed for by PCNI, Inc., the
24 New Jersey entity, correct?

25 A. That's not correct.

1 Q. Not correct. Who was supposed to file for
2 Trademark in 2010?

3 A. 2010 Dr. Iddi Mgbako was appointed temporary
4 agent to file for the -- to file for the Trademark.

5 Q. Okay. Let's take a step back then. Okay.

6 So was he supposed to file for it
7 in his own personal name, Dr. Mgbako?

8 A. No, he's supposed to file it for the
9 PCNI affiliated branches all of the United States and
10 Canada.

11 Q. Right. As told to him by the Central Executive
12 Committee, correct?

13 A. No, as told to him by all the branches in the
14 United States holding a meeting with PCNI and the
15 Houston branch USA.

16 Q. Okay. So this occurred in Houston. He was
17 told to file for the Trademark in Houston, correct?

18 A. Yes, his meeting called in Houston in 2010.

19 Q. And that was an authorized meeting, correct?

20 A. It was a meeting, yes, of all the branches in
21 US and Canada, yes.

22 Q. Okay. And so Dr. Mgbako, at that time, was
23 authorized to file for the Trademark on behalf of --
24 we'll figure out who was there in a minute -- but on
25 behalf of the organizations, correct?

1 A. On behalf of all of the branches, including
2 Chicago, Princeton Junction, and Miami and Canada, yes.

3 Q. Okay. And so now you are saying that you do
4 not recall him being authorized to create PCNI, Inc., as
5 well; is that correct?

6 A. No, that's not what I said. He's authorized to
7 register PCNI, Inc., in the State of New Jersey, and
8 apply for the mark. Those two went to --

9 Q. The mark was going to be -- and the holder of
10 the mark was going to be PCNI, Inc in New Jersey?

11 A. Yeah, the holder of the mark was going to be
12 PCNI, Inc., owned by all the participating branches
13 including Chicago, Princeton Junction.

14 Q. Fair enough. And so the ownership, of course,
15 as you testified I believe -- correct me if I'm wrong --
16 we say that the will of the branches, but the will is
17 brought to us by the the Central Executive Committee,
18 correct, that's how you guys get together and, you know,
19 determine things?

20 A. That's not correct. The -- the decision was
21 made by all the participating branches, including PCN
22 members listed from Nigeria.

23 Q. Okay. And so what do we call that -- when
24 those get together, what would you call that?

25 A. It was a meeting of the affiliate branches,

1 including the PCN to discuss the activities for the
2 affiliation.

3 Q. But there's no organized structure of this?
4 They just all knew to get together in a city and just
5 chat about it, and whatever was chatted about it, that's
6 what we went with?

7 A. Organize, as I described before. This includes
8 all the registered PCN and PCNI branches.

9 Q. Okay. And so when these all got together in
10 Houston in 2010 -- just to make sure that I have the
11 record clear -- they authorized Dr. Mgbako to both
12 organize PCNI, Inc. -- excuse me PCI -- PCNI, Inc., the
13 New Jersey company, and then also filed for the
14 Trademark, correct?

15 A. They gave them money to register PCNI,
16 Inc., and, file for the Trademark, correct.

17 Q. Correct. Thank you.

18 One second. Forgive me. Now I'm
19 checking my notes. Give me one second here. Yes, a
20 couple more followups.

21 Q. So from all the testimony that we've heard in
22 this case, there is undoubtedly a large dispute between
23 various branches and such as to how these structured
24 PCNI and PCN are run. You would agree with me, correct?

25 A. There is no dispute.

1 If I may clarify, the way PCNI is
2 structured and run is different from the way PCN is
3 structured and run. The dispute comes from the
4 confusion from those who do not understand the
5 structure; that the both structures are different, and
6 they're all run different, accountabilities are
7 different, authorities are different. The only common
8 ground is affiliation of the independent branches in
9 America with the common branches in Nigeria called
10 "PCN."

11 Q. And perhaps it's a semantical issue, but so
12 when I say "disputes" --so there's obviously a
13 disagreement as to how things are supposed to be
14 structured, run -- whatever the case, correct?

15 A. No. There is a constitution that made it clear
16 as to how the PCN should be structured and run. It was
17 the violation of that constitution that is the subject
18 of lawsuits. And there is --

19 Q. The lawsuit hasn't been decided, has it?

20 A. I mean the critical issue of standing has been
21 decided. And the decision is on record that the PCNI
22 members of the United States and Canada has a standing
23 to sue the PCN.

24 Q. Correct. "Standing" (standi) means you have
25 the right to bring the suit; it doesn't mean that you

1 are overall correct in the dispute; you would agree with
2 me, right?

3 A. But the first challenge was we do not have a
4 right, and the decision is that --

5 Q. Correct, to bring the dispute?

6 A. The decision is that we have the right.

7 Q. Well, and so they've said we are going to hear
8 the case, but the case is ongoing; is that correct?

9 A. Yes, the case is ongoing.

10 Q. So ultimately, as you described it, you have
11 the Progressives on the one side, the Pentagon on the
12 other side, effectively, arguing about how the overall
13 organization should be run, correct?

14 A. No. What we are arguing about was the
15 violation of the Constitution, clear within the
16 Constitution, PCN Constitution by the Pentagon Group
17 that was the subject of court litigation, violation of
18 the constitution.

19 Q. Fair enough. And this starts in about 2012,
20 correct?

21 A. No, it started on February of 2013.

22 Q. February 2013?

23 A. Yes.

24 Q. Thank you.

25 And so at this juncture you are

1 aware -- you are, I believe, being called here --

2 MR. SWYERS: And Counselor,
3 please jump in if I'm incorrect --

4 Q. -- to testify on behalf of PCNI Chicago; is that
5 correct?

6 MR. TAYLOR: I would just say Dr.
7 Ukeje has been called as a fact witness that
8 has information relevant to this lawsuit.

9 So --

10 BY MR. SWYERS:

11 Q. Fair enough. All right. But knowledgeable
12 about PCNI Chicago? Is that better?

13 MR. TAYLOR: Certainly he has
14 founded he does have knowledge about that
15 entity.

16 BY MR. SWYERS:

17 Q. Okay. And again, we can agree PCNI Chicago has
18 existed since I believe you testified 2006 --
19 2007, correct?

20 A. That's correct.

21 Q. And so the disputes we are now talking about,
22 the one that ultimately leads to the Nigerian lawsuit,
23 sort of has its origin in about 2013, correct?

24 A. It has its origin on the 2012 AGM election that
25 did not hold. The lawsuit -- after our lawsuit was then

1 filed on February 2013 to correct that constitution of
2 violation.

3 Q. Okay. I'm still here. Just give me one
4 second.

5 So in 2010 -- and everyone can
6 agree, I believe, based on your testimony, that Dr.
7 Mgbako was to file for the Trademark application or was
8 to -- was given the authority to register the Trademark,
9 correct?

10 A. Register the Inc., and file the trademark for
11 all participating affiliates.

12 Q. Why was he to register the, Inc., the PCNI,
13 Inc.? It was to hold the Trademark, correct?

14 A. I don't understand the question.

15 Q. Well, when you file for a Trademark
16 application, somebody has to be the actual owner of the
17 Trademark. It has to be in the name of somebody.

18 And so Dr. Mgbako -- you are now
19 the third witness to testify in this case. And you are
20 the third witness to say that Dr. Mgbako was given the
21 authority to register PCNI, Inc. So that's pretty
22 clear. And you've also testified that Dr. Mgbako was
23 given the authority to file for the Trademark.

24 So the last sort of thing that
25 I'm just trying to put all together for us is: Well he

1 was supposed to file for the Trademark and the owner was
2 supposed to be PCNI, Inc. -- I think you'll agree with
3 me -- otherwise, what other purpose was PCNI, Inc. given
4 authority to form? Why would he have formed it,
5 correct?

6 A. If I understand you, the owner of PCNI, Inc.,
7 are the all affiliated branches; and, in turn, they all
8 own the Trademark. All authorities to file for the
9 Inc., and Trademark were derived from the affiliated
10 branches. The -- and because of the covenant, he lives
11 in New Jersey to act as our agent. Then is like hiring
12 a lawyer to file something for you. It's not like the
13 lawyer owner.

14 Q. Right. So I'm not saying Dr. Mgbako would be
15 the owner of this Trademark. Please don't hear me to
16 say that -- or question that as I should say, but I
17 think what we can agree, ultimately, is that PCNI, Inc.,
18 as a subsidiary, was supposed to be -- or was given the
19 authority to file for and register the Trademark, and of
20 course, the contingent at issue in Nigeria or otherwise
21 is who really owns PCNI, Inc.?

22 A. Exactly. And my answer is, it's owned by all
23 affiliated registered in the US, including Chicago,
24 Miami and Princeton Junction. They are the owners of
25 PCNI, Inc..

1 MR. SWYERS: Doctor, I want to
2 thank you for your testimony today. I think
3 it's been wonderfully clear, and sort of
4 setting the record straight on this. I have
5 no further questions at this juncture.

6 A. Thank you.

7 MR. TAYLOR: Thank you. I think
8 we're good. Completed.

9 (Discussion held off the record.)

10 MR. TAYLOR: Actually can we go
11 back on the record for one second?

12 MR. SWYERS: Yes, we can go back.

13 MR. TAYLOR: We're back on the
14 record now, Mat. I just wanted to move --
15 this is for Petitioners to move PC-1 to PC-7
16 into evidence at this time.

17 MR. SWYERS: Subject to the
18 hearsay objections made, I believe, on the --
19 I don't have my notes now, but it still stands
20 -- but subject to the hearsay objections that
21 I made -- give me one second -- sorry --
22 subject to the hearsay objections I made for
23 PC-5 and PC-6, I have no objection to
24 PC-1,2,3,4 and 7.

25 MR. TAYLOR: Thank you.

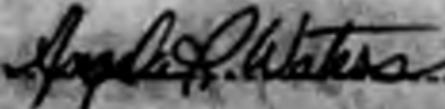
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C E R T I F I C A T E

I, ANGELA R. WATERS, a Certified Court Reporter, Registered Professional Reporter, and a Federally Approved reporter of the United States District Court for the Eastern District of Pennsylvania, DO HEREBY CERTIFY that the foregoing is a true and accurate transcript of the stenographic notes of testimony taken by and before me at the time, place, and on the date hereinbefore set forth.

I do further certify that I am neither a relative nor employee nor attorney, nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel and I am not financially interested in this action.

DEC 7 9 2015



ANGELA R. WATERS, CCR, RPR

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ERRATA SHEET

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PEOPLES CLUB OF NIGERIA/INTERNATIONAL

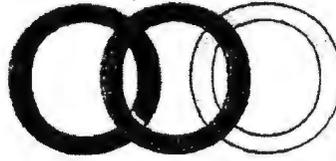
BANKERS:

First Bank of Nigeria Plc.
Union Bank of Nigeria Plc.

(REGISTERED IN NIGERIA)

REG. NO. 1295

STATUTORY OFFICERS



NATIONAL HEADQUARTERS:

Onitsha/Owerri Road

P.O. Box 5421

Onitsha, Anambra State

Tel: 046-322196

E-mail Address: peoplesclubofnigeria@yahoo.com

Our Ref:.....

Your Ref:.....

Date Ref:.....

16th July 2014

NATIONAL/INTERNATIONAL OFFICERS

President

Chief Sam Iwuchukwu

1st Vice President

Chief (Dr) S. Ezebakwo

2nd Vice President

Chief (Dr) Chika Monamu

3rd Vice President

Chief (Dr) C. Ashibogwu

National Secretary

Hon. Alhaji A.N. Obinwa

1st Asst. National Secretary

Nze Hen Okafor

2nd Asst. National Secretary

Chief C. Onwukwufor

National Financial Secretary

Chief (Sir) C.I. Ejerinwa

Asst. Nat. Financial Secretary

Hon Philo Obari

1st National Legal Adviser

Chief (Barr.) A.E. Enuna

2nd National Legal Adviser

Chief (Barr.) J. Nwokede

3rd National Legal Adviser

Chief (Dr) John Oronsaye

National Treasurer

Chief Lawrence Iloany

National Publicity Secretary

Chief Kennedy Nwalozie

Asst. Nat. Publicity Secretary

Chief Cornelius Umeh

National Protocol Officer

Chief Fidelis I. Alaguu. JP

Asst. Nat. Protocol Officer

Chief Hyacinth Obah

National Welfare Officer

Chief Willie Uzor

Asst. Nat. Welfare Officer

Hon Saliy. Amuzechi Odey

National House Master

Chief G. Ikem

Asst. Nat. House Master

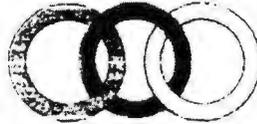


Petitioners 0236

PEOPLES CLUB OF NIGERIA/INTERNATIONAL

CACIT/No. 1295
Registered in Nigeria.

BANKERS:
PNC Bank
Zenith Bank of Nigeria Plc.



MOTTO: *WE ARE ALL ONE*

US Serial No. 86116372
Registered in United States.

NIGERIA, INTERNATIONAL HEADQUARTERS:
Onitsha / Owerri Road,
P.O. Box 5421
Onitsha, Anambra State,
Tel: 08037080187, 08066728872.
E-mail: peoplesclubofnigeria@yahoo.com
Website: www.peoplesclubofnigeria.com

Our Ref:

Your Ref:

Date: 15/04/2015

NATIONAL INTERNATIONAL OFFICERS

President
CHIEF SIR J. I. ILONZE

1st Vice President
CHIEF ONYEKACHI O. OKORO

2nd Vice President
CHIEF R. O. C. EKEDOZIE

3rd Vice President
CHIEF SAM NWIGWE

National Secretary
ELDER SMART O. EBERE

1st Assistant National Sec.
CHIEF C. C. MOJEKWU

2nd Assistant National Sec
LADY DORIS ANYADOR

Financial Secretary
CHIEF PAULINUS ONYENUFORO

National Treasurer
CHIEF SIR DR. A. E. OKEKE

Legal Adviser
CHIEF F. O. ONYEBUEKE

Assistant Legal Adviser
ANTHONY OFILI EGBUSI (KSM)

2nd Assistant Legal Adviser
BARR. OKAY AKPOM

Publicity Secretary
CAPT. J. O. W. ONYEMA

Assistant Publicity Sec.
PROF. EMMA OPARA

Protocol Officer
CHIEF ALVAN OKOYE

Assistant Protocol Officer
HON. BON IBEKWE

Welfare Officer
CHIEF GODDY ORANEDO

Assistant Welfare Officer
LADY RUBY NNADI

2nd Assistant Welfare Officer
NZE BON IKWUAGWU

3rd Assistant Welfare Officer
BRO. GODWIN ADIEME

4th Assistant Welfare
CHIEF S. O. IGBOAMAEZE

House Master
CHIEF MARTIN EZEIKE

Assistant House Master
CHIEF ERNEST O. UGORJI

2nd Assistant House Master
HON. VICTOR IHEZIE

3rd Assistant House Master
HON. ANANE OKEKE



PEOPLES CLUB OF NIGERIA INTERNATIONAL



Motto: Unity, Love And Service

Instrument Establishing A Branch

This is to certify that having been satisfied that provisions of section TWENTY of our constitution have been complied with a Branch of Peoples Club of Nigeria International is this 28th day of JULY..... 2007 established at CHICAGO, IL....

Dated this 28th day of JULY..... 2007

[Signature]
Branch Chairman

[Signature]
General Secretary

PLAINTIFF'S EXHIBIT
PC-3
AW 12-11-15



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

JANUARY 20, 2006

6471-558-5

ALEX CHINYERE OGOKE
1954 W IRVING PARK RD
CHICAGO, IL 60613

RE PEOPLES CLUB OF NIGERIA INTERNATIONAL CHICAGO, ILLINOIS

DEAR SIR OR MADAM:

ENCLOSED YOU WILL FIND THE ARTICLES OF INCORPORATION OF THE ABOVE NAMED CORPORATION. THE CORPORATION IS REQUIRED TO FILE AN ANNUAL REPORT EACH YEAR. BLANK FORMS WILL BE MAILED BY THIS OFFICE TO THE REGISTERED AGENT AS SHOWN BY OUR FILES APPROXIMATELY 60 DAYS PRIOR TO ITS ANNIVERSARY MONTH. (ORIGINAL DATE OF INCORPORATION).

THE REQUIRED FEE OF \$50.00 IN THIS CONNECTION HAS BEEN RECEIVED AND PLACED TO YOUR CREDIT.

THIS DOCUMENT MUST BE RECORDED IN THE OFFICE OF THE RECORDER OF THE COUNTY IN WHICH THE REGISTERED OFFICE OF THE CORPORATION IS LOCATED. FOR FURTHER INFORMATION CONTACT YOUR RECORDER OF DEEDS.

CERTAIN NOT FOR PROFIT CORPORATIONS ORGANIZED AS A CHARITABLE CORPORATION ARE REQUIRED TO REGISTER WITH THE OFFICE OF THE ATTORNEY GENERAL. UPON RECEIPT OF THE ENCLOSED ARTICLES OF INCORPORATION, YOU MUST CONTACT THE CHARITABLE TRUST DIVISION, OFFICE OF THE ATTORNEY GENERAL, 100 W. RANDOLPH, 3RD FLOOR, CHICAGO, ILLINOIS 60601 TELEPHONE (312) 814-2595.

THE ISSUANCE OF THE ARTICLES OF INCORPORATION DOES NOT ENTITLE THE CORPORATION TO A PROPERTY TAX EXEMPTION. YOU MUST APPLY FOR THAT EXEMPTION THROUGH THE BOARD OF REVIEW IN THE COUNTY WHERE THE REAL ESTATE IS LOCATED.

THE DEPARTMENT OF BUSINESS SERVICES IS NO LONGER ISSUING A CERTIFICATE ATTACHED TO THE ARTICLES OF INCORPORATION AS OF FEBRUARY 15, 2002.

SINCERELY,

JESSE WHITE
SECRETARY OF STATE

DEPARTMENT OF BUSINESS SERVICES
TELEPHONE (217) 782-6961

FORM NFP 102.10 (rev. Dec. 2003)
 ARTICLES OF INCORPORATION
 General Not For Profit Corporation Act

Jesse White, Secretary of State
 Department of Business Services
 Springfield, IL 62756
 217-782-9522
 www.cyberdriveillinois.com

Remit payment in the form of a cashier's



CP0908475

per or
 *k

Jesse White Secretary of State

FILED: 1/20/2006

64715585

PHS

File #

Filing Fee: \$50

Approved:

----- Submit in duplicate ----- Type or Print clearly in black ink ----- Do not write above this line -----

Article 1. Name of Corporation: Peoples Club of Nigeria International Chicago, Illinois

Article 2. Name and Address of Initial Registered Agent and Registered Office:

Registered Agent Alex chinyere Ogoke, Esq.
First Name Middle Name Last Name

Registered Office 1954 W. Irving Park Road
Number Street Suite No. (P.O. Box alone is unacceptable)
Chicago IL 60613 Cook
City ZIP Code County

Article 3. The first Board of Directors shall be 3 in number, their Names and Addresses being as follows:
Not less than three

Director Name	Street Address	City	State	ZIP Code
Alex Ogoke	1954 W. Irving park Road	Chicago	IL	60613
Ike Eziefuta	1913 W. touhy Ave. #101	Chicago	IL	60626
Anaya Ukeje	1341 West Chase Ave. #101	Chicago	IL	60626

Article 4. Purposes for which the corporation is organized:

Charitable: Civic; Social Welfare and Social.

(continued on back)

WD

Article 4. (continued)

Is this corporation a Condominium Association as established under the Condominium Property Act? (check one)
 Yes No

Is this corporation a Cooperative Housing Corporation as defined in Section 216 of the Internal Revenue Code of 1954? (check one)
 Yes No

Is this corporation a Homeowner's Association, which administers a common-interest community as defined in subsection (c) of Section 9-102 of the Code of Civil Procedure? (check one)
 Yes No

Article 5. Other provisions (attach additional pages if needed):

Article 6. Names & Addresses of Incorporators

The undersigned incorporator(s) hereby declare(s), under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.

Dated 1/18 Month & Day, 2006 Year

Signatures and Names	
1. <u><i>Alex Cooke</i></u> Signature	<u>ALEX COOKE</u> Name (please print)
2. <u><i>Ike Eziefula</i></u> Signature	<u>IKE EZIEFULA</u> Name (please print)
3. <u><i>Wayo Ukgje</i></u> Signature	<u>WAYO UKGJE</u> Name (please print)
4. _____ Signature	_____ Name (please print)
5. _____ Signature	_____ Name (please print)

Post Office Address		
1. <u>1954 W. Irving Park Road</u> Street	<u>IL</u> State	<u>60613</u> ZIP
2. <u>1913 W. Touhy Avenue, Unit 108</u> Street	<u>IL</u> State	<u>60626</u> ZIP
3. <u>1341 W. Chase Avenue, Unit 101</u> Street	<u>IL</u> State	<u>60626</u> ZIP
4. _____ Street	_____ State	_____ ZIP
5. _____ Street	_____ State	_____ ZIP

Signatures must be in BLACK INK on the original document.
Carbon copies, photocopies or rubber stamped signatures may only be used on the duplicate copy.

- If a corporation acts as incorporator, the name of the corporation and the state of incorporation shall be shown and the execution shall be by a duly authorized corporate officer. Please print name and title under the officer's signature.
- The registered agent cannot be the corporation itself.
- The registered agent may be an individual, resident in Illinois, or a domestic or foreign corporation, authorized to act as a registered agent.
- The registered office may be, but need not be, the same as its principal office.
- A corporation that is to function as a club, as defined in Section 1-3.24 of the "Liquor Control Act" of 1934, must insert in its purpose clause a statement that it will comply with the State and local laws and ordinances relating to alcoholic liquors.

(For inserts use 8 1/2 x 11 white paper)

HON (ELDER) SMART O. EBERE.

23rd October, 2013

TO: CHIEF DR. ANAYO UKAEJE
Former Chairman Chicago Branch

ANSWER TO YOUR FALLACIOUS WRITE- UP

My attention has been drawn to the grossly offensive publication in my mail; tagged "Communiqué following C.E. C. Meeting" held on October, 5th, 2013 in Washington DC. which you championed.

I and other well-meaning and bonafide members of the club viewed the write-up/Communiqué as not only malicious, but also insidious, misleading, counter-factual and surreptitiously targeted at destabilizing and arrogating undue power to the writers.

I therefore condemn the write-up in its totality especially, as the writers failed to understand that they lack power to convene the said meeting, let alone deciding and publishing such an unconstitutional and invalid decision that is not ⁱⁿ tandem with the provision of the constitution and ideals of our club.

Incase, you do not know or might have forgotten, you are not members of the club (Peoples Club of Nigeria) rather an affiliated members; which serious efforts were on ground to accommodate all, before the "Court suit turmoil" madness per-se erupted; and as such, you and your cohorts (Coups) do not have power to have made such decisions, declarations and resolutions contained in your communiqué, which have been rendered NULL, VOID AND OF NO EFFECT whatsoever by your status; as being prescribed by the constitution.

Other sane and reasonable diasporan members, who know their status and the bid of the National body to co-opt the diasporan members into the PEOPLES CLUB OF NIGERIA by way of amending the constitution to provide for your existence, operation and legality; would not engage the National body in Court Suit-duel nor join forces with you, You could

1 of 2



only deceive your kind, that is, preposterous and insane fellow into forming an unconstitutional faction.

In the light of the above, let it be clear to you (Chief Anayo Ukaeje) that you and your fellow coups are operating illegally, taking the laws into your own hands, as well as misleading law abiding members. As a professional that you are, this uncivilized and unnecessary conspiracy do not fit your pedigree. It is highly perplexing that you could engage in such

However, for your own interest, you and your cohorts are advised to desist from such acts of insubordination, impersonation and operation hell-bent on scuttling the progress of the club.

***To be warned is forearmed!
Enough is enough to all these
Childish pranks!!***

Sign


Hon. Elder Smart O. Ebere

From: Kennedy Nwalozie <obino10k@yahoo.com>
To: aukeje <ukejema@yahoo.com>
Sent: Wednesday, October 23, 2013 5:34 PM
Subject: Re: response



see below :

Mr. Elder Smart O. Ebere,

I am not sure why you totally lost it and directed your tantrum and muddled claims towards me (the messenger). Please eschew your emotions for once and look into the dynamics and content of the communiqué again and an apology may suffice. I would have normally ignored yours below as the impetuosity of a troubled mind, but because you sounded off more than personal; I had no choice than to coach you on the very obvious content and implications of the communiqué that is giving you sleepless nights. I will forgive your seeming loutishness and enlighten you and others you copied as follows:

1. You are Not a Member of Peoples Club of Nigeria International or are you?
2. Peoples Club of Nigeria International, particularly the Branches in Diaspora have contributed well over three million Dollars (\$3,000,000.00), an equivalent of Four Hundred and Eighty million Naira (=N=480,000,000.00) since 1990. Do you know that?
3. The edifice called National Headquarters of Peoples Club of Nigeria International at Onitsha-Owerri Road, the Chalets you now live-in free, the restaurant where you eat free food, the bar/bush bar where you drink free drinks and the rental facilities from

where your bread is buttered daily belong to all of us, not you and your stooges alone. At the appropriate time you and your stooges will be constrained to render account of your activities since January 1st, 2013.

4. According to your loutish response in quote, "you are not members of the club (Peoples Club of Nigeria) rather (an) affiliated members..." Do you know the meaning and import of being "affiliated members..."? IF you do, why did you show up in Dallas in disrespect to Texas State Laws, collected over \$32,000.00 from those who are in your dreams are "Not members of the club (Peoples Club of Nigeria)" and ed money?

5. If we are not members as you claim and you Mr Ebere are a suspended former Secretary to Peoples Club of Nigeria (PCN) Caretaker Committee, where did you derive your imagined powers to issue illegal directives to Branches which "are not members of the club (Peoples Club of Nigeria)", but only members of Peoples Club of Nigeria International? I am sure I am not the only one seeing the oxymoron abound in your confusion.

6. If we are not members of Peoples Club of Nigeria as you claimed, where did you and your fellow travelers derive the mythical powers to mislead **Patron Iddi Mgbako** to, as a PCNI Agent **single-handedly and illegally** withdraw **\$24,227.00** from PCNI Account in New Jersey USA? Is USA now same as Nigeria in your imaginary definition when money is involved?

Having carefully reviewed your other activities since 2012 and I am shocked to further observe as follows:

1. That you Elder Smart Ebere, engaged in illegal role that resulted in the spurious termination of the membership of our esteemed Deputy Chairman of the Board of Trustee (Eze Desmond Oguguo). Your action was calculated to humiliate him and in so doing bring the name of our Club into disrepute in violation of PCNI Constitution 1979, section 17, subsection (iv).

2. That you Elder Smart Ebere, filed a false deposition under oath at the Federal High Court at Awka claiming that US-based Patrons are NOT Members of Peoples Club of Nigeria. The official communiqué issued with documented evidence by Patron Uche Eze, has shown your claim to be not only false, but also baseless as Patron Uche Eze was inducted at PCN Owerri Branch, can you dispute this?

3. That your false claim has also been debunked by Federal High Court, Awka, ruling as quoted inter alia "*In the instant suit, from the reliefs sought and averments in the plaintiffs [Chief Marcel Ananukwa, Chief Dr. Uche Eze, Chief Dr. Fabian Eluma and Chief (Prof) Gordian Ndubizu] originating process, there is Prima Facie Proof that their rights are in danger of infringement*" "*It is therefore the view of the Court that the plaintiffs have the Locus Standi to institute the action*"Pages 13-14: (In other

words, the Plaintiffs are Bona fide Members of Peoples Club of Nigeria-PCN). Therefore, you Elder Smart Ebere are in violation of PCNI Constitution 1979, section 17, subsection (iii), quoting specifically, "He defrauds, dupes, cheats or makes false claims to any member of the Club or Club itself"

4. In addition to your despicable role in the termination of respectable members of the Club, filing false depositions under oath at the Federal High Court at Awka claiming that US-based Patrons and by implication PCNI members are NOT members of Peoples Club of Nigeria (the claim you repeated in your mumbled response) in violation of the afore-mentioned sections of the Club Constitution, you have constantly meddled in the internal affairs of Branches using arbitrary directives without proper authorization from the CEC; specifically writing/ signing many false directives in contempt of court decisions including canvassing for the appointment of illegal caretaker committees to overthrow constitutionally elected Branch Chairmen; proactively convincing and colluding with the appointed National caretaker executives in the usurpation of CEC powers by unilateral removal of three (3) CEC/AGM appointed National officers, illegal dissolutions of elected Club Branch Executives, illegal Suspension of elected Branch Chairmen; unconstitutionally terminating the Club membership of a National Officer based on a false premise; illegal Suspension of the Club Patrons as a retaliation for the Lawsuits and general maladministration including persistent abuse of power, harassment and intimidation of Club members in Gross Violations of the Club Constitution, sections 8, 10, 11, 13, 16, 17, 18 NEC Byelaws section 1.

5. Elder Smart Ebere, you are now suspended indefinitely from office of the Secretary for your sins against our esteemed Club coupled with your gross Violations of the Club Constitution.

6. Elder Smart Ebere, you are now Stripped of All your Illusionary Powers.

7. Elder Smart Ebere, you now placed under Constant Legal Surveillance. You are now in Serious Danger of Going to Jail (Prison) either in Nigeria or USA for your Blatant Contempt of Court and other offenses against the Law of the Land.

8. Elder Smart Ebere, if you want to contest the validity of your suspension, first visit PCNI Constitution, 1979 section 13 where you presumably derived all your illegal powers. Remember, this is the subject of the current Substantive Lawsuit, that is, there are only two registered trustees of the Club namely: HRM Igwe P.C. Ezenwa, Eze-Okpoko 1 Oba, and HRM Eze Desmond Ogugua (Miri Na Ezoro Oha 1 Eziudo Mbaise), the Chairman and Deputy Chairman of Board of Trustees respectively. Both have served out their respective total of 10-year terms as trustees as provided for in the Club Constitution [1979 section 13 subsection (c)]. In fact both have served as trustees for the past 35 years contrary to the Club Constitution and their continued stay in power has precipitated chaos and total collapse of Club due to disrespect for the

Club Constitution and rule of law. This situation is exacerbated by you, Elder Smart Ebere and your stooges who fan ambers of the chaos because you now live-off of the chaotic situation.

Let me clarify that those days of unchallenged surreptitious meetings of the cabal behind your effrontery, illegal proclamations and directives from you and your ilk are over and Peoples Club is moving on to better things and in ways that render your actions futile. Those who would rather back you in your self-destruct journey can do so at their own peril, but you can read the communiqué again and see that there are no mincing words in it. I hope mine today would have helped you with a lot of answers you desperately need. The communiqué could not have been better elucidated. It is what it is.

"MEANWHILE, YOU REMAIN SUSPENDED INDEFINITELY"

I remain,

*Chief Dr. Anayo Michael Ukeje, Agunwa,
Founding/Executive Chairman, Peoples Club of Nigeria International,
Chicago Branch, USA .*

On Wednesday, October 23, 2013 1:21 PM, aukeje <ukejema@yahoo.com> wrote:

Ezennaya1,
Please review the revised response as
discussed.

Agunwa
Mr. Elder Smart O. Ebere,

I am not sure why you totally lost it and directed your tantrum and muddled claims towards me-the messenger. Please eschew your emotions for once and look into the dynamics and content of the communiqué again and an apology may suffice. I would have normally ignored yours below as the impetuosity of a troubled mind, but because you sounded off more than personal; I have no choice than to coach you on the very obvious content and implications of the communiqué that is giving you sleepless nights. I will forgive your seeming loutishness and enlighten you and others you copied as follows:

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3. The edifice called National Headquarters of Peoples Club of Nigeria International at Onitsha-Owerri Road, the Chalets you now live-in free, the restaurant where you eat free food, the bar/bush bar where you drink free drinks and the rental facilities from your bread is buttered daily belong to all of us, not you and your stooges alone. At the appropriate time you and your stooges will be constrained to render account of your activities since January 1st, 2013.

4. According to your loutish response in quote, "you are not members of the club (Peoples Club of Nigeria) rather (an) affiliated members..." Do you know the meaning and import of being "affiliated members..."? IF you do, why did you show up in Dallas in disrespect to Texas State Laws, collected over \$32,000.00 from those who are "Not members of the club (Peoples Club of Nigeria)" and vanish with the money?

5. If we are not members as you claim and you are a suspended former Secretary to Peoples Club of Nigeria (PCN) Caretaker Committee, where did you derive your imagined powers to issue illegal directives to Branches which "are not members of the club (Peoples Club of Nigeria)", but only members of Peoples Club of Nigeria International?

6. If we are not members of Peoples Club of Nigeria as you claimed, where did you and your fellow travelers derive the mythical powers to mislead Patron Iddi Mgbako to, as a PCNI Agent **single-handedly and illegally** withdraw \$24,227.00 from PCNI Account in New Jersey USA? Is USA now same as Nigeria in your imaginary definition when money is involved?

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1. That you Elder Smart Ebere, engaged in illegal role that resulted in the spurious termination of the membership of our esteemed Deputy Chairman of the Board of Trustee (Eze Desmond Oguguo). Your action was calculated to humiliate him and in so doing bring the name of our Club into disrepute in violation of PCNI Constitution 1979, section 17, subsection (iv).

2. That you Elder Smart Ebere, filed a false deposition under oath at the Federal High Court at Awka claiming that US-based Patrons are NOT Members of Peoples Club of Nigeria. The official communiqué issued with documented evidence by Patron Uche Eze, has shown your claim to be not only false, but also baseless as Patron Uche Eze was inducted at PCN Owerri Branch, can you dispute this?

3. That your false claim has also been debunked by Federal High Court, Awka, ruling as quoted inter alia *"In the instant suit, from the reliefs sought and averments in the plaintiffs [Chief Marcel Ananukwa, Chief Dr. Uche Eze, Chief Dr. Fabian Eluma and Chief (Prof) Gordian Ndubizu] originating process, there is Prima Facie Proof that their rights are in danger of infringement" "It is therefore the view of the Court that the plaintiffs have the Locus Standi to institute the action"Pages 13-14: (In other words, the Plaintiffs are Bona fide Members of Peoples Club of Nigeria-PCN).* Therefore, you Elder Smart Ebere are in violation of PCNI Constitution 1979, section 17, subsection (iii), quoting specifically, "He defrauds, dupes, cheats or makes false claims to any member of the Club or Club itself"

4. In addition to your despicable role in the termination of respectable members of the Club, filing false depositions under oath at the Federal High Court at Awka claiming that US-based Patrons and by implication PCNI members are NOT members of Peoples Club of Nigeria (the claim you repeated in your mumbled response) in violation of the aforementioned sections of the Club Constitution, you have constantly meddled in the internal affairs of Branches using arbitrary directives without proper authorization from the CEC; specifically writing/ signing many false directives in contempt of court decisions including canvassing for the appointment of illegal caretaker committees to overthrow constitutionally elected Branch Chairmen; proactively convincing and colluding with the appointed National caretaker executives in the usurpation of CEC powers by unilateral removal of three (3) CEC/AGM appointed National officers, illegal dissolutions of elected Club Branch Executives, illegal Suspension of elected Branch Chairmen; unconstitutionally terminating the Club membership of a National Officer based on a false premise; illegal Suspension of the Club Patrons as a retaliation for the Lawsuits and general maladministration including persistent abuse of power, harassment and intimidation of Club members in Gross Violations of the Club Constitution, sections 8, 10, 11, 13, 16, 17, 18 NEC Byelaws section 1.

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8. Elder Smart Ebere, if you want to contest the validity of your suspension, first visit PCNI Constitution, 1979 section 13 where you presumably derived all your illegal powers. Remember, this is the subject of the current Substantive Lawsuit, that is, there are only two registered trustees of the Club namely: HRM Igwe P.C. Ezenwa, Eze-Okpoko 1 Oba, and HRM Eze Desmond Ogugua (Miri Na Ezoro Oha 1 Eziudo Mbaise), the Chairman and Deputy Chairman of Board of Trustees respectively. Both have served out their respective total of 10-year terms as trustees as provided for in the Club Constitution [1979 section 13 subsection (c)]. In fact both have served as trustees for the past 35 years contrary to the Club Constitution and their continued stay in power has precipitated chaos and total collapse of Club due to disrespect for the Club Constitution and rule of law. This situation is exacerbated by you, Elder Smart Ebere and your stooges who fan ambers of the chaos because you now live-off of the chaotic situation.

Let me clarify that those days of unchallenged surreptitious meetings of the cabal behind your effrontery, illegal proclamations and directives from you and your ilk are over and Peoples Club is moving on to better things and in ways that render your actions futile. Those who would rather back you in your self-destruct journey can do so at their own peril, but you can read the communiqué again and see that there are no mincing words in it. I hope mine today will help you with a lot of answers you desperately need. The communiqué could not have been better elucidated.

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I remain,

*Chief Dr. Anayo Michael Ukeje, Agunwa,
Founding/Executive Chairman, Peoples Club of Nigeria International,
Chicago Branch, USA .*

From: Kennedy Nwalozie <obino10k@yahoo.com>
To: Anayo Mike Ukeje <ukejema@yahoo.com>
Sent: Wednesday, October 23, 2013 12:29 PM
Subject: response

Mr Elder Smart Ebere,
Greetings!

I am not sure why you totally lost it and directed your tantrum and muddled claims towards. Please eschew your emotions for once and look into the dynamics and content of the communique again and an apology may suffice. I would have normally ignored yours below as the impetuosity of a troubled mind, but because you sounded off more than personal; I have no choice than to coach you on the very obvious content and implications of the communique that is giving you sleepless nights. I will forgive your seeming loutishness and enlighten you and others you copied as follows:

A careful review of your activities since 2012 has revealed the following:

1

That you Elder Smart Ebere did engage in illegal role that resulted in the spurious termination of the membership of our esteemed Deputy Chairman of the Board of Trustee (Eze Desmond Oguguo), calculated to humiliate him and in so doing bring the name of our Club into disrepute in violation of PCNI Constitution 1979, section 17, subsection (iv).

2. That you Elder Smart filed a false deposition under oath at the Federal High Court at Awka claiming that US-based Patrons are NOT members of Peoples Club of Nigeria. The official communique issued with documented evidence by Patron Uche Eze, has shown Ebere's claim not only to be false, but also baseless as Patron Uche Eze was inducted at PCN Owerri Branch. This false claim has also been debunked by Federal High Court, Awka, ruling quoted inter alia "*In the instant suit, from the reliefs sought and averments in the plaintiffs [Chief Marcel Ananukwa, Chief Dr. Uche Eze, Chief Dr. Fabian Eluma and Chief (Prof) Gordian Ndubizu] originating process, there is Prima Facie Proof that their rights are in danger of infringement*" "*It is therefore the view of the Court that the plaintiffs have the Locus Standi to institute the action*"Pages 13-14: (In other words, the Plaintiffs are Bona fide Members of Peoples Club of Nigeria-PCN). Therefore, Smart, you are in violation of PCNI Constitution 1979, section 17, subsection (iii), specifically "He

defrauds, dupes, cheats or makes false claims to any member of the Club or Club itself”

In addition to your despicable role in the termination of respectable members of the Club, filing false depositions under oath at the Federal High Court at Awka claiming that US-based Patrons and by implication PCNI members are NOT members of Peoples Club of Nigeria (the claim you repeated in your mumbled response) in violation of the afore-mentioned sections of the Club Constitution, you have constantly meddled in the internal affairs of Branches using arbitrary directives without proper authorization from the CEC; specifically writing/ signing many false directives in contempt of court decisions including approving the appointment of illegal caretaker committees to overthrow constitutionally elected Branch Chairmen; proactively convincing and colluding with the appointed national caretaker executives in the usurpation of CEC powers by unilateral removal of three (3) CEC/AGM appointed National officers, illegal dissolutions of elected Club Branch Executives, illegal Suspension of elected Branch Chairmen; unconstitutionally terminating the Club membership of a National Officer based on a false premise and general maladministration including persistent abuse of power, harassment and intimidation of Club members including threatening mental and physical harm to members in Gross Violations of the Club Constitution, sections 8, 10, 11, 13, 16, 17, 18 NEC Byelaws section 1. The suspended National officers have up to the next CEC meeting to appear in person at the CEC meeting to defend themselves and/or show why their suspensions should not be sustained and/or be indefinite.

Elder Smart O. Ebere, you are suspended indefinitely from office in view your gross Violations of the Club Constitution and if you want to contest the validity of your suspension, first visit PCNI constitution, 1979 section 13 where you presumably derived all your illegal powers and then see the stats in the Washington DC Communiqué or go Court.

Let me clarify that those days of unchallenged surreptitious meetings of the cabal behind your effrontery, illegal proclamations and directives from you and your ilk are over and Peoples Club is moving on to better things and in ways that render your actions effeminate. Those who would rather back you in your self-destruct journey can do so at their

own peril, but you can read the communique again and see there are no mincing words in it. I hope mine today will help you with a lot of answers you desperately need. The communique could not have been better elucidated.

“MEANWHILE, YOU REMAIN SUSPENDED INDEFINITELY”

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE FEDERAL HIGH COURT OF AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

SUIT NO: FHC/AWK/CS/ /2013

BETWEEN:

1. Chief Basil Ofole (IP)
2. Chief Dr. Alloysius Uchegbulam Eze
3. Chief Dr. Fabian Eluma
4. Chief (Prof.) Gordian Ndubuizu
5. Chief Engr. Paul N. Ezeuka
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Princeton Junction Branch)
6. Chief, Dr. Alphonsus Okpara
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Houston Branch)
7. Chief, Dr. Evaristus Chidi Nwaogu
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Washington DC Branch)
8. Chief, Dr. Emma Obiesie
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Miami Branch)
9. Captain Henry Onwuachu
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Toronto Branch)
10. Chief, Prof. Innocent Ekeh
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, San Francisco Branch)
11. Chief, Dr. Anayo Ukeje
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Chicago Branch)

Plaintiffs

16



Petitioners 0352

12. Prof. Chukwima Achebe
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, San Antonio Branch)
13. Chief Eddie Osuagwu
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Arlington Branch)

AND

1. Ifon. Elder Smart O. Ebere
2. Dr. Gabby Nwankwo
3. Chief (Barr.) L. O. Arinze
4. Chief (Barr.) F. O. Onyebueke
5. Chief F. N. Okekearu
6. Chief J. O. Igwe
7. Chief M. O. Arinze
8. Chief (Sir) J. I. Ilonze
9. Chief G. U. Ezeji
10. Ichere Onyekachi Okoro
11. The Incorporated Trustees of People's Club of Nigeria
(The Registered Trustees of People's Club of Nigeria)

Defendants

LIST OF WITNESS

1. Chief Basil Ofole

LIST OF DOCUMENTS

1. Certified True Copy of the Certificate of the particulars of trustees of Peoples Club of Nigeria.
2. Certified True Copy of the Constitution of Peoples Club of Nigeria.
3. Originating processes in Suit No. FHC/AWK/CS/24/2013 Between Chief Marcel Ananukwa & Ors v. HRM Igwe P. C. Ezenwa (MFR) & Ors.
4. 1st Defendant's letter to all the branches of Peoples Club of Nigeria calling on them to denounce the action already pending in court or face sanctions.
5. Letter dated 20/7/2013

Dated this 30th day of July, 2013

Arthur Oji Okoro
Arthur Oji Okoro, SAN, FCI Arb.
For: Arthur Oji Okoro, SAN & Associates
Counsel to Plaintiffs/Applicants
Whose Address for service is
No: 2 Elochikwu Street
Off 2nd Army Gate Barracks Gate
Onitsha

For Service on:
1st - 11th Defendants
Peoples Club Secretariat
Onitsha - Owerri Road
Onitsha.

6/8/2013
6/8/2013

SERVICE COPY.

FORM 1
(O. 3, r.4)

General Form of Writ Summons

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE FEDERAL HIGH COURT OF AWKA JUDICIAL DIVISION
HOLDEN AT AWKA

SUIT NO: FHC/AWK/CS/202/2013

BETWEEN:

1. Chief Basil Ofole (JP)
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3. Chief Dr. Fabian Eluma
4. Chief (Prof.) Gordian Ndubuisi
5. Chief Engr. Paul N. Ezeuka
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, Princeton Junction Branch)
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9. Captain Henry Onwuachu
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10. Chief, Prof. Innocent Ekeh
(For himself and as representing members of the Executive Committee of Peoples Club of Nigeria, San Francisco Branch)
11. Chief, Dr. Anayo Ukeje
(For himself and as representing members

CHIEF
HIGH COURT
AWKA
2013

Plaintiffs

*of the Executive Committee of Peoples
Club of Nigeria, Chicago Branch)*

12. Prof. Chukwuma Achebe
*(For himself and as representing members
of the Executive Committee of Peoples
Club of Nigeria, San Antonio Branch)*
13. Chief Eddie Osuagwu
*(For himself and as representing members
of the Executive Committee of Peoples
Club of Nigeria, Arlington Branch)*

AND

1. Hon. Elder Smart O. Ebere
2. Dr. Gabby Nwankwo
3. Chief (Barr.) L. O. Arinze
4. Chief (Barr.) F. O. Onyebueke
5. Chief F. N. Okekearu
6. Chief J. O. Igwe
7. Chief M. O. Arinze
8. Chief (Sir) J. I. Honze
9. Chief G. U. Ezeji
10. Ichere Onyekachi Okoro
11. The Incorporated Trustees of People's Club of Nigeria
(The Registered Trustees of People's Club of Nigeria)

Defendants

TO:

1. Hon. Elder Smart O. Ebere
2. Dr. Gabby Nwankwo
3. Chief (Barr.) L. O. Arinze
4. Chief (Barr.) F. O. Onyebueke
5. Chief F. N. Okekearu
6. Chief J. O. Igwe
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9. Chief G. U. Ezeji
10. Ichere Onyekachi Okoro
11. The Incorporated Trustees of People's Club of Nigeria
(The Registered Trustees of People's Club of Nigeria)

of Peoples Club Secretariat, Onitsha - Owerri Road, Onitsha, Anambra
State, Nigeria.

You are hereby commanded that within thirty days after the service of this
writ on you, inclusive of the day of such service you do cause an

appearance to be entered for you in an action at the suit of Plaintiffs (named above), and take notice that in default of your so doing the Plaintiffs may proceed therein, and judgment may be given in your absence.

Filed this 16th Day of Sept, 2013


JUDGE

Memorandum to be subscribed on the writ

N.B:

This writ is to be served within twelve calendar months from the date thereof or, if renewed, within six calendar months from the date of the last renewal, including the day of such date, and not afterwards. The Defendants may enter appearance personally or by Legal Practitioner either by handing in the appropriate forms, duly completed, at the Registry of the Federal High Court of the Judicial Division in which the action is brought or by sending them to the Registry by registered post.

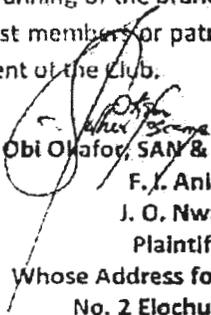
Endorsement to be made on the writ before issue thereof-

The 5th – 13th Plaintiffs sue for themselves as representing members of the Executive committees of their respective branches.

The Plaintiffs' claims against the Defendants are for:

- A. **DECLARATION** that the governing body of the Peoples Club of Nigeria is constituted by the National Executive Committee of the Peoples Club of Nigeria and the general meeting of the Peoples Club of Nigeria.
- B. Declaration that in the absence of constitutionally elected National Officers of Peoples Club of Nigeria, the National Executive Committee and General meeting of the Club of Nigeria cannot lawfully operate as the governing body of the Club.
- C. Declaration that the 1st – 10th Defendants' purported President-in-Council, Governing Council and Central Executive Committee of Peoples Club of Nigeria are unconstitutional contraptions which should not exercise any functions, duties or responsibilities in Peoples Club of Nigeria.
- D. **DECLARATION** that the purported dissolution/suspension and/or threats of dissolution/suspension being issued by the 1st – 10th Defendants against the 5th – 13th Plaintiffs is null, void and of no effect whatsoever.

AN ORDER restraining the 1st – 10th Defendants from carrying out the duties of National Executive Committee, suspending members, officers or patrons of the club, dissolving the executives of branches of the Peoples Club or in any other manner whatsoever interfering with the running of the branches of the Clubs or taking out disciplinary measures against members or patrons of the Club and/or undertaking the general management of the Club.


Arthur Obi Okafor, SAN & Associates
F. I. Anlukwu, Esq.
J. O. Nwankiti, Esq.
Plaintiffs' Counsel
Whose Address for Service is
No. 2 Elochukwu Street
Off 2nd Army Barracks Gate
Onitsha

The writ was issued by Arthur Obi Okafor, SAN, of Arthur Obi Okafor, SAN, & Associates of No. 2 Elochukwu Street, Onitsha whose address for service is No. 2 Elochukwu Street, Onitsha, Anambra State, Nigeria Legal Practitioner for the said Plaintiffs who reside at (C/o Peoples club secretariat, Onitsha)

Endorsement to be made on copy of writ of summons forthwith after service:

This writ was served by me at on the defendant by
(here insert mode of service) on the 20.....
Indorsed the day of 20.....

.....
(Signed)

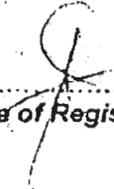
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Before the writ is issued the following certificate must be indorsed on it:

The Registry, Federal High Court.

In the Awka Judicial Division.

A sufficient affidavit in verification of the endorsement on this writ to authorize the sealing thereof has been produced to me this 15th day of Sept 2013.


.....
(Signature of Registrar)

THE LAW/28/24/2013

FORM 7

FEDERAL COURT OF APPEAL

SUBMISSIONS TO PARTIES BY REGISTRAR TO SETTLE RECORD

Between FRM KWT P.C. BEMWA \$10,000 Appellant

CHIEF MARCEL ANANUKA \$3,000 Respondent

TAKE NOTICE that all parties concerned are required to attend before me at the Court office at

FHC THURSDAY 19th day of SEPT 2013

at the hour of 10:00am in the 12:00pm noon to proceed

With settling of the record of the same to be read.

Dated this 16th day of SEPT 2013



REGISTRAR

REGISTRAR
FEDERAL HIGH COURT
AWKA

Peoples Club

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E R R A T A [1 of 3]
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3	PAGE	LINE	CHANGE
4	<u>7</u>	<u>6</u>	"Inspiron" to "Hospira"
5	<u>7</u>	<u>8</u>	<u>Catlon</u> to "Catalent
6	<u>7</u>	<u>10</u>	"Nastich" to "Nastech" and delete "involved"
7	<u>7</u>	<u>11</u>	"N-A-S-T-I-C-T-H", "Nastich" to "N-A-S-T-E-C-H, Nastech"
8	<u>8</u>	<u>1</u>	Change "for cause" to "focused"
9	<u>9</u>	<u>2</u>	"As a-- as a --" to "As a member"
10	<u>9</u>	<u>3</u>	"I'm happy" to "I helped"
11	<u>9</u>	<u>8</u>	"which order" to "with other"
12	<u>9</u>	<u>14</u>	"O-N-I-T-C-H-A" to "O-N-I-T-S-H-A"
13	<u>10</u>	<u>2</u>	Delete "trade"
14	<u>10</u>	<u>5</u>	"Commentaries" to "Committees"
15	<u>11</u>	<u>11</u>	"Their" to "The"
16	<u>11</u>	<u>24</u>	"of" to "at"
17	<u>13</u>	<u>17</u>	"chartering of inductions" to chartering and inductions"
18	<u>13</u>	<u>18</u>	"chartering of inductions" to "chartering and inductions"
19	<u>15</u>	<u>25</u>	PC "Ezenwa"
20	<u>16</u>	<u>10</u>	"Scattered" to "Scheduled"
21	<u>17</u>	<u>15</u>	"Finding" to "Saying"
22	<u>17</u>	<u>19</u>	"literary" to "retaliatory"
23	<u>17</u>	<u>20</u>	"Felt" to "Failed" and "fired" to "filed"
24	<u>17</u>	<u>22</u>	"Suspicion" to "Suspension"

Done 01/30/16

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E R R A T A [2 of 3]
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3	PAGE	LINE	CHANGE
4	<u>18</u>	<u>22</u>	"NY" to "Annual"
5	<u>21</u>	<u>19</u>	"It was the legal" to "He"
6	<u>21</u>	<u>20</u>	"Present" to "appointed by" and "it" to "The other"
7	<u>21</u>	<u>21</u>	"Onyechmaeke" to "Onyemaeke"
8	<u>21</u>	<u>25</u>	"O-N-Y-E-C-H-M-A-E-K-E, Onyechmaeke" to O-N-Y-E-M-A-E-K-E, Onyemaeke"
9	<u>22</u>	<u>13</u>	Delete "still"
10	<u>22</u>	<u>14</u>	"this" to "Chicago Branch"
11	<u>25</u>	<u>7</u>	"PCNI" to "Ezenwa"
12	<u>25</u>	<u>8</u>	"Solved" to "Served"
13	<u>25</u>	<u>10</u>	"The PCNI" to "The PC Ezenwa"
14	<u>25</u>	<u>14</u>	"PCNI's" to "PC Ezenwa"
15	<u>25</u>	<u>25</u>	"Oguguo" to "Ezenwa"
16	<u>27</u>	<u>13</u>	Delete "Of the" and Change "Contending" to "Containing"
17	<u>27</u>	<u>15</u>	"Nwigwe" to "Iwuchukwu"
18	<u>30</u>	<u>12</u>	"Iwuchkwu" to "Onwuachu"
19	<u>30</u>	<u>13</u>	"Okechechuukwu" to "Okechukwu"
20	<u>31</u>	<u>24</u>	"Okeje" to "Ukeje"
21	<u>33</u>	<u>24</u>	"-" to "Ndubizu"
22	<u>38</u>	<u>18</u>	"Considered" to "Constituted"
23	<u>38</u>	<u>21</u>	Delete "and the"
24	<u>38</u>	<u>22</u>	Delete "general--" and change "of" to "in"

D. Nwagwu 01/30/16

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E R R A T A [3 of 3]
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PAGE	LINE	CHANGE
39	12	Delete " that we"
39	13	Delete "are"
40	1	Delete "maybe" and change "solve" to "resolve"
40	2	Delete "hat one that we are handing "
40	3	: Delete "-- face"
40	8	"solved" to "resolved" and change "exist" to "expulsion"
42	18	"his" to "this"
43	8	"to--" to "together"
48	1	"Constitution" to "Constitutional"
49	10	"The --" to "He was chosen" and delete "and"; change "covenant" to "convenient"
49	13	Add "is" after lawyer

Handwritten signature 01/30/16

Handwritten text ANN 01/30/2016

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ACKNOWLEDGMENT OF DEPONENT

I, ANAYO MICHAEL UKEJE do
hereby certify that I have read the
foregoing pages, 1 - PGS, and that the
same is a correct transcription of the
answers given by me to the questions
therein propounded, except for the
corrections or changes in form or
substance, if any, noted in the attached
Errata Sheet.

ANAYO MICHAEL UKEJE 01/30/2016
WITNESS NAME DATE

Subscribed and sworn
to before me this
30 day of January, 2016.

My commission expires: 12.10.2018

[Signature]
Notary Public

