**IN THE FEDERAL COURT OF NIGERIA**

**HOLDEN AT ABUJA**

**BETWEEN:**

**PROF (SENATOR) DAVID IORNEM**

**(Doing business under the name and style of**

**New Idea management Consultants)……………………………….PLAINTIFF**

**AND**

**NATIONAL UNIVERISITY COMMISSION (NUC)…………………..DEFENDANT**

**AFFIDAVIT IN SUPPORT OF SUMMONS**

I Senator, (Professor) David Iornem, adult, male, Nigerian citizen of New Idea Management Consultants, No 18/19 Ahmadu Bello Way Kaduna do make oath and state as follows:

1. That I am a Management Consultant and a Management trainer duly accredited by the Nigerian Council for Management Development, the Federal Government agency responsible for the accreditation of management trainers.
2. That my trading names are **New Idea Management Consultant** and **Open Learning Network**.
3. That I am the Plaintiff in this case and I am conversant with the facts of this case.
4. That I know as of fact that I operate a Consultancy service offering services to individual student wishing to enroll on distance learning programmes of institutions including St Clement University and other Foreign Universities
5. That I also know as of fact that I also operate a consultancy service for students or prospective students who intend to enroll or are enrolled on a distance Learning programme of St Clements University, University of London, or any other foreign University.
6. That the Defendant is a Commission charged with the responsibility of regulating Universities established in Nigeria and is an arm of the Federal Government of Nigeria
7. That on the 5/8/2005 an NUC team of two made up of Professor I.I. Uva as leader and one Mrs Abechi visited my offer in Kaduna and asked about the educational services I render.
8. That I explained our mission and services to the NUC Team
9. That during the discussions of the Team from NUC threatened to close down my office and business.
10. That when the team left I was worried and I decided to state in detail the nature of my activities and services in a letter to the Secretary, NUC Abuja dated 16/8/2005
11. That I swore to an affidavit to establish the Truth of the Nature of the Services. A copy of the Affidavit with the nature of services enclosed as **Exhibit A & B** is herein exhibited as **Exhibit “A”**
12. That I do not render any service other than those stated in **Exhibit “A”** as regards distance learning or educational services.
13. That after the visit of the two-man team of Pro I.I. Uva and Mrs Abechi I was not informed of the findings of the team.
14. That the NUC did not invite me to make any representation as regard the findings of the team.
15. That I know as of fact that either Prof I.I.UIva or Mrs Abechi is not a member of the National University Commission. Both are only Staff of the Commission.
16. That to my surprise and chagrin, without inviting me the NUC sat behind closed doors and took several decisions containing misrepresentations of the facts and published in the Monday memo of the NUC, office of the Executive Secretary published to all staff dated 29/8/2005 under the sensitive Heading of **Closure of illegal offshore Degree Programmes in Kaduna**. A copy of the said Monday memo is herein exhibited as Exhibit ‘B”
17. That I retyped exhibit “B” for a clear reading. A clear copy of Exhibit B as it affects me is herein exhibited as Exhibit “C:
18. That the 2-man team of the Defendant was allegedly constituted to pursue vengeance against me.
19. That I have not established a degree awarding institution in Nigeria
20. That the services I render as contained in exhibit “A” is legal and have not offended any law of the Federal Republic of Nigeria
21. That the Defendant has not at any time pointed to me any sections of the law my activities have offended.
22. That the Defendant had threatened to close down my office in Kaduna
23. That the Defendant will close down my office in Kaduna unless restrained by this Honourable Court
24. That the Defendant has threatened to publish in national dailies refereeing to my services as unauthorized and to warn unsuspecting candidates not to deal with me
25. That the Defendant will publish in national dailies refereeing to my services as unauthorized and to warn unsuspecting candidates not to deal with me unless restrained by this court
26. That the Defendant is biased against me and has allowed other consultants to carry out the same services I render but have not closed or threatened to close down their offices.
27. That I dispose to this affidavit in good faith and conscience believing the fact to be true and in accordance with the oaths Acts 1990.

………………………………..

DEPONENT

Sworn to at the Federal High Court Registry Abuja

This…………………..day of…………………2005

**BEFORE ME**

………………………………………………..

**COMMISSIONER FOR OATHS**

**IN THE HIGH COURT OF JUSTICE KADUNA STATE**

**HOLDEN AT KADUNA**

**AFFIDAVIT OF SENATOR (PROF) DAVID IORNEM**

**VERIFYING FACTS**

I Prof. David Iornem, former Senator of the Federal Republic of Nigeria, Adult, Male, Christian, Nigeria Citizen of N 18/19 Ahmadu Bello Way Kaduna, Nigeria, do oath and state as follows;

1. That I am a management consultant and Federal Government of Nigeria Accredited management Trainer trading under the names of **New Idea Management Consultant** and **Open Learning Network.**
2. That I am Certified Management Consultant (CMC) granted accreditation by the International Council of Management Consultant Institutes, (ICMCI).
3. That I provide consultancy services for organization and individuals on continuing education and self-development, including the provisions of professional advice on continuing education programmes offered by distance learning directly by various universities and other institutions and the nature of services rendered by me is herein attached as **Exhibit “A”.**
4. That on the fifth day of August 2005, I was approached by officers of the National University Commission (NUC) of Nigeria who ordered me to close down my offices and threatened to use force to close same if I fail to do so.
5. That the said offices of the National University Commission did not serve on me any written document but verbally told me that my business violates the laws of Nigeria but they were not specific.
6. That I explained to the NUC officers the nature of business I do which essentially is to offer advice on distance learning opportunities, methods, techniques and sources for working executives, professionals and entrepreneurs and also made available documents they demanded and/or needed but they were not satisfied and assured me that they will carry out their threat if I do not discontinue with my business.
7. That I have decided as a law abiding citizen to officially write and explain to the National University Commission the nature and extent of services rendered by me at the office.
8. That I have written the said letter to the National University Commission referred to in paragraph 7 above and is herein exhibited as **Exhibit “B”**
9. That I am the person that has written **Exhibit “B”** from facts which I know are true and I have carefully perused **Exhibit “B”** and hereby verify that all statements of facts contained in **Exhibit “B”** are true
10. That I know as of fact that I have not breached any law of the Federal Republic of Nigeria by the nature and extent of services I render to Universities and intending students as contained in **Exhibit “A”** and **“B”.**
11. That I depose to this affidavit in good faith conscientiously believing the facts to be true and in accordance with the Oaths Act 1990.

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DEPONENT

SWORN To at the Registry of the

High Court of Justice Kaduna

This 16 day of August, 2005

BEFORE ME