

**IN THE HIGH COURT OF JUSTICE**  
**KING'S BENCH DIVISION**  
**MEDIA AND COMMUNICATIONS LIST**  
**BEFORE DEPUTY MASTER FINE**

**Claim No. KB-2023-003767**

**B E T W E E N:**

**(1) MONTY MOBILE LIMITED**  
**(2) MOUNTASSER MUAD HACHEM**

**- and -**

**(1) MESSEH LEONE**  
**(2) MESSEH LEONE LTD**



**KB-2023-003767**

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**Order**

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**PENAL NOTICE**

**If you, the Defendants, disobey paragraph 2 of this Order you may be held to be in contempt of court and may be imprisoned, fined or have your assets seized.**

**Any other person who knows of this Order and does anything which helps or permits the Defendants to breach the terms of paragraph 2 of this Order may also be held in contempt of court and may be imprisoned, fined or have their assets seized.**

**IMPORTANT:**

**Notice to the Defendants**

**You should read the terms of this Order very carefully. You are advised to consult a solicitor. This Order prevents you from doing the acts set out in paragraph 2 below.**

UPON the Order of Master Davison dated 22 April 2024 entering judgment for the Claimants in default of the Defendants filing an Acknowledgment of Service or filing a Defence and making directions to this further hearing to deal with damages, other remedies and costs

AND UPON hearing remotely from Counsel for the Claimants and the First Defendant in person by Microsoft Teams

AND UPON reading the written evidence filed by the Claimants, being the First Witness Statement of Mountasser Muad Hachem and Third Witness Statement of Elie Abou Assali and supporting exhibits

**IT IS ORDERED AND DECLARED THAT:**

Damages

1. The Defendants shall be jointly and severally liable for, and shall pay by 4pm on 16 July 2024:
  - a. the First Claimant the sum of £35,000 in general damages; and
  - b. the Second Claimant the sum of £35,000 in general damages.

Injunction

2. The Defendants are prohibited, whether by themselves, their employees, agents or otherwise, from publishing:
  - a. any further words that bear the meaning that *in carrying on its mobile operations business in Gambia, the First Claimant is guilty of serious criminal activity, fraud and breaches of regulatory rules, that it has indirect links to organised crime and its involvement with another operator, Comium, is in fact a fraudulent scheme to extract money from customers and that the conduct is so serious that the First Claimant is not a fit and proper company to be a mobile network operator in Gambia.*
  - b. any further words that bear the meaning that *the Second Claimant is also not a fit and proper person to be involved in mobile networks and that he is also guilty of criminal conduct, the First Claimant being a front for his criminal activity.*

- c. any further words that bear the meaning that *in carrying on its mobile operations business in Gambia, the First Claimant is guilty of serious criminal activity and repeated breaches of regulatory rules and that it has partners with links to criminal enterprise and its conduct includes intimidating and blackmailing government officials.*
- d. any further statements containing the following falsehoods (or similar falsehoods concerning the Claimants);
  - i. *That the Claimants commit acts of fraud and regulatory breaches;*
  - ii. *That the Claimants are guilty of serious criminal activity;*
  - iii. *That the Claimants have partners with links to criminal enterprise;*
  - iv. *That the Claimants intimidate and blackmail government officials;*

#### Costs

- 3. The Defendants shall pay the Claimants' costs which are to be summarily assessed at a hearing before Deputy Master Fine to be listed on 16 September 2024, at 3:00pm with a time estimate of 1.5 hours.
- 4. Costs Schedules for the summary assessment referred to in paragraph 3 above shall be served 3 clear days in advance of the date of the hearing.
- 5. The Defendants shall pay the Claimants £30,000 as a payment on account of costs by 4pm on 16 July 2024.
- 6. This Order shall be served upon the Defendants by the Claimants.

Dated: 2<sup>nd</sup> July 2024