THE FEDERAL HIGH COURT OF NIGERIA
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA
ON WEDNESDAY, THE 151 DAY OF JUNE, 2022
BEFORE HIS LORDSHIP, HON. JUSTICE TAIWO O. TAIWO
JUDGE

SUIT NO: FHC/ABJ/CS/715/2022

BETWEEN:

1. MOSES OGBE

2. OGOBIRI TIMINEPERE

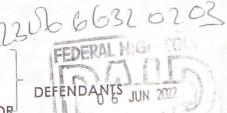
PLAINTIFFS/APPLICANTS

AND

PEOPLES DEMOCRATIC PARTY (PDP)

INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC)

3. OBOREVWORI SHERIFF FRANCIS ORHWEDOR



ABUJA

ORDER

UPON this **Motion Exparte** dated 30th day of May and filed on the 31st day of May, 2022 praying the Honourable Court for the following Orders:

1. AN ORDER OF NTERIM INJUNCTION restraining the 2nd Defendant from allowing the 3rd Defendant to participate in its primaries for the purpose of electing the governorship candidate of the 1st Defendant in preparation for the 2023 general election in Delta State pending the



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hearing and determination of the Motion on Notice filed contemporaneously with this

application.

2. AN ORDER OF INTERIM INJUNCTION restraining the 2nd Defendant from supervising or monitoring the primaries of the 1st Defendant with the intention of allowing the 3rd Defendant to participate in the primaries of the 1st Defendant for the purposed of nomination of candidate of the 1st Defendant in the 2023 Governorship Election in Delta State pending the hearing and determination of the Motion on Notice filed contemporaneously with this application.

INTERIM INJUNCTION 3. AN ORDER OF restraining the 1st Defendant, whether by itself, agents, officers or staff, howsoever described or called, from forwarding the name of the 3rd Defendant to the 2nd Defendant as the duly-nominated candidate of the 1st Defendant at its primary election which held on 24th May, 2022, for the purpose of electing the 1st Defendant's candidate or flag bearer in the forthcoming Delta State Governorship election already fixed by the 2nd Defendant for 11th March, 2023, pending the hearing and determination of the Motion on Notice filed contemporaneously with this application.

4. AN ORDER OF INTERIM INJUNCTION restraining the 2nd Defendant whether by

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itself, agents, officers or staff, whosoever described or called, from receiving, acting on, accord accepting, recognition/credence or otherwise effect to any list that may or is already sent to it by the 1st Defendant and containing the name of the 3rd Defendant as the dulynominated candidate of the 1st Defendant in the primary election held on 24th May, 2022 for the purpose of electing the 1st Defendant's candidate or flagbearer in the forthcoming Delta State Governorship election already fixed by the 2nd Defendant for 11th March, 2023, pending the hearing and determination of the Motion on Notice with this contemporaneously application.

INTERIM INJUNCTION ORDER OF 5. AN restraining the 3rd Defendant from parading or otherwise holding out himself as the duly nominated duly-candidate of the 1st Defendant in the primary election held on 24th May, 2022, for the purpose of electing the 1st Defendant's candidate or flagbearer in the forthcoming Delta State Governorship election already fixed by the 2nd Defendant for 11th March, 2023, pending the hearing and determination of the Motion on Notice this contemporaneously with application.

6. AN ORDER for substituted service on the 3rd Defendant through the National Chairman of the 1st Defendant.

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- 7. AN ORDER abridging the time within which the Defendants will file their response to this case from 30 days to 7 days.
- 8. AN ORDER accelerating the hearing of this case.
- 9. AND for such other orders or further orders as this honourable Court may deem fit to make in the circumstances.

UPON reading the affidavit in support of the motion Exparte deposed to by OGOBIRI TIMINEPERE, Male, Adult, Christian, Businessman/Politician of Ward 8, Patani Local Government, Delta State and filed at the Court Registry.

AND after hearing IBRAHIM IDRIS SAN with J.D. Jefia, OSITA ALELE, SARAFADEEN SALIMO for the Plaintiffs/Applicants.

IT IS HEREBY ORDERED AS FOLLOWS:

- 1. THAT the Defendants shall within 7 days from the service on them of the order of this Court, file in this Court an affidavit to show cause why prayers 3, 4 and 5 shall not be granted by the Court.
- 2. THAT the Defendants shall not do anything which bears on the reliefs contained in the said prayers until the Court decides whether or not to grant the said reliefs.

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- 3. THAT prayer 6 is refused. Service on the 3rd Defendant shall be in line with the rules of this Court.
- 4. THAT with respect to the abridgement of time, the time that the Court will allow the Defendants to file their respective response is 14 days from tomorrow the 2nd of June, 2022 and not 7 days.
- 5. THAT AN ORDER is hereby granted accelerating the hearing of motion Exparte and its consideration vis-a-visa the affidavit to show cause ordered to be filed by the Defendants.

HON. JUSTICE TAIWO O. TAIWO JUDGE

6. THAT this matter is hereby adjourned to 9th of June, 2022.

ISSUED AT ABUJA under the seal of the Court and the hand of the presiding Judge this 1st day of June, 2022.

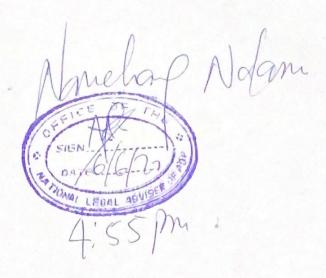
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LITIGATION & PROSECUTION DEPARTMENT