

Libel Suit Timeline

12 Feb 2012: The UK Times and Wired868 publish articles which allege that ex-FIFA vice-president and Chaguanas West MP failed to relay close to \$4.4 million (US\$690,000) in aid money meant for Haiti.

16 Feb 2012: Wired868 publishes that the TTFF claimed the Haiti aid money went into an account controlled by Jack Warner and was never heard of again. Wired868 issues a series of tweets on the story.

24 Feb 2012: Om Lalla, Warner's advocate attorney, issues a pre-action protocol letter which claimed that Wired868's story on February 12 was libelous and demands damages as well as an apology on their terms.

8 March 2012: British attorney Michael Townley drafts a letter, which is served by local attorney Dave De Peiza, that insists author and Wired868 managing director Lasana Liburd denies libel and will vigorously defend his position to report on facts in the public's interest.

18 April 2012: Dereck Balliram, Warner's instructing attorney, demands substantial damages for a tweet which he claimed cause the intended claimant considerable mental agony, embarrassment and immeasurable injury to his reputation.

10 May 2012: De Peiza responds, on Liburd's behalf, and reiterates that his client will vigorously defend himself against any legal claim by Warner.

22 May 2012: Balliram files claim form and statement of case in the High Court.

26 July 2012: De Peiza files Liburd's defence in the High Court for advocate attorney Philip Hewlett-Lamont

24 October 2012: Balliram contacts De Peiza and indicates that Warner is willing to withdraw lawsuit if he receives an apology.

17 January 2013: De Peiza informs Balliram that Liburd is only willing to apologise for not attributing the allegations against Warner to its source the TTFF.

18 January 2013: Balliram refuses to accept offered concession and insists that Warner will only accept the following statement from Liburd: "I accept that this allegation is without foundation and injudicious on my part. I wish to offer my apology to the claimant for the distress and embarrassment caused by my tweet and/or comment."

21 January 2013: Liburd, De Peiza and Lamont meet to discuss possible concession to bring the case to an end.

Liburd insists that the following be dispatched: "I accept that it was injudicious on my part not to have attributed the tweet to its source and I offer my regrets to the Claimant therefore."

25 January 2013: Balliram responds: "Your proposed apology (...) may itself be defamatory in nature and interalia accordingly our client does not wish to be party to it. We trust good sense will prevail and your client will settle this matter amicably as originally agreed rather than incurring legal costs by both sides and engaging precious judicial time."

Both sides subsequently file a List of Documents in the High Court.

26 February 2013: Lasana Liburd does a change of attorney and now officially represents himself.

27 February 2013: Liburd applies for an extension for the filing of Witness Statements in the High Court and serves the relevant documentation to Balliram while notifying him of the change of attorneys.

3 April 2013: Liburd files witness statements on behalf of himself and British investigative journalist James Corbett.

23 September 2013: Balliram contacts Liburd for the first time by phone and email to seek an end to the libel action and insists that his client, Jack Warner, has nothing personal against the Defendant. Liburd insists he will not sign anything with the word 'apology' included.

Balliram and Liburd agree to the following: "I accept that it was injudicious on my part not to have attributed the tweet to its source and I offer my regrets to the Claimant therefore."

27 September 2013: Liburd visits Balliram's office and is initially asked to sign the wrong statement. Balliram then brings a second statement, which reads: "I accept that this allegation is injudicious on my part, not to have attributed the tweet to its source and I offer my regrets to the Claimant therefore."

Liburd failed to spot that this statement is still slightly different to one they previously agreed upon; or that, in the prelude to the statement are the words: "The Claimant has offered an apology and the Claimant has accepted same in following form..."

9 October 2013: Justice Peter Rajkumar officially accepts that Jack Warner has withdrawn his libel suit in Trinidad Express newspaper.

The settlement letter reads that the case ended after Jack Warner offered an apology and accepted same.