

Witness Statements

I, Jack Austin Warner, Member of Parliament for Chaguanas West and Minister of National Security of Trinidad and Tobago of Howell Settlement, Five Rivers, Arouca in the island of Trinidad make oath and say as follows:

1. I am the Claimant in the matter herein. The facts deposed to herein are true and correct except where stated to be on information and belief in which case I verily believe same to be true.
2. I make this witness statement to provide evidence to this Honourable Court...
3. I am the Chairman of the Political Party United National Congress ("UNC"), a Member of Parliament...
4. I have been involved in the sport of football for the past 25 years...
5. I am a subscriber to the website www.twitter.com which I frequently visit to keep abreast of social commentaries and the expression of views from members of the public and from international subscribers to the site.
6. On or about 16 February 2012, I visited the website and observed a blog published on the website www.twitter.com "EX FIFA VP POCKETED HAITI FINANCIAL AID MONEY" published and/or posted by the user Wired868 of which the Defendant is the Chief Executive Officer and Editor. A true copy of the 'tweet' is hereto attached...
7. Upon reading the "tweet" I observed that said "tweet" written in bold caption was re-tweeted by 3 other users of the site and was being commented on by several users the number of which I now cannot recall or provide to the Court since the tweet was subsequently removed on 18 April 2012.
8. The tweet as published on the website sufficiently identified me as the Ex FIFA Vice President which was fact widely known both locally and internationally and the tweet conveyed the meaning, and I understood it to mean that I had stolen the financial aid money entrusted to me for the earthquake stricken country of Haiti.
9. Upon reading the tweet I felt humiliated, embarrassed and hurt that such a false statement was being consumed by millions of users of the internet both locally and internationally and it was giving the impression that I was a thief and/or a very dishonest person.
10. I was then the Minister of Works and Infrastructure in the Government of Trinidad and Tobago and had cause to be present in several cabinet meetings with other government colleagues who made comments on the tweet and hurled remarks at me in cabinet sessions, all of which was very humiliating since it was made in the presence of the Honourable Prime Minister of Trinidad and Tobago. I felt ridiculed that resulting from the tweet my government colleagues had the belief that I stole money from Haiti.
11. As the Member of Parliament for Chaguanas West, I have weekly meetings at my constituency office where I meet with approximately 200 constituents to hear their concerns and try to use my best endeavours to assist in alleviating their particular plights.

A number of constituents while being interviewed by me asked me “boss you really take the Haiti money.” I cannot recall the exact names of the constituents because there (sic) numerous person (sic) who come to my office on a weekly basis. I was overcome with embarrassment that my constituents, the people who look up to me had the belief that I stole money which was destined for Haiti.

12. The tweet became the subject of discussion at any functions I attended and would often be hurled in anecdotes in parliamentary sittings where the Opposition party was present. It caused a great deal of distress and embarrassment to me among my peers.
13. I have always been a person who has endeavoured to put Trinidad and Tobago on the world map of achievements and in my role of Special Advisor to the Trinidad and Tobago Football Federation I was able to secure the funding and training which led to the country’s qualification in the 2006 World Cup.
14. An issue arose regarding funds for Haiti from FIFA and I upon the request of FIFA provided a detailed account of the money destined for Haiti which was received by FIFA. To date no allegations or negative findings have been made against me. This was a fact well known to the Defendant who has followed developments in football particularly football in Trinidad and Tobago. However, before waiting on FIFA to make a decision, I believed that he deliberately and maliciously published the tweet in an effort to prejudice me and ridicule me in the eyes of the public before I was vindicated.
15. The Defendant knew and ought to have known that being a Member of Parliament and government minister that such an allegation which bears the meaning of a dishonest and unethical man would attract public attention and he intended same.
16. I, Jack Warner reserve the right to add any further evidence to this Witness Statement and if necessary, to seek leave of this Honourable Court to file a supplemental statement.
17. The contents of this my Witness Statement is true and correct.

I, Lasana Liburd, of #166 Arima Old Road, Arima in the island of Trinidad, Journalist, state as follows:-

1. I am the Defendant herein.
2. I have worked as a journalist and primarily in the field of sport since 1996 and, during this time, I have written at least a handful of stories per year for local and international publications on Jack Austin Warner in relation to his roles as Trinidad and Tobago Football Federation (TTFF) special advisor, FIFA vice-president, CONCACAF president, Caribbean Football Union (CFU) president, Joe Public Football Club chairman, Simpaal Travel Services director, Joao Havelange Centre of Excellence

director, Renraw Investments director, LOC 2006 director, LOC Germany 2006 director and Jamad Limited director.

3. On 12 February 2012, British investigative reporter James Corbett co-authored an article in the UK Times headlined “FIFA inquiry as cash aid for Haiti vanishes”, which claimed that aid money sent to Warner as CONCACAF president and meant to be relayed to Haiti never got to its intended destination. I assisted Corbett in some local queries in relation to that story and, in return, he shared certain valuable information in relation to that article, which included details of a US\$500,000 wire transfer from South Korea to a CONCACAF bank account in Trinidad and an audio recording of Haiti Football Federation president Yves Jean-Bart, who claimed that little of the money ever got to Haiti. I have attached copies of the UK Times report, wire transfer details and a recording of the Haitian football president marked “LL1”, “LL2” and “LL3” respectively.
4. I confirmed with the FIFA press office that the football body sent US\$250,000 for Warner to a TTFF account but FIFA received no subsequent proof the money went to Haiti. I have attached a copy of FIFA’s response marked “LL4”. I telephoned Jack Warner for comment but he did not respond or return my call.
5. I wrote and published on Wired868 an article entitled “Warner named in Haitian aid scandal; FIFA stops TTFF funding.” I have attached a copy marked “LL5”.
6. Wired868 was exactly one month old at the time having published its first story on 12 January 2012.
7. Although Warner never granted me an interview to discuss the missing Haitian aid money, he did speak to State-owned television station CNMG and told them: “So tomorrow something comes in a newspaper in Egypt, you will ask me again? So tomorrow something comes in a newspaper in Burma, you will ask me again? Let them write. When I want to talk, I will talk. I have nothing to answer to anybody. Who wants to make allegations, make allegations. Ask yourselves, as objective members of the media, why now. That's all. Why now? And after you get why now, just join the dots and see... You cannot take every foolish report that appear in the newspaper and ask me questions about it. There is nothing anybody could say or do to make me look bad anymore. Everything that has been said about Jack Warner has been said. Everything that has been written, has been written and I still continue to do the people's work. I have nothing to run from. You want to write your articles, write them. I would not in any way tell you not to write. But be fair, be balanced.” I have attached a copy of Warner’s interview with CNMG marked “LL6”.
8. Four days after the UK Times and Wired868 report regarding the whereabouts of the Haiti aid money, the Trinidad and Tobago Football Federation issued a press release which stated that the money did reach into its account but it did not know what Warner did with it subsequently: “The TTFF acknowledges it is aware of funds made available by both FIFA and the Korean football federation for the football victims of Haiti’s devastating earthquake in 2010. However, we are unable to confirm the quantum of funds received, as these monies did not go into the account used by the TTFF administration for

its day to day operations, but instead to the TTFF's LOC Account as was requested by Mr. Jack Warner, the former vice president of FIFA and special advisor to the TTFF. The current executive is unaware of how these funds were disbursed or utilised and is awaiting the promised and audited accounts from Mr Warner." I have attached a copy of the TTFF release marked "LL7".

9. I again failed to reach Jack Warner by phone and, on this occasion, I also emailed him at his personal address dsurvivor2011@aol.com and asked him for comment regarding the aid money and its disbursement. I have attached a copy of this email marked "LL8". I also wrote a story headlined: "TTFF: Warner took Haiti aid money" which I attached as "LL9".
10. As usual, I promoted my story using the only medium I could afford which was by Facebook and Twitter. I tweeted the headline and a link to the story about five times with hashtags so as to help the story to appear in different searches. In all but one tweet, I attributed the TTFF as the source for the information that Warner had taken the Haiti aid money.
11. In the sole contentious tweet on the Wired868 Twitter account, I wrote "Ex-FIFA VP pocketed Haiti financial aid money #haitiaid #fifa #jackwarner" along with the link that directed readers to the story on the website, Wired868. I attached a copy of this tweet marked "LL10".
12. On the same day, Jack Warner threatened to sue me in another interview with CTV in which he supplied the State-owned television station with the same tweet he claimed to be libellous and allowed them to republish to a larger audience the same contentious tweet. The URL was removed months later after my lawyer Dave De Peiza mentioned it in my defence.
13. Four months later, I received a pre-action protocol letter in relation to the tweet from KR Lalla and Company.
14. I subsequently deleted the contentious tweet from the Wired868 Twitter account.
15. On 22 February 2013, a year after Jack Warner attempted to defend his use of FIFA funding meant for Haiti, FIFA confirmed to Wired868 that Warner "never properly accounted for the money which was sent through him as emergency aid for Haiti." I have marked the correspondence from the FIFA Media Office as "LL11".
16. I, **LASANA LIBURD**, have read the above statement and it is true and correct to the best of my knowledge.

I, **JAMES CORBETT**, of 17 Rathmiles Grove, Killenard, Co Laois, Ireland, Journalist, state as follows:-

17. I am the witness herein.
18. I have worked as a journalist and author primarily in the field of sport since 2002. During this time I have written and broadcast for outlets that include the BBC, the Guardian, the Observer, the Sunday Times and FourFourTwo magazine. I covered FIFA politics extensively for two years while working as European Correspondent for the website worldfootballinsider.com between June 2009 and June 2011. I am the author of three books and co-author of a further two. I am highly respected in my field and in December 2011 was awarded the K Blundell Trust Award by the Society of Authors in recognition of my work.
19. In December 2011 I was tipped off by a source who is well known in FIFA headquarters that some or all of \$250,000 aid money donated by FIFA for Haiti aid relief following the January 2010 earthquake had never reached its destination. My subsequent investigations revealed that a further \$500,000, which had been donated by former FIFA vice president Chung Mong-joon, had gone missing too.
20. At this stage I referred the story to Jonathan Calvert, editor of the Sunday Times' investigative team, Insight. I was acquainted with Calvert following his expose of corruption in the FIFA World Cup bidding process in October 2010, and knew that he was an editor with the experience and expertise to help see this story through to its conclusion and ensure the subject was dealt with fairly.
21. I worked on the story with the Insight team for a period of approximately 6 weeks. I spoke to at least ten independent sources within world football while seeking to verify the story; this number included FIFA employees, federation and confederation chiefs, and those with intimate knowledge of Caribbean football. By the time of publication we had on the record testimony from the head of the Haiti Football Federation, Yves Jean Bart, saying that \$690,000 had not reached its intended destination. We possessed details of the financial transaction that saw \$500,000 donated by Chung Mong-joon and the Korean FA to a bank account held in Trinidad.
22. We were also in possession of a statement from FIFA media, dated 10 February 2012, which read: 'We can confirm that FIFA wired immediately after the devastating earthquake USD 250,000 as an emergency aid for Haiti to the account of the Trinidad and Tobago Football Federation (TTFF). This was on request of the then CONCACAF President Jack Warner and subsequently transferred to the TTFF account, in order to immediately provide support to Haiti. FIFA can also confirm that it had been informed by the Haiti Football Association (FHF) in autumn 2011 that it had only received USD 60,000 of this emergency aid. Consequently FIFA, in a letter, requested in October 2011 a full explanation from the TTFF into those funds. As FIFA has not received any satisfactory response FIFA has stopped with immediate effect any payments to the TTFF

until it will receive proper accounts of these funds allocated as an immediate relief support to the FHF.’

23. We made numerous attempts to contact Jack Warner by telephone and email but he never responded to our enquiries.
24. The story was published on 12 February 2012.
25. To the best of my knowledge no evidence has since been presented suggesting that the money ever reached Haiti or that our story was anything other than correct.
26. I, **JAMES CORBETT**, have read the above statement and it is true and correct to the best of my knowledge.