**IN THE FEDERAL HIGH COURT OF NIGERIA**

**IN THE ASABA JUDICIAL DIVISION**

**FURTHER AND BETTER AFFIDAVIT OF FACTS AND PETITION**

I, **MR. NGOZI UCHEBUEGO**, (M), Christian, Citizen of Nigerian, Professional Land Surveyor of Plot 17, DBS Road,Asaba, Oshimili South Local Government Area of Delta State, hereby make an oath and state as follows:

1. That I am the Deponent on record and by virtue of which I am very conversant with the facts herein.
2. That I have read the affidavit and petition of Dr. Ojenuwa Sunday Abiodun Ogafe, Dr. Maduakor Godwin Chukwuma and Dr. Longway Fedelis Oyibo.
3. That I have the following to say in respect of the above thus:

**RESPONSE TO DR. LONGWAY FIDELIS OYIBO’S AFFIDAVIT AND PETITION.**

1. I deny the affidavit in its totality as it is full of falsehood and in response I hereby state my observations.
2. That having alleged that the case note of my wife was not available as it was said to have been taken away for drugs and sourcing for blood for emergency C/S. then from what did he came up with the detailed analysis he alleged to have written on a plain sheet about my wife.
3. He alleged calling Dr. Maduakor G.C the Consultant on call to confirm the emergency status, grade of caesarean section, know the findings of the last clinical examination by the obstericians, since the case note was not available to him but the said Dr. Maduakor denied the alleged call and stated in paragraph 10 of his affidavit of facts that the call was only to confirm whether my wife was an emergency or not nothing more nothing less. If the said Dr. Longway didn’t work on guess work then I wonder on what he based his findings and how he knew my wife’s name since he alleged the case note was not attached to her delivery bed, how did he know it was twins and her blood pressure all on the spot without her case note.
4. The trolley Dr. Longway alleged he assisted in pushing, at what point was my wife taken from the delivery bed to the trolley? Since he earlier alleged that my wife was on a delivery bed and not a trolley when he saw/met her.
5. Dr. Longway alleged not to have met me, but was so sure/ convinced to conduct an emergency C/S without seeing, hearing or communicating with my wife as to the whereabout of her husband or family members, so who signed the consent form because I remember signing my wife’s case not shortly before the C/S.
6. Dr. Longway is suggesting from the above that my wife was in his full care, no case note attached to her trolley/delivery bed as alleged and aC/S was performed without this basic information.
7. The fact that Dr. Longway thinks it’s more honourable to defend the fact that I said he was laughing and joking with the nurses is most surprising.
8. That Dr. Longway wants us to believe he is the best assistant as only him is the doctor, pushed the trolley, conducted the operation and equally assisted the Peadiatrician in resuscitating the second twins as alleged, all these he did while still wearing his medical gloves which at this time would be stained with blood from the C/S.
9. Dr. Longway forgot to tell us who transfused blood to my wife since he was busy assisting the Paediatrician in resuscitating the second twin as alleged.
10. Dr. Longway alleged he met my wife at about 6:00pm and she complained to him, it therefore means that as at 6:00pm she had not been attended to by the Consultant on call or any doctor at all.
11. When Dr. Longway alleged that Dr. Mrs. Tina Yusuf informed him that my wife had complications following blood transfusion being carried out in the post-surgical ward, those who carried out the said blood transfusion in the post-surgical ward has still not been mentioned.
12. When Dr. Longway alleged that Dr. Mrs. Tina Yusuf beckoned on me to come thank him, shows how he values his ego more than the sanctity of life, as he thinks it’s better for a man that just lost his wife to thank him is most unbelievable.
13. Dr. Longway who was so good with time all of a sudden forgot to state when he met Dr. Mrs. Tina Yusuf on the 9th of March, 2017 but was quick to state he assisted in making sure that my wife’s corpse was taking to the morgue.
14. Dr. Longway who is not my wife’s doctor, not the consultant on call, not a nurse, neither is he the periop head nurse nor a mortuary attendant had to still assist in making sure my wife was taken to the morgue without my consent, how sweet and unbelievable.
15. Dr. Longway did not tell us the functions of a Consultant Anaesthesiologist but knows what he is not even though he has in respect of my wife performed the function of a surgeon, Obsetrician, resident doctor, medical officer, nurse, Anaesthetist, Porter and not working under Dr. Maduakor but failed to tell us if Dr. Maduakor works under him or he supervises Dr. Maduakor but was quick to call him since he was the consultant on call as alleged to confirm about my wife.
16. Dr. longway wants us to believe the C/S was performed on my wife without any reference to her case note, absence of the Consultant on call, no other person could attend to my wife properly except him Dr. Longway, since he had to assist at all stages thereby carrying out the functions of other persons at the Federal medical Center Asaba. If this is not a show that my wife was most negligently attended to then I wonder what is.
17. When Dr. Longway alleged that he wonders greatly why a woman being induced in labour was said to be in pains, only shows his level of understanding of a profession he claims to be practicing. If this is not an unprofessional conduct I wonder what is.
18. Dr. Longway did not provide any prove that I was the one who made any publication or post on social media, when he alleged that I have given him many names, positions, portfolios, professional duties which are his representatives is not news.
19. The fact that Dr. Longway alleged in the last paragraphs of his affidavit as to the sudden summersault in my personality and his praises/ recommendations. The fact that he thinks my petition is against him and not me seeking justice for my beloved wife, if that is not a sign of a summersault in his personality I wonder what is.
20. The remita for payment of annual practice fee attached by Dr. Longway shows us that he printed his annual practicing fee a year before he paid for it. See the date hand written as 29/12/2016 as against the date and time it was printed as 2015/11/30, 12:20pm. If this is not a sign of unprofessional conduct I wonder what is.
21. The payment sums are different. In the remita it’s N10,000 for 29/12/2016 but in the payment slip it’s N20,000 for 29/12/2016. It only means Dr. Longway is trying to play a fast one on his payment of annual practicing fee. If this is not a show of unprofessional conduct I wonder what is.

**RESPONSE TO DR. MADUAKOR GODWIN CHUKWUMA’S AFFIDAVIT OF FACTS.**

I hereby state my observations as follows:

1. Dr. Maduakor who was quick to deny any inclination that he was my wife’s personal doctor forgot to deny my wife’s card at his hospital in Graceland Specialist hospital.
2. In paragraph 2 and 3, Dr. Maduakor admitted it was his Call team that attended to my wife on 8th March, 2017 being the day all the allegations leading to my wife’s death happened, since he resumes by 7:50 for the 8:00am handover it therefore means he ought to still be at the hospital as at 6:15am on 9th March, 2017 when my wife passed on.
3. In response to paragraph 4, Dr. Maduakor informed us that it was Dr. Ojenuwa that admitted my wife for induction of labour at 38 weeks on an account of pregnancy induced hypertension (BP=145/90mmHg) but the said Dr. Ojenuwa in paragraph 7(b) of his affidavit of involvement in the management of late (Mrs) Uchebuego Rita, claims his H/O Dr. Igbo rechecked and it was 160/100mmHg (the nurses had recorded 170/100mmHg. It therefore means that both doctors were looking at different case note for my wife because when Dr. Maduakor resumed he ought to have continued from where Dr. Ojenuwa stopped.
4. From paragraph 6 of Dr. Maduakor’s affidavit, it reveals that the consultant on call and his team that induced my wife was to be those on call on 6th March, 2017 since he alleged my wife was induced at 6:20am on Tuesday the 7th of March, 2017.
5. In response to paragraph 9 of Dr. Maduakor’s affidavit, it revealed that it was Dr. Okoye Paschal (Senior Registrar) that carried out the C/s on my wife under the direction of Dr. Maduakor so from where did Dr. Longway got all the information he stated in his affidavit as regards his attending to my wife without a case note when Dr. Maduakor’s Call team was fully on ground doing the needful as alleged.
6. The facts alleged by Dr. Maduakor in paragraph 10 of his affidavit runs foul to what was alleged by Dr. Longway in his affidavit, regarding the content of the call made between himself and Dr. Maduakor. Same goes to show that the C/S conducted on my wife and the blood transfusion was done without her case note or any further information from the said Dr. Maduakor Consultant on call.
7. In response to paragraph 12 and 13 of Dr. Maduakor’s affidavit, the facts alleged therein is totally different from those alleged by Dr. Longway in his own affidavit regarding the presence of the consultant on call (Dr. Maduakor). While Dr. Longway alleged Dr. Maduakor was absent before, during and after the C/S, Dr. Maduakor on his part alleges he was present before, during and after the C/S, he went further to state in paragraph 13 of his affidavit that he was present with the Consultant Anaesthetist (Dr. Longway) monitoring my wife’s vital signs. The above further shows that both Doctors are lying on oath.
8. In response to paragraph 15 of Dr. Maduakor’s affidavit, the fact alleged that my wife’s immediate post-operative condition documented in her folder was adjudged to be satisfactory by both the surgeon and Anaesthetist, given her vital signs as BP=144/92 amongst other medical terms stated therein. With these, Dr. Maduakor alleges that the post-operative treatment orders written by the Senior Registrar were considered comprehensive enough, then on whose instructions and who ordered that the blood being transfused to my wife be removed? And who removed same?.
9. In response to paragraph 16 of Dr. Maduakor’s affidavit, having confirmed my wife’s vital signs as satisfactory who then instructed that the blood being transfused to my wife be removed and after the consultant on call who gives instruction?. If Dr. Maduakor alleges that as at 4:36:26am when the Senior Registrar called him concerning another patient it means my wife has not been attended to by that Senior Registrar or anybody at all because as at that time she had already had blood being transfused removed, oxygen fixed on her, I was sent to buy drugs, buy more blood and the result from the lab was returned as fit and same should be reconnected.
10. In response to paragraph 17 of Dr. Maduakor’s affidavit,Dr. Maduakor alleged he was called only after my wife was killed/murdered due to the negligence of his team on call.
11. In response to paragraph 18 of Dr. Maduakor’s affidavit, the findings alleged couldn’t have been possible without any investigation done by him as the consultant on Call and the remaining blood being transfusedand removed a second time, he ought to have returned the blood to the bank in the laboratory for possible cross-matching.
12. In response to paragraph 23 of Dr. Maduakor’s affidavit he alleged that my wife died of a major haemolytic blood transfusion reaction without carrying out any investigation (I am aware that according to the tradition of the hospital, the remaining pint of the said blood ought to have be returned to the blood bank in the lab for confirmation) which was never done even up till now.
13. In the light of the above, the facts alleged in paragraph 23 is full of falsehood and an attempt to lie under oath.

**FROM THE COLLECTIVE AFFIDAVIT OF DR. OJENUWA SUNDAY ABIODUN OGAFE, DR. LONGWAY FIDELIS OYIBO AND MADUAKOR GODWIN CHUKWUMA THE FOLLOWING FACTS EMERGED.**

1. My wife was wrongly induced despite the laid down medical procedure in respect of twin pregnancy and the Dr. Ojenuwa’s instruction given to the Senior Registrar to work up my wife for IOL on Thursday the 9th of March, 2017.
2. The C/S performed on my wife was done without any reference to her case note.
3. Who or on whose instruction was the blood being transfused to my wife removed and why it was removed is still a mystery.
4. Who was the consultant on call on the 8th of March, 2017 till 6:00am on 9thMarch, 2017.
5. How come Dr. Longway was assisting at all stages of my wife’s stay at the hospital, does it mean there are no other competent hands in the hospital.
6. Is Dr. Ojenuwa trying to complain about the handling of patients at the Federal Medical Center Asaba and hinting/confirming that my wife was negligently handled at the hospital thereby leading to her death.
7. In reaction to Dr. Ojenwa’s Exhibit “C” (letters of query dated 5th April, 2017 written to Dr. Anunobi C) which was never replied till date. The said Dr. Anunobi should tell us who gave him the instruction to forcefully induce my wife on the 7th of march, 2017, two days before the elective induction agreed upon by the collective decision of the Mini Conference/meeting of all Consultants in the unit as contained in Paragraph 7b of Dr. Ojenuwa’s affidavit.
8. Why did the said Dr. Anunobi C refuse to carry out the collective agreement reached at the mini conference/meeting of all consultants in respect of my wife as contained in paragraph 10 of Dr. Ojenuwa’s affidavit.
9. Lastly what prompted the said Dr. Anunobi C to forcefully induced my wife at about 6:20am of 7th March, 2017, within the rounding up period of the prvious Consultant team on call since proper handover was by 8:00am on7th March, 2017. And about two days earlier than the date agreed upon.
10. That I am fully convinced that my wife was slaughtered as a result of the negligence exhibited in the handling of her from when she was admitted till when she died.
11. That all I seek is justice for my wife and a possible prevention of same happening to another person. In God I trust.
12. That I make this deposition in good faith believing same to be true and in accordance with the Oaths Act.

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 **DEPONENT**

**SWORN** to at the High court Registry Asaba,

This \_\_\_ day of \_\_\_\_\_\_\_\_, 2017.

 **BEFORE ME:**

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**COMMISSIONER FOR OATH.**