

HC/SUM 2650/2021

Plaintiff in HC/S 413/2021; Mohamed Mustafa Mahmoud Helmy, 21/06/2021 11:27 401348650793

**IN THE GENERAL DIVISION OF THE HIGH COURT
OF THE REPUBLIC OF SINGAPORE**



Case No: HC/S 413/2021

SubCase No: HC/SUM 2650/2021

Type of hearing: OS & Summons - O18/O33 r 2

Date/time of hearing: 14 July 2021 at 09:00 AM

Venue of Hearing: Chamber 2-6

Between

MOHAMED MUSTAFA MAHMOUD HELMY

(FIN No. G3363781R)

...Plaintiff

And

NANYANG TECHNOLOGICAL UNIVERSITY

(Singapore UEN No. 200604393R)

...Defendant

Monday 21 June 2021

AFFIDAVIT

Reply Affidavit by Mohamed Mustafa Mahmoud Helmy, Litigant-in-person, in the
matter of SubCase No: HC/SUM 2650/202, Case No.: HC/S 413/2021

Monday 21 June 2021

I, Mohamed Mustafa Mahmoud Helmy (FIN. No. G3363781R), residing at 10 Jurong Lake Link, #15-39, Singapore 648131, do *solemnly and sincerely affirm* ^{M. Helmy} and say as follows:

1. I am Plaintiff and Litigant-in-person in Case No. HC/S 413/2021. I am filing this Reply Affidavit on directions I received from the Court on 18 June 2021 regarding the matter of SubCase No. HC/SUM 2650/2021.
2. This here Reply Affidavit contains only facts I have personal knowledge of, documents and audio-visual material in my possession, or statements of information or belief supported by the sources and grounds thereof.
3. The Defendant in Case No. HC/S 413/2021 is Nanyang Technological University, (Singapore UEN No. 200604393R), a Company Limited by Guarantee, registered address at 50 Nanyang Avenue, Singapore 639798. Nanyang Technological University are represented by Timothy Ang Wei Kiat and Zhu Ming-Ren Wilson at Rajah & Tann Singapore LLP (henceforth, 'Mr. Timothy Ang and Mr. Wilson Zhu' at 'Rajah & Tann'), registered address at 9 Straits View #06-07 Marina One West Tower Singapore 018937.
4. To the best of my knowledge, SUMMONS UNDER O18 R 19, Sub Case No. HC/SUM 2650/2021 is an application by Nanyang Technological University (henceforth, 'NTU'), represented by Rajah & Tann, for a Court order to strike out pleadings I made in Statement of the Claim supporting Writ of Summons HC/S 413/2021. This application by NTU was made to strike out my pleadings pursuant

to Order 18 Rules 19(1)(a), (b), and/or (d) of the Rules of Court, for costs to be paid by myself, and for further or other order(s) as the Honourable Court deems fit. The grounds of the application by NTU for an order to strike out my pleadings are in the 1st Affidavit of Goh Ke Min Kevin dated 7 June 2021 (henceforth, 'Affidavit by Goh' by 'Mr. Kevin Goh').

5. Evidence was selected, presented in the main text, and attached in the Affidavit by Goh to support the application including under Order 18 Rule 19(1)(a), or that my Statement of the Claim discloses no reasonable cause of action. This appears to breach Order 18 Rule 19(2), or the admissibility of evidence on an application under Order 18 Rule 19(1)(a).
6. To support the application made by NTU, the Affidavit by Goh is dependent upon:
 - i. Material evidence selected, presented, and attached in the Affidavit;
 - ii. Legal arguments which Mr. Kevin Goh was advised by others;
 - iii. Legal arguments which were stated in authoritative and categorical terms;
 - iv. Reference to 'relevant legal submissions' to be made by NTU solicitors and which were not included in the application;
 - v. Numerous serious and harmful allegations against me, which I here assert were made without the possible existence of reliable evidence to support them, and which I deny.
7. Given points mentioned in paragraphs 3 and 4 above, interpretation of the Affidavit by Goh in the present context is not immediately clear to me. Importantly, the application by NTU aims that I should be deprived of the

opportunity to present and seek evidence in Court, while at the same time and in the same application, evidence was selected and attached in the Affidavit by Goh.

8. In the Affidavit by Goh, evidence is selected, presented, and attached in breach of Rules of Court probably to suggest that my claim to unlawful termination is factually and/or legally unsustainable. In addition, any and all possible remedy is incorrectly presumed in the Affidavit by Goh to be 'legally unsustainable'. In the paragraphs that follow, if it pleases the Court, I defend cause of action and sustainability of my claim.
9. It is stated in the Affidavit by Goh that my pleadings are vexatious and frivolous because NTU terminated my employment *with* salary in lieu of notice, as opposed to without. This is irrelevant to my claim of unlawful termination, and there is no basis on which my pleadings could be vexatious or frivolous.
10. To the best of my knowledge, the Affidavit by Goh makes no mention of why my Statement of the Claim is otherwise an abuse of the process of the Court, pursuant to Order 18 Rule 19(1)(d) as quoted in SUMMONS UNDER O18 R 19, Sub Case No. HC/SUM 2650/2021.
11. I deny anything written in the Affidavit by Goh and meant to negate or cast doubt on any statement I made to the Court, the Singapore Police Force, in my reports on misconduct at NTU, and on my website.
12. I object to the content in the Affidavit by Goh. In the paragraphs that follow, if it pleases the Court, I present grounds for my objection to the Affidavit by Goh.

Brief comment on the evidence discussed in this here Reply Affidavit by myself

13. As the Court is aware, I had initially submitted my pleadings to defend sustainability of claims and statements of fact I made thus far for HC/S 413/2021 against the application by NTU, HC/SUM 2650/2021, on Wednesday 16 June 2021.¹ I was directed by the Court to submit a Reply Affidavit on Friday 18 June 2021.
14. The Affidavit by Goh makes pleadings to support the application HC/SUM 2650/2021 to strike out HC/S 413/2021 pursuant to Order 18, Rules 19(1)(a), (b), *and/or* (d). There is either no material or no meaningful material in the Affidavit by Goh to strike out HC/S 413/2021 pursuant to Order 18, Rules 19(1)(b) and (d). Therefore, the issue I should substantially address here pertains mostly to Order 18, Rule 19(1)(a).
15. Evidence in the Affidavit by Goh is further discussed below. Briefly, it is not clear to me if evidence selected, presented, and attached in the Affidavit by Goh was meant to construe that claims and pleadings I made are factually unsustainable.
16. Legal sustainability of my claim was discussed in quite specific, if inaccurate or otherwise invalid, terms in the Affidavit by Goh.
17. I believe that:
 - i. That pleadings in the present issue of HC/SUM 2650/2021 are to contain statements of fact and that material evidence is inadmissible;

¹ These were (referred to here by 'Document Name; Submission Reference Number' as quoted in *Submission Reply Slip* I received on acceptance for filing): (i) [WOSDEF] DEFENCE; FESGID20210616_095234YtS5ebHi; and (ii) [WOSMPC13] MEMORANDUM OF APPEARANCE TO COUNTERCLAIM; FESGID20210616_094213nLhpnczw.

- ii. The facts surrounding my claims are in dispute and that statements of fact I made in my Statement of the Claim for HC/S 413/2021 are plainly and obviously sustainable;
 - iii. Specific grounds for striking out pleadings made in the application HC/SUM 2650/2021 by NTU appear to be legal arguments. In other words, the application by NTU appears to be specifically concerned with legal sustainability of my claim;
 - iv. As Litigant-in-person, I should make legal arguments in this here Reply Affidavit by myself to counter those specifically made in the application HC/SUM 2650/2021 by NTU, endorsed in the Affidavit by Goh. In others words, I should defend the legal sustainability of my claim.
18. Evidence in this here Reply Affidavit by myself is further discussed below, notably in paragraphs ^{86 88 H. the my} ~~87~~ to ~~89~~. If it pleases the Court, I wish to briefly explain why I submitted to the Court the documents I did on Wednesday 16 June, 2021. Without directions from the Court, I could not, on my own, submit pleadings to the Court in an Affidavit which should necessarily contain significant legal argumentation to defend my claims against the application made by NTU.

My personal knowledge of legal issues in the underlying case

19. I am an expert in matters pertaining to the ethics and conduct of rodent animal research. For example, I taught courses on research using rodents including animal experimentation European Union licencing courses, and was the responsible person at reputable laboratories and institutes to author, review, and/or submit ethics applications for experiments involving rodents, as well as successful grants amounting to millions of United States Dollars.

20. As a medical doctor and researcher with experience in animal experiments and human studies, as well as experience in research settings in several nations including Singapore, my expertise on the legal and ethical discharge of scientific research, and on the complexity of safeguarding the interests of parties in multiple jurisdictions and directly or indirectly involved in putatively legal and ethical production of knowledge, can be brought to bear on present issues such as of apparent illegal and unethical research activity at NTU.
21. My expertise in university pedagogy can be brought to bear on issues which the Court may deem relevant to the present proceedings, such as of apparent extremely unethical academic activity at NTU.
22. Since it was necessary and after receiving directions from the Court, legal arguments are made by myself here in this Reply Affidavit to address what appears to be underlying issues raised in the application by NTU to strike out my pleadings. The source and grounds thereof of legal arguments I make are stated.
23. I was employed as Research Fellow at NTU between the months April and December of 2020.

Concerning termination of employment and tort of extortion

24. In the Affidavit by Goh:
 - i. Under "...BACKGROUND..." (emphasis removed, pages 2 to 4), Mr. Kevin Goh lists clauses in my employment contract which, to paraphrase and simplify, state that I must meet my duties ethically, and that the contract can be terminated by either party under set conditions;
 - ii. Under "...TERMINATION OF EMPLOYMENT..." (emphasis removed, pages 4 to 8), Mr. Kevin Goh dismisses my report on

harassment and misconduct, in words similar to those used in previous dismissals sent to me. Mr. Kevin Goh then selected excerpts from my correspondence with his colleague, Ms. Shin Kay Chong, to construe that I had been absent from work, and selected evidence to attach in the Affidavit. Paragraphs 11 through to 21 in the Affidavit by Goh are concerned with my alleged absenteeism. Paragraph 21 states that the reason for termination was a clause in the contract stating that the contract can be terminated by either party under set conditions;

- iii. Under "...CLAIMS ARE LEGALLY UNSUSTAINABLE, FRIVOLOUS AND/OR VEXATIOUS..." (emphasis removed, pages 8 to 21), Mr. Kevin Goh states "...the Plaintiff was wilfully absent from work...wilfully breached and repudiated the terms of his employment..."; that "...NTU exercised its contractual right of termination by paying one month's salary in lieu of notice (less applicable tax deductions)..." and also that "...NTU would have been fully entitled to terminate...had NTU not already given contractual notice of termination..."²

² In the Affidavit by Goh paragraph 27, Mr. Kevin Goh is careful to point out "...one month's salary in lieu of notice (*less applicable tax deductions*)...(emphasis added, page 9). NTU apparently falsely claimed to IRAS that I was *provided* with accommodation: I paid a premium for temporary (*strictly temporary*) accommodation on NTU campus, which I had to beg for because I could not find any alternative during Circuit Breaker. In other words, tax deductions were *not* applicable.

25. Evidence selected for presentation and attached in the Affidavit by Goh and in breach of Rules of Court as well as arguments mentioned above were apparently to dispute cause for action including to the claim of unlawful termination. In my Statement of the Claim, facts surrounding unlawful termination are plainly and obviously sustainable. For example and to quote only 2 (two) examples, this includes falsified official documents and videos showing evidence of unethical experiments. The question to address here is legal sustainability of this claim.
26. I could not obey the orders given to me by my then-Reporting Officer, Rupshi Mitra (henceforth, 'RM'), since those orders were in violation of the Animals and Birds Act and policies thereunder. In addition, the official document defining the research I was to work under is falsified. In other words, termination is unlawful because orders I received during my employment and which I refused to obey are illegal.³
27. NTU has a duty to investigate claims of harassment and misconduct made by employees. Such investigations should always be serious and an additional concern is if the misconduct reported by the employee includes the use of certain genetically modified animals in work, and which may require additional safety measures that are reasonable and prudent to implement, but were not implemented as a result of NTU's failure to duly meet this duty to investigate. Many of the policies and guidelines for the work and for investigation of harassment and misconduct are put in place by NTU. In signing the employment contract, I

³ For instance, *Morrish v Henlys (Folkstone) Ltd*, [1973] ICR 482.

subscribed to these policies, but NTU did not honour them. Termination is unlawful because NTU is in breach of duty.⁴

28. I was obliged to submit an official report of misconduct and harassment at NTU. I placed my trust and confidence in NTU Leadership, but NTU Leadership did not reciprocate. Termination is unlawful because NTU Staff apparently conducted themselves towards me in a manner calculated to destroy the confidence and trust I had in my then-Employer.⁵ This includes making false accusations against me including absenteeism, failure to duly inquire into my complaint against harassment and misconduct, threatening me with retaliation, curtailment (effectively total) of my contractual obligations, and the withholding of information necessary to fulfil my functions. This information includes my staff access to NTU intranet, and information on an investigation into my reports on harassment and misconduct by RM.
29. NTU Staff also apparently worked together to remove me from my post, such as for example informing me that RM had not been duly informed of my report about a month after I had submitted it, and after I was threatened with retaliation. After termination, NTU Staff apparently worked together to withhold monies owed to me and to place in me the fear of being in an illegal position, which are the grounds for the tort of extortion described in my Statement of the Claim. NTU Staff therefore apparently coordinated actions to erode my trust and confidence. More

⁴ For instance, *China Construction (South Pacific) Development Co Pte Ltd v Shao Hai*, [2004] 2 SLR(R) 479 at [32].

⁵ For instance, *Malik v Bank of Credit and Commerce International SA*, [1997] 3 WLR 95.

than one NTU Staff member took part in the acts and which included both lawful and unlawful means, the acts appeared to carry the intention of harming me, and I suffered as a consequence of those acts. Termination is unlawful because NTU committed extortion against me, and in the process of doing so are liable for conspiracy.⁶

30. In terminating my employment contract after I was obliged to report RM for misconduct, evidence of due inquiry by NTU is absent. In principal, any form of retaliation by the employer including termination is prohibited by NTU policy after an employee triggers an inquiry or investigation. Termination is unlawful because NTU has not shown evidence of due inquiry, and because termination followed my filing a complaint which included violation of laws and regulations.⁷
31. In short, cause of action in my Statement of the Claim includes illegality of work I was ordered to engage in during my employment, absence of due inquiry and retaliation against me including my extortion after I followed appropriate channels at NTU to address this illegal work, conspiracy, and breach of duty, confidence, and trust by NTU.

⁶ For instance, *Quah Kay Tee v Ong and Co Pte Ltd*, [1996] 3 SLR(R) 637 at [45].

⁷ For instance, *Minister for Immigration and Ethnic Affairs v Teoh* (1995) 128 ALR 353 at 362.

Concerning remedy claimed

32. In the Affidavit by Goh, under "...CLAIMS ARE LEGALLY UNSUSTAINABLE, FRIVOLOUS AND/OR VEXATIOUS..." (emphasis removed, pages 8 to 12), paragraphs 25, 26, and 27 it is stated that Mr. Kevin Goh was "...advised that the Plaintiff's claim for reinstatement is legally unsustainable. It is trite law that there cannot be specific performance...I shall leave it to NTU's solicitor's to make the relevant legal submissions...I am also advised that a claim for...damages beyond the amount of salary payable for the contractual notice period, is legally unsustainable...". Relevant submissions from solicitors was subsequently left by Mr. Kevin Goh once more after a repeat of the argument regarding damages. In paragraph 35, it is stated that "...Accordingly, reinstatement cannot be an appropriate remedy at all...".
33. To the best of my knowledge, no relevant (legal) submissions were made by NTU solicitors.
34. It is not clear if arguments in the Affidavit by Goh aim to show that *reinstatement* is itself legally unsustainable by way of remedy, or if reinstatement claimed *in this instance* is legally unsustainable. It is also not clear if the author is entirely convinced that reinstatement, absolutely or in this instance, is indeed legally unsustainable: in contrast to paragraph 25 where the legal unsustainability of reinstatement is stated in unequivocal terms, paragraph 35 states that reinstatement would be merely inappropriate.
35. Is it appropriate for Mr. Kevin Goh to write in his Affidavit, submitted to the Court by way of pleading, that "...there cannot be specific performance of a contract of

employment...” and in thus assuming a discretion not at his disposal, make reference to “...trite law...”?

36. If we assume that Mr. Kevin Goh does *not* believe that reinstatement is legally unsustainable, that it is merely inappropriate in his perspective, then:
- i. It appears to have been irresponsible of him to claim that it *is* legally unsustainable;
 - ii. Why did he claim that it *is* legally unsustainable based on advice he received, legal submissions not available, and an inappropriate legal argument regarding a matter at the Court’s discretion?
 - iii. Is the contention that reinstatement is inappropriate his alone, or his and others’ in NTU Human Resources at the hands of which I apparently suffered harm?
37. The appropriateness of reinstatement as remedy is mentioned in my Statement of the Claim and is for the Court to decide.
38. Damages were assessed, suggested how to be calculated, and sealed in the Affidavit by Goh. This process was apparently based on the premise that it may not be in the Court’s power to order “...damages beyond the amount of salary payable for the contractual notice period...”. This premise is false.⁸

⁸ Mr. Kevin Goh was present during two Pre-Trial Conferences at the Employment Claims Tribunal. Remedy including damages were discussed. The reason why the Registrar recommended that I present my case in Civil Court is because the Employment Claims Tribunal may not order damages in excess of S\$ 20 000 (twenty thousand Singaporean dollars). In other words, Mr. Kevin Goh’s arguments in the Affidavit by Goh regarding damages appear very disingenuous to me.

39. Evidence selected, presented and attached as well as legal arguments in the Affidavit by Goh appear to suggest that what one may expect from employment at an institute such as NTU is actually very limited in scope. In addition to harm following unlawful termination and extortion, the Affidavit by Goh apparently does not consider harm following NTU's failure to meet what can be reasonably expected from a contract of employment such as under discussion.
40. If the *only* concern is damages due, why did NTU not make an application for a simplified trial or assessment of damages hearing? M. Henry
employment
41. By claiming that "...there cannot be specific performance of a contract of ~~law~~..." in the Affidavit by Goh, it appears to be implied that damages were deemed to have been inadequate as remedy. However, should this be the case, then there can be *no* damages within the "...amount of salary payable for the contractual notice period...", as also implied in the Affidavit by Goh. In other words, in the Affidavit by Goh, any argument for legal unsustainability of the remedy apparently rests on a specific performance which was considered to be impossible as well as possible, in the presence of damages which were deemed possible, as well as damages which were unconsidered and therefore implied to be impossible. It appears to me that the Affidavit by Goh attempts with poor form and substance, as well as factual inconsistencies, to allude to a case of 'hopeless proceedings' in my claim.⁹

⁹ Such as, for example, in an action brought in respect of an act of state (*Chatterton v. Secretary of State, etc.* [1895] 2 QB 189) as opposed to a company limited by liability such as NTU

42. Before writing the Affidavit, did Mr. Kevin Goh thoroughly consider all remedy, mediation, and conciliation options at the Court's disposal?
43. To the best of my knowledge, the argument that remedy claimed is legally unsustainable as apparently presented in the Affidavit by Goh is not valid, not comprehensive, and not appropriate.

Allegations made in the Affidavit by Goh

44. In the Affidavit by Goh paragraph 10, points (a) and (b), a summary assessment of the evidence I had submitted in my reports to NTU on misconduct and bullying by RM is presented. I deny these assessments, they are false. Indeed, that these assessments are false is apparent even in parts of the evidence Mr. Kevin Goh selected for attachment in the Affidavit by Goh.
45. In the Affidavit by Goh, it is alleged that I was absent from work in paragraphs 11, 12, 18, 19, 20, and 29. I deny this allegation, I was never absent from work without leave. During mediation at the Tripartite Alliance for Dispute Management, Ministry of Manpower, I was required to present evidence that I was not absent from work, which I did. Mr. Kevin Goh was requested to present evidence of my absence from work and he failed to do so.
46. In paragraph 15 of the Affidavit by Goh, it is alleged that I had promised to meet with Ms. Shin Kay Chong at NTU on receiving the "...the outcome of its investigations...", after I had "...demanded..." the same, and that I had failed to do so. This is decontextualised and inaccurate. To further address this point requires considering the illegality of work I was being ordered to engage in.
47. With regards to statements made in paragraph 10 in the Affidavit by Goh, that in the course of investigation at NTU, "...meetings were conducted..." and so on. To

avoid doubt, I attended *only* two meetings as part of any investigation at NTU: one online meeting with Research Integrity Officer Roderick Wayland Bates only, and one meeting at NTU with Ms. Shin Kay Chong, Ms. Oh Seok Fen, and an intern whose name I could not spell in attendance only. That the content of these meetings was apparently extremely inadequate as part of an initial inquiry, and that instructions and threats I received during those meetings were in breach of NTU policy, is not reflected in the Affidavit by Goh. As to evidence of an inquiry or investigation as such, there is none.

48. In paragraph 30 in the Affidavit by Goh, it is alleged that I "...wilfully breached and repudiated the terms..." of my employment. I deny this allegation. I spared no effort to meet the terms of employment, including diligent adherence to Singapore law and policy, NTU procedure, and civil and academic norms. However, I did and do repudiate the letter of termination of my employment.
49. In paragraph 33 in the Affidavit by Goh, a brief description of police reports I lodged and which were not investigated is claimed to be "...vague and unspecified...". I use a similar description in a Conflict of Interest Declaration in a report published on my website as well as my Statement of the Claim because it is accurate and succinct. Statements of fact relevant to this description of police reports I lodged are included in my Statement of the Claim, and no relevant details are disclosed in the report I published on my website.
50. Also in paragraph 33, it goes on to say that "...This persecution has apparently extended to NParks illegally dismissing his reports on animal research, and Singapore Police Force officers allegedly shouting at him, and preventing him from reporting perceived crimes...". I never claimed to have been persecuted by

NParks; persecution is not the motivation for my lodging a police report against Animal & Veterinary Services (NParks) and I am not aware of any apparent reason why such persecution would be assumed and stated as if fact in the Affidavit by Goh.¹⁰ That I was shouted at by a Singapore Police Investigating Officer and prohibited from lodging police reports are incidents documented at the Singapore Police Force, were reviewed by the Force after I complained, and I was informed by the Force of action taken regarding an incident of the latter.

51. In paragraph 34 in the Affidavit by Goh, it is stated that "...The Plaintiff's claims have ballooned dramatically...into an all-encompassing conspiracy theory on institutional misconduct perpetrated by almost all of Singapore's tertiary education institutions...".¹¹ I am not aware of any conspiracy theory, only that NTU Staff probably conspired to do me harm. Both in my reports and on my website, evidence of misconduct by researchers in particular institutes is presented. On my website in text generated for laypersons, possible collusion is discussed. There is decidedly no 'conspiracy theory' on my website, nor in any of

¹⁰ It is true that failure to regulate animal research activity at NTU by Animal & Veterinary Services has resulted and will probably continue to result in suffering by workers and students at NTU, and by animals at NTU animal facilities, as long as the *status quo* remains. However, holding Animal & Veterinary Services responsible for, arguably, a significant reason why Animal & Veterinary Services exists in the first place and is endowed with executive power, is not at all the same as accusing Animal & Veterinary Services of persecution.

¹¹ This is also inaccurate because *tertiary education institutions* in Singapore are numerous and many do not engage in biomedical research.

my reports. Of what purpose is such a patently false allegation against me made by Mr. Kevin Goh, and in rhetorical terms?

52. Also in paragraph 34, this alleged "...all-encompassing conspiracy theory..." is also extended to "...various branches of the Singapore government and enforced by the Singapore Police Force..." followed by reference to "...Copies of screenshots..." of my webpage selected for attachment in the Affidavit as evidence. I request Mr. Kevin Goh, Mr. Timothy Ang, and Mr. Wilson Zhu, to find a single reference on my website or in any of my reports to the effect that "...various branches of the Singapore government..." are engaged in conspiracy. I request them to produce evidence in which I state that a conspiracy is being enforced by the Singapore Police Force. Otherwise, how are they able to present this Affidavit by Goh to the Court if it contains falsities; falsities from the design and content of which malicious intent cannot be excluded?¹²
53. In text generated for laypersons on my website, I openly and only point to Animal & Veterinary Services as a body in Singapore party to misconduct at NTU, because it is impossible not to. I do not discuss others in Singapore. It appears that Mr. Kevin Goh, while making accusations against me which are harmful and false, also attempted to substantiate them, for example in several instances, by referring to the same body or institute as different, as if to prolong the list and so build a

¹² Mr. Timothy Ang and Mr. Wilson Zhu, representing NTU and should they continue to represent NTU, are mentioned here because, though the Affidavit by Goh was not affirmed by them, they may nevertheless have a duty to put the matter right at the earliest moment (for example, if it is deemed that Mr. Kevin Goh in making this Affidavit acted as solicitor for NTU, then please see for instance *Myers v. Elman* [1940] AC 282, HL).

case for his ‘theory’.¹³ If the contention here was that ‘*many* others were accused – but *no* others can be involved’ then this is unrealistic: an example of the extent of ‘others’ putatively involved in institutional research misconduct, and investigational and correctional problems this entails, is discussed in the House of Commons Science and Technology Committee *Sixth Report of Session 2017-19*.¹⁴ Importantly, I did not discuss putative involvement of others not materially related to the case in my Statement of the Claim.

54. In paragraphs 32, 33, and 34 of the Affidavit by Goh, it is suggested that I made false accusations against NTU and others. In paragraph 35, it is stated that I “...made several wildly defamatory statements against NTU...”. Selected evidence is attached in the Affidavit, namely Letters of Demand from Rajah & Tann to myself. As with other instances of evidence selected for attachment in the Affidavit, inclusion of these Letters appears puzzling: I think that these Letters (as well as others not included in the Affidavit) were not honoured and repeatedly supports that there is *no* claim to defamation. In any case, I deny these allegations. I did not and would not make defamatory statements against anyone. I stand by every single statement I made to the Court, the Singapore Police Force, in my reports, and on my website.

¹³ A particular and surprising example of this is when Mr. Kevin Goh implies that Commercial Affairs Department is not part of the Singapore Police Force.

¹⁴ Please see <https://publications.parliament.uk/pa/cm201719/cmselect/cmsctech/350/350.pdf>

Research and academic misconduct discussed on my website

55. My website is a communication *foremost* to the students of Singapore, to the international academic community, and to whom it may concern.
56. There are no ‘grievances aired’ against any institute including NTU on my website as claimed in the Affidavit by Goh in paragraph 32. As a communication to others, it is necessary to declare myself on the website and to include background and contextual information. Otherwise the author is irrelevant.
57. In the Affidavit by Goh, the following institutes are mentioned in paragraph 32, and, if it pleases the Court, I present statements of fact to support the mention of these particular institutes on my website, as present circumstances dictate, because they were selected for mentioning in the Affidavit by Goh:
- i. National Neuroscience Institute. I disclose to the Court in a confidential manner that I was informed in writing by an executive power in Singapore that the researcher at the National Neuroscience Institute whom I reported for misconduct is/was under investigation at the National Neuroscience Institute. Work by this researcher is also being thoroughly investigated, based on my report, and with continuing input from myself, at an institute abroad;¹⁵
 - ii. National University of Singapore which includes Duke-NUS and which are listed as apparently separate in the Affidavit by Goh. The Affidavit by Goh mentions “...various researchers...”, and I do not refer to

¹⁵ I appreciate this opportunity to partake in an official investigation into research misconduct with colleagues at a reputable institute abroad.

researchers at that institute (nor another) anywhere on my website nor in my report as 'various'. I do not discuss any researcher at Imperial College London, as implied by the phrasing of paragraph 32 in the Affidavit by Goh. I do, however, discuss the work of researchers putatively affiliated with A*STAR as well as other institutes. This discussion is of evidence of misconduct by researchers in the Singapore Dementia Consortium;

- iii. In collaboration with the Singapore Dementia Consortium, Max Planck Institutes, and Karolinska Institutet. I disclose to the Court in a confidential manner that Max Planck Institutes is under investigation by a judiciary body in Germany based on my report. That Karolinska Institutet is also beyond suspicion, as suggested in the Affidavit by Goh, is similarly unsophisticated.¹⁶ In text on my website generated for laypersons, I mention these institutes because the Max Planck Gesellschaft or Ombudsman and Karolinska Institutet did not acknowledge reports I had sent to them to *alert* them of putative misconduct by collaborators, and because I am sufficiently progressed in investigating researchers at these institutes to suspect wrongdoing beyond reasonable doubt, *and* to declare this suspicion;

¹⁶ The case of Macchiarini at Karolinska Institutet suffered drawn-out investigations of misconduct amounting to criminal activity by a researcher at Karolinska, and of Karolinska's failure to act upon earlier reports on the same. These investigations are sad because patients lost lives placing their trust in an individual affiliated with Karolinska, and are disappointing because the community placed their trust in Karolinska to promptly and seriously investigate reports on misconduct.

- iv. In addition to these two institutes, I also alerted collaborators of the Singapore Dementia Consortium at other institutes to putative misconduct. Some institutes replied to say the matter is receiving attention with no further disclosure, some institutes requested further analysis from me, some institutes investigated and informed me of action taken, some institutes are presently investigating. Any investigation or outcome thereof is secondary since, with three exceptions, I made no allegations against researchers at the institutes I am alerting. The critical point, explained in text on my website and which does not need explanation in this document, is that ethics and compliance offices and/or ombudsman at institutes of research and higher education are obliged to *acknowledge* receipt of a report on misconduct, regardless of content and any action which might or might not be taken.

Claim to strike out my pleadings pursuant to Order 18, Rules 19(b) ‘and/or’ (d)

58. In paragraph 30 in the Affidavit by Goh, it is claimed that, “...NTU has already placed the Plaintiff in a better position than if NTU had terminated for cause with no salary in lieu of notice...” and “...It is therefore clear beyond argument that the Plaintiff’s action is frivolous and vexatious, and should be struck out...”. The primary claim in HC/S 413/2021 is unlawful termination. No argument and no evidence was presented in the Affidavit by Goh to show that the claim of unlawful termination is frivolous and vexatious, let alone to the point where clarity is saturated and beyond argument.

59. As far as I know, there is no legal argument which could possibly and remotely be used to construe that, as claimed in the Affidavit by Goh, my action is frivolous and vexatious, or that any claim I made cannot be proven with solid basis.
60. I presented my case after discussion with the Registrar at the Employment Claims Tribunal and with Mr. Kevin Goh in attendance. Is Mr. Kevin Goh now suggesting that a Registrar of the Singapore Court would recommend action that is frivolous and vexatious?¹⁷
61. Paragraph 30 in the Affidavit by Goh, which does not present a case for frivolity and vexatiousness of the action, is followed by 5 paragraphs which discuss my website and make false allegations against me, discussed above, including that I am guilty of defamation and accusing ‘various branches of the Singapore government’ of involvement in conspiracies and so on. Though no mention of Order 18 Rules 19(1)(b) of the Rules of Court is made in these paragraphs, *had the content of these paragraphs in the Affidavit by Goh been true*, then surely there would have been ample grounds for striking out my pleading under this Rule. Indeed, the allegations against me made by Mr. Kevin Goh in these paragraphs and in hyperbole would have been the very essence of scandalous, *had they been true*. I wonder if the falsity of these allegations is associated with absence of mention of Order 18 Rules 19(1)(b) of the Rules of Court in these paragraphs. For example,

¹⁷ Indeed at that time, Mr. Kevin Goh argued persistently with the Registrar *not* to allow me any time to submit my case in Civil Court because, he insisted again and again, the Letter of Demand he had just then demanded I send him (prior to submitting the case in Civil Court) constitutes legal action and so would entail dual process with proceedings at the Employment Claims Tribunal.

was Mr. Kevin Goh attempting to construct an argument that just because my website states scandalous facts indicating dishonest and outrageous conduct by NTU, my pleadings *become* scandalous?¹⁸

62. I could find no content in the Affidavit by Goh to endorse striking out the action pursuant to Order 18 Rules 19(1)(d).

Comment on HC/SUM 2650/2021

63. There is no evidence to indicate that the ‘investigation’ of my report at NTU on bullying and misconduct by RM is not farcical. I believe this may constitute the basis of the application by NTU, SUMMONS UNDER O18 R 19, Sub Case No. HC/SUM 2650/2021 .

64. In addition to allegations made against me which are false as well as factual inconsistencies, other content in the Affidavit by Goh is also puzzling. For example:

- i. In my Statement of the Claim, there is no mention of other institutes such as Karolinska and NUS, “...various branches of the Singapore government...”, nor are any “...theories...” put forward as claimed in the Affidavit by Goh. How is the following statement in the Affidavit by Goh supported: “...In this affidavit, I will only address the assertions in the Plaintiff’s Writ of Summons and Statement of Claim that may be germane to this striking out application...”?
- ii. Legal arguments are made with and without mention of advice received, and constitute vital grounds in supporting the application. It is not clear if

¹⁸ Such an argument is invalid, Brett L. J. in *Millington v. Loring* (1881) 6 QBD 190 at 196.

this advice was Mr. Kevin Goh's personal knowledge, or became so after the advice was received.

- iii. In the Affidavit by Goh, paragraph 2, Mr. Kevin Goh writes that "...matters deposed..." in the Affidavit and based on his knowledge and documents in his possession are (to the best of his knowledge) true, and at the same time, that matters also 'deposed' and based on documents in the *Defendant's* possession are also (to the best of his knowledge) true. However, in paragraph 1, Mr. Kevin Goh writes that "...I am...the Defendant in this matter...".¹⁹ Are we to process documents in Mr. Kevin Goh's possession or documents in the Defendant's possession, and when do we know which is which?²⁰

¹⁹ At the same time, Mr. Kevin Goh defines himself as "...Plaintiff: Goh Min Kevin..." on page 1 of the Affidavit by Goh. I think this means that Mr. Kevin Goh is (qualified to speak on behalf of) Defendant in the Suit, who is Plaintiff in the action started by the application the Affidavit by Goh was filed in support of. I feel a qualification or clarification regarding Party Type in the Affidavit by Goh would not have been out of place, please see Footnote 20.

²⁰ I think that this confusion, namely that 'Defendant = Mr. Kevin Goh ≠ Defendant', may possibly have been of an erratic nature including one or more of the following: (i) a paragraph routinely included in affidavits filed by solicitors in support of, for example, applications, was pasted verbatim by Mr. Kevin Goh into the Affidavit by Goh. But Mr. Kevin Goh is not the solicitor/firm representing the Defendant – Rajah & Tann are. See also paragraph 78 below; (ii) Mr. Kevin Goh is here suggesting that there is knowledge not his and documents not in his possession as Defendant, but which might be otherwise in NTU's knowledge or in NTU's possession also as Defendant; and (iii) that the former reference to Defendant in paragraph 2 in the Affidavit by Goh

- iv. 'Relevant legal submissions' vital to the grounds of the application are (presumably, since they were not made with the application) to be made by NTU solicitors. At the same time, the purpose of the application by NTU is to remove the possibility of further legal submissions.
- v. The number of pages in one of my reports published on my website is mentioned *without presenting nor attaching in the Affidavit by Goh any material evidence from that report whatsoever*. As if, it appears, a factual dispute in the matter of putatively farcical investigation(s) at NTU might not exist, let alone detailed, chronicled, and published online. What is the purpose of quoting the number of pages in the Affidavit by Goh?²¹
- vi. In paragraph twenty-four in the Affidavit by Goh, Mr. Kevin Goh states that my claim was 'difficult to follow', and that he therefore had to

is in reference to himself and/or NTU as Defendant in HC/S 413/2021, while the latter reference is to myself as Defendant in HC/SUM 2605/2021, see Footnote 19.

²¹ I believe this report of mine referred to in the Affidavit by Goh by the number of pages only concerns misconduct by *all of* the Singapore Dementia Consortium including Ajai Vyas, RM, collaborators, co-authors, and others directly implicated in misconduct as shown by evidence in the report. The Singapore Dementia Consortium was mentioned in my Statement of the Claim to indicate to the Court that the possibility that NTU is carrying on a corrupt business is worrying, and in this instance directly linked to individuals involved in my claim. Is Mr. Kevin Goh suggesting in the Affidavit by Goh that *all* the evidence of misconduct in the activity of *all* the members of the Singapore Dementia Consortium be considered in the present proceedings? In any case, as also mentioned in my Statement of the Claim, additional reports showing evidence of misconduct by leading and/or other figure(s) at NTU are pending.

'surmise' information - information which was stated in very few words in the Writ of Summons. Was Mr. Kevin Goh's complaint here not disingenuous? Why did Mr. Kevin Goh perceive it as his duty to furnish the Court with his assessment of my Statement of the Claim ("...sprawling and unfocused..."), descriptive comments as opposed to concrete rebuttals on statements of fact I made ("...vague and confusing..."), and assumptions on my motivation and character expressed in definitive terms ("...style himself as...")?

65. Content of the Affidavit by Goh which appears to be frankly presumptive and supercilious did not only concern my character, reports, Statement of the Claim, and NTU's declared innocence though with several 'even ifs' in the Affidavit by Goh. Indeed, in the Affidavit by Goh, law is apparently defined, disputes resolved with finality, specific performance circumscribed, and damages discharged. The Affidavit by Goh appears to have assumed justice without any need of a process for justice. I am, by now, accustomed to this form of communication, where 'NTU has spoken, it is so, there is no possibility for discussion'; however, I feel this is inappropriate in Court proceedings.
66. Though Mr. Kevin Goh more or less accuses me of hubris in the Affidavit by Goh, it is based on evidence selected, presented, and attached in breach of Rules of Court, allegations which are false, legal arguments he was advised and implicitly assumed to be absolute but which are inadequate, other legal arguments of unknown origin, 'relevant legal submissions from solicitors' to be presented we know not where and when, and remarks made from a superior position. I engender that:

- i. NTU's application to strike out action is itself vexatious as well as oppressive;
- ii. What is apparently scandalous and frivolous, or at least farcical, is NTU's claims to due inquiry;
- iii. In presenting extensive but selectively chosen material evidence in the application attached in the Affidavit by Goh and against Rules of Court, definitive pronouncements of law, in not addressing key points in my pleading but rather making false accusations against me, as well as apparently derogatory allusions made in the Affidavit by Goh, NTU's application may be construed to prejudice, embarrass, or delay the fair trial of the action, as well as an abuse of the process of the Court;
- iv. The application HC/SUM 2650/2021 by NTU is an attempt to deny my access to justice.

Putative inadmissibility of evidence relied upon in the Affidavit by Goh

67. Evidence selected, presented, and attached in the Affidavit by Goh to endorse striking out my pleadings pursuant to Order 18 Rule 19(1)(a) appears to be inadmissible according to Order 18 Rule 19(2).
68. As an application to strike out pleadings, HC/SUM 2650/2021 and the Affidavit by Goh may have a final determination on my rights and NTU's liabilities, namely their removal, and so I wonder if evidence on information or belief for the

purpose of a final determination of my rights and NTU's liabilities is not *prima facie* inadmissible.²²

69. I believe affidavit evidence such as under Order 18, Rules 19 *may only contain facts which are within the deponent's personal knowledge to prove.*²³ In other words, evidence in the Affidavit by Goh appears inadmissible.

70. As discussed in paragraphs ~~59~~⁵⁸ to ~~63~~⁶¹ above, the argument in the Affidavit by Goh that my pleadings are frivolous and vexatious is apparently without meaning. No reference is made in the Affidavit by Goh to the effect that my pleadings might otherwise be an abuse of the of the process of Court. In light of the finding that the only apparent ground on which the application by NTU, HC/SUM 2650/2021, was made is that my pleading discloses no reasonable cause of action, it is odd that the majority or vast majority of evidence included in the Affidavit by Goh is on that ground. I object to the Affidavit by Goh because evidence included in the Affidavit by Goh to support the application by NTU is apparently inadmissible.²⁴

²² *HSBC Trustee (Singapore) Ltd v. Lucky Realty Co Pte Ltd* [2015] 3 SLR 885 at [91].

²³ *Beijing Sinozonto Mining Investment Co Ltd v. Goldray Consortium (Singapore) Pte Ltd* [2014] 1 SLR 814 at [50] to [51].

²⁴ To the best of my knowledge, whether the only relevant and meaningful ground on which the application by NTU was made is that my pleading discloses no cause of action, *or* whether the application by NTU was meant to imply in some way or other that the action is unlikely to succeed (for example regarding remedy claimed as discussed above), no evidence is admissible but was included in the Affidavit by Goh. For instance regarding the former, para (2), *Att-Gen of Duchy of Lancaster v. L. & N. W. Ry.* [1892] 3 Ch 278, *Republic of Peru v. Peruvian Guano Co* (1887) 36

Objection to content of the Affidavit by Goh

71. I object to the content of the Affidavit by Goh. The grounds for my objection to the Affidavit by Goh are discussed below.
72. In addition to what appears to be inadmissible evidence selected, presented, and attached in the Affidavit by Goh, false accusations and allegations against me, as well as factual inconsistencies, Mr. Kevin Goh either does not attempt to distinguish and/or makes apparently poor attempts to distinguish in the body of the Affidavit by Goh which information was within his personal knowledge, and the information which was not rendered that evidence. Indeed, we cannot know in whose personal knowledge the information and possession of documents is at all – the Defendant who might or might not be Mr. Kevin Goh himself (please see paragraph 64(iii) above) – or, for that matter, if such documents exist at all – as in the ‘relevant (legal) submissions by solicitors’ mentioned several times to support critical arguments in the Affidavit by Goh, and are nowhere to be found. The source of some information and belief directly related to my claim is therefore unknown and/or cannot be known in the Affidavit by Goh.
73. I noted in this here my Reply Affidavit several instances in the Affidavit by Goh where statements made by Mr. Kevin Goh should have been, apparently and quite easily I believe, falsifiable by Mr. Kevin Goh himself.
74. Information and belief in the Affidavit by Goh discussed above and which is falsifiable, false, inaccurate, misleading, or simply non-existent in the Affidavit

ChD 489 at 498; and *Noor Jahan bte Abdul Wahab v. Md Yusoff bin Amanshah & Anor* [1994] 1 MLJ 156. For instance regarding the latter, *Wenlock v. Moloney* [1965] 1 WLR 1238.

by Goh and/or cannot exist outside it, as well as sources and grounds thereof of information and belief absent in the Affidavit by Goh, concerns matters directly significant to my case.

75. I object to the content of the Affidavit by Goh because as an affidavit of information or belief it does not state the source of information, and omits relevant grounds on which the application HC/SUM 2650/2021 to strike out pleadings were made.²⁵
76. It is not possible to identify which evidence was within the deponent's knowledge, and when it was not, to identify clearly Mr. Kevin Goh's sources of information, and grounds for the beliefs he deposes to.²⁶
77. As discussed above, the Affidavit by Goh, does not appear to clearly discuss putative legal unsustainability of my claims with regards to unlawful termination and the remedy claimed (as opposed to precisely specifying the complaint of the application in these issues). The application by NTU, HC/SUM 2650/2021, including the Affidavit by Goh, also does not clearly specify the grounds mentioned in Order 18, Rules 19 pertaining to a putative legal unsustainability of

²⁵ For instance, *Dynacast (S.) Pte Ltd v. Lim Meng Siang* [1989] 3 MLJ 456. See also *Re J. L. Young Manufacturing Co.* [1900] 2 Ch. 753, CA (Eng); *Pacific Assets Management Ltd. v. Chen Lip Keong* [2006] 1 SLR(R) 658 at 665; and *Wong Yit Shing v. Sim Teow Gok & Co. (sued as a firm)* [1994] 2 SLR(R) 713.

²⁶ *HSBC Trustee (Singapore) Ltd v. Lucky Realty Co Pte Ltd* [2015] 3 SLR 885 at [90].

my claims to unlawful termination and the remedy claimed.²⁷ I object to the content in the Affidavit by Goh supporting the application by NTU because the specific complaint against my primary claims and relevant specific grounds of the Order on which the application was made are factually inconsistent, absent, or irrelevant.²⁸

78. I believe the only apparently and potentially contentious issue raised by HC/SUM 2650/2021 is legal sustainability of my claim, and which I hope, may it please the Court, I argued for here in my Reply Affidavit. I am wondering if it was appropriate for Mr. Kevin Goh, Mr. Timothy Ang, and Mr. Wilson Zhu, to apparently ‘put legal arguments into the mouth of the deponent’, among the 3 (three) names just mentioned, not best qualified to advance them.²⁹
79. I wonder if a claim that pleadings in the Affidavit by Goh supports a striking out application based on grounds other than that my pleading disclosed no reasonable cause of action could be sustainable.³⁰
80. Due to internal inconsistencies and other irregularities in the Affidavit by Goh, the application by NTU, HC/SUM 2650/2021 does *not* apparently aim to show

²⁷ I do not believe content of HC/SUM 2650/2021 filed by NTU (represented by Rajah & Tann) on 8 June 2021 raise clearly the points at issue (*Punton v. Ministry of Pensions and National Insurance* [1963] 1 WLR 186 at 192).

²⁸ For example, *Williamson v. London, etc.* (1879) 12 ChD 787 at 790, applied in *Dr Leela Ratos & Ors v. Anthony Ratos s/o Domingos Ratos & Ors* [1996] 3 MLJ 167.

²⁹ *Singapore Civil Procedure 2020 Volume I*, page 286; 41/5/1. eds Lee Ming Chua and Paul Quan. Singapore: Sweet & Maxwell/Thomson Reuters, 2019.

³⁰ *Yusen Air & Sea Service (S) Pte Ltd v. K.L.M. Royal Dutch Airlines* [1999] 2 SLR(R) 955.

that my pleadings must be impossible.³¹ Indeed, the application by NTU including the Affidavit by Goh appear to suggest that, contrary to Court Rules, the order to strike out pleadings *might* be exercised by a minute examination of the documents and facts of the case, presented and attached in the Affidavit by Goh in *selective* abundance.³²

81. Furthermore, in the Letter from Mr. Timothy Ang and Mr. Wilson Zhu at Rajah & Tann to The Registry dated 17 June 2021, Sender's Ref WZR/TWK/ 292401/65 appears to argue that:

- i. An urgent Pre-Trial Conference be held for directions on the conduct of *HC/SUM 2650/2021*. A putative urgency is not explained in this Letter, and indeed cannot be since a date proposed by Mr. Timothy Ang for a putative Pre-Trial Conference on the conduct of *HC/SUM 2650/2021* includes the date appointed by the Court for a Hearing of the same.
- ii. At the same time, it was stated that it was unclear if I intend to "...rely on and/or adduce *evidence* for the *hearing*..." of *HC/SUM 2650/2021* (emphasis added, paragraph 5 in the Letter from Rajah and Tann to The Registry dated 17 June 2021).³³
- iii. Are Mr. Timothy Ang and Mr. Wilson Zhu not aware that any (admissible) *evidence* as such in the Affidavit by Goh consists of legal arguments that are apparently not valid, not comprehensive, and/or not

³¹ For instance, *Ha Francesca v. Tsai Kut Kan (No. 1)* [1982] HKC 328.

³² For instance, *Wenlock v. Moloney* [1965] 1 WLR 1238.

³³ Was a substantive right to file supporting affidavits which adduce evidence assumed in the application by NTU (represented by Rajah & Tann) in *HC/SUM 2650/2021*? Based on what?

appropriate? Or was the implication here that said *evidence* refers to allegations in the Affidavit by Goh regarding the factual sustainability of my pleadings, and which appears to be inadmissible?

82. Given the points mentioned in paragraphs ⁸⁰ 81 and ⁸¹ 82 above, I wonder if the application HC/SUM 2650/2021 by NTU, supported by the Affidavit by Goh, is not an attempt at a re-focusing of the underlying issues. It appears to me that the HC/SUM 2650/2021 was an application by NTU for trial without (further) pleadings – but a trial of what?³⁴ *No evidence whatsoever* was presented in the Affidavit by Goh to show that any investigation of my report at NTU was not farcical. In other words, I wonder if the application by NTU is not a continuation of what appears to be a consistent justification for actions taken by NTU against me *since I filed the report on misconduct and harassment by RM at NTU*, and which caused me harm and suffering, namely: to ‘make the report and its author disappear from Singapore now’. I object to content in the Affidavit by Goh and as supporting an application by NTU to strike out pleadings since I believe there are reasons to suspect collateral purpose, as well as abuse of the process of Court to oppress me, and prejudice, embarrass, or delay the fair trial of the action.
83. In paragraphs above, I discuss why the Affidavit by Goh, apparently based on patently false as well as misleading statements, appears to attempt to build and

³⁴ I hesitantly put forward the following: It appears to me that in this Letter, Mr. Timothy Ang both denies a possibility that HC/SUM 2650/2021 could possibly proceed as though it had been commenced by way of writ, and at the same time, appears to assume that that it will.

inflate the following case against me: that I am more or less engaging in the hubris of a more or less disgruntled employee.

84. I object to content in the Affidavit by Goh because it appears to present dishonest claims, supported with untruthful evidence.³⁵ A purpose to discredit me cannot be ruled out given content in the Affidavit by Goh.³⁶ In addition to being false, allegations made against me in the Affidavit by Goh by way of pleadings are irrelevant, oppressive, not material to the relief prayed, and therefore appear to be scandalous.³⁷
85. Mr. Kevin Goh did not made a single valid statement, in the Affidavit by Goh nor anywhere else, to show that he knows any facts whatsoever to support an investigation into scientific research misconduct at NTU; an investigation which has consistently appeared to be farcical. I object to content in the Affidavit by Goh because, as it relates to the primary claim in HC/S 413/2021, the Affidavit by Goh is groundless and unfounded.³⁸

³⁵ For instance, *Metall & Rohstoff A.G. v. Donaldson Lufkin & Jenette Inc* [1990] 1 QB 391.

³⁶ For example, *Lonrho v. Fayed (No. 2)* [1992] 1 WLR 1.

³⁷ *Per* Selborne L. C. in *Christie v. Christie* (1873) LR 8 ChApp 499 at 503; see also for instance *Blake v. Albion Assurance Society* (1876) 45 LJCP 663; *Savings & Investment Bank Ltd v. Gasco Investments (Netherlands) BV* [1984] 1 WLR 271; [1984] 1 All ER 296; and *Wong Yit Shing v. Sim Teow Gok & Co (sued as a firm)* [1994] 2 SLR(R) 713.

³⁸ For instance, *Steamship Mutual Underwriting Association Ltd v. Trollope and Colls (City) Ltd* (1986) 33 BuildLR 77, CA (Eng); cited in *Ng Kian Chong v. Saw Seng Kee* [1994] 3 MLJ 691.

Evidence relied upon in this here Reply Affidavit by myself

86. I stand ready to submit to the Court documentary evidence supporting every claim and statement of fact I made.
87. The Affidavit by Goh and other documents purporting to be filed in, or issued out of, the Supreme Court are referred to here without further proof.
88. I understand that statements of fact made regarding events which had occurred, for example, during mediation at the Tripartite Alliance for Dispute Management, Ministry of Manpower, may not be admissible as evidence to support my claims as stated in the Writ, and such evidence is probably not required for that purpose. Such evidence is included here where it pertains to the matter of the application by NTU, HC/SUM 2650/2021.

Summary

89. In contradiction to Order 18 Rule 19(2) of Rules of Court, evidence was submitted in the application HC/SUM 2650/2021 under Order 18 Rule 19(1)(a).
90. No substance was found in the application HC/SUM 2650/2021 supporting pretext under Order 18 Rule 19(b) and (d). Indeed, the application HC/SUM 2650/2021 itself can be construed to be vexatious and otherwise an abuse of the process of the Court.
91. Unsubstantiated and irrelevant statements and accusations, contradictions, and irregularities in pleadings made for HC/SUM 2650/2021 raise the question of whether NTU's application is an attempt to conceal a putatively farcical investigation at NTU and deprive me of access to justice.
92. Cause of action in the suit HC/S 413/2021 includes illegality of work I was ordered to engage in during my employment, absence of due inquiry and

retaliation against me including extortion after I followed appropriate channels at NTU to address this illegal work, conspiracy, and breach of duty, confidence, and trust by NTU.

- 93. I object to the content of the Affidavit by Goh.
- 94. I humbly pray that the course of justice is permitted.

Mohamed Mustafa Mahmoud Helmy
(FIN No. G3363781R)
Self-employed researcher, MD, PhD
10 Jurong Lake Link, #15-39, Singapore 648131
Litigant-in-person

Affirmed by the abovementioned)
Mohamed Mustafa Mahmoud Helmy) M. Helmy
In The Supreme Court, Singapore)
On the 21st day of June, 2021)
Before me

COMMISSIONER FOR OATHS
Syed Syaiful Amir
CI2021/0023
1 Apr 2021 - 31 Mar 2022
COMMISSIONER FOR OATHS
COURT INTERPRETER, SINGAPORE