

Reply to: Jamal D. Young Esq.
Email: jamal.young@goldfieldcayman.com

August 7, 2009

BY COURIER & FACSIMILE – 945-8284

Information & Communications Technology Authority
P.O. Box 2502
George Town, Grand Cayman
Cayman Islands

Attention: David Archbold

Dear Mr. Archbold,

Re: ICT Decision 2008-4

We refer to the above matter and to previous correspondence herein.

As you know we act on behalf of Paramount Media.

A decision was made by the Information & Communications Technology Authority (ICTA) on the 10th of October 2008 in relation to the location of FM Transmitters in Grand Cayman. It was determined that the Cayrock 96.5 FM (Cayrock) transmitter be relocated from its site in the George Town area by no later than the 15th of July 2009. It is now the 7th of August 2009 yet Cayrock 96.5FM continues to broadcast from the George Town region. This is clearly in contravention of the ICTA Decision.

Paragraph 44 of the Decision clearly states that all applications for FM radio licenses will only be approved if the proposed transmission facilities are located outside of the George Town and West Bay districts. In those circumstances, it is clear that DMS is blatantly operating this station without a license.

Our client is astounded as to how the Authority has authorized Cayrock 96.5 FM to remain where it is despite DMS' failure or otherwise refusal to adhere to the Order of the 10th of October 2008. Our Clients are still experiencing a considerable amount of interference from Cayrock's transmitter. It is inconceivable to us that the Authority has not exercised its prerogative by compelling DMS to relocate by the prescribed date, or cease and desist immediately. We are further amazed that the


Authority has allowed them to broadcast while fully in the knowledge that they do not hold a broadcasting license.

This matter has been on-going for in excess of four years at this stage. It is unconscionable that our Client and other Licensed Broadcasters have been forced to relocate while DMS continues to broadcast from within the excluded area and therefore continues to cause substantial interference. Please explain why DMS is being given preferential treatment. DMS is perfectly capable of setting up a temporary transmitter outside of the George Town area.

Kindly note that if you fail to exercise your authority by shutting Cayrock's transmission down by close of business on Wednesday next the 12th of August 2009, we will make an application to the Grand Court of the Cayman Islands for Judicial Review without any further notice upon you.

Yours truly,

GOLDFIELD CAYMAN ATTORNEYS-AT-LAW


Jamal D. Young

cc Minister for Communication
Attention: Julianna O'Connor

Hurley's Group
Attention: Randy Merren

DMS Broadcasting Ltd.
Attention: Don Seymour