



www.goldfieldcayman.com

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

October 3, 2008

BY FACSIMILE - 945-8284

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

Attention: David Archbold

Dear Mr. Archbold,

Re: Broadcast Signal Lab Report on the State of FM Broadcasting in Grand Cayman

We refer to your letter of 26 September 2008. We would like to note there are specific inconsistencies set out in your said letter when compared to your previous correspondence dated 11 July 2008. They are as follows:

1. In your letter dated 11 July 2008, you state that CCA and dms are required to respond no later than 18 July 2008 as to whether they are prepared to change their frequencies. If they are prepared to do so, the Authority will work with them to identify an optimal interim frequency and implement this change of frequency no later than 11 August 2008.

It is clear that this requirement was not met by the required deadlines. As a result, no trial or tests were conducted. Accordingly, CCA and dms should have been issued a thirty-day notice by the Authority to relocate by 30 September 2008 as stated in your letter dated 11 July 2008.

2. Your letter of 26 September 2008 states that the transmitters of Gospel 88.7 FM and Cayrock 96.5 FM would be tested following the relocation of the Heaven 97's transmitter as stated in your letter of 26 September 2008. However, the Authority made no reference to this condition in their letter dated 11 July 2008. In fact, your letter of 11 July 2008 states that Gospel 88.7 FM and Cayrock 96.5 FM would be permitted to remain until the time of license renewal on the condition that the requirements in #1 above were met.

It is our view that there are fundamental inconsistencies between your letter of 11 July 2008 and 26 September 2008. Further, our client is perplexed as to how the Authority has authorized Heaven 97.7 FM, Gospel 88.7 FM and Cayrock 96.5 FM to remain despite CCA and dms' failure or otherwise refusal to follow the requirements set out in your letter dated 11 July 2008. In these

- 2 -

circumstances, it is our view that the Authority should have exercised their authority by ordering CCA and dms to relocate by 30 September 2008, or cease and desist immediately.

In accordance with the demands set out in our letter dated 24 September 2008, a copy of which is attached for your case of reference, we hereby wish to reiterate our demands as follows:

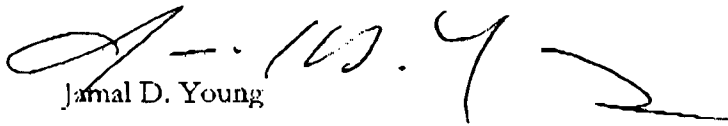
1. The Authority issue a **30-day notice with effect from 30 September 2008** to CCA and dms to relocate Heaven 97.7 FM, Gospel 88.7 FM and Cayrock 96.5 FM transmitters out of the George Town area; and
2. Should CCA and dms fail to relocate by 31 October 2008, **they must cease and terminate** the transmissions of Heaven 97.7 FM, Gospel 88.7 FM and Cayrock 96.5 FM by **31 October 2008**.

Please note that our client still reserves the right to take such further action as necessary to recover any losses to date.

Kindly govern yourselves accordingly.

Yours truly,

GOLDFIELD CAYMAN ATTORNEYS-AT-LAW



Jamal D. Young

JDY/km

Enclosure

cc Christian Communications Association
Attention: Stephen Faucette

dms Broadcasting Ltd.
Attention: Don Seymour