



5 October 2009

Glen Daykin Esq.
Chairman, ICT Authority
Alissta Towers, North Sound Way
George Town
Cayman Islands

By E-mail and By Hand Delivery

Dear Sir,

**DMS BROADCASTING LTD. ("DMS")
RE: REFUSAL TO RENEW LICENCE OF CAYROCK 96.5FM**

We refer to the letter from the Authority dated 5 October 2009.

We note the Authority does not agree that the ICTA Law s. 29(1)-(4) inclusive governs this matter. If that be the case (which is not admitted), then the Authority has in fact unilaterally modified dms' licence under ICTA Law s. 31(4). Such a decision is amenable to administrative review by the Authority (see ICTA Law s. 78(1)(c) and (3)).

Accordingly dms as a "person aggrieved" hereby applies in writing for a reconsideration of that decision in accordance with the procedure contained at ICTA Law s. 71 and dms requests the right to be heard in person on its submissions on the reconsideration.

We formally request that the Authority's 1 October 2009 direction to cease operating Cayrock 96.5FM be stayed until the process contemplated by the ICTA Law s. 71 is followed to its conclusion including any appeal therefrom. In dealing with any application to stay its decision the Authority must act judicially and is bound at law to preserve the *status quo* pending determination of the submissions.

Kindly confirm by urgent return that the said direction will be stayed pending the full application of the ICTA Law s. 71 process including any appeal therefrom. Failure to do so shall result in an application to the Grand Court for *inter alia*, injunctive relief and damages. In such circumstances this letter shall be tendered in support of an application that the Authority should pay our client's costs.



Yours faithfully,

DIAMOND.

DIAMOND LAW ASSOCIATES

cc: Hon. Juliana O'Connor-Connolly – Minister for DAW&GA
Kearney Gomez Esq – Permanent Secretary, Ministry for DAW&GA