



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.
RE: REFUSAL TO RENEW LICENCE OF CAYROCK 96.5FM**

We refer to the letter from the Authority dated 2 October 2009.

We note the Authority has denied dms' application dated 30 June 2009 to renew the ICT licence covering Cayrock 96.5FM or extend the term thereof as requested in our letter of 14 September 2009. We also note the Authority's direction that dms must cease operating Cayrock 96.5FM as of 11:59pm today.

Pursuant to the ICTA Law s. 29(1)-(4) inclusive, the Authority may refuse to renew if a licensee is or has engaged in conduct that materially contravenes the ICTA Law or ICTA Regulations (which is denied). Where the Authority has reasonable grounds for not renewing the Authority must inform the licensee of its intention to do so. The licensee then has 30 days to make written submissions. The Authority then has a further 7 days to make its final decision.

The Authority's decision to deny the renewal of the Cayrock component of dms' licence is governed solely by the ICTA Law s. 29. It is dms' intention to make written submissions in accordance with the ICTA Law s. 29 within the time prescribed.

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. 29 is followed to its conclusion. 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. 29 process. Failure to do so may 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 pay our client's costs.

Yours faithfully,

DIAMOND LAW ASSOCIATES

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