

22nd April 2015

Our Ref: CYI/Reg/Dispute/001

Mr. Alee Fa'amoe
85 North Sound Road,
3rd Floor, Alissta Towers,
George Town
Grand Cayman

The Digicel logo consists of the word "Digicel" in a bold, red, sans-serif font. Above the text is a graphic of several overlapping, colorful geometric shapes (squares and triangles) in shades of green, blue, and red, arranged in a pattern that suggests a network or signal.

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Dear Sir,

RE: LIME FALSE 4G LTE ADVERTISEMENTS.

We write further to our complaint letter of 19th December 2014 to the Authority regarding LIME's disregard for accuracy in its "100% 4G LTE Coverage Network" campaign. As the Authority is aware, Digicel sought to have the matter resolved between itself and LIME as is provided by law, and as recommended in the Authority's letter of 16th January 2015.

On 25th January 2015, Digicel sent its initial letter to LIME. In that letter, we expressed our reservations of LIME's misleading statements to the Cayman public, that it had "100% 4G LTE Coverage" of the Cayman Islands. Digicel requested that LIME ceases such false and misleading advertising and takes steps to rectify the situation.

LIME's response of 3rd February 2015 to Digicel was a general denial, that its statements were not misleading, and further required Digicel to provide evidence to support its complaint.

Subsequently, Digicel wrote to LIME proposing a meeting to resolve the matter. The parties met on 4th March 2015 and soon thereafter Digicel forwarded to LIME its drive tests results conducted on LIME's 4G LTE network which showed that LIME's coverage in Grand Cayman and Cayman Brac was not 100% as they claim. Attached is a map showing the areas that were discussed at the meeting with LIME on 4th March 2015.

LIME responded on 13th March 2015 and continued to assert its misleading position, that it had "100 % 4G LTE Network Coverage" and further stating that LIME did not agree with Digicel's drive test findings as their own drive tests had shown that LIME had coverage in Grand Cayman. This false representation of facts was made even as LIME was well aware of areas such as the Eastern End of Cayman Brac which has no coverage. LIME stated that they had no intention of conducting further drive tests in Cayman Brac or Little Cayman, choosing instead to rely on drive tests they had conducted in 2013. LIME were also aware that Digicel's drive test of LIME's 4G LTE network had shown poor to no coverage along Queens Highway, Beach Bay area and along the main road in the proximity of Breakers. All the above has led Digicel to the reasonable conclusion that LIME had no intention to engage Digicel in good faith to resolve the matter.

Digicel notes that LIME have effectively launched a comprehensive marketing campaign to mislead the public into believing that LIME's 4G LTE network covers 100% of Grand Cayman. Please find enclosed press ads, website information, store branding and public displays issued and erected by LIME containing this inaccurate and misleading information. Digicel is of the view that for a party to assert 100% coverage, coverage must be indoor and outdoor, which is not the case with LIME's 4G LTE. Digicel is also aware, as is LIME, that many areas in Cayman Brac do not have LIME's 4G LTE coverage.

Digicel is of the view that LIME's false advertising has lead reasonable Caymanian and indeed other persons coming into the Islands to believe that LIME's 4G LTE network is everywhere, all the time, a statement that is not only false but ridiculous given that LIME's actual coverage does not span the length and breadth of the Cayman Islands and any assertion otherwise is patently inaccurate. Indeed, we have shown that LIME's 4G network within Cayman Brac is not 100% and neither is indoor coverage in the rest of the Islands.

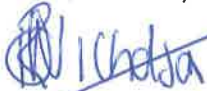
Digicel intends that this letter acts as its official determination request to the Authority. Digicel is of the view that all reasonable attempts to resolve the matter have failed, as Digicel and LIME have fundamental differences as to the meaning of 100% coverage, and that Digicel and LIME have attempted, unsuccessfully, to resolve the issue from January 2015. Digicel therefore requests the Authority to exercise its obligations under the Information and Communications Technology Authority (Dispute Resolution) Regulations.

Digicel seeks various relief from the Authority including (i) that the Authority requires LIME to cease all such misleading advertisement and remove all such branding displays and any other information howsoever communicated to the public by whichever means that refer to 100% 4G network coverage. (ii) that LIME issues a public retraction in the Caymanian compass or other press of equal prominence and frequency (iii) that LIME pays the costs of this determination.

We confirm that we have paid, in full, all necessary fees and further issue an undertaking to pay the costs relating to this dispute as will be apportioned by the Authority.

I request that the Authority waives the requirement for an attesting affidavit as the facts set out in this letter are to my knowledge, belief and that the same are accurate.

Yours Sincerely



Raul Nicholson-Coe
COO – Digicel (Cayman Islands) Limited

Annexures

1. Digicel's letter of 27th January 2015 to LIME.
2. LIME's response of 3rd February 2015
3. Map discussed in the meeting of 4th March 2015-Digicel's Drive Test Results.
4. LIME's response of 13th March 2015.
5. LIME's response of 31th March 2015
6. Digicel's response of 8th April 2015.

Cc: Bill McCabe – CEO Lime

