

IN THE SUPREME COURT
TURKS AND CAICOS ISLANDS

ACTION NO. 142//2009

IN THE MATTER OF AN APPLICATION FOR AN INJUNCTION TO RESTRAIN PUBLICATION IN ANY LEGIBLE OR AUDIBLE FORM OF THE REDACTED PARTS OF THE REPORT OF THE TURKS AND CAICOS ISLANDS COMMISSION OF INQUIRY REPORT 2008- 2009 ("the Report")

DR CEM KINAY (1)
TURKS DEVELOPMENT LP (2)
THE STAR LIONS LIMITED (3)

Plaintiffs

And

THE EDITORS OF THE TURKS AND CAICOS WEEKLY NEWS (1)
THE EDITORS OF THE TURKS AND CAICOS FREE PRESS (2)
THE EDITORS OF THE TURKS AND CAICOS SUN NEWSPAPER (3)
THE EDITORS OF WIV CHANNEL 4 NEWS (4)
THE EDITORS OF TCI NEW MEDIA NETWORK CH 7 NEWS (5)
THE PROPRIETORS OF THE RADIO STATION BROADCASTING ON 88.7FM (6)
THE PROPRIETORS OF THE RADIO STATION BROADCASTING ON 92.5FM (7)
THE PROPRIETORS OF THE RADIO STATION BROADCASTING ON 102.5FM (8)
THE PROPRIETORS OF THE RADIO STATION BROADCASTING ON 107FM (9)
THE EDITORS OF THE TCI JOURNAL (10)
THE EDITORS OF TURKS & CAICOS NET NEWS (11)
THE EDITORS AND PROPRIETORS OF PEOPLES TELEVISION NEWS (12)

Defendants

ORDER of July 20th, 2009

IMPORTANT:

NOTICE TO THE DEFENDANTS

- (1) This Order prohibits you from publishing, or inciting others to publish in legible or audible form or in any form which may be edited, copied and viewed any redacted part of the Report of the Turks and Caicos Islands Commission of Inquiry 2008- 2009 or anything which identifies where the legible redacted parts of the Report have been published or are otherwise available until trial or further order. You should read it



all carefully. You are advised to consult an attorney as soon as possible. You have a right to ask the Court to vary or discharge this Order on 24 hours written notice to the Plaintiffs' attorneys.

- (2) IF YOU DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED**
- (3) ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS A BREACH OF THE TERMS OF THIS ORDER MAY ALSO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.**

BEFORE His Lordship Chief Justice Gordon Ward OBE sitting at the Court House, Providenciales, Turks and Caicos Islands on Monday July 20th, 2009 on the return of the *ex parte* summons and injunction order of Saturday July 18th, 2009.

UPON HEARING Conrad Griffiths QC for the Plaintiffs, David Philips QC for the Attorney General in his own right and for and on behalf of His Excellency the Governor and the Commissioner of the Turks and Caicos Islands Commission of Inquiry 2008-2009

AND UPON HEARING Ariel Misick QC intervening for and on behalf of Mr. Jak Civre.

AND UPON *inter alia* representatives of the 1st to 4th named Defendants and the additional new 12th Defendant being present in Court and some of those representatives addressing the Court.

AND UPON HEARING Monique Allan on behalf of the 1st Defendant (The Editors of the Turks and Caicos Weekly News) having received instructions during the course of the hearing and appearing at approximately 12.20pm

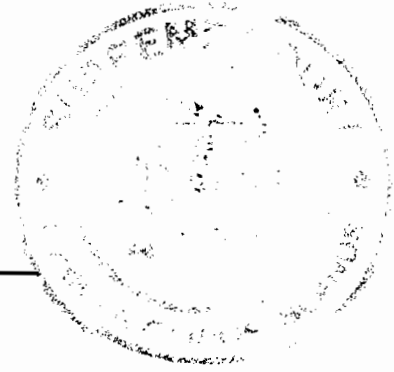
AND UPON the Plaintiffs undertaking to file and serve an application to amend the Originating Summons herein as soon as reasonably practicable naming the Editors and Proprietors of Peoples Television News as 12th Defendant in these proceedings and to serve the same together with an amended Originating Summons and all other documents relating to the injunction order granted on July 18th, 2009 on the 12th Defendant.

IT IS ORDERED that:

1. The Plaintiff is hereby granted leave to amend the Originating Summons herein to add the Editors and Proprietors of Peoples Television News as the Twelfth Defendant.
2. The Defendants, their servants or agents and each of them are restrained from publishing in legible or audible form or in any form which may be edited, copied and viewed any redacted part of the Report of the Turks and Caicos Islands Commission of Inquiry 2008- 2009 ("the Redacted Parts of the Report") until trial or further order.

3. The Defendants, their servants or agents, shall not, whether directly or indirectly, incite or encourage others to publish the Redacted Parts of the Report.
4. The Defendants, their servants or agents and each of them, shall use their best endeavours to prevent publication of anything which indicates or identifies, whether directly or indirectly, any publication or website where the Redacted parts of the Report have been published or are otherwise available.
5. The Defendants shall use the pleadings, affidavits and other materials filed in these proceedings only for the purposes of this action.
6. No third parties shall be permitted to inspect copies of the pleadings, affidavits and other materials filed on the Court file without leave of the Court.
7. The Defendants shall have liberty to apply to vary or discharge this order on 24 hours written notice to the Plaintiffs' attorneys.
8. Costs reserved.

M. W. C.



BY ORDER OF THE COURT

This hearing occupied the time of the Court from 10.00am until 12.25 pm on Monday July 20th, 2009

This order was issued out of the Supreme Court Registry on Monday July 20th, 2009

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Misick & Stanbrook,
Richmond House,
Providenciales
Turks and Caicos Islands