

**IN THE SUPREME COURT OF
THE TURKS AND CAICOS ISLANDS**

SUPREME Action CL-143/09
FILED IN THE COURT OF APPEALS
TURKS & CAICOS ISLANDS
TIME: *3-52* DATE: *20/7/09*
MARIO HOFFMANN
BY: *[Signature]* Plaintiff

- and -

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



Defendants

LET ALL PARTIES concerned attend before the Judge in Chambers at The Courthouse, Providenciales on Monday the 20th day of July 2009, on the hearing of an application by the Plaintiff for leave to amend the Originating Summons herein so as to add The Editors and Proprietors of Peoples Television News as Twelfth Defendant.

DATED this 20th day of July 2009.

This Summons was taken out by **MILLER ♦ SIMONS ♦ O'SULLIVAN** of Second Floor, Butterfield Square, P.O. Box 260, Providenciales, Turks and Caicos Islands, Attorneys for the Plaintiff.

To: The Editors Of The Turks And Caicos Weekly News of Providenciales, Turks and Caicos Islands; The Editors Of The Turks And Caicos Free Press of Providenciales, Turks and Caicos Islands; The Editors Of The Turks And Caicos Sun Newspaper of Providenciales, Turks and Caicos Islands; The Editors Of WIV Channel 4 News of Providenciales, Turks and Caicos Islands; The Editors Of TCI New Media Network Ch 7 News of Providenciales, Turks and Caicos Islands; The Proprietors Of The Radio Station

Broadcasting On 88.7fm of Providenciales, Turks and Caicos Islands; The Proprietors Of The Radio Station Broadcasting On 92.5fm of Providenciales, Turks and Caicos Islands; The Proprietors Of The Radio Station Broadcasting On 102.5fm of Providenciales, Turks and Caicos Islands; The Proprietors Of The Radio Station Broadcasting On 107fm of Providenciales, Turks and Caicos Islands; The Editors Of The TCI Journal of Providenciales, Turks and Caicos Islands; The Editors Of Turks & Caicos Net News of Providenciales, Turks and Caicos Islands.

No. 8

Amended Originating Summons – General Form (O. 7, r. 2)



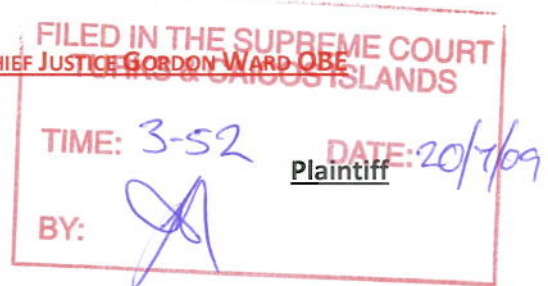
Action No. CL-143/09

**IN THE SUPREME COURT OF
THE TURKS AND CAICOS ISLANDS**

AMENDED THIS 20TH DAY OF JULY 2009 PURSUANT TO THE ORDER OF CHIEF JUSTICE GORDON WARD OBE

MARIO HOFFMANN

- and -



- (1) THE EDITORS OF THE TURKS AND CAICOS WEEKLY NEWS
- (2) THE EDITORS OF THE TURKS AND CAICOS FREE PRESS
- (3) THE EDITORS OF THE TURKS AND CAICOS SUN NEWSPAPER
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- (8) THE PROPRIETORS OF THE RADIO STATION BROADCASTING ON 102.5FM
- (9) THE PROPRIETORS OF THE RADIO STATION BROADCASTING ON 107FM
- (10) THE EDITORS OF THE TCI JOURNAL
- (11) THE EDITORS OF TURKS & CAICOS NET NEWS
- (12) THE EDITORS AND PROPRIETORS OF PEOPLES TELEVISION NEWS

Defendants

TO THE DEFENDANTS: The Editors Of The Turks And Caicos Weekly News of Providenciales, Turks and Caicos Islands; The Editors Of The Turks And Caicos Free Press of Providenciales, Turks and Caicos Islands; The Editors Of The Turks And Caicos Sun Newspaper of Providenciales, Turks and Caicos Islands; The Editors Of WIV Channel 4 News of Providenciales, Turks and Caicos Islands; The Editors Of TCI New Media Network Ch 7 News of Providenciales, Turks and Caicos Islands; The Proprietors Of The Radio Station Broadcasting On 88.7fm of Providenciales, Turks and Caicos Islands; The Proprietors Of The

Radio Station Broadcasting On 92.5fm of Providenciales, Turks and Caicos Islands; The Proprietors Of The Radio Station Broadcasting On 102.5fm of Providenciales, Turks and Caicos Islands; The Proprietors Of The Radio Station Broadcasting On 107fm of Providenciales, Turks and Caicos Islands; The Editors Of The TCI Journal of Providenciales, Turks and Caicos Islands; The Editors Of Turks & Caicos Net News of Providenciales, Turks and Caicos Islands; The Editors and Proprietors of Peoples Television News of Providenciales, Turks and Caicos Islands.

Let the Defendants within 14 days after service of this summons upon it, counting the day of service, return the accompanying Acknowledgment of Service to the Registry.

By this summons, which is issued on the application of the Plaintiff, Mario Hoffman of Grösslingova 45, Bratislava, Slovakia, the Plaintiff claims against the Defendants the following relief, namely:-

1. An order restraining publication in legible or audible form or in any form which may be edited, copied and viewed of any redacted part of the Report of the Turks and Caicos Islands Commission of Inquiry 2008-2009 ("the Report") on the grounds that such publication would amount to a breach of and defeat the purpose and intent of the orders and declarations of this Court in Action CL 93/09 of June 18th, 2009 in relation to the Report and the position of the Plaintiff;
2. That the costs of this application be provided for; and
3. Such further or other relief as may be requisite.

STEPHEN WILSON
STEPHEN WILSON

If the Defendant does not acknowledge service, such judgment may be given or order made against or in relation to it as this Court may deem just and expedient.

Dated the 18th day of July 2009

Re-dated the 20th day of July 2009

Note: This summons may not be served later than 12 calendar months after the above date unless renewed by order of the Court.

This summons was taken out by **MILLER ♦ SIMONS ♦ O'SULLIVAN** of Second Floor, Beatrice Butterfield Building, P.O. Box 260, Butterfield Square, Providenciales, Turks and Caicos Islands, Attorneys for the said Plaintiff whose address is stated above.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

IN THE SUPREME COURT
TURKS AND CAICOS ISLANDS

Chief Justice Gordon Ward OBE

B E T W E E N:

MARIO HOFFMANN

- and -



- (1) THE EDITORS OF THE TURKS AND CAICOS WEEKLY NEWS
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- (11) THE EDITORS OF TURKS & CAICOS NET NEWS
- (12) THE EDITORS AND PROPRIETORS OF PEOPLES TELEVISION NEWS

Defendants

ORDER

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 Plaintiff's 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

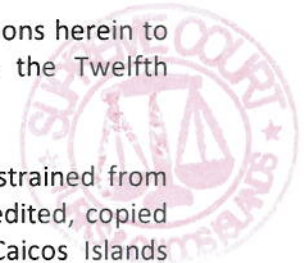
HELPS OR PERMITS A BREACH OF THE TERMS OF THIS ORDER MAY ALSO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

UPON HEARING Stephen Wilson, Counsel for the Plaintiff; David Philips QC, Counsel for the Attorney General, His Excellency the Governor and the Commissioner of the Turks and Caicos Islands Commission of Inquiry 2008-2009; Ariel Misick QC, Counsel for Mr. Jak Civre; Ms. Gemma Handy a representative of the First Defendant and Ms. Deandre Hamilton, a representative of the Twelfth Defendant at the Court House, Providenciales, Turks and Caicos Islands on Monday, 20th July 2009 on the hearing of the Plaintiff's summons for the continuation of the injunction order granted on 18th July 2009.

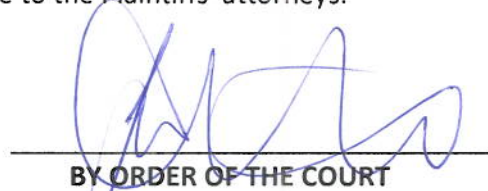
AND UPON the Plaintiff undertaking to file an application for leave to amend the Originating Summons herein to add the Editors and Proprietors of Peoples Television News as the Twelfth Defendant herein and to serve the same together with an amended Originating Summons and all other documents relating to the injunction order granted on 18th July 2009 on the Twelfth 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 and each of them 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.



BY ORDER OF THE COURT



This hearing occupied the time of the Court from 10.00am until 12.25 pm