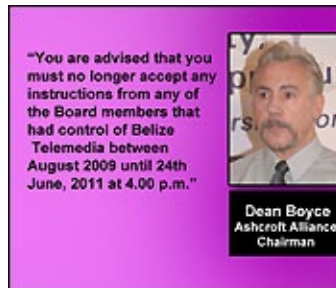
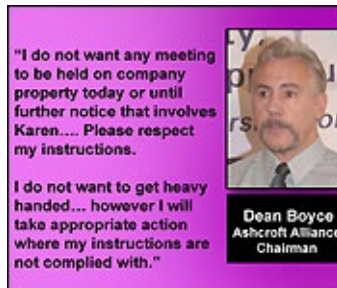




[Click here to print](#)

The Present Situation At Telemedia

Mon, June 27, 2011



So, that brings us to tonight, and where things presently stand. Government remains in possession of the company and its operations; police are still holding a position at the gate of the Corporate headquarters on St. Thomas Street. But while that enforced hold on the company's physical assets is one

thing, the operations are another matter and deposed Chairman Dean Boyce is making every attempt to actively undermine those.

Boyce is barred from entering the building, but has set up a parallel corporate headquarters and is sending memo's, employee directives, letters to commercial partners and even press releases on Telemedia letterhead. So, it's like the company has two opposing bosses - which, needless to say has left the staff in a confused quandary: should they obey the occupying boss - which is the government appointed board of directors - or should they follow Boyce who -depending on what happens in court - may end up being the boss!?

It's not just a quandary, it's a career crisis! And it's not just gentle reminders, Boyce is issuing orders! We have seen a Boyce memo advising heads of department not to attend a meeting convened by the Chief Operating Officer Karen Bevans. It warns:

"I do not want any meeting to be held on company property today or until further notice that involves Karen....Please respect my instructions. I do not want to get heavy handed...however I will take appropriate action where my instructions are not complied with."

In another email, he warns staffers: ?? "You are advised that you must no longer accept any instructions from any of the Board members that had control of Belize Telemedia between August 2009 until 24th June, 2011 at 4.00 p.m."

Very tough talk - and today we asked Boyce's attorney in this matter Godfrey Smith what is behind their strategy:....

Godfrey Smith, Attorney, Employee's Trust



"The status is that Dean Boyce has set up a parallel headquarters and he is exercising the authority and powers as the lawful and rightful chairman of the executive committee of BTL. He has been and will continue to issue directives to heads of department, management, banks and will continue to do everything he would have done or would have been doing had he not been illegally kept out of the headquarters of Telemedia. My view is that the Prime



Minister in his right senses on an interview on Channel 7 Friday night said and his words are there - it can be reviewed - 'The judgment takes immediate effect' because you ask him how you just allow him to went in there and he says well 'it takes immediate effect and he saw no point in hiding behind the technicalities of the perfected order.'

Jules Vasquez

"If you all are satisfied that the government is needlessly forestalling this thing then why don't you just wait? Why create havoc by setting up a parallel management team?"

Godfrey Smith, Attorney, Employee's Trust

"The answer to that is we don't think we are creating havoc. We quote the Prime Minister when he says the order takes effect immediately. So if an order take effect immediately just because you using technicalities can forestall us getting you out it doesn't mean the order don't take effect immediately."

Jules Vasquez

"If this man has made it clear he will wait for an enforcement order, what you are doing is setting underneath his house and saying well we are serving the occupation."

Godfrey Smith, Attorney, Employee's Trust

"We wish we could. If we can get into BTL we would, but we went back there to get in to follow your analogy and they will say that we cant. So come on you have a judgment - nobody will just lay back - we will say that its chancy you want to chancy us. We judgment, we can't act soft we know what the government is capable of. They have the state police. We have to counteract and attempt to exercise the proper authority."

Jules Vasquez

"I recall I think its May 31, 2007. I repeat it in the archives today I did a story with Lionel Welch. He had just come out of the Supreme Court where a judgment had been handed down saying that his client Mr. Prosser had the 5 directors to the company and could go and assemble a board meeting at Esquivel Telecom Center the corporate seat. At that time Dean Boyce and others in the Ashcroft alliance were in control and possession of BTL and they simply did not allow Prosser and his 5 directors or his 4 directors to come in and take occupation of the board room and had their board meeting. Is that not a similar case to this?"

Godfrey Smith, Attorney, Employee's Trust

"I am not aware of the facts, all I can say in relation to that is that ultimately those directors who were there (Boyce or whoever) ended up winning. If they unlawfully kept them out then they unlawfully kept them out. I don't know the facts of it but if it's wrongheaded action its wrongheaded action. In this case I would stress the fact that we are dealing with the government of Belize which should set the example. The Prime Minister got in right when he said 'I want to demonstrate to the people that we are not above the law' what I make of it is that he was in his right senses when he gave that interview and because he had state his political reputation - the defining moment of his career is this ballsy takeover of Telemedia which has gone horribly and spectacularly wrong crashing down in disaster - that combine with political...people say now we have to stick up to this using the fact that popular sentiment is for nationalization the PM is hiding behind that. SO politics is trumping the rule of law as we speak and so the question is why put the workers at Telemedia through in this position where as we speak there are getting orders and directions from Boyce and only to be caught in a cross fire of countermanding instructions from Karen Bevans and others at Telemedia. They are the ones most expose, most vulnerable. I was in the meeting with Boyce when the representatives of the employees union came up about 10-12 of them - cordial conversation. They ask specific questions, they were told that there may be changes at the management level but you workers don't have to be concern. They raise the fact that they were in negotiation. Boyce said he knows and that he will work with them on this. Karen Bevans for instance was told 'we will call you' - leave and went home. A lawful board of directors gave her that instruction. She returns alter in the night and took certain actions. We have some idea base on intelligence what those were."

"All I will say at this point is that the judgment took effect on Friday at 4. You are expose and

liable for unlawful decisions, for unlawfully giving instructions and all that you would have done in the meantime."

Jules Vasquez

"Is Mr. Boyce at all sending directives to banks, to suppliers, to whomever?"

Godfrey Smith, Attorney, Employee's Trust

"Absolutely, everything that a chairman must do in relation to such a situation where taking back control he is doing. The banks will be written to and they will get to their headquarters if its Nova Scotia in Canada, First Caribbean, Barbados - their lawyers, will obviously tell that that's court of appeal judgment - it's only a matter of time. So chaos will unfold. I have no doubt about that."

Jules Vasquez

"Possession is nine tents of the law and these people are in possession of the company. If you and Ms. Lois believe that it's only a matter of time that you will get possession just wait until then and then you add up your liability. Why this campaign to inspire terror in the employees?"

Godfrey Smith, Attorney, Employee's Trust

"You see you keep repeating that the terror is inspire.. When the government came to nationalize Boyce was there to meet and greet at the door."

Jules Vasquez

"But they had an order. They gave them an order."

Godfrey Smith, Attorney, Employee's Trust

"It was unconstitutional. It's been proven to be so and it was handed over. We come to do the same thing. At first we succeeded and then the government unleashed the police on us. Look Jules I'll end by saying this; the Prime Minister is checkmated as a grandmaster of this game he seen the moves and he know he is checkmated so the professionals will put down their queen indicating they recognize it's over. He saw that and therefore he responded to your interview in the way he did. The people around him the politicians, hard liners not understanding the game and being unable to accept the loss have basically said to him no keep playing and so that's what he is doing. That's what was triggered at 10 o' clock on Friday night."

And so that brings us to tonight. No perfected declaratory order has been served on Telemedia by Smith. Of course, that hardly matters because government's legal position is that for Boyce to reassume control, it must be an order of enforcement or of possession. To get that, attorneys for the Ashcroft Alliance will have to go to court and argue for it before a judge.

Until then Government remains in possession of BTL - but there are significant, ongoing attempts to undermine the Board's authority - and confuse staff. v Significantly, this morning on KREM WUB the Prime Minister said he will "fix it." What that means at this point, is too early to say....

[Close this window](#)