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August 17, 2017

URGENT

By Email

Jamaica Millennium Motoring Club
6 Westminister Road
Kingston 10

Attention: Mr. John Ralston

**Re: Notice of Appeal – JMMC Steward’s Report Form
Caribbean Motor Racing Championship – Caribbean Invasion 2017**

I refer to my letter dated 11th August, 2017 wherein I requested that the appeal panel be instructed to convene to hear my appeal for several reasons.

I have since been notified that a hearing date has been set for 19th August, 2017 at 10:00 a.m. and that the panel will be comprised of Mr. Norman Minott, Mr. Arturo Stewart and Mr. Marc Evans. Given that these panel members, by way of their document dated 5th August, 2017, have already formed a conclusion regarding the merits of my case and have done so without affording me the hearing that is guaranteed to me by the rules, I feel that I would not be able to have an impartial, neutral and unbiased hearing before these same panel members.

To be clear, this is no criticism of the character or quality of the above-named panel members, but having expressed their view in writing, and submitted same to the JMMC, essentially making it public and willing to stand by it, I must expect that they would attend the hearing with a view to confirming their previous conclusion, instead of attending the hearing with an open mind to consider the facts and come to a conclusion after all the information is presented.

I think it is important to note that it is no accident that the rules give me the right to attend my hearing in person, because it is an unquestionable principle that being able to explain and give one’s side of a story is vital to a fair hearing.

I am doubly concerned because even though the panel members said they felt my application was out of time, and that they had no jurisdiction to consider it, they took it upon themselves to speak with Mr. Khan and address the substance of the appeal. However, they did not take

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it upon themselves to speak to me or to invite me to meet with them or give me an opportunity to ask questions of Mr. Khan, if they were relying on his verbal clarification.

This all underscores why it is vital that all considerations of the substance of an appeal be done at a properly convened hearing, where I am allowed to attend, call witnesses and present my arguments.

As explained above, this panel already considered my appeal. They did so in contravention of several rules, that is, they did so without inviting me to attend and without hearing my arguments, they did so outside of the time frame provided by the rules and they also did so in direct contravention of their own erroneous finding that they had no jurisdiction to hear my appeal.

Considering that I had to raise an objection just to have my appeal heard and that almost everything surrounding this appeal panel thus far has been irregular and last but not least, it is clear they have already formed a conclusion regarding the merit of my appeal, I respectfully request that this panel be dismissed and a new panel be composed to consider the original Steward's report dated 3rd June, 2017 and my subsequent appeal thereof.

Importantly, this new panel should not be given the document dated 5th August, 2017 as it might prejudice their ability to impartially consider my appeal.

I await your response.

Sincerely,

David H. Summerbell
JMMC Licence #087