

Summary of meeting with BCCI

Subject	Summary of meeting with BCCI
From	Ashok Nambissan
To	N P Singh
Cc	ManJit Singh
Sent	Sunday, May 30, 2010 9:03 PM

BCCI represented by Shashank Manohar, N Srinivasan and Prof. Ratnakar Shetty

Key points made by the BCCI:

1. BCCI says it has documentation exchanged between LKM and WSG that establishes no 'facilitation services' as contemplated in the Facilitation Agreement could have been provided as the rights reverted back to the BCCI on 24 March 2009 and there was no question of WSG being in a position to facilitate the acquisition of these rights by MSMS. (They claim to have a letter from WSGM stating its inability to locate a broadcaster for the India rights and returning the rights on that ground: this is followed by a letter from LKM to WSGM confirming the reversion of the rights- both signed prior to the acquisition of rights by MSMS).
2. The Facilitation Fee is nothing but a part of the Media Rights License fee and rightfully "belongs" to the BCCI.
3. Since the rights reverted back and no facilitation services were provided, WSGM in collusion with LKM "misrepresented" the facts to MSMS. Now that BCCI has provided the correct facts to MSMS, the balance payment of the Facilitation Fee must be made to the BCCI.
4. BCCI is willing to provide the correspondence/documentation exchanged with WSG regarding the reversion of the media rights.
5. MSMS must not make any further payments under the Facilitation Agreement to WSGM
6. The MRLA between MSMS and BCCI is "inchoate" as the authorised signatory for all BCCI agreements is only the Honorary Secretary (N Srinivasan) and until the agreement is either "ratified" or re-executed by the Honorary Secretary it is for the BCCI to either accept or repudiate the agreement.
7. The Facilitation Fee was meant to benefit LKM in his personal capacity and the BCCI is gathering evidence to establish this "misconduct".
8. BCCI will in due course terminate the WSG Agreement as the BCCI believes WSG colluded with LKM to deprive BCCI of its rightful fees.
9. BCCI is actively considering taking criminal action against LKM and WSG.

BCCI has sent a letter to MSMS requesting its cooperation by giving a written confirmation of its willingness to pay the residual Facilitation Fee to BCCI and NOT to WSGM. BCCI believes MSMS has sufficient grounds (based on the correspondence between BCCI and WSG before the signing of the MRLA) to establish that WSGM did not represent the correct facts to MSMS.

If MSMS does not co-operate, BCCI will:

- terminate the MRLA on grounds of "fraud", "collusion", etc.
- include MSMS in the criminal complaint as an abettor

If MSMS "co-operates", BCCI will:

- remove cross default
- ratify the MRLA to make it binding on the BCCI
- support MSMS by going on affidavit in any proceedings initiated against MSMS by WSGM
- favourably consider any amendments to the MRLA include removal of "ad-inserts"
- express support for action taken by MSMS

BCCI is also rejigging the format from 2011 onwards. Though there will be 10 teams, there will be fewer matches with a two group round robin (possibly). However MSMS will not have to pay anything more than the pro rata increase already agreed.

BCCI confirmed they have terminated the agreement with Colors for the new season of Fear Factor with Indian players from the IPL participating.

--

Best

Ashok