



Alicante, 22 June 2015

Proposal for Anfi UK Members' Club Claimants

JLCA & As.-Lawyers would be pleased to offer our services in reclaiming the amounts paid in the TimeShare scheme, and to do so have prepared the following information as a guide to costs and procedures involved.

Our firm

JLCA & AS.- Lawyers is a Spanish legal firm which provides professional legal services both nationally and internationally. Our main office is based in Alicante, with offices in Madrid and Barcelona, and an Associate office in Marbella. Our firm covers the whole of Spain including the Balearic and Canary Islands. JLCA also has associate offices with offices in London, Paris, Brussels, Miami and Moscow. We frequently travel to the London office, and are able to meet with clients in person during these visits. In addition our team are always available by telephone, email, or SKYPE, to provide information and assistance to our clients.

All our lawyers are qualified and Registered with Spanish Bar Associations, and the principal of the firm, Señor José-Luis Campillo, is also registered as a European Lawyer via the UK Solicitors Regulation Authority (I attach a copy of this year's certificate). Señor Campillo is a member of the International Bar Association, and the Spanish Chamber of Commerce in the UK. Our firm has associations with various embassy/consulate organisations, being listed as recommended English speaking lawyers by the British Consulate in Alicante, as well as with Spanish embassies in the UK, US, France and Belgium.

There is further information on our website www.jlcalawyers.com.

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We have a wide range of lawyers, allowing us to offer a multidisciplinary service with a high level of expertise. Our firm comprises of highly qualified Spanish Lawyers and native English speaking legal assistants, on hand throughout the procedure. Our lawyers have specific experience not only in the Civil arena, but also with cases in the Canary Islands, where we have agent firms who can deal with routine work for us, such as lodging papers at Court. All Anfi UK members' cases will be supervised by a qualified lawyer, assisted by English speaking legal assistants, who will be your first point of contact should you have any queries. You will be represented in Court by Señor Jose-Luis Campillo.

Legal fees and costs

It is a requirement under Spanish Law to hire both a Lawyer and a Court Clerk to represent you in a legal claim.

The legal fees charged will be dependent on the price you paid for your timeshare (referred to a "Claim Amount" in the second column below). This may not be the same as total amount that can be claimed, as this will depend on each individual case. On studying the material provided, we have prepared the following scale of fees to work from:

GROUP	CLAIM AMOUNT (£)	LEGAL FEES	COSTS	TOTAL
1	0 – 7,000	£1,700	£300	£2000
2	7,001 – 12,000	£2,700	£300	£3000
3	12,001 – 17,000	£3,700	£300	£4000
4	17,001 – 22,000	£4,700	£300	£5000
5	22,001 - 27,000	£5,700	£300	£6000
6	27,001 – 32,000	£6,700	£300	£7000
7	32,001 – 37,000	£7,700	£300	£8000
8	37,000 – 42,000	£8,700	£300	£9000
9	42,001– 50,000	£9,700	£300	£10000
10	50,001 & upwards	£11,700	£300	£12000

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These legal fees and costs are in £ Sterling and are also inclusive of the Spanish equivalent of VAT, i.e. IVA applicable at 21% in mainland Spain and IGIC at 7% on Gran Canaria.

The 'Total' legal fees and costs quoted in the final column of the table above include £300 to cover all costs incurred during this procedure, including both our firm's costs and Court Clerk Costs, Nota Simples and Registry & Company House Information, Photocopies, Translations etc). (In the UK, such costs are often referred to as 'disbursements' or 'expenses'.)

The 'Total' legal fees and costs quoted in the table above cover all costs in the first instance (including any first instance appeals). If the claim is successful, the cost of the Court procedure to execute a positive decision, ie enforce payment to you, would be £500 per claimant. An appeal in the second instance would be £1000 per claimant. A Supreme Court demand would be £1000 per claimant. These figures include both legal fees and costs.

In Spain legal fees are freely negotiable between the lawyer and the client. However each regional Bar Association sets a scale of guideline fees based on the value of the claim, which determines the maximum that can be recovered from the other side in the event that the claim is successful. In these cases the relevant Bar Association's fee scale is that of Gran Canaria. We have attached a further table, which provides a comparison between the Bar Association's guideline fees and our proposed fees for Anfi UK members. Because we hope to be instructed by a significant number of Anfi UK members, we are able to offer you substantial savings.

We have quoted fees based on the price paid to Anfi, not the value of the claim, which may be as much as double the price paid. We have also quoted a fixed price which will not depend on the amount of time we spend on your file. The advantage of this is that you can contact us as often as you need to without being concerned about running up additional costs.

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We have arrived at these figures taking into consideration the requirements to complete the case, whilst at the same time keeping the costs to the claimant as low as possible. These total legal fees and costs are final, and you would not be charged further by JLCA & As.-Lawyers for this work. We do not charge a % of the amount you recover in addition to legal fees and costs.

You would receive the full amount awarded (and if via the court route, depending on the Judge's agreement, we would also apply for your legal costs and legal interest, which you would also receive, if ANFI is solvent). You will receive all legal fees you have paid us and all legal interest paid by ANFI and we will receive, as additional legal fees, the difference between what can be recovered from Anfi and what has been reimbursed to you - in this way we are sharing the risk on costs with you.

Regrettably, we are not able to offer a 'no win, no fee' arrangement.

In addition we will require a Power of Attorney to act on behalf of each claimant, which would need to be signed before a Notary. We can arrange for you to sign such Power of Attorney at a Notary's office most convenient to each client, and typical costs charged by a Notary would vary between £140 - £200, depending on area. NB The cost of the Notary is in addition to the figures quoted for the legal fees and costs, and will need to be paid directly by the claimant to the respective Notary.

The aim of this court procedure would be to claim back the amount paid to Anfi, plus legal interest and legal costs. Please be aware that legal costs recoverable from the other side are limited to lawyer and court clerks' fees and do not include other disbursements or expenses, such as Notary fees or translations. However these non-recoverable costs are relatively small in comparison to the claims.

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Timescales

It is not a requirement of Spanish law that you seek to negotiate to settle a claim before issuing legal proceedings - on the contrary, the respondent is unlikely to take your claim seriously unless and until you have registered your claim at Court. Therefore the first step is to register your claim at Court.

Our firm would need time to prepare the necessary Powers of Attorney and Civil Action for submission, and so the sooner we receive decisions from claimants as to whether they intend to proceed with this claim, the quicker we can progress the cases. To provide an idea of timescale, for example, if we were to receive all the confirmation of those pursuing the case by the end of June, we can prepare all the Fee Agreements and begin collation of documents, with the aim of having all Powers of Attorney signed 9-15 July. With this completed the Civil action can be prepared by 24th July, and registered with the courts by 27th July, or the beginning of September. Bearing in mind that the Courts are closed in August, this would mean that Anfi would be officially notified of the claim in October/November.

It is important to bear in mind that due to the recent Supreme Court decision “the winds are currently blowing in your favour” in terms of viability at Court. However, as time goes on and more claims are submitted, the risk increases of Anfi filing for bankruptcy to avoid paying the claims. For this reason it is imperative to begin quickly, and register claims as soon as possible. This puts the claimant in the strongest position, whether for settlement or for court decision.

Payments and procedure

The payment structure and procedure of the case would be as follows:

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Free preliminary consideration of your case

Before you are required to pay any legal costs we will briefly review copies of your contract documentation and advise you (i) whether you have a good claim or not, (ii) the amount you can claim, and (iii) confirm which legal fees group your case falls within and the above table of applicable legal fees and costs.

If you decide to proceed you will then be required to make your first payment.

First payment at the beginning of the procedure: 60% Legal Fees + Costs

The first part of the work is the most labour intensive and important to prepare correctly. This will involve:

- Preparation and signing of Power of Attorney;
- Collation of information;
- Study of the specifics in each case or group;
- Preparation of the Civil Action to be presented at Court.
- Presentation and registration of the claims at court.

Second Payment of 20% Legal Fees will be required at Registering the Civil Demand at Court

Third and Final Payment of 20% Legal Fees will be required on receipt of the response from ANFI regarding the Civil Action. This will either be to progress to Court Hearing, or to arrive at a Settlement. With a registered Civil Action, there is a stronger likelihood that they would try to reach a settlement.

We may be willing to consider alternative payment arrangements in exceptional circumstances - please contact us to discuss your situation.

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We hope this information is clear and helpful, should you have any further queries we would be happy to speak with you further individually.

Kind regards,

JOSÉ-LUIS CAMPILLO

Senior Partner

JLCA & As.-Lawyers

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