



This Q & A is CONFIDENTIAL to members of Anfi UK Members' Club and must not be disclosed to anyone who is not currently a fully paid up member of the Club.

What is this all about?

Many members have become aware of the recent Spanish Supreme Court rulings regarding the illegality of timeshare contracts entered into by Anfi during the period 1999-2012. See our previous email of 12 May 2015 for more information. This information is also available on the website Forum thread *Recent Spanish Supreme Court decisions against Anfi del Mar*.

Many members are also being cold-called by claims management companies, such as Canarian Legal Alliance and Justice4, who charge exorbitant fees to manage and bring claims.

Are you advising me to bring a claim?

No - Anfi UK Members Club cannot advise you whether or not you should bring a claim. You must make your own decision about this on the basis of what you consider to be in your best interests.

What has the Committee of Anfi UK done to assist members?

For the benefit of those members who would like to seek a declaration of nullity and claim their money back, your Committee has sought the best and most cost effective arrangement in terms of legal fees and other costs.

The Committee sought proposals from several Spanish law firms. Their responses were evaluated against a number of criteria, including fees and costs, payment arrangements, assessment of risk, technical expertise, tactics and, perhaps most importantly, capacity to handle a large number of our members' claims and provide excellent client service to our members.

You are, of course, free to instruct any law firm of your choosing to represent you.

Which firm made the best overall proposal?

We are now able to introduce you to **JLCA & As.-Lawyers**, who provided what in our view was the best overall offer to our members.

Who are JLCA & As.-Lawyers?

JLCA is a Spanish law firm, whose main office is in Alicante in mainland Spain, but who also cover the Canary Islands. JLCA have offices in London and their lawyers travel to the UK frequently - consequently they are able to meet clients in person in the UK if required.

All claims will be supervised by a fully qualified lawyer, supported by native English speaking legal assistants, who will be your first point of contact should you have any queries.

Can anyone instruct this firm?

Yes, but JLCA's quoted legal fees and costs as set out below is an **exclusive** arrangement provided **ONLY** to members of Anfi UK Members' Club.

To access this arrangement you will need to provide your Anfi UK membership number (NOT your Anfi contract number). Please contact the Membership Secretary of the Club, Roger Byatt, if you do not know your Anfi UK membership number.

What are the key points of JLCA's proposal:

- JLCA will provide a FOC preliminary review of your contract documents to confirm whether you have good case
- JLCA's quoted legal fees and costs are set out in the table below:

GROUP	PURCHASE PRICE (£)	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

- JLCA's quoted legal fees are determined by the purchase price of your timeshare week(s) - other firms and claims management companies may quote on the basis of the total value of your claim, which may be more than double the purchase price
- in Spain, you must engage both a lawyer and a Court Clerk to represent you in a legal claim - JLCA's quoted legal fees include the Court Clerk's fees - if your claim is successful these legal fees may be recovered from the other side
- if you decide to proceed, you must grant a Power of Attorney to JLCA to act for you and this must be notarised - NB the cost of notarisation (estimated to be £140-200) is payable directly to the Notary in the UK and is non-recoverable even if your claim is successful
- in addition to legal fees and notary fees, there will be other costs or disbursements, such as Nota Simples¹, obtaining registry and company information, photocopying, translation costs and similar court clerk costs - these are charged at £300 and in Spain are non-recoverable, even if your claim is successful
- JLCA's quoted fees in the table above cover the first instance (cf County Court) claim (including any first instance appeals) **ONLY** - additional fees will be charged for:
 - execution - to enforce payment by Anfi to you after the Court rules in your favour - £500
 - appeal to the High Court - £1000
 - appeal to the Supreme Court - £1000
- JLCA's quoted legal fees and costs are fixed and do not depend on the amount of time spent on your case

¹ A **nota simple** is a report from the Property Registry that describes the property. Information about the property usually includes: whether the property has debts, usually for mortgages or unpaid taxes. the current owner.

- JLCA do NOT charge a % of the amount you recover in addition to legal fees and costs (cf claims management companies which frequently demand payment of 25% of the amount recovered in addition to legal fees and costs)
- JLCA's quoted fees and costs are in £ Sterling and may be paid in £ Sterling or the Euro equivalent at the time of payment and are inclusive of the Spanish and Gran Canarian equivalents of VAT
- payment will be due in stage payments:
 - 60% on instructing JLCA to represent you
 - 20% on the claim being registered at Court
 - 20% on receipt of a response to the claim from Anfi
- if your claim is successful JLCA will ask the judge to award you legal fees in addition to the amount claimed - in cases such as these you would normally be awarded such legal fees
- JLCA will also seek to recover legal interest on the value of your claim - the legal interest rate at the moment is approximately 4% per annum
- **the likelihood of recovery of the amount claimed as well as legal fees (including Court Clerk's fees) and legal interest is good PROVIDED THAT ANFI REMAINS SOLVENT**
- **the risk of Anfi becoming insolvent to avoid paying claims increases as time passes and more claims are brought - FOR THIS REASON IT IS IMPORTANT TO ACT QUICKLY AND INSTRUCT A LAWYER TO REPRESENT YOU AND REGISTER YOUR CLAIM AS SOON AS POSSIBLE**

Please see the Anfi UK website for a link to JLCA's detailed proposal and for more information about the firm see JLCA's own website at www.jlcalawyers.com.

Should I continue to pay my annual maintenance to Anfi?

JLCA advise that you should maintain your payments as normal as there are clauses in the contracts about non-payment. It would be risky to breach the contract. Therefore you should wait for the Court decision before you stop paying. However please keep JLCA informed of any payments you make so that the information they hold about your claim remains current.

Should I continue to make third party finance payments?

The same advice applies - do not risk breaching your finance agreement.

Steps	What to do next?	Done <input type="checkbox"/> ✓	Date
1	<p>Make paper or electronic copies of:</p> <ul style="list-style-type: none"> • all your contract documents - the most important are your Vacation Membership Agreement (that shows the date you bought and the price you paid) and the Terms and Conditions of your Membership Agreement • along with any correspondence with Anfi at the time of your purchase and • any documents you have showing proof of payments made. <p>The latter are not essential for the case but obviously the more evidence presented the better.</p> <p>Send them to JLCA for a preliminary review:</p> <ul style="list-style-type: none"> • by email to e.belgum@jlcawyers.com copied to senior@jlcawyers.com and hazel@jlcawyers.com in case of absence from the office or • by post to Sr José-Luis Campillo JLCA & As.-Lawyers S.L.U. Avda Escandinavia 72 CC Altomar 2 L8 Manzana E 03130- Gran Alacant Alicante Spain <p>You can also contact JLCA</p> <ul style="list-style-type: none"> • by telephone 0034 966698796 Skype • by Skype - jlca.lawyers <p>OR</p> <p>Bring your papers along to the meeting on Saturday 4 July and make an appointment for a meeting with the JLCA legal team in the afternoon.</p> <p>DO NOT FORGET TO QUOTE YOUR ANFI UK MEMBERSHIP NO.</p>	<input type="checkbox"/>	
2	Receive confirmation from JLCA that you have a good case, the value of your claim and the legal fees and costs payable - JLCA will provide you with a fee agreement	<input type="checkbox"/>	
3	Confirm to JLCA that you wish to bring a claim, sign and return your fee agreement along with your first fees and costs payment in accordance with the details specified in the fee agreement	<input type="checkbox"/>	
4	Receive your personalised Power of Attorney and details of your appointment with a Notary convenient to where you live. Attend the appointment - remember to take your passport and other ID documents with you as advised by JLCA.	<input type="checkbox"/>	
5	Send the notarised Power of Attorney and the original contract documents (keeping good quality copies for your own reference purposes) to JLCA - we strongly recommend that you use the Royal Mail International Business Traced and Signed service.	<input type="checkbox"/>	
6	JLCA will notify you when your claim is ready to be registered at Court - at which time your second fees payment is due to JLCA	<input type="checkbox"/>	
7	JLCA will notify you when a response has been received from Anfi and your third fees payment is due to JLCA.	<input type="checkbox"/>	
8	JLCA will keep you informed of the progress and outcome of your claim		