



PRESIDENT'S BULLETIN

28 JUNE 2018

On 3rd June 2018 Mr. Fletcher published a personal bulletin - it failed to make it clear whether the bulletin was written with or without the approval of the other purported members of the Committee - that began with the words "Just so that everyone is clear".

Unfortunately the bulletin contains a number of errors and further failed to inform Members of some key facts. Other bulletins/reports have recently been published by Mr. Fletcher and Mrs Parkinson, making a number of comments of a highly personal nature that are, simply, best ignored and neither I nor WimPen intend to dignify any such insults with a reply.

I understand that WimPen does not intend to engage in rebuttals every time that Mr. Fletcher decides to publish a communication. However, I feel that, on this occasion, Members will benefit from some clarity and that this will assist them to understand anything that is later reported or communicated to them.

1. My elected position is perfectly legal. The DOA AGM was perfectly legal.
2. Onagrup have never engaged in any illegal activity. On the contrary, WimPen has received legal advice in both Spain and the UK that certain things done by Mr. Fletcher and others since April 2017 may be unlawful and WimPen is - as Mr. Fletcher knew when he published his Bulletin - commencing fresh arbitral proceedings in Scotland to see what the correct, legal position is. Until the outcome of those proceedings and any Awards therein made, Members should treat with caution any allegations of illegality.
3. There are no less than four separate Court cases, commenced by different parties in Spain, one of them very recently, by the Club's purported Committee. The only realistic comment, therefore, that anyone could make is that there are a large number of unresolved and outstanding legal issues and until the Courts reach decisions, no one can say who is right and who is wrong.
4. WimPen has been advised that the creation and use of Club Los Claveles Ltd is wholly ineffective in law and, worse, may have dire consequences for the Members personally, as it may lead to the levying of taxes by the Spanish Tax Authorities which taxes would fall to be paid by the Members.
5. The laws applicable to data protection in this case are those of Spain not the UK: this issue is, as Mr. Fletcher also knows, the subject of one of the Spanish Court cases.
6. On 5th June, I replied to Mr. Fletcher's three letters, challenging their comments and requesting a response from Mr. Fletcher which, so far he has yet to provide.

Roger Barrow
President
Los Claveles Development Owners' Association