

NOTICE OF CONCERN 001

11 February 2020

Dear Junta

JC_0011_20200211_NOTICE OF CONCERN 001

We would like to raise an important NOTICE OF CONCERN with the Junta de Compensacion Cabrera, following the communication to home owners of 7th February 2020, announcing that the Junta lawyer has been instructed to contest the recent Judgment of the Almeria Court, dated 13 December 2019.

We would request that the Junta Board issues a full and clear statement explaining the circumstances and reasoning behind the decision to initiate this legal effort to contest the recent Judgment.

This new legal action raises a number of questions :

What concerns led to this action being initiated by the Junta Board?

In what way does this action benefit the Cabrera community?

What other responses to the Court ruling were considered by the Junta Board before initiating this legal action?

Which other interested parties were consulted regarding this, before initiating the action?

Which delegados on the Junta board approved the action?

Who on the Junta board instructed the Junta lawyers to take the action?

These questions require an answer because :

The Court ruling provides an immediate and tangible cost benefit to all Cabrera home owners that risks being lost as a result of this legal action.

Cabrera home owners, under the now voided 1993 agreement, routinely paid all costs associated with the Cabrera development, **including legal fees**.

Cabrera owners, therefore, appear to be paying for legal work intended to block, and so prevent, the receipt of this immediate and tangible benefit.

It is not sensible or beneficial for anyone to initiate legal action intended to disadvantage or otherwise harm themselves.

We have no doubt that the Junta Board will have considered the Court ruling very carefully before initiating any costly legal action.

We are however deeply concerned that the Junta Board should have initiated legal action, that the Board knows would materially disadvantage home owners, rather than seek to protect their interests by supporting the decision of the Court.

A clear and full statement from the Junta Board is therefore essential, to answer the questions that are detailed above.

Over recent months, confidence in the Junta Board has been seriously damaged. Many questions have been raised but still remain unanswered.

Without a clear and immediate statement from the Junta Board on the reasons for progressing this costly legal action, confidence in the Junta Board risks being damaged further.

We would therefore ask that the legal action be suspended until the Junta have provided a full written clarification and justification for their actions in this regard.

We therefore look forward to your statement, at the earliest opportunity.

Kind Regards

Jeremy Oliver

OPEN CABRERA

www.opencabrera.com