

Date: Wednesday, March 05, 2008 02:11 pm

Subject: Judgment ABC - Members- Board

Attachments:

Dear Olga and Ottis,

Today the Court rendered judgment; copy has been faxed to Olga.

In short:

1.1: During the second court hearing ABC has already at free will explicitly declared that the intentions to outsource the resale office have officially been cancelled.

Therefore your claim regarding this aspect has been withdrawn.

1.2: Also ABC has declared to submit yearly accounts 2007 and anticipated accounts 2008 during the April 2008 meeting, thus again giving you as requested. So on this point your claim has also been withdrawn.

1.3 To our surprise the Court did deny the claim to submit list of e-mail addresses; according to the court section 25 of the Articles renders the members only the right to be provided with a list of addresses and names; our broad interpretation (considering the changes of times) has unfortunately and to our surprise not been accepted by the Court. The Court is of the opinion that the Members will have to arrange for adapting the Articles to grant the right for e-mail and telephone data. Of course this is an issue that will be voted for on April 2008 members meeting.

1.4: the Court is of the opinion that considering that ABC has, as a result of pressure of the members, declared to not continue with the intentions (of bulk sale of weeks nor outsource of resale office) and no voting will be realized during the April 2008 meeting – thus complying with your primary claims- the subsidiary claim regarding making ABC send out an e-mail to all other members has been rejected as a result of insufficient urgency for summary proceedings.

Considering the fact that your claims have been found valid by the Court, but that in the meantime opposing party has decided to comply with the most important claims the Court has decided that each party carries its own costs.

This judgment can be appealed, if you wish to do so we will have to know this on 20 March.

I hope the above is sufficiently clear to you, please let us know if there are any more questions.

Kind regards

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