



JR ABOGADOS

14/10/2021

Dear

Further to your recent telephone conversation with our Claims Department, we thank you for confiding in us and would like to take this opportunity to reassure you that our Company noted as **JR Abogados SL** is a very well established law firm founded and registered in Spain and the Canary Islands.

As a, fully integrated, global partnership, we pride ourselves on our approachable way of working so please do not hesitate to contact us for any further queries you may have. Our lawyers are legally authorised to operate in any Court of Law in Spain, Portugal, Italy & Malta. The growth of the company during these years has been mainly due to numerous successes in cases similar to yours.

As you are now aware, we are currently involved in a Class Action for Punitive Damages against, Macdonald Resorts S.L, Anfi Group S.L and Mr Eugen Kaiser.

On the 1<sup>st</sup> of October 2019 another Lawyer had lodged a claim on your behalf against Mcdonald Resorts S.L and one of their Directors Mr James Barras for the amount of 12,235 Euros and a Preliminary Hearing for that was to take place on the 17<sup>th</sup> of October 2019 at the Santa Cruz Court First Instance Number 5 but your lawyers failed to attend resulting unfortunately for the then appointed Court Procurator Mr Antonio Delgado Raimo dismissing the Case.

We are pleased however to inform you that the information gleaned by our consultants has sufficed for reinstigating a full compensation claim on your behalf on Tuesday 12<sup>st</sup> of October 2021 and our Lawyers have successfully lodged that claim Ref: BOE-S-2021-244, unfortunately however the amount that the Court Procurator has allocated you is only 9,934 Euros from the seized assets.

The hearing is now set for Thursday the 11<sup>th</sup> of November 2021 at 12:20 at the Arona Court No. 3.

We have attached a copy of the Court Lodgment, although obviously in Spanish, it shows the Court references, the amount your claim has been lodged for and the date of the hearing.

A Class Action for Punitive Damages is a case filed to compensate claimants and more importantly to punish the defendant for wrongdoing and to deter other companies from acting in a similar manner. Punitive damages are awarded in cases of malicious or willful misconduct towards a large group of people.

To be part of a class action, the lawyer filing for the claim will only need to simply demonstrate that the experiences with all the claimants are similar and consequently not much evidence will be required and all diminutive evidence is deemed relevant and compelling, furthermore, the Courts in these cases are very lenient & compassionate with the decisions they make.

In this form of legal action, a group of people share similar circumstances, injuries or damages.

The lawsuit is filed by one lawyer representing multiple injured parties in their individual cases without prerequisite for their direct involvement.

Payments for services rendered will be only invoiced upon receipt of compensations or out of court settlements. Once compensation has been awarded and obtained, we will then invoice you for 20% of the total.

As we previously explained however, to file for a compensation claim with the Spanish Courts, a refundable Fiscal Procurator fee will always be imposed. This is normal practice in most European countries and is a requirement of law with all civil claims in Spain.

Procurator fees are paid by the claimant initially, and then charged to the company responsible for the damage and subsequently refunded to the claimant in full.

In your case, should your decision be to proceed with the lodged claim, claiming the amount of 9,934€, the imposed refundable Procurator fee is 791€ and must be paid to the Court Procurators directly.

The Procurator appointed for this case is Mr Rias García.

Should you wish to proceed; please advise as soon as you are ready to execute the imposed payment in order for our Lawyers to liaise with their Office to obtain a disbursement Pro forma slip and Escrow account for you to make that payment to them.

Furthermore, by filing for compensation, you will automatically be entitled to an additional award for damages and interest of up to 40% of the total compensation awarded. That will be added to, and is separate to, compensation awards.

To reiterate, due to our earnings being solely on a no win, no fee arrangement, our Lawyers will confidently pursue all avenues to gain maximum compensation on your behalf and are extremely confident of a successful conclusion.

We trust the above is all clear but our Claims Department is always available to discuss this further and answer any question or query you may have.

**We ask that you kindly contact us to confirm, safe receipt of this important letter.**

Pledging to be as proficient and professional as you would expect from a Company of our standing, we send you our kind regards and hope that you and your family are all safe.

For further assistance or information regarding this claim, we have dedicated a **freephone** number **0800 802 1864**, where an English speaking member of staff is always on call **Monday to Friday 10:00 to 17:00** and will gladly assist.

Yours sincerely,



**Pascal Daniel Martínez**

**Abogado**





Juzgado de Primera Instancia Nº 5  
Av. Tres de Mayo, 3, 38003  
Santa Cruz de Tenerife

Procedimiento: Procedimiento Urgente  
Nº Procedimiento: ZR46454373 / Santa Cruz / 2019

NIG: 2823467590871720182  
Materia: Venta Abusiva  
Demanda: 001098/2019

**ANULADO**

Denunciante:

Denunciados: Mcdonald Resorts S.L / James Barras

Reclamación por el importe de once mil doscientos veintiuno.

**11,221 Euros**

Demanda No. BOE-S-2019-238

En Santa Cruz a 01 de Octubre del 2019

**ES COPIA FIEL**

## ANTECEDENTES DE HECHO

**ÚNICO:-** Se a dictado auto acordando el despacho de ejecución instada por el Abogado Don Manuel Derrumbas Castillo y el Procurador Antonio Delgado Raimo.

## FUNDAMENTOS DE DERECHO

**ÚNICO:-** Según lo dispuesto en el artículo 286 IRJS en las ejecuciones seguidas frente al Estado, entidades gestoras o servicios comunes de la Seguridad Social y demás entes públicos. Mientras no conste la total ejecución de la sentencia, el órgano Judicial, de oficio o a instancia de parte adoptará cuantas medidas sean adoptadas para promoverla y activarla previo requerimiento al organismo público.

Visto los preceptos legales citados y demás general y pertinente aplicación,

## PART E DISPOSITIVA

- a) a que cumple la resolución Judicial firme en sus propios términos. Arts 240 IRJS llevándola a pura y debido efecto adoptando las resoluciones y practicando lo que exijan.
- b) Visto para sentencia el día 17 de Octubre del 2019 en este juzgado a las 12:20. Se notifica con este proveído al demandado. A contar desde la notificación de este proveído.

Doy Fe

Juan Luis Revirón Mulato  
Juez de Instrucción

*Juan Luis Revirón Mulato*  
01 Octubre 2019



Juzgado de Primera  
Instancia No. 5





Juzgado de Primera Instancia Nº 3  
Avda. Chayofita s/n. Los Cristianos  
Arona

Procedimiento: Ejecución de títulos judiciales  
Nº Procedimiento: EX13845833/Arona/21

NIG: 3863842586720001254  
Materia: Reclamación de Cantidad  
IUP: JS856388965

COPIA

Abogado: José Ramón Felipe Condés

Procurador: Rias García

**Juicio: BOE-S-2021-244**

Ejecutante: .....

Ejecutado: Macdonald Resorts S.L / Anfi Group S.L / Eugen Kaiser

### DELIGENCIA DE ORDENACION DEL SECRETARIO JUDICIAL

**Don. José Luis Jonca**

En Arona a 12 de Octubre del 2021 a las 13:28

**Ordeno que haga el ejecutante el pago de 791 y procedemos con la demanda de la cantidad mínima de 9,934 Euros de principal al despachándose su efecto acertado. Mandamiento, a entregar en este Juzgado a través de su Abogado o representante en autos.**

**MODO IMPUGNACIÓN: Recurso de reposición en el plazo de TRES DIAS ante este Juzgado, expresando la infracción en que la resolución hubiera incurrido.**

Así por esta mi sentencia, juzgando en primera estancia, pronuncio, mando y firmo.

**Juliano Sierra Pérez**

Juez de Instrucción

12 Octubre 2021

