

*SXM Weekly News* \*Bulletin\* - #1008  
August 24, 2015

**Headlines: (Stories are Below)**

**1. Litigating Caravanserai Timeshare Owners Win Court Battle;**

**2. Tropical Storm "Danny" Fizzles;**

**3. On Danny's Heels, Meet Erika;**

**4. 25,000th JMB Member To Get a SXM Vacation on Us**

**5. Grand Prize Winner in Our Seven-Vacation Giveaway Next Year To Be Selected Differently...**

Now, the details...

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**1. Litigating Caravanserai Timeshare Owners Win Court Battle**

On Friday, SXM's Court of First Instance ruled that Alegria Resort must return former Caravanserai timeshare weeks to litigating former timeshare owners. Alegria had declared timeshare contracts "null and void" last Fall and this decision reverses that move.

The *SXM Daily Herald* on Saturday ran the story with the blunt headline, "Caravanserai Owners to Get Their Units Back" plus an even more blunt subhead, "Alegria bites dust in injunction."

There's much more to this, of course.

Alegria is likely to appeal the verdict. Whatever the appellate court decides is final -- no further appeal to a higher court is likely.

If the decision holds on appeal, it applies to those litigating; there is no such thing as "class action" in SXM. *But . . .* the ruling will set a precedent which could enable all Caravanserai timeshare owners to recover the weeks they presumed had been lost forever.

On this case, the *Herald* reported, "Weighing all aspects in this case, the Judge agreed that the agreements closed between the resort's previous owner and the timeshare clients should be considered rental agreements.

"The Court stated that the timeshare agreements involve specific weeks and units at the resort, against daily

rates of \$118, or \$2,490 per week, which was not deemed 'unrealistic' compared with general rates for hotel and rentals in St. Maarten's short-term vacation rental sector."

The article said that the Court held "their agreements closed with the resort's former owner Kildare, its subsidiary company Endless Vacation, or any other, to be rental agreements, which are protected by law.

"The Court ordered Alegría to allow timeshare owners access to their properties within five days, providing they pay the required maintenance fees. In case of non-compliance, Alegría would have to pay a daily fine of US \$1,000 per TOCA-member, to a maximum of \$25,000 per member.

"The resort owner also was ordered to pay each of the individual owners the amount of \$27,589, with interest. Alegría also will have to pay the cost of the legal proceedings."

You can see their entire story here:

<http://tinyurl.com/qzwe9we>

If Alegria's appeal of this verdict is unsuccessful, we expect many non-litigating Caravanserai timeshare owners will retain counsel to leverage the verdict in order to regain control of their units.

See our Everything St. Maarten Facebook Site:

<https://www.facebook.com/groups/6297726366/>

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## **2. Danny Fizzles; Rain Still Expected**

As of the mid-day Monday advisory, former tropical depression Danny has fizzled to a "remnant low" which is now expected to bring SXM only light winds and possibly 2-4 inches of badly needed rain, the best of all outcomes.

See next story.

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## **3. On Danny's Heels, Meet Erika**

As Danny fizzles, what may become Erika is now forming in the central tropical Atlantic. If it does form, it may affect the Leeward Islands later this week.

As was the case with Danny, we'll post any advisories issued on Erika on our Everything St. Maarten Facebook Site.

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#### **4. 25,000th JMB Member To Get a SXM Vacation on Us**

We're down to the short strokes now as we close in on reaching 25,000 total JMB Website Supporters members. Our 25,000th member wins a SXM vacation. Membership is on sale, too, just \$49 for one year and much less per year when you join for multiple years. You get 237 SXM discounts and other benefits, too... Go to [everythingxsm.com](http://everythingxsm.com) and click the page curl in the top right corner of our home page to sign up -- We'll post the winner on our Everything SXM Facebook Site or in *SXM Weekly News*, depending on when it happens.

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#### **5. Grand Prize Winner in Our Seven-Vacation Giveaway Next Year To Be Selected Differently...**

Our major vacation giveaways usually celebrate us surpassing a milestone number of visits to our [everythingxsm.com](http://everythingxsm.com) site. In fact the next one celebrates 4.5-million.

In the past, we've called entries at random and given away the Grand Prize first -- a vacation plus lots more (car rental, dinners for two, massage, day sail, jewelry, and much more).

Our "Come Alive For 4.5" giveaway is different. We will first draw the winners of all seven or more vacations. You enter, we phone you, and if you answer, you win; if you don't answer, we hang up. We'll pick all seven vacation winners that way.

The entries of each of the seven vacation winners will then be put in a bowl. After the final vacation is given away, we'll draw the Grand Prize winner. We've not yet decided whether that person must answer their phone again to be the Grand Prize winner (we're leaning that way). But in any case, one of the seven winners will win the Grand Prize... at the end of the drawing.

This adds a bit of mystery to the drawing, which we expect to occur next March.

You can enter the giveaway now. Here are the details:

We will draw after we reach 4.5-million visits to [everythingxsm.com](http://everythingxsm.com) during the first half of 2016 -- or conceivably earlier -- depending literally on how often you visit the site. (Do it often and we'll give away these vacations sooner.)

Here's where you could be going:

- Mary's Boon Beach Resort;
- Oyster Bay Beach Resort;
- La Vista or La Vista Beach

To All JMB Website Supporters M

- Summit Resort
- Baker's Suites
- Club Fantastico
- Hotel L'Esplanade OR Le Petit Hotel OR Blue Pelican

It is highly likely that we will be adding more vacations, and it is quite certain that we'll be adding dinners for two and much more.

The entry form is now live. You must be a subscriber to *SXM Weekly News* to win; non-subscribers to the free newsletter are not eligible. Subscribe at [everythingsxm.com](http://everythingsxm.com).

Enter here:

[http://everythingsxm.com/sxm/getting\\_here/entry-form-for-our-seven-vacation-giveaway.shtml](http://everythingsxm.com/sxm/getting_here/entry-form-for-our-seven-vacation-giveaway.shtml)

Full rules are on that page.

-End-

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