

## Refund Clarification Jan 18/12

Dear Members of COPP,

CONCERNED OWNERS OF POINT AT POIPU (COPP)

We would like to take an opportunity to discuss the recent developments regarding a refund offer from Diamond Resorts. The basis of this email was Mr. Cloobek's comment to Las Vegas Review-Journal reporter, Howard Stutz, that the unhappy owners were merely "10 people" and "I would be happy to give them back their money ". When we released the email, our intent was that owners would seek full financial payment for their ownership (cost of purchase, and any 2012 assessments and maintenance fees paid). That would be the meaning of a "refund". We do not believe that Diamond would ever do that. It was our hope that we could use the opportunity to demonstrate that a statement regarding an offer "to give them back their money" is comical and that we were NOT a group of merely 10 owners.

COPP was formed to assist ALL owners at the Point at Poipu with seeking a resolution/remedy of several negative DRI management issues, not merely the water intrusion assessment. We will continue to support our owners and grow in numbers. We have \$60,000 collected for our legal defense with an additional commitment for \$20,000.

Mr. Cloobek's current offer to allow surrenders for a release of all future liability, with no compensation, only allows this company to gain further control of the resort and potentially victimize future individuals (our opinion) by placing the deed in the trust and selling more points. This does not reflect our original objectives of COPP.

We know that some people are financially strapped and must make decisions based on the needs of their own families. However, in the best interest of the remaining Poipu owners, COPP's cause, and the other 5,000 deeded owners, and the 16,000 Hawaii Collection members, we will not be encouraging any owner to surrender their deeds and points to DRI that would further their ability to control our resort.

Diamond is trying to pick off owners one at a time and this gives them the opportunity to take out the vocal majority that are not in the public eye. The owners currently contacting DRI for a refund are owners who have cared enough about the horrific management of our resort to get involved with COPP. If DRI can take over their deeds, they will potentially eliminate 100+ out of the thousand that are actively using social media and the internet to bring awareness to our situation. **We cannot underestimate the power of this group of owners.** They are the **only** current means to bring awareness to our plight.

We have had ongoing discussions with the law firm over the past several days and we have been assured that the lawsuit will be filed by Friday barring any unforeseen issues.

Thank you,

President  
COPP, LLC (Concerned Owners at the Point at Poipu)