

In re Sanctuary Belize Litigation

Consumer Committee Meeting

Virtual Teleconference

September 22, 2022 | 3:30pm – 5:00pm ET

Attendees	
Name	Affiliation
James (Jimbob) Slocum	Consumer Committee Member
Jodi Vance	Consumer Committee Member
Leslie Thomas	Consumer Committee Member
Linda Ozminkowski	Consumer Committee Member
Lisa Daniels	Consumer Committee Member
Michele Weslander Quaid	Consumer Committee Member
Shawna Arop	Consumer Committee Member
Shryl Kirkbride	Consumer Committee Member
Jonathan Cohen	FTC
Marc Ferzan	Receivership Team
Rachel Woloszynski	Receivership Team
Michael Schultz	Receivership Team

Agenda

- I. Redress Plan (or “Compensation Plan”) Update
- II. Receivership Update
- III. Consumer Committee Member Topics

Meeting called to order at 3:30pm ET

I. Redress Plan (or “Compensation Plan”) Update

Initial Notice Distributed to Sanctuary Belize and Kanantik Buyers:

- Following the Court’s August 18th Order, the Receivership Team has taken additional steps to launch Sections II through III.A of the Compensation Plan to establish eligibility of lot buyers.
 - a. In accord with Compensation Plan requirements, the Receivership Team has been coordinating administration-related communications with the FTC to ensure that the information provided is clear and understandable.
 - b. The Receivership Team will be sending lot buyers notices to provide helpful information and timetables, and will also continue to update the Receivership website – available at www.sanctuarybelizereceivership.com -- with the latest information.
 - c. The Receivership Team also will post a list of frequently asked questions, or “FAQs,” on the Receivership website prior to the distribution of the Claim Application.
- The **Initial Notice**, which provided an overview of the Court-approved Compensation Plan steps and related information, was distributed to lot buyers via email last week.
 - Lot buyers who did not previously respond to the requests from the Receivership Team to confirm their contact information should also receive a copy of the Initial Notice via U.S. Mail, in instances where a physical mailing address was otherwise available.

Compensation Plan Information Sessions:

- As described in the Initial Notice, live information sessions will be held on **October 11 at 2:00pm ET** and **October 13 at 7:00pm ET**.
 - These sessions will outline relevant information for lot buyers regarding the Compensation Plan and the Claim Application process.
 - For those individuals who are not able to attend either of the scheduled information sessions, or wish to refer back to the topics covered, a recording will be posted on the Receiver’s website.
 - Participants will have the opportunity to ask questions during the information sessions using Zoom’s chat function.

Scope of the Claim Application:

- The Claim Application will enable lot buyers to provide the necessary information in order to establish their eligibility to participate in the Compensation Plan, including information relating to their legal interest in a particular lot and amounts paid towards its purchase.
 - The application is meant to collect information that is specifically required by the Compensation Plan, but it is otherwise designed to be as simple as possible.

- As previously highlighted by the FTC, it is expected that most lot buyers will be eligible to participate in the Compensation Plan. **Therefore, once Claim Applications become available, lot buyers are encouraged to timely submit completed applications by the December 12, 2022 deadline to keep their options open.**

Online Claim Portal and Submission of Claim Applications:

- The Receivership Team is developing an online Claim Portal for lot buyers to submit their Claim Applications over the internet. Getting through the online Claim Application will generally be self-explanatory. Submitting a Claim Application online will be the easiest and fastest way to provide information and supporting documents (to the extent any may be needed). **It is highly recommended that all lot buyers use the online Claim Portal to complete their Claim Application.**
 - Those individuals who may not be as comfortable with using technology resources will be encouraged to ask a friend or family member to help them through the online Claim Application process.
- To help meet the Compensation Plan requirements, lot buyers should be aware of the following:
 - One Claim Application must be submitted for each individual lot purchase. Buyers who purchased multiple lots should be receiving a separate Claim Application for each lot.
 - Each application will include a unique ID code that will be used for tracking purposes throughout the Claim Application process. The unique ID code will be a helpful reference tool should lot buyers have questions or wish to check on the status of a Claim Application.
 - The Receivership Team will pre-populate fields in the Claim Application with information related to the lot purchase (when available from existing records), including information concerning the lot location, relevant monies paid, and information from the purchase agreement.
 - Lot buyers will be asked to review and validate the pre-populated information as part of the Claim Application process. If they agree with the information presented, no additional supporting documents should be required. If they disagree, they will be asked in the Claim Application to provide targeted information and submit supporting documentation.
 - Lot buyers are encouraged to begin gathering information and available documentation that will be helpful in completing their Claim Application, including, for example, lot sales contracts, records of payments made towards purchases, any transfer documents, and any other important transaction records.

Claim Application Timelines & Support Resources:

- As described in the Initial Notice, **Claim Applications will be distributed by October 27, 2022. To establish eligibility and participate in the Compensation Plan, a completed Claim Application must be filed by December 12, 2022.**
- Resources will be made available to all lot buyers throughout the Claim Application process, including:

- Live information sessions that will be recorded and posted on the Receiver's website.
- A list of FAQs that will provide information about the Compensation Plan and guidance for lot buyers to complete their Claim Applications.
- Customer support agents will also be available to answer questions by email and phone as may be needed.

II. Receivership Update

Road & Bridge Maintenance / Repairs following Recent Storms:

- Progress on roadway maintenance projects for the Sanctuary Belize development area has been impeded by the heavy rains. Excessive moisture has made the conditions unsuitable for maintenance staff to implement planned projects. Maintenance workers have been addressing more significant roadway trouble spots on a case-by-case basis, and will continue to undertake spot repairs as may be needed (and viable) until conditions improve.
- Flooding along the public roadway leading into the Sanctuary Belize development area, All Pines Road, is being monitored by Sanctuary Belize management, which has been in contact with the Ministry of Infrastructure Development & Housing (formerly the Ministry of Works). Approval has also been sought from the Ministry to make emergency repairs to the Cabbage Creek Bridge, which is also a public asset.
- In the meantime, the Receivership Team has engaged with Sanctuary Belize management to emphasize preparedness for weather and other emergency events. Resources and protocols are in place to confront storm events where residents may need assistance with ingress or egress at the property.
- Local staff will remain available to provide assistance to Sanctuary Belize residents as may be necessary, particularly following more significant rainfall events.
- The Receivership Team will continue to coordinate efforts with the local management team concerning engagement with the Ministry of Infrastructure Development & Housing in order to seek to address necessary bridge repairs on an expedited basis.

Other Maintenance Considerations:

- After engaging with US-based engineering firms to assess the Sanctuary Belize Marina, certain original planning and construction records were requested to help inform responsive proposals.
- Efforts to obtain records from the Sanctuary Belize management offices have not been fruitful. As a result, the Receivership Team undertook steps to get relevant records from vendors who worked on the project(s). Here too, results to date have been limited; however, a few additional planned steps remain in an effort to obtain additional technical information.
- Following the information gathering efforts, the Receivership Team expects to re-engage with the US firms to further discuss whether focused and cost-effective assessments may be feasible.

FTC Update:

- On September 13th, the Court of Appeals for the Fourth Circuit held oral argument on the primary defendants' appeal. Following those arguments, the FTC advised that it remains optimistic about its chances of prevailing on appeal, but there is no way to predict how an appellate court will ultimately rule.
- An audio recording of the hearing is available at:
<https://www.ca4.uscourts.gov/OAarchive/mp3/20-2215-20220913.mp3>

III. Consumer Committee Member Topics

- Agenda items submitted and questions asked by Consumer Committee members have been addressed in the above meeting minutes.

Meeting adjourned at 4:45pm ET