

*"Alone and our voice is small. — Stand together and we will be heard." Barbara Mozingo, NAM  
 "Many voices make a platform on which all of us can stand" - Murna Lindsey, NAM*

## **BILL OF RIGHTS** for **CAMPGROUND MEMBERS**

We at NAM believe that every campground member is entitled to the following rights. We believe that these rights can be enforced, in court if necessary, by any reasonably competent attorney. We are in the process of coordinating complaints against several camping clubs for violating laws and federal rules upon which these rights are based.

We believe that campground members:

- Are entitled to the use of campground facilities in accordance with the terms of their membership contract as long as their dues/maintenance fees are current.
- Should expect the campground owner and the operator to live up to all the terms of the membership contract.
- May terminate the membership agreement and dues obligation at will by notifying the owner or operator of their intentions to do so.

This assumes that you do not intend to use the campground facilities in the future.

Note: The contract may specify the method to be used to cancel the membership.

- NO ONE has the right to force you to pay annual dues "for the rest of your life" for a campground membership! Such a notion is absurd!

The only reasonable penalty for non-payment of dues is denial of use of the camping facilities.

- Are NOT required to sell the membership to someone else in order to escape annual dues payments.

We will be happy to provide information and work with you and your attorney if you find yourself in court defending yourself against a company that tries to abuse these rights.

**ANYONE WHO TELLS YOU THAT YOU MUST PAY DUES OR MAINTENANCE FEES FOR THE REST OF YOUR LIFE OR ELSE SELL YOUR MEMBERSHIP TO SOMEONE WHO WILL, IS IN OUR OPINION, A LIAR AND A CRIMINAL. WE THINK THEY SHOULD BE PUT IN JAIL. SO SHOULD ANY EMPLOYER WHO ALLOWS SUCH STATEMENTS TO BE MADE.**

## **MERRY CHRISTMAS** *and* **HAPPY NEW YEAR**

We pray that God will nurture, guide and protect you and your family as this new year unfolds.

We pray that He will grant you courage and wisdom as you counsel others who need your help.

We at NAM thank God for your prayers and your support for our efforts to help others — may we be worthy of that support.

## **YOU ARE AN IMPORTANT PERSON**

Yes, you are important to others. Didn't know that, did you?

You know what your rights are - you can help others by passing this information on to them.

You can help others file their complaint with the US Federal Trade Commission, with their Attorney General's office, and with NAM. We will help you if you ask.

You are important to us because we depend on you for inspiration, your support, and for your prayers.

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National Association for Members  
of Campground Resorts, Condominiums, and Timeshares  
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## NAM Board of Directors Meeting

The annual meeting of the NAM Board of Directors was held in Bloomington, Indiana last month (November). Highlights of that meeting included:

- The next NAM Board Meeting will be at Brown County State Park near Bloomington, IN, on April 22-23, 2005. It just makes more sense that we start our fiscal planning earlier in our fiscal year...
- Mrs. Murna Lindsey, the NAM representative for Illinois was elected to the NAM Board of Directors. Congratulations Murna.
- Barbara Mazingo is preparing a 'Welcome Kit' for new volunteers.
- Barbara is also developing a plan for liaison with various states Attorneys General.
- Dan Hopper reported that he receives 2-3 complaints about campground/timeshare membership and resale schemes per week. He outlined the various recommendations made to the victims.
- The board will develop a program to evaluate and improve the services our organization can provide.
- Please contact NAM if you would like to attend or contribute to the next meeting of the Board of Directors.

Dan Hopper, Chairman

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## SPOTLIGHT on Thousand Trails (TTN/Naco)

"Attend a special meeting..."  
"Get a new Photo ID..."  
"Upgrade to get access to new campgrounds..."

ALL SCAMS to dig more money out of your pockets!

It is important that you read and understand your membership contract. You will be asked to sign an agreement to replace that contract with a new one that may very well omit some of the provisions that are important to you.

This "smells" to us like someone is attempting to separate existing members from the rights they were guaranteed when they paid their initiation fees in exchange for a membership contract.

NAM is in the process of coordinating with the US Federal Trade Commission (FTC) concerning this and other schemes in the membership camping industry.

After their bankruptcy a few years ago TTN survived as a camping club that treated its members fairly, even though they were among the most expensive in the industry. We (NAM) even had occasion to recommend them to campers who didn't mind the price tag.

This club was recently sold to new people (Kolberg) who apparently do not have proper respect for existing membership contracts nor for members' concerns. The new TTN seems to be in the process of selling the land and buildings to MHC, the company that owns and operates Encore RV parks.

Kolberg will then lease back the use of the land for 15 years. There are two 5-year optional extension periods on the leaseback, but they are at Kohlberg's option so the likelihood that the membership will exist beyond 15 years is not good. TTN salespersons are using a 25-year figure, but this includes the two optional periods and should not be relied upon.

### ALERT! SPECIAL NOTE FOR PONDEROSA MEMBERS:

The mortgage holder in the Ponderosa bankruptcy and the county taxing authority appear to be engaging in a plan that will take advantage of the fact that you do NOT have an attorney to represent your interests in the Ponderosa campground.

1. How will you be notified of court actions that could strip you of ALL rights to your UDI, etc.?
2. What is the value of your UDI?
  - a. Do you have any ownership rights in the campground?
  - b. What can you do, if anything, to protect your 'investment' in your campground?

If the answers to these questions are important to you – you must consult an attorney, quickly, not just the bankruptcy trustee or the attorney for the campground or mortgage holder, but YOUR OWN attorney. Your attorney should be experienced in both bankruptcy and real estate law.

You may want to get together with other people in your campground and find an attorney to represent you now, if it isn't too late.

## STATUS

### TAI Class Action Lawsuit and TAI Bankruptcy

On Dec. 1, the bankruptcy court held a hearing on the Bankruptcy Trustee's final report. That report originally provided for the payment of nearly \$200,000 to the class of campground members, including those who had filed claims in the bankruptcy court, but whose claims were transferred into the state court class action. However, at the last minute, Jenner & Block, a law firm hired by the Trustee filed an application for compensation for over \$300,000. Although the law firm was approved by the court to represent the Trustee, it had not done any work for over 2 years and had never filed a fee application.

This application came as a shock and disappointment since it would wipe out all the amounts coming to the class members if approved. Douglas Napier, legal counsel for the class, voiced his objection to the fee application to the Trustee and to Jenner and Block. Recognizing that the fee application would likely be approved, or enough approved to eliminate any amounts coming to the class, Napier negotiated a compromise whereby Jenner and Block would reduce its fee application by over \$250,000 assuring the members would receive nearly \$100,000.

That proposal was submitted to bankruptcy court who approved it on Dec. 15, 2004. Legal counsel has received the proceeds from the Trustee and those proceeds will be deposited in the class members trust account. In addition, the Trustee will assign a \$500,000 judgment against Travel America to the class of members. Napier will pursue collection of that judgment.

In state court, the trial court has issued several rulings - some positive, some disappointing. The court initially found Cavalry Investments in default, but then had a change of heart and set aside the default judgment. That matter will now proceed through the normal litigation channels.

The court also granted Liberty Bank's Motion to Dismiss, letting them out the lawsuit. The court's ruling has been appealed to the Iowa Supreme Court, but a decision there isn't expected until late in 2005 or early 2006.

The trial court denied Western American National Bank's motion to dismiss, but Western has requested permission from the Iowa Supreme Court to file an interlocutory appeal. The Supreme Court considered their request on Dec. 6, 2004, but has not issued a ruling yet. If their request is denied, then the case against them will proceed to trial.

Oral argument has been scheduled on the Florida Asset Financing appeal filed by class counsel after the trial court dismissed it from the lawsuit.

**On a positive note**, the settlements with Northeast National Bank, Northwest National Bank and Allstate are nearly finalized. The settlement agreement and related notices will be posted on the website ([www.natlassoc.com](http://www.natlassoc.com) <<http://www.natlassoc.com>> ) in the next few weeks. These settlements will bring in about \$240,000 in cash and cancellation of over \$3 million in debt.

## STATUS

### Travel America All Seasons Presidents Travel Club The Apollo Group Etc...

All of us know that these companies have routinely moved equipment, money, and personnel indiscriminately from one company/location to another for many years.

Turns out that they didn't pay the necessary taxes to the Federal government in the process and Uncle Sam doesn't like unpaid taxes at all! They allege that all of these companies are "alter-egos" of one entity - Mr. Raymond G. Novelli and that entity owes all of the back taxes for these companies.

Several attempts by these companies to file bankruptcy in California and Michigan were thrown out, essentially as "bad faith filings". The alleged parent company, The Apollo Group, is presently in a bankruptcy filed in Youngstown, Ohio.

The US Government has filed a motion to convert that bankruptcy to a 'Chapter 7 Liquidation'. A hearing will be held in the bankruptcy court in Youngstown, Ohio, on January 18, 2005 at 10:00 AM, to consider the motion.

A reasonable speculation might be that approval of the motion to convert would open the way for the government "and the creditors" to claim and sell all the assets of these companies in order to recover money that is owed to them.

What about the victims of these companies? People who want nothing to do with them but are being harassed for "lifetime dues payments". The longer this process drags out - the longer these companies will continue their efforts to extort money from their victims.

## PLEASE READ

You know that we never charge a fee for any service or help we can provide.

There is no fee to join NAM and no annual dues.

We do, however, depend on your moral and financial support so that we can continue our efforts to help people who are being abused by membership campgrounds, condominiums, and timeshares.

Maybe you could think of us when you make out your Christmas list.

Thank you for reading this article and remember - we still like you and we will do all we can to make a difference for the better - with whatever resources we have.

Dan Hopper  
NAM

## YOU ARE IMPORTANT...

You know a  
campground or timeshare rip-off scheme  
when you see it.  
Many people don't.

Because we care – you are not alone,  
because YOU care, others are not alone...

**Be alert!**  
**Pass the word...**

Help make the world we live in a better place.

## WHAT IS THE NATIONAL ASSOCIATION FOR MEMBERS (NAM)?

NAM was organized to advocate for ALL people who use campground resorts, condominiums, and timeshares. We want to stabilize and improve the rights of members. Many of us, speaking with one voice can make things change for the better. NAM is that voice. We will work with government agencies, campground resort owners/developers, and others to stabilize, improve, and enforce your rights.

There is no fee for our newsletters nor any service we provide. We do, however, depend on donations from people who believe in what we are doing. We are registered with the government as a nonprofit organization and your donations are tax deductible.

You can help. Join the NAM — Make a Difference. Send us the following information, it will not be provided to any non-government organization and will not be used for commercial purposes by anyone.

Note: NAM may "not" obligate you in any way to pay money for any purpose without your explicit consent.

### GET IN TOUCH WITH US:

INTERNET SITE: <http://www.natlassoc.org>  
eMail Address: [chmn@natlassoc.com](mailto:chmn@natlassoc.com) (or '.org')  
Voice Nr: (937) 236-2882

\*GET THE NEWSLETTER: (There is no cost to you.)\*  
Send us 5 or 6 Self-addressed, Stamped, size #10 (Business Size) Envelopes to:

NAM Treasurer  
4740 Silver Oak Street  
Dayton, Ohio 45424-4650

Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip: \_\_\_\_\_  
email address: \_\_\_\_\_  
Phone: ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_

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 Reproduce/distribute my copy of the newsletter.  
 Make a donation to support NAM activities.

I am enclosing a check for \$ \_\_\_\_\_  
 Report on issues related to  
RV campers or timeshares

We also want your comments and suggestions.

Please send them to us at:

NAM  
4740 Silver Oak Street  
Dayton, OH 45424-4650

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