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## **Objections to Proposed RCI Settlement Agreement**

(As submitted by the Editor to the United States District Court)

I have been a member of RCI for approximately 25 years and have witnessed the deterioration of the Weeks exchange program as both a member of RCI and as editor of TimeSharing Today magazine for the past 20 years.

During the two years following approval of the proposed settlement agreement, the terms of the agreement will go a long way towards resolving the complaints of Weeks Members. However, after two years, some significant parts of RCI's obligations will lapse. (If RCI had agreed to these beneficial procedures when the suit was filed, the benefits would have lapsed more than a year ago.)

The most critical benefits for Weeks Members (contained in Section II-C) involve enhanced opportunities for fulfillment of their exchange requests. It was the difficulty of securing exchanges that prompted these lawsuits.

The genesis of the exchange difficulties encountered by Weeks Members was RCI's rental of deposited weeks (to both members and non-members). The agreement requires RCI to hold, exclusively for the exchange program for a period of 31 days, those weeks deposited more than a year in advance of the week's starting date. All deposits, including those made less than one year in advance of the starting date, must be applied to satisfy an active and pending exchange request. These are important changes that should improve a Weeks Member's chances of securing an exchange. There is no justifiable reason why RCI should not continue these procedures indefinitely, rather than have the procedures lapse by the terms of the agreement after two years.

One other change should be made to reflect common behavioral patterns. Although there are certainly exceptions, most people don't start to think about their next vacations until after they have completed their current ones. RCI encourages its Members to deposit their weeks early, and these early deposits are rewarded with higher Trading Power. As a result, many weeks are deposited well more than one year in advance of the week's starting date, perhaps two or three years in advance. Under the proposed settlement agreement, these weeks will be held exclusively for exchange for only 31 days and thereafter be available for rental. However, the exchange requests for these weeks may be made 11, 12 or 13 months before the starting date, long after weeks deposited two years prior were released for rental after the 31 day holding period.

Section II-C should be modified to require that weeks deposited more than one year before the starting date be held exclusively for the exchange program until 11 months before the starting date of the week deposited.

If the settlement agreement were amended to reflect the foregoing suggestions, I would urge the court to approve the agreement.

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