

Lindengasse 41 P.o. Box 205 A-1070 Vienna info@gravis-austria.com www.gravis-austria.com

Vums Computers S.R.O. Sidlistni 24 165 01 Prague Czech Republik

Fax-#: 420-233 920 235

Wien, 21. November 2006

Ref-No.: 112-0620-068126 - European City Guide (CD-ROM/Internet)

Order-Nr: 68126

COMPROMISE SOLUTION – Contract cancellation prior to Legal Action

Claim overdue in date: € 3.079,00 for 3 insertions (incl. interests for delay & collection fee)

Dear Ing. Golan,

Following up our telephone conversation regarding the above referenced matter we submit you as solution to settle the advert published in the a. m. Guide in the amount of € 2.222,00 (incl. our collection fees), payable to the below specified bank account until and no later than 28. November 2006, by which the whole overdue a. m. balance amount will be settled and extinguished.

Bank:Bank Burgenland AGAccount:91017403403IBAN:AT385100091017403403SWIFT:EHBBAT2EBeneficiary:GRAVIS Inkasso GmbHReference:112-620-068126

Furthermore, will be cancelled and fully terminated, by this lump-sum- payment, without prejudice to the present judicial case you're a. m. promotional contract valid for three yearly promotional insertions and any financial liability raised towards the above referenced Editor's company.

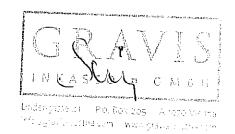
Should we not receive in time the requested bank remittance advice this file will be transferred directly to a Spanish court inn Valencia for further arbitration for the total order value, costs at your charge.

We trust, however, to conclude this dispute out of court without increasing your actual debt account.

Yours faithfully,



K. Milo Legal Department GRAVIS Inkasso Gmbh



Reg. Merc. Barcelona, Folio 158, Tomo 28073, Libro B-129614 - N.I.F. ES B-608203f

We are pleased to send you a proof sheet of your advertisement which will be published in the next edition of the EUROPEAN CITY GUIDE under the following trade:



Balmes, 127 E-08008 BARCELONA Tel.: +34 93 452 04 23 Fax: +34 93 453 61 15 info@eurocityguide.net www.eurocityguide.com

TRADE: INFORMATION TECHNOLOGY & TELECOMMUNICATIONS



SYSTEM INTERGRATION - COMPUTER NET SECURITY

SÍDLISTNÍ 24 - 165 01 PRAGUE 6 Phone: 220 92 24 26 - Fax: 233 92 02 35 **Web: www.vumscomp.cz** 

Client Nr. 68126

150%

Any corrections or modifications can be made without any additional costs. We should be grateful if you could return this document soon with the provided changes and with your signature. Should we not be in receipt of the proof within four weeks, your advertisement will be published in this original form.

# EUROPE

EUROPEAN CITY GUIDE, S.L. - BALMES, 127 - E-0800B BARCELONA

VUMS COMPUTERS, S.R.O. SIDLISTMI 24

CZ-16501 PRAHA CZECH REPUBLIC

RECEIVED

We are presently compiling commercial information for the European City Guide. Filling in this form would give you the opportunity to be published on the two media (printed directory and CD-Rom) of our inter-professional Guide. In order to positively represent your company and your city, we would be grateful if ou would fill in and return this form. Please send us any additional information about your business in a separate envelope. Thank you in advance for your co-operation.

## PLEASE CORRECT YOUR ADDRESS IF NECESSARY

lame of the company	VUMS	Computers	S.r.o.
			· ·

н	11	3	F	e	5	S
_	 		_		_	-

Postcode

City

PRAHA

Country

-≀hone

220 922 426

Fax

127 - E-08008 BARCELOMA - FAX: + 34 93 453 61 15 - This company is not finited to the institutions of the Furopean Commission. - Rag. Merc. Barcelona, Folio 158, Tomo 28073, Libro B-129614

233 920 235

Web

www. vumscomjo. cz

Contact person

Ing. Petr Golan, CSc.

Please check your address carefully, for an update of the data, complete the form and return it in the enclosed envelope. The updating is cost free. Only sign if you want to place an insertion.

PLEASE

UPDATE YOUR ACTIVITY:



<u></u>	bars, Restaurants, Cates, Clubs, Discos
	Beverages, Food, Tobacco
	Chemicals & Pharmaceuticals
	Cosmetics, Body Care, Hairdressing
	Electronics, Electrotechnics
	Energy, Electricity, Gas & Water,
	Household Appliances
	House and Garden, Supplies & Services
	Jewellers, Watchmakers, Opticians
m	Furniture-Manufacturers & Suppliers
F	Textiles, Leather, Furs - Clothing,
	Accessories, Equipment
	Trade & Rusiness Tenant Francis No. 11 C. 1
	Trade & Business, Import-Export, Mail Order
	Vehicles, Motorcycles, Cycles -
	Sales & Services
	Business——————
	Advertising, Marketing, Communication
	<b>Business</b> Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture,
  -	Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture, Pisciculture, Silviculture, & Viniculture,
  -	Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture, Pisciculture, Silviculture, & Viniculture,
  -	Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture, Pisciculture, Silviculture & Viniculture Architects, Designers, Engineers, Surveyors Aviation, Navigation
	Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture, Pisciculture, Silviculture & Viniculture Architects, Designers, Engineers, Surveyors Aviation, Navigation Banking & Financing, Insurance
  -	Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture, Pisciculture, Silviculture & Viniculture Architects, Designers, Engineers, Surveyors Aviation, Navigation Banking & Financing, Insurance
	Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture, Pisciculture, Silviculture & Viniculture Architects, Designers, Engineers, Surveyors Aviation, Navigation Banking & Financing, Insurance Information Technology
	Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture, Pisciculture, Silviculture & Viniculture Architects, Designers, Engineers, Surveyors Aviation, Navigation Banking & Financing, Insurance Information Technology & Telecommunications
	Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture, Pisciculture, Silviculture & Viniculture Architects, Designers, Engineers, Surveyors Aviation, Navigation Banking & Financing, Insurance Information Technology & Telecommunications Management & Consulting,
	Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture, Pisciculture, Silviculture & Viniculture Architects, Designers, Engineers, Surveyors Aviation, Navigation Banking & Financing, Insurance Information Technology & Telecommunications Management & Consulting, Accounting Services
	Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture, Pisciculture, Silviculture & Viniculture Architects, Designers, Engineers, Surveyors Aviation, Navigation Banking & Financing, Insurance Information Technology & Telecommunications Management & Consulting, Accounting Services Mechanics, Hydraulics, Pneumatics
	Advertising, Marketing, Communication Agriculture, Floriculture, Horticulture, Pisciculture, Silviculture & Viniculture Architects, Designers, Engineers, Surveyors Aviation, Navigation Banking & Financing, Insurance Information Technology & Telecommunications Management & Consulting, Accounting Services

Audio-Video, Supplies & Services

### Transport, Storage, Packaging Culture-

Real Estate

Art, Handicraft, Antiques Artistic & Literary Activities Education, Schools & Academic Training

Services & Agencies

Entertainment, Cinemas, Theatres, Radio and TV Channels

Petrochemical, Rubber, Plastic Publishing, Printing, Paper Industry

Technology & Technical Services

Esoterism

Gaming & Computer Games

Photography, Graphic Art & Design Sets & Scenery, Event Staging, Productions

Professional Speciality-

System integration computer net security

ORDER:
PLEASE RETURN THIS DOCUMENT ACCOMPANIED BY YOUR SIGNATURE / COMPANY STAMP IN THE APPROPRIATE SPACE BELOW IF YOU WOULD LIKE TO PLACE AN ORDER. THIS IMPLIES A COST THAT WILL BE DETAILED ACCORDING TO THE FOLLOWING CONDITIONS: BY MEANS OF THIS FORM AND IN ACCORDANCE WITH THE CONTRACT CONDITIONS STATED OVERLEAF, WE GIVE THE PUBLISHING COMPANY, EUROPEAN CITY GUIDE, S.L., CITY GUIDE, (PRINTED DIRECTORY AND PUBLISH DATA AND INFORMATION LISTED ABOVE IN THE NEXT AND FOLLOWING TWO EDITIONS OF THE EUROPEAN OF AN ADVERTISEMENT. THE COST PER EDITION IS EURO 857.00. ONE COPY OF THE GUIDE WILL BE DELIVERED TO THE ADVERTISER AT NO EXTRA COST. THIS ORDER WILL BE EXTENDED EACH YEAR BY A FURTHER EDITION UNLESS SPECIFIC NOTICE OTHERWISE IS RECEIVED IN WRITING TEXT. OUR DATA WILL BE ELECTRONICALLY RECORDED THE PUBLISHING HOUSE RESERVES THE RIGHT TO EDIT AND ILLUSTRATE THE BEING TAKEN BY EITHER PARTY. THE PRESENT CONTRACT IS GOVERNED BY THE CONDITIONS OVERLEAF.

July 1, 2003

VUMS Computers, s.r.o. Sídlištní 24, 165 01 Praha 6 DIČ - IČO: 006-45 79 40 57 tel.: (02) 20 92 24 26 fax: (02) 20 92 24 27

Legal Signature/Company Stamp

TO BE RETURNED

INTERNATIONAL DEBT RECOVERY BUREAU INTERNATIONAL DE RECOUVREMENT Ufficio Internazionale d'Incasso ÚFICINA INTERNACIONAL DE COBROS INTERNATIONALES INKASSOBÜRO



Vums Computers S.R.O. Sídlistní 24 165 01 Prague Czech Republik

Vienna, 18. May 2006

Our Reference-No.: 112-0620-068126

Dear Sirs,

We have been mandated by our client, European City Guide, S.L. to safeguard their interests regarding the present case. The object of the mandate is the collection of the following claim:

Total amount	EUR	2.121,93
Collection fee	EUR	188,54
Interest for delay	EUR	219,39
Amount invoiced	EUR	1.714,00
Order number	68126	
Order number	68126	

As further steps for the collection of this claim would lead to additional charges, we kindly request you to settle the balance by bank transfer into our account as indicated below until and no later than:

### 1. June 2006

All correspondence regarding this matter should be addressed directly and exclusively to our attention.

We thank you in advance for your cooperation, and remain

Yours faithfully

Bank: IBAN: Bank Burgenland AG

Account No:

91017403403

AT385100091017403403

Swift-Code:

EHBBAT2E

Beneficiary:

GRAVIS Inkasso GmbH

Reference-No.

112-0620-068126

binding order can be found on the bottom of the sheet in the space labelled "Order" and reserved for direct order recipient makes - his attention is definitely and immediately drawn to the fact that information pertaining to the confirmed that they are in full conformity with the guidelines of the direct mailing/marketing system. There are Our forms were thoroughly checked by relevant authorities and experts prior to their establishment and it was two possibilities via the form - the free line-entry and binding order "as below". Depending on the choice the

The price is also printed on the form, as are all the other order terms. Your company's acceptance of the price and the other order terms was confirmed by legally binding signature.

just been in the form of an invoice. Also if a customer orders a service and then under-utilises said resource it is Furthermore as you can see in the attachment sent with our last email (the order form) the only contact has not nardly the fault of the supplier.

As per the order terms there is no provision for the cancellation of a valid order, we must therefore insist upon settlement of our invoice.

# OFFICE OF FAIR TRADING

Direct line

(020) 7211 8554

Fax

(020) 7211 8926

Email

eve.thompson@oft.gsi.gov.uk

Date Dear.

Our ref

### **European City Guide**

CRE-INT/

Over recent years, the OFT has received numerous complaints about misleading advertising of industry guides, one of the main companies being the European City Guide (ECG).

While the traders concerned come in various guises, the complaints we receive are very similar. Most complaints concern unsolicited approaches by email or telephone that appear to invite businesses to a free listing in a business directory, however, by replying it is then alleged that the business has agreed to a contract obliging them to pay for an entry into the guide.

The OFT's enforcement cowers in relation to these activities is limited. We can take action against misleading advertising within other member states of the European Union directed at consumers but not in respect of business to business activities.

We have, however, been in contact with our counterparts in Spain, who have in turn communicated with the local consumer protection agency in Valencia (the General Directorate for Trade and Consumer Protection (DGTCP)) within whose area ECG are now located. Unfortunately, like the OFT they also do not have any powers to enforce consumer protection legislation when a company targets small business with misleading advertising.

The DGTCP recently met with ECG in order to discuse its concerns. As a result of these negotiations the company new adheres to a Code of Conduct which can be found on its website www.eurocityguide.com. You should also note that on 1 January 2005 ECG appointed a Consumer Ombudsman to resolve claims against the company. ECG have agreed to be bound by the findings of the Ombudsman. Claims can be made to the Ombudsman by filing in a form found on the ECG website.

We therefore encourage all businesses that have responded to the ECG mail shot to contact the Consumer Ombudsman in the first instance. If you are still not satisfied with the response from the Consumer Ombudsman we suggest that you contact the Valencian authorities directly: Direction General de Comercio

(Sr. Bernardo Rosell) Área de Consumo Calle Colón, 32 48004 Valencia Spain

Tel: 00 34 96 318 4221



Office of Fair Trading Pleathank House 2-6 Seliabury Square London BCAY 8JX Switchboard: (020) 7211 8000 www.oft.gov.uk

### SMALL CLAIMS COURT OF TOULON JUDGMENT FROM 23<sup>rd</sup> JUNE 2004

(Notarised true copy, checked signature, sealed and delivered to the undersigned clerk).

### **CLAIMANT**

Doctor

APPEARING IN PERSON

### RESPONDENT

EUROPEAN CITY GUIDE Balmes 127 E. 08008 BARCELONA

NOT APPEARING

### COMPOSITION OF SMALL CLAIMS COURT

PRESIDENT: Mrs Dominique TERRAZZONI

LOCAL JUDGE

LEGAL COPYWRITER IN TRAINING: Miss Francine PAQUET

**CLERK:** Mrs Mireille MAURIN

(a second copy sent to European City Guide on 09/06/05)

According to the registry, Mr School submitted his case to the Céans Courthouse to obtain the condemnation of EUROPEAN CITY GUIDE by ordering its present legal representative to pay him:

- the sum of ONE symbolic EURO
- the sum of 1500 Euros in damages for all incurred expenses.

On 10th September 2003 Mr september signed a form with EUROPEAN CITY GUIDE. He alleges only wanting to update, free of charge, his profession and address. But, having affixed his signature, EUROPEAN CITY GUIDE assumed that Mr september was also placing an order to be put into the EUROPEAN CITY GUIDE book. The latter therefore addressed him a bill for 857 Euros.

Mr I insists that it is only upon receiving this bill that he realised his mistake and that he was unable to retract his order as the legal 7-day deadline to cancel mail orders had already expired.

Mr claims that his consent had been vitiated according to the article 1109 of the Civil Code, and asks for an annulment of this order. For the damages he demands the reimbursement of all incurred expenses and one symbolic Euro.

The Respondent regularly ignored the subpoenas.

It can be noted from reading the contract that there is no fee in simply requesting an update of profession and address, but that a signature should only be affixed when this person wants to be published in the EUROPEAN CITY GUIDE.

The confusion invoked by Mr. **And Self**, a doctor, is therefore the result of a quick, incomplete and inattentive reading of the contract whose terms are sufficiently clear to avoid any such mistakes.

Consequently, the mistake invoked by Mr is inexcusable and cannot lead to the cancellation of the contract he signed.

BY THESE MOTIVES

The court, presiding publicly, and judgment rendered after a hearing of the accused thereby:

DISMISSES Mr of all his demands

CONDEMNS him to pay the total of the court fees.

THIS HAS BEEN JUDGED AND PRONOUNCED IN A PUBLIC COURTROOM IN THE TOULON COURT OF JUSTICE ON:

THE CLERK

THE PRESIDENT

<STAMP: TRIAL COURT NO. 19 BARCELONA>

MS. ISABEL ALAMILLOS GRANADOS, Clerk of Itial Court no. THIR TEEN of Barcolona.

I HERCHY CERTIFY AND BEAR WYINESS: That in the Inquiry number 3281 of 2002, paragraph B; which are being prosecuted in this Court following the accusation made by the Attorney General's Office, for an alleged count of fraud, the sentence, which is enforceable, is as follows:

TRIAL COURT NO. 13. BARCELONA INQUIRY 3.281/2002-B

### SENTENCE:

In Barcelona, on the twenty-fourth of February, two thousand and three.

### PINDINGS

ONE. The present inquiry drose following accusation by the Attorney General's Office against the legal representatives of the company EUROPEAN CITY GUIDE, for an alleged officure of TRAUD. The inquiry leading to the clarification of the facts: the result of which is contained in the centence, has been serried out.

### LEGAL REASONING

FIRST.- Article 789, 5th, rule 1 stipulates that proceedings shall be terminated when the events investigated do not constitute a crime:

SECOND: On the basis of this precept, it will be necessary to enact the termination of these proceedings, as it is true that following careful analysis of the investigative proceedings carried out, the reasonable conclusion resolved is that there has been no criminal activity on the part of the defendant company, EUROPEAN CITY GUIDE, of which the administrator and director is

In fact, and in keeping with the investigation carried out on the events reported, which arose from the accusation filed by the Anomey General's Office at the request of Italian national distribution of professional advertising guides for distribution in various countries. For the insertion of salvertising which is paid (and not free as is stated in the complaint giving rise to these proceedings), the various professionals must sign a subscription sheet, in which the characteristics of the guide and the non-free nature of the advertising are explained with clarity sufficient so as to mile out any form of deceit. Therefore, no fraud can have taken place. This is deduced from the documentation contained in the autos and the expert handwriting analysis also included therein, from which it can be reasonably deduced that the signature on the subscription sheet in the name of the countries of the period made by him, and therefore not forged, as he alleges in his letter to the Attorney General's Office.

Considering the aforementioned and other general precupts applicable to the case.

### LEGAL STIPULATIONS

To terminate the present proceedings, leaving the necessary notation in the register and after duly notifying the parties of this verdiet.

Notify the parties of this vardies, informing them that it is enforceable and that an appeal for appealment may be filled against accellunt three days.

The case is thus decided, ordered and signed by the Illustrious Magistrate-Judge of this Court, Mr. TESUS NAVAREO MORALES, which I, the Clerk, hereby certify.

<signature illegible>

The foregoing verdict FULLY AND FAITHFULLY COINCIDES with its original, to which I remit, included in the proceedings indicated above. And in order for it to be recorded, in compliance with the Judge's orders, and for its use by the defendant party, I issue this document, signed in Barcelona, on the twenty-eighth of March, two thousand and three.

<signature illegible>



DONA ISABEL ALAMILLOS GRANADOS, Secretaria del Juzgado de Instrucción número TRECE de Barcolona.

HOY RE Y TESTIMONIO: Que en les Diligencies Previss número 3281 de 2002 sección B. que se siguen en este Juzgado a denuncia del Ministerio Fiscal, por presunte dello de estate obra dictado el anto, que es firme, del tenor literal siguiente: