



Dear Vizcayan:

For many years, the Vizcayans have played an invaluable role in the raising of funds for the restoration of Vizcaya. Now your organization is at a pivotal crossroads in its mission. Your "Special Preservation Committee" has chosen to sue the City of Miami, Mercy Hospital, and the Related Group. Your organization has already spent considerable funds towards the lawsuit as is evidenced by the enormous amount of paper served by the Vizcayans legal team to date. We are now entering the most expensive phase of the lawsuits (discovery and depositions). The time to stop is now.

Although some may argue that the Vizcayans lawsuits serve to promote Vizcaya and your core mission, the fact is that you are spending and committing to spend significant funds to pay for legal and lobbyists fees. These funds could be used for the restoration of the Vizcaya estate and garden. Please note that you are pursuing this litigation without the support of the property owners, Miami - Dade County (the County). The Vizcayans litigation is also delaying the County from receiving a valuable tree plan or tree fund that would enhance the garden and dramatically minimize the view of the Mercy project. Most importantly, the money you are spending on this litigation depletes your coffers at a time when Vizcaya needs more money. The County Mayor recently proposed significant budget cuts of several trusts and agencies, including a \$400,000 reduction to the Vizcaya annual budget. Additional funds must be raised for Vizcaya.

So why litigate? To what end will it serve? It is possible that after a year or two of extensive depositions, discovery, trials and appeals you may ultimately stop the project. This is very unlikely. I am confident that your lawyers will tell you, if asked, that very rarely does litigation ultimately stop development on a specific piece of property. I am also confident that they will tell you that it is unclear whether the Vizcayans have legal "standing" to maintain these actions. The issue of legal standing should be a big question on your side due to the County Commission's reconfirmation that the County will abide by the City's decision on the Mercy project, and County Commission's resolution instructing the Vizcaya Trust to not encourage or support (financially or otherwise) any opposition to the project.

It should be noted that the County Commission's investigation of the Trust and its contract with the Vizcayans is due to the controversy. It should also be noted that the Vizcaya Trust on July 18th unanimously rescinded the Trusts support of the Vizcayans lawsuit. This vote included several members of the Vizcayans who also sit on the Trust board.

Please don't take my word for any information in this letter. I urge you to ask your Vizcayan leadership and your attorneys about the probability of success. Ask the Special Preservation Committee (co-chaired by Max Blumberg and John Hinson) about the probability of success. Ask how much money has already been spent on this issue. Ask how much the lawsuits will ultimately cost (my estimate - approximately \$700,000 to over \$1 million). Ask how much money has been raised to cover the pending litigation. Ask how this litigation may or may not impact the Vizcayans' contract with the Trust that expires at the end of September, particularly if it is perceived by the County that you are acting contrary to their position. Ask about the intentions of certain Vizcayan members who do not appear to have a track record of promoting preservation issues, but who are adamantly pushing this litigation. Ask about the proposal I made to the Vizcaya Trust Board before the final City Vote, an offer that was rejected by several Vizcayans who sit on the Trust board. Ask for a copy of that proposal and you will see that it included a solution to the proliferation of R4 zoning. Ask all of these questions and then decide how you should proceed. Should you continue on your current path - spending up to \$1 million with a slight chance of eventual success, or should you stop the litigation and use this money for restoration of Vizcaya and work with the County on the Garden Enhancement Plan?

I assure you that Mercy Hospital and its lawyers, and The Related Group and its lawyers, will use all of its resources to protect and defend Mercy's property rights and the Related Group's rights to the fullest extent possible and, if necessary, we will pursue this litigation to the end. If the path is litigation and continued conflict, then the lawyers on both sides, as well as the paid lobbyists will make a lot of money. Is this really in the best interest of Vizcaya? I think not. If there is a time to stop this waste of money it is now before everyone is entrenched into the legal process.

Please feel free to call me if you want to discuss this matter further.

Sincerely,



William P. Thompson
Executive Vice President

cc: Vizcayans Museum Membership Program Members
Vizcaya Museum & Gardens Trust