

1507 - 21st Street, Suite 330
Sacramento, California 95814
Telephone: (916) 445-2080
Contact Person: Kathy Tomono
www.nmvb.ca.gov

STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD
A G E N D A
GENERAL MEETING

Hyatt Regency San Francisco Airport
Harbour Room
1333 Bayshore Highway
Burlingame, California 94010
(650) 347-1234

November 4, 2004

Please note that Board action may be taken regarding any of the issues listed below. As such, if any person has an interest in any of these issues, you may want to attend.

1. **8:00 a.m. -- Meeting called to order.**
2. **Roll Call.**
3. **Approval of the Minutes from the September 30, 2004, General meeting, and September 30, 2004, Special meeting.**
4. **Closed Executive Session.**

Pursuant to Government Code section 11126(c)(3), Vehicle Code section 3008(a), and Title 13, California Code of Regulations, sections 581 and 588, the Board shall convene in a closed Executive Session to deliberate on the decisions to be reached upon the evidence introduced in proceedings that were conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

- a. **Consideration of Proposed Decision.**

FOX HILLS AUTO, INC., doing business as AIRPORT MARINA FORD v.
FORD MOTOR COMPANY
Protest No. PR-1869-03

WALKER MOTOR CO., d/b/a BUERGE FORD v. FORD MOTOR COMPANY

Protest No. PR-1870-03

CRENSHAW MOTORS, INC., d/b/a CRENSHAW FORD v. FORD MOTOR COMPANY

Protest No. PR-1871-03

FORD OF SANTA MONICA, INC., d/b/a SANTA MONICA FORD v. FORD MOTOR COMPANY

Protest No. PR-1872-03

Consideration of the Administrative Law Judge's Proposed Decision, by the Public members of the Board.

b. Consideration of Proposed Ruling.

RAYS RVS INC. v. ATTITUDE/ECLIPSE

Protest No. PR-1921-04

Consideration of the Administrative Law Judge's Proposed Ruling, by the Public members of the Board.

c. Consideration of Proposed Ruling.

RAYS RVS INC. v. ATTITUDE/ECLIPSE

Protest No. PR-1922-04

Consideration of the Administrative Law Judge's Proposed Ruling, by the Public members of the Board.

d. Consideration of Recommendation.

AUTO STIEGLER, INC. v. MERCEDES-BENZ USA, LLC

Protest No. PR-1898-04

Consideration of Recommendation that the Executive Director seek direction from the New Motor Vehicle Board that Mercedes-Benz USA, LLC, recover attorneys' fees and costs from Auto Stiegler, Inc. and its attorney for failure to comply with authorized discovery without substantial justification for that failure (Veh. Code § 3050.2(b)), by the Public members of the Board.

5. Open Session.

6. Consideration of Ford Motor Company's request for re-extension of time to own and operate Sunnyvale Lincoln Mercury Sales, Inc., in preparation for a sale to a successor independent franchisee in compliance with Vehicle Code section 11713.3(o)(2)(A), by the Dealer and Public members of the Board.

7. **Annual update on Board Consumer Mediation Program - Administration Committee.**
8. **Semi-annual update on staff training programs implemented for support personnel, Staff Counsel, and Administrative Law Judges - Administration Committee.**
9. **Report on enhancements made to improve the Board's web site - Administration Committee.**
10. **Annual Report on Board Development Program - Board Development Committee.**
11. **Legislative report concerning Assembly Bill 2848 [Chaptered September 28, 2004] that adds all-terrain vehicles to the list of new motor vehicles within the Board's jurisdiction - Policy and Procedure Committee.**
12. **Selection of Board meeting dates for 2005.**
13. **Executive Director's Report.**
 - a. Administrative Matters.
 - b. Status of Protests.
 - c. Status of Petitions.
 - d. Status of Appeals.
 - e. Judicial Review.
 - f. Notices Filed Pursuant to Vehicle Code sections 3060/3070 and 3062/3072.
 - g. Other.
14. **A presentation and discussion concerning how DMV is reforming its procedures to emphasize Internet based services (e-DMV) by Chon Gutierrez, Director, Department of Motor Vehicles - Board Development Committee.**
15. **Adjournment.**

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To request special accommodations for persons with disabilities at this or any future Board meeting or to request any accommodation for persons with disabilities necessary to receive agendas or materials prepared for Board meetings, please contact Kathy Tomono at (916) 445-2080 or k_tomono@pacbell.net.

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