

1 NEW MOTOR VEHICLE BOARD  
1507 - 21<sup>ST</sup> Street, Suite 330  
2 Sacramento, California 95811  
Telephone: (916) 445-1888  
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8 STATE OF CALIFORNIA  
9 NEW MOTOR VEHICLE BOARD  
10

11 In the Matter of the Protest of  
12 D&A AUTOMOTIVE, O.C. GENUINE  
SCOOTERS OF SANTA ANA,  
13  
14 Protestant,  
15  
16 v.  
17 GENUINE SCOOTERS,  
18  
19 Respondent.

**Protest No. PR-2355-12**

**(PROPOSED) REQUEST THAT  
EXECUTIVE DIRECTOR BE  
DIRECTED TO DISMISS THE  
PROTESTS (Vehicle Code section  
3050.2(b))**

18 In the Matter of the Protest of  
19 D&A AUTOMOTIVE, O.C. GENUINE  
SCOOTERS OF TUSTIN,  
20  
21 Protestant,  
22  
23 v.  
24 GENUINE SCOOTERS,  
25  
26 Respondent.

**Protest No. PR-2356-12**

26 To: Terry Tuchman  
27 In Pro Per  
O.C. GENUINE SCOOTERS OF SANTA ANA  
230 E Dyer Road #E  
28 Santa Ana, California 92707

1 Terry Tuchman  
In Pro Per  
2 O.C. GENUINE SCOOTERS OF TUSTIN  
15401 Redhill Avenue #G  
3 Tustin, California 92780

4 Michael J. Flanagan  
Gavin M. Hughes  
5 Attorneys for Respondent  
LAW OFFICES OF MICHAEL J. FLANAGAN  
6 2277 Fair Oaks Boulevard, Suite 450  
Sacramento, California 95825  
7

8 **(PROPOSED) REQUEST THAT EXECUTIVE DIRECTOR BE DIRECTED**  
9 **TO DISMISS THE PROTESTS (Vehicle Code section 3050.2(b))**

10 I, William G. Brennan, am the Executive Director of the New Motor Vehicle Board. Upon  
11 consideration of the record in the above entitled matter, I concur with and adopt the findings of the  
12 Administrative Law Judge that there has been a failure of Protestants to comply with authorized discovery  
13 without substantial justification for that failure. (Vehicle Code section 3050.2(b)) I recommend that the  
14 New Motor Vehicle Board adopt the findings of the Administrative Law Judge and I be directed by the  
15 Board to dismiss the protests with prejudice.  
16

17 DATED: July 11, 2013

NEW MOTOR VEHICLE BOARD

18  
19 By

  
20 WILLIAM G. BRENNAN  
Executive Director  
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23  
24  
25  
26

27 Jean Shiomoto, Chief Deputy Director, DMV  
Mary Garcia, Branch Chief,  
28 Occupational Licensing, DMV