

1 NEW MOTOR VEHICLE BOARD
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2 Sacramento, California 95811
Telephone: (916) 445-1888

CERTIFIED MAIL

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8 STATE OF CALIFORNIA
9 NEW MOTOR VEHICLE BOARD

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11 In the Matter of the Protest of
12 SAN JOSE YAMAHA POWERSPORTS,
13 Protestant,
14 v.
15 YAMAHA MOTOR CORPORATION, U.S.A.,
16 Respondent.

Protest No. PR-2394-14

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

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18 To: John Masi
In Pro Per
19 SAN JOSE YAMAHA POWERSPORTS
776 N. 13th Street
20 San Jose, California 95112

21 Colm A. Moran, Esq.
Attorney for Respondent
22 HOGAN LOVELLS US LLP
1999 Avenue of the Stars, Suite 1400
23 Los Angeles, California 90067

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

3 I, William G. Brennan, am the Executive Director of the New Motor Vehicle Board. Upon
4 consideration of the record in the above entitled matter, I concur with and adopt the findings of the
5 Administrative Law Judge that there has been a failure of Protestant to comply with authorized discovery
6 without substantial justification for that failure. (Vehicle Code section 3050.2(b)) I recommend that the
7 New Motor Vehicle Board adopt the findings of the Administrative Law Judge and I be directed by the
8 Board to dismiss the protest with prejudice.
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10 DATED: December 2, 2014

NEW MOTOR VEHICLE BOARD

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12 By 
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14 WILLIAM G. BRENNAN
15 Executive Director
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