

1 Attorney(s) name(s) and state bar number (space below for
Law Firm filing stamp only)
2 Address
Telephone number
3 Facsimile number
E-mail address

4 Attorney(s) for Protestant

5 **SAMPLE PROTEST**
6 **3062 Establishment**

7
8 STATE OF CALIFORNIA
9 NEW MOTOR VEHICLE BOARD

10
11 In the Matter of the Protest of)
NAME OF DEALERSHIP,) Protest No.(leave blank)
12)
13 Protestant,)
14 v.) **PROTEST**
NAME OF MANUFACTURER/DISTRIBUTOR,) [V.C. sec. 3062]
15)
16 Respondent.)
_____)

17
18 Protestant, _____, through its attorney(s), files
19 this protest under the provisions of California Vehicle Code section
20 3062 and alleges as follows:

21 1. Protestant is a new motor vehicle dealer selling
22 _____, and is located at _____.
23 Protestant's telephone number is _____.

24 2. Respondent distributes/manufactures _____
25 products and is the franchisor of Protestant.

26 3. Protestant is represented in this matter by [Name of Attorney
27 or Protestant (if representing self)], whose address and telephone
28 number are _____.

1 4. On or about _____, Protestant received
2 from Respondent a notice that Respondent intends to establish a
3 _____ franchise at _____.

4 5. The intended establishment is within a ten-mile radius of
5 Protestant's location.

6 6. There is good cause for not permitting the establishment of
7 the franchise by reason of the following facts:

8 (a) Protestant has made a substantial and permanent investment in
9 the dealership.

10 (b) [Identify the effect on the retail motor vehicle business and
11 the consuming public in the relevant market area.]

12 (c) It would be injurious to the public welfare for the franchise
13 to be established.

14 (d) The _____ franchisees in the relevant market area are
15 providing adequate competition and convenient consumer care for
16 _____ vehicles including adequate motor vehicle sales and service
17 facilities, equipment, supply of vehicle parts, and qualified service
18 personnel.

19 (e) The establishment of the franchise would decrease competition
20 and therefore not be in the public interest.

21 7. Protestant and its attorney(s) desire to appear before the
22 Board and estimate that the hearing in this matter will take _____
23 days to complete.

24 8. A Pre-Hearing Conference is requested.

25 WHEREFORE, Protestant prays as follows:

26 (1) That the Board issue its decision determining that good
27 cause exists for not permitting the establishment;

1 (2) That the Board issue its order not permitting such
2 establishment; and,

3 (3) For such other and further relief as the Board deems proper.
4

5 DATED: _____
6

7 By _____
8

9 Attorney(s) name(s)
10 (original signature required)
11

12 * * * * THE PROTEST MAY NOT BE PROCESSED WITHOUT AN * * * *

13 ATTACHED PROOF OF SERVICE AND A \$200.00 CHECK TO

14 COVER PROTESTANT'S FILING FEE

15 * (contact the Board for instructions on credit card purchases)
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