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STATE OF CALIFORNIA  
NEW MOTOR VEHICLE BOARD  
**MINUTES**

The New Motor Vehicle Board ("Board") held a Special meeting on March 9, 2010, at the Crown Plaza Hotel Los Angeles - Commerce Casino, Emerald Room, 6121 E. Telegraph Road, Commerce, California.

2. **ROLL CALL**

Robert T. (Tom) Flesh, President of the Board, called the meeting of the Board to order at 1:32 p.m.

Present:	Robert T. (Tom) Flesh	William G. Brennan, Executive Director
	David C. Lizárraga	Robin Parker, Senior Staff Counsel
	Haig Papaian	
	Glenn E. Stevens	

Absent: Ryan Brooks

3. **PLEDGE OF ALLEGIANCE**

Mr. Stevens led the members and staff in the Pledge of Allegiance.

4. **ORAL PRESENTATION BEFORE THE PUBLIC MEMBERS OF THE BOARD**

PLATINUM MOTORS LLC, a California limited liability company v. AUTOMOBILI LAMBORGHINI, S.p.A  
Protest No. PR-2140-08

Mr. Flesh indicated that he does not believe there is a conflict of interest that would prohibit him from participating in this matter. However, to be consistent, he continued his recusal and Mr. Stevens presided over this matter.

Oral comments were presented before the Public Members of the Board. Carlos F. Negrete, Esq. of the Law Offices of Carlos F. Negrete and Arnold Sklar of Ropers, Majeski, Kohn & Bentley represented Protestant. Allen S. Resnick, Esq. of Jeffer, Mangels, Butler & Marmaro, LLP and Randall L. Oyler, Esq. of Barack Ferrazzano represented Respondent.

Nora Keuylian, a principal of Platinum Motors LLC, presented comments to the Board.

5. **CLOSED EXECUTIVE SESSION DELIBERATIONS**

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 convenes in closed Executive Session to deliberate the decisions 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.

**CONSIDERATION OF PROPOSED DECISION**

PLATINUM MOTORS LLC, a California limited liability company v. AUTOMOBILI LAMBORGHINI, S.p.A  
Protest No. PR-2140-08

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

The Public Members of the Board deliberated in closed Executive Session. Mr. Papaian moved to conditionally reject the Administrative Law Judge's Proposed Decision and remand the matter to the Administrative Law Judge ("ALJ") to reopen discovery. Protestant within 30 days of today [April 8, 2010] is to produce 100% of all of the documents requested by Respondent. If there is a dispute concerning the production of documents, it will be handled telephonically by ALJ Skrocki during the normal law and motion procedures by way of a motion. If Protestant fails to produce the documents within 30 days from today's date, then the Public Members of the Board will adopt the ALJ's Proposed Decision. If Protestant does produce the documents, then this matter will go to hearing within 45 days of full compliance of the production of documents only on the issue of Protestant's case. Respondent will have an opportunity for cross-examination and rebuttal. Mr. Lizárraga seconded the motion. The motion carried by a two-to-one vote with Mr. Stevens opposed. (A subsequent, more detailed order was issued to the parties).

6. **OPEN SESSION**

The Public Members returned to Open Session. Ms. Parker announced the decision in Agenda Item 5.

7. **ADJOURNMENT**

With no further business to discuss, the meeting was adjourned at approximately 3:24 p.m.

Submitted by

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WILLIAM G. BRENNAN  
Executive Director

APPROVED: \_\_\_\_\_

Robert T. (Tom) Flesh  
President  
New Motor Vehicle Board