

VIA E-MAIL

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2 366 N. Skyewiay Rd
3 Los Angeles, Ca. 90049
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RECEIVED
FEB 14 2014
NEW MOTOR VEHICLE BOARD

7 In Pro Per for Protestant McConnell Chevrolet Buick, Inc.

FILED
NEW MOTOR VEHICLE BOARD
DATE 2-14-14
BY na

8 STATE OF CALIFORNIA
9 NEW MOTOR VEHICLE BOARD

10
11 In the Matter of the Protest of
12 MCCONNELL CHEVROLET BUICK, INC.
13
14 Protestant,
15 v.
16 GENERAL MOTORS, LLC,
17 Respondent.

18
19 Protest No. PR-2382-14
20
21 PROTEST-BUICK
22 [Vehicle Code §3060]

23 Protestant, McConnell Chevrolet Buick, Inc. A California Corporation, files this protest under
24 the provisions of California Vehicle Code section 3060 and alleges as follows:

25 1. Protestant is a new motor vehicle dealer selling Chevrolets, Buicks, and Pontiacs and
26 is located at 1646 Hwy 99E, Gridley, California 95948-2611. Protestant's telephone number is 310
27 991-5368.

28 2. Respondent General Motors, LLC franchises dealerships for the sale of and
manufactures, and distributes to franchises, including Protestant, motor vehicles, parts, and equipment.
Protestant is a franchised dealer for Respondent.

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1 3. Protestant is represented in this matter In Pro Per by Kent Steffes, the President and
2 Chairman of the Board of McConnell Chevrolet Buick, Inc., whose address is 366 N. Skyewiay Rd.
3 Los Angeles, California. 90049. and telephone number is 310 991-5368.

4 4. On or about January 17, 2014, Protestant received from Respondent a notice that
5 Respondent intends to terminate its existing franchise agreement to sell Buick vehicles.

6 5. Protestant generally denies each and every allegation contained in the written notice
7 of termination.

8 6. Respondent does not have good cause to terminate the franchise by reason of the
9 following facts:

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

11 (b) Protestant has transacted and is transacting an adequate amount of sales and service
12 business compared to the business available to it.

13 (c) Protestant has fulfilled the warranty obligations to be performed by it.

14 (d) The extent of any failure of Protestant to comply with the terms of the franchise
15 agreement is immaterial.

16 (e) Protestant has adequate motor vehicle sales and service facilities, equipment, vehicle
17 parts, and qualified service personnel to reasonably provide for the needs of all buyers and owners in
18 the market area and is rendering adequate services to the public.

19 (f) Respondent's failure to reasonably approve the purchase/sale of the franchise and
20 refusal to reasonably approve a change in the franchise Dealer of Record has had a severe negative
21 effect on business operations.

22 (g) It would be injurious to the public welfare for the franchise to be terminated or for
23 Respondent to refuse to continue the existing franchise.

24 7. Protestant desires to appear before the Board and estimate that the hearing in this
25 matter will take 1 day to complete.

26 8. A Pre-Hearing Conference is requested.

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WHEREFORE, Protestant prays as follows:

1. That the Board sustain this protest and order Respondent not to terminate Protestant's franchise.
2. That pending the hearing in this matter, the Board or its authorized representative immediately order Respondent not to terminate Protestant's franchise until such time as Respondent has established good cause for such actions under the provisions of Vehicle Code sections 3060 and 3061.

DATED: February 14, 2014

By 
Kent Steffes
In Pro Per for Protestant

1 **PROOF OF SERVICE**

2 **LOS ANGELES COUNTY**

3 **STATE OF CALIFORNIA**

4
5 In the Matter of the Protest of
6 MCCONNELL CHEVROLET BUICK, INC.,

Protest No. PROTEST-BUICK
[VEHICLE CODE § 3060]

7 Protestant,

8 v.

9 GENERAL MOTORS, LLC.,

10 Respondent.
11

12
13 I, Adan Higgins declare:

14 I am a citizen of the United States, a resident of Los Angeles County, California, and over 18
15 years of age. I am not a party to the above-entitled action. I am employed by Kent Steffes at 7801
16 Alabama Ave. #19. Canoga Park California. 91304. On February 14, 2014, in the above-entitled
17 action, I served a copy of the attached document(s):

18 **PROTEST-BUICK:[Vehicle Code §3060]**

19 **APPLICATION FOR FEE WAIVER-BUICK**

20 by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid,
21 in the United States Mail at Los Angeles, California addressed as set forth below. I am readily
22 familiar with the business' practice for collection and processing correspondence for mailing
23 with the U.S. Postal Service. Under that practice it would be deposited with the U.S. Postal
24 Service on that same day with postage thereon fully prepaid in the ordinary course of business.
25 I am aware that on motion of the party served, service is presumed invalid if postal cancellation
26 date or postage meter date is more than one day after date of deposit for mailing contained in
27 the affidavit.
28

1 by following ordinary business practices, the envelope was sealed and placed for collection by
2 (fill in) on this date, and would, in the ordinary course of business, be retrieved by (fill in) for
3 overnight delivery on this date, addressed as set forth below.

4 by transmitting via electronic mail the document(s) listed above to the person(s) at the e-
5 mail address(es), as set forth below on this date before 5:00 p.m. (Pacific Time) and the
6 transmission was reported as complete and without error.

7 by transmitting via facsimile the document(s) listed above to the person(s) at the fax number(s),
8 as set forth below on this date before 5:00 p.m. (Pacific Time) and the transmission was
9 reported as complete and without error.

10 by personally delivering the document(s) listed above to the person(s) at the address(es) set
11 forth below.

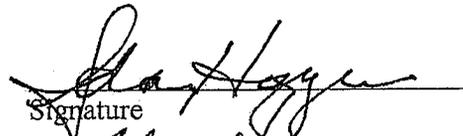
12 Mr. Michael Stinson, Zone Manager
13 General Motors, LLC
14 Dealer Contractual Group
15 Mail Code 482-A16-C66
16 100 GM Renaissance Center
17 Detroit, MI 48265-1000
18 michael.j.stinson@chevrolet.com

19 Mr. William Brennan, Executive Director
20 California New Motor Vehicle Board
21 1507 21st Street, suite 330
22 Sacramento, Ca. 95811
23 nmvb@nmvb.ca.gov

24 Mr. Gregory Oxford
25 21515 Hawthorne Blvd
26 Suite 950
27 Torrance, Ca. 90503
28 goxford@icclawfirm.com

I declare under penalty of perjury under the laws of the State of California that the foregoing is
true and correct.

Date Feb 14, 2014


Signature

Adam Higgins
Type or Print Full Name