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NEW MOTOR VEHICLE BOARD

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ATTORNEYS FOR PROTESTANT

STATE OF CALIFORNIA
NEW MOTOR VEHICLE BOARD
DATE 4/22/16

FILED
NEW MOTOR VEHICLE BOARD
DATE 4/22/16
BY [Signature]

In the Matter of the Protest of:

HC AUTOMOTIVE INC., dba
HOOMAN CHRYSLER JEEP DODGE
RAM,

Protestant,

v.

FIAT CHRYSLER AUTOMOBILES,

Respondent.

PROTEST NO: PR-2430-15
Vehicle Code Section 3065.1
[AMENDED]

Protestant, HC Automotive, Inc., dba Hooman Chrysler Jeep Dodge Ram, a California corporation, qualified to do business in California, through its attorneys, files this protest under provisions of California Vehicle Code Section 3065.1 and alleges as follows:

1. Protestant is a new motor vehicle dealer selling Jeep vehicles and parts, is duly licensed as a vehicle dealer by the State of California, and is located at, 333 Hindry Avenue, Inglewood, California 90301-2013; Protestant's telephone number is (310) 666-1789.

2. Respondent distributes Jeep products and is the franchisor of Protestant.

3. Protestant is represented in this matter by Law Offices of Gavin M. Hughes, whose address and telephone number are 3436 American River Drive, Sacramento, Suite 10, Sacramento, California 95864; (925) 457-2028.

1 4. On or about August 15, 2015 Protestant received from Respondent a letter dated August
2 13, 2015, regarding a sales incentive and chargeback, but Respondent had not complied with the
3 timing or substance of Vehicle Code Section 3065.1 concerning a recent sales incentive audit, and
4 Respondent still has not done so.

5 5. Protestant and its attorneys desire to appear before the Board and/or its designated
6 hearing officer and estimate that the hearing in this matter will take seven (7) days to complete.
7

8
9 WHEREFORE, Protestant prays as follows:

10 1. That the Board sustain this protest and order Respondent to desist from collecting any
11 chargebacks until the Board resolves this matter, nor thereafter upon resolution.

12 2. That pending the hearing in this matter, the Board or its executive director or authorized
13 representative immediately order Respondent not to collect any sales incentives chargebacks until such
14 time as Respondent has obtained approval from the Board pursuant to Vehicle Code Sections 3065.1 and
15 3066.

16 3. That a pre-hearing conference be set and the parties notified thereof.

17 4. That Protestant be awarded such other and further relief as the Board deems just and
18 proper.
19

20
21 Dated: April 22, 2016

LAW OFFICES OF
GAVIN M. HUGHES

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24 By: 
25 Gavin M. Hughes
26 Attorneys for Protestant
27
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