

1 NEW MOTOR VEHICLE BOARD
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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 Appeal of)
12 TORVICK INVESTMENT CO., dba) Appeal No. A-108-90
SANTA ROSA NISSAN,)
13)
Appellant,)
14)
vs.) FINAL ORDER
15)
DEPARTMENT OF MOTOR VEHICLES,)
16)
Respondent.)
17)

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19 TO: Charles Michaelis, Esq.
Attorney for Appellant
Michaelis & Bonanni
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Santa Ana, California 92705

21 Alan Mateer, Esq., Chief Counsel
22 Marilyn Schaff, Esq., Assistant Chief Counsel
Bernard Lu, Esq., Staff Counsel
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Department of Motor Vehicles
24 Legal Office
Post Office Box 932382
25 Sacramento, California 94232-3820

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27 On July 11, 1990, the New Motor Vehicle Board met and
28 considered the above-entitled matter. After considering the

1 administrative record, the additional evidence adduced at the
2 Board meeting, and the briefs and arguments of counsel for the
3 parties, it is hereby ordered that page 11 of the decision of
4 the Director of the Department of Motor Vehicles, dated November
5 29, 1989, is modified as follows:

6 ORDER

7 The vehicle dealer's license and special plates number
8 D-02020 issued to Torvick Investment Co., Inc., dba Santa Rosa
9 Nissan, is revoked, subject to the following conditions:

10 The license revocation shall not occur until one (1)
11 year after the completion or termination of the Chapter 11
12 United States Bankruptcy proceedings in which the dealer is
13 currently involved. This one-year period is intended to permit
14 time for the sale of the dealership. Upon completion or
15 termination of the Bankruptcy proceedings, neither Martin
16 Cavallero, Ernest Grob, nor James Krammerer shall be permitted
17 to have any direct or indirect involvement with the operation of
18 the dealership. For a period of five (5) years commencing upon
19 the sale of the dealership or the revocation of the license,
20 whichever occurs first, neither Cavallero, Grob, nor Krammerer
21 shall be permitted to obtain from the Department of Motor
22 Vehicles an occupational license as a new motor vehicle dealer,
23 manufacturer, distributor, representative, or salesman, nor
24 shall they be permitted during this same 5-year period to have
25 any ownership interest in a new motor vehicle dealership in the
26 State of California.

27 / /

1 After the conclusion of this 5-year period, it shall be up to
2 the discretion of the Department of Motor Vehicles as to whether
3 any of these individuals shall be permitted to acquire such a
4 license.

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6 DATED: July 12, 1990

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8 By John B. Vandenberg
9 JOHN B. VANDENBERG
10 President
11 NEW MOTOR VEHICLE BOARD
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26 A. A. Pierce, Director, DMV
27 John Lancara, Acting Program Manager
28 Occupational Licensing, DMV
Legal Office, DMV