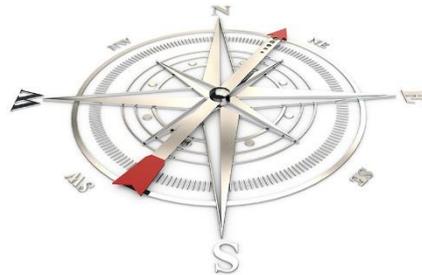


Motor Vehicle Manufacturers & Distributors

Meeting the challenges for vehicle manufacturers & distributors



When you need help

- developing or modifying a dealer network or distribution system
- making day-to-day business decisions within a complex framework of federal and state legislative and regulatory schemes that relate to motor vehicles of all types
- drafting and/or enforcing policies, programs, and agreements with dealers and/or dealer groups
- litigating disputes involving class actions, dealer appointments, terminations, relocations, ownership transfers, and other aspects of the business relationship
- covering in-house legal tasks due to resource constraints or special project needs

our experienced team can provide the help you need nationwide.

We focus our capabilities to the areas that matter to our motor vehicle clients

- Helping our clients proactively manage the numerous issues faced in the course of day-to-day business with legal and strategic counseling, dealer network planning advice, and development and enforcement of policies and strategic programs
- Representing our motor vehicle clients in complex high-stakes litigation arising out of business disputes with dealers and consumers, and we litigate and arbitrate manufacturer/distributor claims against dealers for legal and equitable remedies

Our experienced team can help you manage your business challenges

- Our team collectively has hundreds of years of experience in legal issues related to motor vehicle manufacturers and distributors, representing major automotive and motorcycle manufacturers and distributors who do business in the U.S., both foreign-based and domestic, as well as motor sports, watercraft, and agricultural equipment clients
- Most of our team members practice exclusively in this area, spending 100% of their time representing motor vehicle companies

Related Practice Areas

[Appellate Practice & Legal Strategies](#)

[Aviation](#)

[Corporate & Securities](#)

[Dispute Resolution](#)

[eDiscovery - Encompass](#)

[E-Discovery & Information Governance](#)

[General Counsel Services](#)

[Multi-Claim & Class Action Litigation](#)

[Products Liability - Consumer & Mechanical](#)

[Railroads](#)

[White Collar Defense & Government Investigations](#)

Related Industries

[Transportation](#)

- Team members speak to regulators, industry, and legal groups on issues of importance to our clients
- Team includes several former in-house counsel for major domestic and international motor vehicle manufacturers
- Several team members (as noted in their bios) have been recognized for our representation of motor vehicle clients by Chambers, Acritas, *Best Lawyers of America*®, and other groups
- Team members participate in national industry groups and legal organizations, including the American Bar Association Forum on Franchising, the National Association of Motor Vehicle Boards and Commissions, Global Automakers, and the Alliance of Motor Vehicle Manufacturers
- Broad experience representing industry clients in jurisdictions throughout the country
- Track record of providing economical representation in complex matters
- Known for responsive, cost-effective, and client-focused service
- Known for efficiency and consistency in legal representation due to deep knowledge of issues related to the motor vehicle industry
- Nelson Mullins' motor vehicle manufacturer, distribution, and business litigation team offers a nationwide, coast-to-coast footprint, with experience handling issues in nearly every state in the United States

Our clients include

- Major motor vehicle manufacturers and distributors (domestic and foreign-based)
- Start-up companies
- Wholesale sellers of a broad spectrum of motor vehicle types: automobiles, motorcycles, ATVs, personal watercraft, side by sides, recreational vehicles, buses, aircraft, heavy truck, farm equipment, emergency response vehicles, mobility companies, and others

Our experience helps you

- Spot and prevent potential legal issues involving your dealer network
- Meet market representation objectives within acceptable legal risk parameters
- Develop dealer network or distribution solutions
- Navigate the numerous federal and state laws governing your business
- Handle business issues, including network planning, advertising, allocation, dealer performance, sales/service/parts marketing, vehicle launches, alternative fuel vehicle distribution, antitrust and pricing, sales and facility incentives, contests, privacy and data security, and social media presence
- Defend against dealer protests, litigation, or claims of unfair treatment or retaliation
- Defend disputes with dealers regarding new dealer appointments, relocations, allocation, sales reporting, incentives, and warranty reimbursements
- Enforce dealership terminations

- Enjoin trademark and trade dress infringement by holdover dealers and/or franchisees
- Enforce restrictive covenants, trade secret rights, system standards, and other dealer agreement obligations
- Protect manufacturer's rights in bankruptcy proceedings
- Manage growth of large dealer groups and a competitive dealer network
- Efficiently and cost-effectively defend warranty and lemon law litigation
- Litigate dealer fraud and damage cases seeking legal and equitable remedies
- Provide counsel for site acquisition and leasing

Why Nelson Mullins?

- Dedicated team with hundreds of years of combined experience in the field
- Known for responsive, client-focused, and cost-effective service
- Track record of efficient and consistent legal representation based on deep knowledge of issues related to all aspects of the motor vehicle industry
- Practical and innovative solutions for real-world problems

Experience

Following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

- Litigated numerous matters through both trial and appeal related to various dealer disputes, including add-points, relocations, terminations, warranty reimbursement demands, allocation challenges, and incentives and other chargebacks
- Evaluated and determined appropriate state agency or court jurisdiction over numerous disputes
- Developed and implemented ongoing operational support of nationwide dealer performance programs, including assessing, measuring and enforcing both sales performance and parts/service performance
- Provided day-to-day advice to both legal and business leadership regarding strategic operational issues including:
 - Dealer performance
 - Publicly-owned dealerships, large dealer groups and framework agreements
 - Allocation and distribution of new vehicles, genuine parts and other goods and services
 - Incentives including new car sales incentives, facility improvement incentives, financing and leasing programs, and other manufacturer support
 - Advertising support including co-op programs, dealer advertising associations, and other Tier 1, Tier 2, and Tier 3 advertising programs
 - New vehicle launches
 - Alternative fuel vehicle distribution models

- Certified used vehicle programs
- Pricing, vehicle margin, holdback, standards bonus programs, and other price-related issues
- Service marketing and parts marketing programs
- Review of buy-sell, ownership, management and other dealer due-diligence packages
- Dealership image, branding, signage, and other facility improvement programs
- Drafted, revised, and executed roll-out of national dealer sales and service agreements
- Handled numerous lemon law and warranty litigation claims on a nationwide basis
- Provided counsel related to recalls and service campaigns
- Represented manufacturers and dealers in unfair competition, false advertising, and other consumer protection claims
- Litigated nationwide class actions and multi-district litigation, instituted by both dealers and consumers
- Provided on-site legal services in dealer agreement package processing, advertising review and/or regional counseling