

1 Attorney(s) name(s) and state bar number
Law Firm
2 Address
3 Telephone number
Facsimile number
4 E-mail address

5 Attorney(s) for Protestant

6
7 **SAMPLE PROTEST**
8 **3065.3 Performance Standard Protest**

9 STATE OF CALIFORNIA

10 NEW MOTOR VEHICLE BOARD

11 In the Matter of the Protest of

12 **NAME OF DEALERSHIP/FRANCHISEE,**

13 Protestant,

14 v.

15 **NAME OF MANUFACTURER/DISTRIBUTOR/
16 FRANCHISOR,**

17 Respondent.

Protest No. (leave blank)

PROTEST

[Vehicle Code §3065.3]

19
20 Protestant, [enter Protestant's name], files this protest under the provisions of California Vehicle
21 Code section 3065.3 and alleges as follows:

22 1. Protestant is a new motor vehicle dealer selling [enter line make] and is located at [address
23 of dealership]. Protestant's telephone number is [enter telephone number].

24 2. Respondent distributes/manufactures [enter line make] products and is the franchisor of
25 Protestant.

26 3. Protestant is represented in this matter by [Name of Attorney or Protestant's Dealer
27 Principal or authorized representative], whose address is [enter address] and telephone number is [enter
28 telephone number].

1 4. Protestant desires to appear before the Board to protest and present evidence pertaining to
2 the actions of Respondent, as follows:

3 [List actions]

4 5. Respondent's actions are inconsistent with the standards set forth in subdivision (g) of
5 Vehicle Code section 11713.13 in that:

6 [List actions]

7 6. Protestant seeks a determination from the New Motor Vehicle Board, pursuant to this
8 protest, that [list desired outcome/determination].

9 7. Protestant and its attorney(s) desire to appear before the Board and estimate that the
10 hearing in this matter will take [enter number of days] days to complete.

11 8. A Pre-Hearing Conference is requested.

12 WHEREFORE, Protestant prays as follows:

13 1. That the Board (or its authorized representative) immediately advise Respondent that a
14 protest has been filed;

15 2. That a hearing of the Protest is required pursuant to Vehicle Code section 3066; and,

16 3. That, pursuant to Vehicle Code section 3065.3 Respondent [list desired outcome/
17 determination].

18
19 Date: [enter date]

20 By [signature]
21 Attorney(s) name(s)

22 **THE PROTEST MAY NOT BE PROCESSED WITHOUT AN**
23 **ATTACHED PROOF OF SERVICE AND THE \$200.00 FILING FEE**
24 **PAID BY CHECK OR BY PHONE WITH A CREDIT CARD (916-445-1888)**

25 **DISCLAIMER:** This sample provides a basic means for drafting a document for filing with the
26 Board, but the sample should not be mistaken as a substitute for personalized advice from a
27 qualified attorney or other person sufficiently knowledgeable to represent parties before the
28 Board. The Board strives to provide relevant, accurate and complete information. However, the
Board cannot and does not warrant the relevancy, accuracy, completeness or propriety of the
information provided in this sample.