| 1 | Attorney(s) name(s) and state bar number Law Firm | | | | |
|----|--|---------------------------|--|--|--|
| 2 | Law Firm Address | | | | |
| 3 | Telephone number | | | | |
| 4 | Facsimile number E-mail address | | | | |
| 5 | Attorney(s) for Protestant | | | | |
| 6 | | | | | |
| 7 | SAMPLE PROTEST | | | | |
| 8 | 3072 Off-Site Sale | | | | |
| 9 | STATE OF CALIFORNIA | | | | |
| 10 | NEW MOTOR VEHICLE BOARD | | | | |
| 11 | In the Matter of the Protest of | Protest No. (leave blank) | | | |
| 12 | NAME OF DEALERSHIP/FRANCHISEE, | | | | |
| 13 | Protestant, v. [Vehicle Code §3072] | | | | |
| 14 | | | | | |
| 15 | | | | | |
| 16 | NAME OF MANUFACTURER/DISTRIBUTOR/ FRANCHISOR, | | | | |
| 17 | Respondent. | | | | |
| 18 | | | | | |
| 19 | | | | | |
| 20 | Protestant, [enter Protestant's name], files this protest under the provisions of California Vehicle | | | | |
| 21 | Code section 3072 and alleges as follows: | | | | |
| 22 | 1. Protestant is a new recreational vehicle dealer selling [enter line-make] and is located at | | | | |
| 23 | [address 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 | | | | | |
| | PROTEST [VEHICLE CODE §3072 (OFF-SITE SALE)] | | | | |

| 1 | 4. On or about [enter date], Protestant received from Respondent a notice that Respondent | | |
|----|---|--|--|
| 2 | intends to approve the off-site sale of new recreational vehicles by other franchisees of Respondent, at | | |
| 3 | [enter address]. | | |
| 4 | [Note: the protest needs to be filed with the Board within 20 days of receipt of the notice] ¹ | | |
| 5 | 5. Protestant is located within the relevant market area of the proposed off-site sale. | | |
| 6 | 6. It will be injurious to the public welfare for the proposed off-site sale to be allowed. | | |
| 7 | 7. Protestant and its attorney(s) desire to appear before the Board and estimate that the | | |
| 8 | hearing in this matter will take [enter number of days] days to complete. | | |
| 9 | 8. A Pre-Hearing Conference is requested. | | |
| 10 | WHEREFORE, Protestant prays as follows: | | |
| 11 | 1. That the Board (or its authorized representative) immediately advise Respondent that a | | |
| 12 | protest has been filed; | | |
| 13 | 2. That a hearing of the Protest is required pursuant to Vehicle Code section 3080; and, | | |
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| 28 | ¹ If, within this period of time, a franchisee files with the Board a request for additional time to file a protest, the Board or its Executive Director, upon a showing of good cause, may grant an additional 10 days to file the protes | | |

| 1 | | 3. | That, pursuant to Vehicle Code sections 3072 and 3073, Respondent may not approve the | | |
|----|---|----------|--|--|--|
| 2 | off-site sale if the Board determines that there is good cause for not permitting it. | | | | |
| 3 | Date: | [enter | date] | | |
| 4 | | | By [signature] | | |
| 5 | | | Attorney(s) name(s) | | |
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| 19 | | | THE PROTEST MAY NOT BE PROCESSED WITHOUT AN | | |
| 20 | | _ | ATTACHED PROOF OF SERVICE AND THE \$200.00 FILING FEE | | |
| 21 | | P. | AID BY CHECK OR BY PHONE WITH A CREDIT CARD (916-445-1888) | | |
| 22 | | | | | |
| 23 | | | | | |
| 24 | | | | | |
| 25 | DISCLAIMER: This sample provides a basic means for drafting a document for filing with the Board, but the sample should not be mistaken as a substitute for personalized advice from a qualified attorney or other person sufficiently knowledgeable to represent parties before the | | | | |
| 26 | | | | | |
| 27 | Board | I. The E | Board strives to provide relevant, accurate and complete information. However, the of and does not warrant the relevancy, accuracy, completeness or propriety of the | | |
| 28 | | | provided in this sample. | | |