

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 **SAMPLE PROTEST**

7 **Vehicle Code Section 3085**

8 STATE OF CALIFORNIA

9 NEW MOTOR VEHICLE BOARD

10
11 In the Matter of the Protest of

12 **NAME OF ASSOCIATION,**

13 Protestant,

14 v.

15 **NAME OF MANUFACTURER OR
DISTRIBUTOR,**

16 Respondent.

Protest No. (leave blank)

PROTEST

[Vehicle Code §3085]

17
18 Protestant, [enter Protestant's name], through its attorney(s), files this protest under the
19 provisions of California Vehicle Code section 3085 and alleges as follows:

20 1. Protestant is an association as defined in Vehicle Code section 3085(b) challenging the
21 legality of an export or sale-for-resale prohibition policy of [enter name of manufacturer/distributor] on
22 behalf of [identify two or more dealers subject to the challenged policy]. These dealers are subject to the
23 policy being challenged pursuant to subdivision (y) of Vehicle Code section 11713.3. Protestant's
24 mailing address is [address of dealership] and Protestant's telephone number is [enter telephone number].

25 2. Respondent is a licensed [manufacturer or distributor] authorized to do business and
26 doing business in the State of California. Respondent's mailing address is [enter address] and
27 Respondent's telephone number is [enter telephone number].

28 3. Protestant is represented in this matter by [Name of Attorney or Protestant (if

1 representing self)], whose address is [enter address] and Protestant's telephone number is [enter
2 telephone number].

3 4. [Outline the particulars of the dispute].

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

6 6. A Pre-Hearing Conference is requested.

7 WHEREFORE, Protestant prays as follows:

8 1. [A declaration that an export or sale-for-resale prohibition policy of [manufacturer or
9 distributor] violates the prohibitions of subdivision (y) of Vehicle Code section 11713.3.]

10
11 Date: [enter date]

12 By [signature]
13 Attorney(s) name(s)

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

23
24
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.