



Dealer Advisory

January 18, 2010

REMINDER NOTICE TO DEALERS **FILING DEADLINE TO DEMAND ARBITRATION IS 1/25/2010**

GM and Chrysler dealers who intend to file a Demand for Arbitration through the American Arbitration Association (AAA) must do so by January 25, 2010. The demand must be filed at the AAA's Atlanta, Georgia Regional Office. The AAA has asked us to remind dealers that this deadline is set in statute and **cannot** be extended. **AAA must have your Demand for Arbitration in its office by January 25, 2010.** A postmark on that date is **not** sufficient.

GM dealers: A Demand for Arbitration sent to AAA will automatically be sent to GM. GM dealers do not need to send an additional copy of the demand to GM.

Chrysler dealers: Chrysler dealers must deliver an original Demand for Arbitration directly to Chrysler, in addition to filing with AAA. It is suggested that dealers print the demand, send the original to Chrysler, keep a copy for him/herself and send a copy to his/her representative. **Chrysler must also receive your demand on or before January 25, 2010.**

What happens after filing your demand?

The AAA recognizes that the law governing Dealer-Manufacturer Arbitrations requires a streamlined process. The AAA is currently developing an Initiation Letter, which dealers will receive shortly after filing their demand for arbitration. The letter will provide dealers with a timeline and explanation of what the dealer can expect in the arbitration process. Dealers who have already filed can expect to receive this letter within the next 10 to 14 days.

The AAA has confirmed the following information regarding the arbitration process:

- Once you file the demand for arbitration, a Case Manager will be assigned. You will receive correspondence from him or her and can contact your Case Manager with any questions you may have regarding your arbitration.
- Unlike typical arbitrations, GM and Chrysler will not have an "Answer Period" in which to respond to the dealers demand for arbitration.
- Dealers will receive the entire roster of arbitrators available to hear Dealer-Manufacturer arbitrations in this state. This is not typical. In other types of arbitration, the AAA provides only a few arbitrators from which the parties select an arbitrator.
- Fees may be paid by a corporate credit card as long as the credit card also includes the name of the individual filing the demand for arbitration. The reason for requiring this is to verify that you are an authorized user of the credit card.

Important note: Dealers have asked if they can represent themselves at the Arbitration. The Michigan BAR has noted that dealers may file for arbitration on behalf of their dealership but an attorney must handle the actual arbitration. Dealers attempting to represent their own corporation could be charged with "the unauthorized practice of law."