



AUTOMOTIVE FRANCHISE

Burke, Warren, MacKay & Serritella is home to a practice dedicated to serving owners of new vehicle franchises. The practice is anchored by partners William Kelly, Ira Levin, and Jay Statland, each with decades of successful representation of dealers and dealer groups locally and nationwide. The practice addresses all aspects of the automotive business including:

- Purchase and sale of dealership assets, including buy-sell agreements, management agreements, consulting agreements, rights of first refusal, and site control agreements
- Formation and financial and tax structuring of dealership operating entities, real estate entities, and offshore entities
- Purchase, sale, and development of dealership land and facilities, including environmental analysis and assisting with manufacturers' facility programs and requirements
- Stock purchase agreements and transfers and sale of partial interests
- Franchise litigation, including protests with the Illinois Motor Vehicle Review Board and other state boards involving termination, relocations, add points, allocation disputes, and warranty reimbursement and audits
- Employment matters, including compliance with federal and state laws, termination, discrimination, and harassment claims
- Consumer litigation, including class action defense
- Union disputes, negotiating collective bargaining agreements and counseling regarding pension liabilities
- Compliance with state and federal regulatory matters
- Trust and estate matters, including implementation of successor dealers and guidance with manufacturers' requirements

The Automotive Franchise Practice group has experience working with large dealer groups as well as individuals new to the business.

PROFESSIONALS

Bradley M. Ader

Ira M. Levin

Elizabeth M. Pall

David M. Schoenherr

Jay L. Statland

Eric P. VanderPloeg

Douglas E. Wambach



Our national presence is exemplified by our work with General Motors and Chrysler dealership franchisees following the collective termination of more than 3,000 franchises as part of their 2009 bankruptcies. Burke Warren was one of the top three firms nationally selected to fight for reinstatement by dealers.

We have also been selected by trade associations to write amicus briefs in important manufacturer/dealer cases and to assist in drafting amendments to the Illinois Motor Vehicle Franchise Act. Burke Warren regularly appears before the Illinois Motor Vehicle Review Board, where it has litigated numerous cases, including a successful result over General Motors that reached the Illinois Supreme Court confirming the constitutionality of the Illinois Motor Vehicle Franchise Act.

Burke Warren has maintained a lasting presence in the automotive franchise industry and is committed to assisting and counseling dealers to achieve favorable outcomes in a changing and growing industry. Through expert legal guidance and representation, we assist automotive dealerships to ensure necessary compliance with state and federal government regulations and to meet industry standards.