



Michael J. Dommermuth

Director

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Michael assists automobile dealerships of all sizes in legal matters throughout the lifecycle of their businesses. As chair of the firm's automobile dealership group, he brings more than three decades of experience counseling clients through the transactional, litigation, and regulatory hurdles entailed in operating a dealership in Colorado and throughout the Rocky Mountain West.

Versed in all aspects of the state and federal law issues impacting auto dealerships, Michael excels at counseling clients at every stage of development including acquisition and disposition of their businesses. He frequently works in concert with professional accountants and wealth advisors in evaluating the potential return on investment an emerging deal may have on a client's bottom line. Regardless of the underlying matter, Michael understands the inner workings of his clients' businesses, and serves as a trusted advisor whose focus is on ensuring his clients achieve their goals.

Michael frequently consults with dealers on factory issues including incentives, facility issues, add-points, relocations, and terminations. His recent experience includes representing clients who receive complaints from state regulators; assisting a client in selling two import dealerships to a public company for more than \$50 million; and working with a family-owned dealership seeking to acquire other dealerships. He also handles general commercial litigation, consumer and manufacturer disputes and related litigation, new point protests, federal and state compliance, bankruptcy, real estate issues, contract disputes, advertising review, floor plan review and negotiation, and termination cases.

An active member and frequent speaker for the Colorado Automobile Dealer Association (CADA) and the National Association of Dealer Counsel on the complexity of legal issues facing automobile dealerships, Michael also co-authored the Colorado Dealer Compliance Guide, a comprehensive guide to state law issues for Colorado Motor Vehicle Dealers published by CADA. He also serves as outside counsel for CADA.

Education

Indiana University School of Law (Bloomington), J.D., 1983
Purdue University, B.A., 1980

Bar Admissions

Colorado
Indiana
U.S. District Court for the District of Colorado
U.S. District Court for the Northern District of Illinois
U.S. District Court for the Northern District of Indiana
U.S. District Court for the Southern District of Indiana
U.S. Court of Appeals for the Tenth Circuit
U.S. Supreme Court

Practice Areas

Business and Commercial Litigation
Mergers and Acquisitions

Sectors

Automobile Dealerships

Representative Experience

- Successfully defended dealer groups in a class action challenging the practice of charging delivery and handling fees, and a second case alleging violations of the Telephone Consumer Protection Act
- Represented dealer clients in a variety of legal areas including: general litigation, finance issues, consumer matters and related litigation, manufacturer disputes, new point protests, federal and state compliance, bankruptcy, real estate disputes, contract disputes, commercial business torts, antitrust litigation, covenant-not-to-compete litigation, breach of fiduciary duty, and intellectual property issues
- Represented dealers in reinstatement arbitrations and successfully arbitrated the reinstatement of a Chevrolet dealer in Wyoming
- Represented buyers and sellers of automobile dealerships
- Represented protesting dealers in new point protests

Professional Affiliations

- Colorado Automobile Dealers Association
- National Association of Dealer Counsel
 - Board of Directors, 2013 - 2019

Recognition

- Martindale- Hubbell AV Preeminent rated

Presentations

- “Colorado D&H and Federal Advertising Enforcement,” Colorado Automobile Dealers Association (May 6 and June 3, 2015)
- “Advertising and Telemarketing Compliance,” Colorado Automobile Dealers Association (November 6, 2014)

- “The Kids are (Gonna be) All Right Presentation Colorado Automobile Dealers Association (October 14, 2014)
- “Dealer Reserve and Advertising: Dangerous Waters Ahead,” Innovative Dealer Summit 2014 (April 8, 2014)
- “Service Department Legal Issues: Loaner Contracts and Repair Orders,” National Auto Dealer Counsel Fall Conference (October 7, 2013)
- “Factory Issues, Internet Sales, Financing and Service Compliance for Automotive Dealers,” Innovative Dealer Summit (March 19, 2013)