

More About Us

Stockamp & Brown understands that the retail automobile industry is the most heavily regulated retail industry in the United States. Stockamp & Brown represents dealerships in Ohio and throughout the United States. Deanna Stockamp and David Brown founded Stockamp & Brown in order to provide legal representation exclusively to the retail automobile, truck and motorcycle industries. In addition to serving as outside counsel and advisor to the Ohio Automobile Dealers Association (OADA), Stockamp & Brown represents a leading national provider of dealership services, the largest independent dealership franchise in the Country, and provides counsel to dealership groups recognized in the *Automotive News Top 125 Dealership Groups*.

Deanna Stockamp

Deanna is a founding partner in the law firm of Stockamp & Brown, LLC. Deanna has extensive experience in the private practice of law focusing exclusively on the representation of motor vehicle dealers and motor vehicle industry related service providers and trade associations.

Deanna has expertise in developing dealer compliance programs and has developed dealership paperwork utilized by motor vehicle dealers in retail sales, lease, and service transactions in each of the 50 states. Deanna has also developed educational materials and training programs to assist dealerships in bringing their sales and service paperwork, finance and collection documents, advertisements and related policies and procedures into compliance with applicable laws.

In addition to drafting advocacy and comment letters to federal and state regulators on issues that impact the retail automobile industry, Deanna has had numerous articles published in industry periodicals and Trade Association publications, and has been a featured speaker and trainer at dealership compliance seminars and meetings.

Deanna is a member of the National Association of Dealer Counsel, Ohio State Bar Association and the Columbus Bar Association. She received her Bachelor of Arts from the University of Michigan in Ann Arbor, Michigan in 1992, and earned her Juris Doctor degree from the Ohio State University College of Law in Columbus, Ohio in 1996.

David Brown

David is a founding partner in the law firm of Stockamp & Brown, LLC. David has advised hundreds of dealer clients on franchise matters, administrative and dealer licensing law, consumer finance law, consumer sales law, contract law, corporate law, real estate law and civil litigation. David serves as outside counsel and advisor to the Ohio Automobile Dealers Association, and has presented seminars on dealership topics ranging from consumer sales transaction practices to dealer franchise law.

David previously served as General Counsel and Director of Government Affairs for the Ohio Automobile Dealers Association from 1992 to 1998. While at OADA, he managed the legal department and legislative and regulatory affairs activity of OADA.

David is a member of the National Association of Dealer Counsel, Ohio State Bar Association and the Columbus Bar Association. David received his Bachelor of Arts degree in Economics from Wittenberg University in Springfield, Ohio in 1988, and received his Juris Doctor degree from Capital University in Columbus, Ohio in 1992.

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Why Stockamp & Brown?

Your customers bring their cars and trucks to your dealership because it is equipped with certified, trained, and expert personnel who are familiar with and use the proper tools and equipment required to fix a vehicle correctly. Shouldn't you work with a law firm that is equipped with the expertise necessary to provide proper legal guidance and protection to your dealership?

The partners of Stockamp & Brown have dedicated their careers to representing dealers, understanding the laws that impact dealerships, and understanding the operational issues that drive dealer business on a daily basis. The law firm of Stockamp & Brown is the only firm in Ohio that focuses its practice exclusively on the issues that impact the retail automobile industry.

Stockamp & Brown can advise your dealership in the following areas:

Franchise Law

Stockamp & Brown has helped protect the interests of dealerships in a vast array of franchise actions, including manufacturer terminations, relocations, add points, factory denial of buy/sell agreements and dealer successor addendums, allocation inequities, unreasonable sales expectations, unreasonable sales area responsibility assignments, unreasonable facility upgrade requirements, and manufacturers' failure to comply with dealer franchise agreements and Ohio dealer franchise laws. A franchise is a dealership's most valuable asset, and a manufacturer's attempt to dilute a dealership's franchise rights should not be withstood by a dealer.

Dealer Compliance Programs

Proper and routine compliance evaluations can help a dealership avoid costly consumer litigation. Just as the dealership's service department advocates the value of preventive and routine car and truck maintenance, we advocate the need for dealers to practice routine legal and regulatory maintenance in the form of audits of the dealership's paperwork, policies and procedures, and in advertisement reviews. Being proactive with respect to legal compliance can help the dealership avoid expensive litigation and regulatory enforcement actions and reduce potential liability in the event that an error does occur.

Merger and Acquisition Counsel/Real Estate Transactions

If a dealer is engaged in the buy/sell process, expert counsel is critical. Stockamp & Brown has vast experience in dealership transfers, including renegotiating and coordinating complex buy/sell arrangements, stock and asset transfers and redemptions, consolidations, dealership real estate transactions, dealer management agreements, non-compete agreements, and dealer consulting agreements. Stockamp & Brown can provide expert guidance for the integral issues that shape these transactions.

Consumer Law and Litigation

Despite a dealership's best attempts to comply with federal and state laws and governmental regulations, there exists a cottage industry of consumer attorneys that prey on dealerships because of liberal statutory attorney fee provisions. Stockamp & Brown is experienced in representing dealerships in the defense of consumer lawsuits alleging violations of the Ohio Consumer Sales Practices Act and Administrative Rules, Federal Unfair and Deceptive Practices Acts, the Federal Trade Commission Rules, Federal Truth-in-Lending and Truth-in-Leasing Acts and Implementing Regulations, the Credit Services Organization Act, Federal and State Debt Collection Acts, the Magnusson-Moss Warranty Act, the Fair Credit Reporting and Equal Credit Opportunity Acts, Ohio's Retail Installment Sales Act, the Uniform Commercial Code, and common law claims of fraud, breach of contract and negligence, and numerous other laws, rules and regulations among numerous others. Experienced dealership counsel is a vital component to successfully defending against consumer litigation.

Buy Here – Pay Here Operations and Related Finance Companies

As financial institutions place ever increasing control on consumer financing, many dealers have discovered that Buy Here-Pay Here (BHPH) operations and Related Finance Company (RFC) operations can provide a very important alternative source of funding for consumer transactions. Both BHPH dealerships and RFCs provide financing alternatives for consumers that may have difficulty obtaining financing from more traditional lending sources. Legal considerations for the establishment of BHPH and RFC operations are important, and Stockamp & Brown can provide your dealership with the proper legal guidance.

Corporate Compliance and Governance

Strict compliance with corporate by-laws is important to ensure proper corporate tax treatment, proper continued corporate existence, and the legal protection that corporate entity status affords the dealership. Proper structure and documentation of corporate events, such as shareholder, director, and member meetings, is likewise important. Failure to comply with relevant state laws may result in unintended liability for the dealership and the dealership's owners. Let Stockamp & Brown help ensure that your dealership is conducting its business operations in compliance with appropriate corporate requirements.

Regulatory and Licensing Counsel

Despite a dealership's best attempts to comply with all applicable laws, state and federal government agencies add yet another layer of rules and regulations with which a dealership must comply. Regulatory bodies, such as the Office of the Ohio Attorney General, the Ohio Department of Taxation, the Ohio Department of Insurance, the Ohio Bureau of Motor Vehicles, and the Federal Trade Commission, play an active role in monitoring dealership compliance with various laws. If your dealership is identified by an agency for potential rule or law violations, rely upon Stockamp & Brown's experience representing dealers before governmental agencies.

Manufacturer Audits

Manufacturers routinely conduct audits of sales incentive program practices and service warranty practices. While a franchisor may have a contractual right to conduct such audits, a dealer has the right to have legal counsel participate in them as well. As audits regularly conclude with dealers being charged-back enormous amounts of money - six figure audit charge-backs are becoming common – Stockamp & Brown can assist in defending dealer practices and challenging questionable and unreasonable audit results.

Dealer Insolvency, Forebearance, and Workout Issues

With the significant challenges that the retail automobile industry is faced with today, a dealership may experience potentially threatening economic conditions and financial hardships. Whether a dealership is in jeopardy of failing to meet its continuing financial obligations or has engaged in conduct that has triggered financial covenant defaults, Stockamp & Brown can advise dealers on strategies related to protecting dealership assets and property.

Arbitration, Mediation, and Dispute Resolution

Many franchise agreements, retail purchase agreements, and vendor agreements require that dealers participate in informal dispute resolution processes prior to litigation being initiated. While understood to be "informal," a dealership should only participate in these alternative dispute resolution processes with the guidance of experienced dealership counsel, as they affect your dealership's legal rights and defenses. Stockamp & Brown has significant experience in the arbitration and mediation of legal disputes.

Dealer Agreements

Critical terms in floor-plan, retail finance, service provider, and insurance agreements must be negotiated to protect the dealership. Many dealerships have multiple agreements regarding these services and, and in our experience, too many dealers simply sign these agreements without reviewing them or trying to negotiate revisions. It is typically much more costly to seek the advice of counsel after a bank demands that you repurchase a deal (or an entire portfolio), or after an insurance company informs the dealership that it is not covered for a specific occurrence. We have negotiated revisions to hundreds of these agreements and have formed relationships with many of the manufactures, lenders, and vendor's counsel, which allows us to expedite the review and negotiation processes in many cases.

We recognize that controlling dealership costs and expenses is important to dealers. There is no need to pay another law firm to learn your business and become educated on dealership related legal issues. The attorneys at Stockamp & Brown focus solely on the legal and business intricacies of the retail automobile industry and provide exceptional and cost-effective legal representation.

Proper legal guidance is critical to your dealership. The following is just a short list of the countless state and federal laws and regulations with which a dealership must comply:

- State Consumer Sales Practices Act
- State Advertisement and Sale of Motor Vehicles Rules
- State Motor Vehicle Repairs and Services Rules
- Federal Trade Commission Unfair and Deceptive Trade Practices Act
- State Motor Vehicle Dealer Licensing Law
- State Certificate of Title Acts
- State Lemon Laws
- Motor Vehicle Dealer Franchise Act
- Federal Dealer Day in Court Act
- Uniform Commercial Code
- Federal and State Odometer Disclosure Acts
- Magnuson-Moss Warranty Act
- Federal Trade Commission Rules and Guidelines
- Federal Truth in Lending Regulations
- Federal Truth in Leasing Regulations
- Federal Privacy Laws and Implementing Regulations
- Federal USA Patriot Act
- IRS Cash Reporting Rules
- Federal Fair Debt Collections Practices Act
- Federal Equal Credit Opportunity Act
- Federal Fair Credit Reporting Act
- Federal Trade Commission Red Flags Rules
- State Retail Installment Sales Acts
- Fair and Accurate Credit Transactions Act