

BEFORE THE ARKANSAS MOTOR VEHICLE COMMISSION

**IN THE MATTER OF:
CRAIN FAMILY HOLDINGS, LLC; and
AUTO DEALERSHIP PARTNERS, LLC**

VS.

CASE NO. 19-037

FORD MOTOR COMPANY

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

A hearing in the above—captioned case was held before the Arkansas Motor Vehicle Commission (“Commission”) on August 22, 2019 at the Office of the Commission, 101 East Capitol Avenue, Suite 204, Little Rock, Arkansas, 72201.

Respondent, Ford Motor Company, was represented by Elizabeth McNellie and Megan Hargraves. Crain Family Holdings, LLC, and Auto Dealership Partners, LLC, were represented by Michael Shannon and Michael Heister. The Commission was represented by Assistant Attorney General Juliane Chavis.

Finding proper notice had been given Respondent, the Commission, from all the evidence presented, makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

F-1 Crain Family Holdings, LLC, is an Arkansas Limited Liability Company with its principal place of business at 1 Chenal Village Circle, Little Rock, Arkansas 72223.

F-2 Auto Dealership Partners, LLC, is an Arkansas Limited Liability Company with its principal place of business at 1 Chenal Village Circle, Little Rock, Arkansas 72223.

F-3 Ford Motor Company is a Delaware corporation with its principal place of business in Michigan.

F-4 On or about February 25, 2019, Crain Family Holdings, LLC and Auto Dealership Partners, LLC filed a complaint with the Arkansas Motor Vehicle Commission in which they alleged Ford Motor Company violated Ark. Code Ann. § 23-112-403(a)(2)(I)(i) by exercising its right of first refusal.

F-5 On or about March 29, 2019, Ford Motor Company filed its response to the complaint and denied that it had violated Ark. Code Ann. § 23-112-403(a)(2)(I)(i) and had lawfully exercised its right of first refusal.

CONCLUSIONS OF LAW

C-1 The Commission, by unanimous vote, found L-2 of the Order and Notice of Hearing proven, and determined that Ford Motor Company acted in violation of Ark. Code Ann. § 23-112-403(a)(2)(I)(i) when it exercised its right of first refusal.

ORDER

1. Respondent Ford Motor Company is ordered to pay a civil penalty in the sum of \$5,000.00.

2. Pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-212, Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court in the county in which he resides or does business or in the Circuit Court of Pulaski County within thirty (30) days after service of this order.


IT IS SO ORDERED this 3rd day of September, 2019.

Arkansas Motor Vehicle Commission


Joy Blankenship
Chairperson

CERTIFICATE OF SERVICE

I, F.S. Stroope, Director of the Arkansas Motor Vehicle Commission, do hereby certify that I have served a copy of these Findings of Fact, Conclusions of Law and Order by mailing a copy of same, U.S. Mail, postage prepaid, on this 3rd day of September, 2019 to the following: Elizabeth McNellie, Megan Hargraves, Michael Shannon, and Michael Heister.


F.S. Stroope
Director