Miller & Martin keeps clients in the automotive industry moving forward with practical advice and effective legal representation covering many diverse aspects of their business.

Our clients include North American subsidiaries of global motor vehicle and parts manufacturers, the world's leading remarketer of motor vehicles, leading automotive retailers, marketplace websites, technology providers, lenders and financial services companies. Our attorneys represent clients in litigation and dispute resolution matters and provide practical counsel on corporate transactions, commercial finance, regulatory, commercial contracts, intellectual property, labor and employment matters.

Our attorneys help automotive clients drive success while navigating traditional and modern-era issues across state and national borders, as well as on the internet.

Miller & Martin's multi-disciplinary team has experience advising manufacturers, retail dealers, auctioneers, websites, technology partners and other automotive industry participants in wide-ranging situations from the development of sales and licensing agreements and customer-facing forms to complex contract negotiations and proactive dispute resolution in matters involving other businesses, consumers or employees. We tailor our legal advice and litigation strategies to support our client's commercial interests.

Our transactional attorneys regularly advise clients in connection with their strategic and operational relationships and have significant experience with automotive finance transactions, including consumer and floorplan lending, and other industry deals.

When bumps in the road lead to litigation, our trial attorneys advocate for automotive clients in the courtroom as well as in administrative or alternative dispute resolution proceedings. In addition to representing clients in a full range of business, insurance or employee disputes, Miller & Martin's litigation attorneys have significant product liability defense experience representing the makers of consumer products across many industries and have served as national counsel in complex class actions and multi-plaintiff litigation nationwide.

Our team stays abreast of industry regulations and risk areas, including the evolving legal and ethical risks for the emerging electric vehicle and highly automated transportation sectors. Our attorneys have experience advising clients in connection with state and federal regulatory compliance and with examinations, investigations, and enforcement actions by such agencies as the Federal Trade Commission (FTC), National Highway Transportation Safety Administration (NHTSA), and the various state Departments of Motor Vehicles (DMV) or equivalent.

Our legal services include:

- Defending complex litigation claims and investigations related to such issues as contractual, statutory, business tort, consumer protection and privacy, product liability, employment, antitrust, unfair competition, real estate and regulatory
- Negotiating mergers, acquisitions and other business transactions
- Counseling on state and federal regulatory compliance and risk management
- Responding to and contesting government investigative and private-party subpoenas
- Class action defense of retail, wholesale, lease and lending claims of all types
- Assessing and negotiating collateral priority disputes in commercial transactions under the UCC and intercreditor agreements
- Assessing and pursuing violations of non-compete and non-disclosure agreements
- Preparing sales agreements, disclosures and other business forms with understanding of automotive regulatory requirements
- Advising and litigating bankruptcy and creditors rights issues
- Advising on Consumer Financial Protection Bureau (CFPB) compliance issues
- Advising on licensing needs
- Day-to-day labor and employment consulting and employer compliance training, as well as defending employers with respect to claims filed under EEOC, FMLA, FLSA, OSHA, ADA and other laws and requirements
- Labor union relations and grievance arbitration
- Government relations, including advocating for clients with respect to various economic development initiatives and tax incentives
- Full-service intellectual property representation including trademark, patent and opinion matters as well as intellectual property infringement defense and prosecution

SELECTED EXPERIENCE

- Represented international component manufacturer for EV batteries in the acquisition of a large manufacturing facility in Tennessee, including negotiation of private financing, coordination of various state and local incentives, and resolution of numerous railway, utility, access, and environmental issues
- Compelled individual arbitration of putative $1 billion class action for automotive website company
- Defended and settled well at mediation a multi-site commercial lease dispute for auto auction company
- Rewrote a suite of customer purchase agreements and policies for an international automotive remarketer
- Obtained partial decertification and favorable settlement of 27,000-member dealer class in federal inventory lending suit involving RICO, fraud and contract claims
- Advised on the supply of a telematics system to capture the car's health, driver's journeys, etc.
- Counseled on licensing needs and U.S. state and federal regulatory compliance, including NHTSA, DMV, privacy and consumer protection regulations
- Advised on automotive financing, including direct and indirect consumer and floor plan lending, and litigation related disputes
- Recovered all intellectual property, a lucrative customer contract and non-compete terms for an automotive client in an eight-figure trade secrets dispute
- Well-versed thought leaders on legal and ethical risks for electric vehicles and highly automated vehicles
- Defended automaker in employment age discrimination class and collective action lawsuit
- Defended auto parts manufacturer in multi-plaintiff employment litigation
- Provided review and analysis of the impact of NAFTA and the USMCA treaty's new customs regulations on automotive company's activities in Mexico and Canada
- Represented automotive parts distributor in corporate reorganization
- Negotiated sell-side and buy-side transactions involving dealerships and after-market auto parts manufacturers and suppliers
- Represented major American automakers and parts retailers in litigation involving allegations of asbestos in brake pads
- Represented international ski boat manufacturer in various corporate matters
- Represented private equity fund in significant platform acquisition of a leading nationwide supplier of aftermarket automotive parts
- Represented multiple automotive groups in commercial real estate transactions and lease agreements
- Assisted international tire manufacturers establishing and relocating North America operations with government relations, tax incentives and labor & employment needs
- Handled an investigation at the International Trade Commission for a major manufacturer of aftermarket auto parts
- Represented a chain of retail auto parts stores with regard to their trademarks

RELATED PRACTICES

- Alternative Dispute Resolution (ADR)
- Bankruptcy & Creditors' Rights
- Bonds & Tax Incentives
- Business Litigation
- Commercial Finance
- Corporate
- Employment Litigation
- Financial Services
- Insurance Litigation
- Intellectual Property
- Labor & Employment
- Labor & Union Relations
- Litigation
- Product Liability

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