

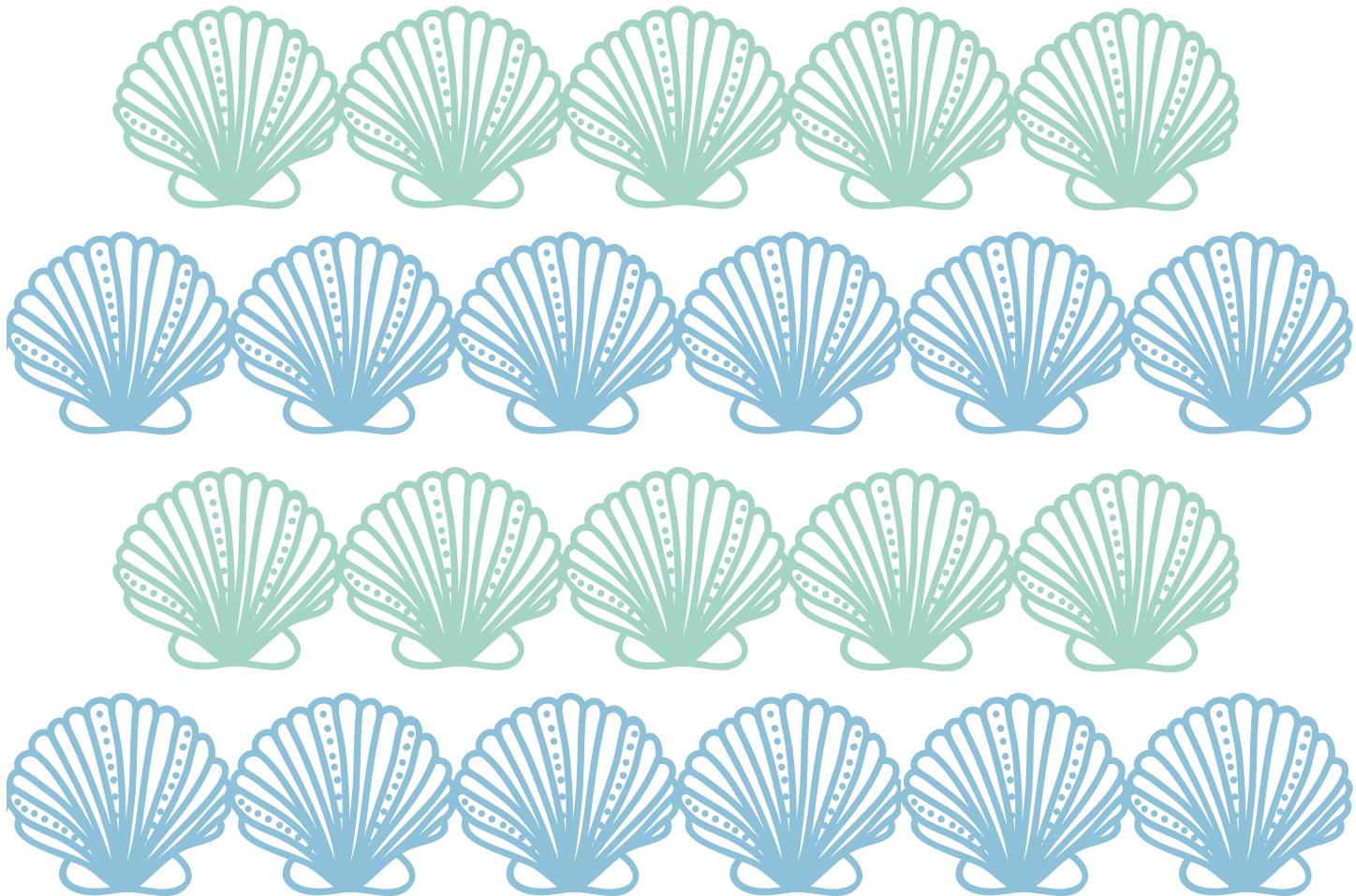


1800 M Street NW, Suite 400 South
Washington, DC 20036
www.dealerounsel.com

2023 NADC Annual Member Conference

April 30 - May 2, 2023

**The Ritz-Carlton, Amelia Island
Amelia Island, FL**



Register Today! [click here.](#)

Hotel Deadline is Friday, April 7, 2023. [click here.](#)

2023 NADC Annual Member Conference



April 30 - May 2, 2023

The Ritz-Carlton, Amelia Island • Amelia Island, FL

Conference Registration

The registration fee is \$695 per attendee and includes sessions and meal functions. To register, go to the "Upcoming Events" tab on the NADC website, www.dealerounsel.com, and look for "**2023 NADC Annual Member Conference**." Registration is open to NADC members only. Payment may be made through the website using a credit card or by mailing NADC a check. Make check payable to NADC and send to:

NADC, 1800 M Street NW, Suite 400 South, Washington, DC 20036

Contact Jennifer Polo-Sherk (jpolo-sherk@dealerounsel.com) with registration questions.

CANCELLATION POLICY

Cancellation(s) of the 2023 NADC Annual Member Conference can be accommodated by NADC up to Friday, April 7, 2023 less a \$25.00 processing fee. After April 7, we are not able to process refunds.

CLE CREDIT

CLE Credit may be available for up to 810 minutes (this includes the Dealer 101 and In-House Roundtable sessions) of educational program pending approval in your state (13.5 general credits for states that calculate 60 minutes per credit; 16.2 general credits for states that use 50 minutes per credit). We submit CLE applications to states requested on our registration form and notify attendees requesting CLE once we hear back.

Contact Kira Forster at kforster@dealerounsel.com for more information. Please make sure to indicate on your online registration form what states you are requesting CLE credits in.

TRAVEL PLANS

Our popular program, Dealer Counsel 101 session will take place on Sunday, April 30 at 12:00 pm. Please arrange your travel to join us. This session is free for all members. Make sure to indicate if you are planning to attend on our registration form. A light lunch will be provided.

We hope you will also join us later in the day for our opening cocktail reception at 6:00 pm. The conference will conclude on Tuesday, May 2 at 1:00 pm. Only a select number of rooms are available pre and post meeting dates. Make your reservations today to secure additional dates if available.

NEW MEMBER AND FIRST TIME ATTENDEE WELCOME RECEPTION

Sunday, April 30, 5:30 p.m.

New members and first-time conference attendees are invited to join the NADC Board of Directors at the new member welcome reception at 5:30 pm on Sunday, April 30th. New members and first-time conference attendees will receive an invitation email after registering for the event.

SUGGESTED DRESS

Dress attire for all conference events is business casual.

WEATHER

Average High Temperature: 77°F (25°C)

Average Low Temperature: 58°F (14.4°C)

TRANSPORTATION

The Ritz-Carlton, Amelia Island is approximately 30 minutes from Jacksonville International Airport (JAX). Please contact the concierge desk at (904) 321-5019 to inquire about transportation options and fees. Taxi service from JAX is approximately \$80.

Hotel Guests: While on the property, the hotel has provided a list of transportation services that may help guests get around Amelia Island easily:

Note that ride share services (Uber, Lyft) can be limited on Amelia Island.

Car Service/Group Transportation

- Blue Sky Transportation
<https://www.blueskyofamelia.com/> | Claudia, 904-557-621
- Montego Transportation
<https://montegolimo.com/about-us/> | Phil Huber, 904-583-733
- Barr's Transportation
www.barrstransportation.com | 904-642-1662
- Amelia Island Luxury Transportation
<https://ameliaislandluxurytransportation.com/> | 904-371-4424
- Lifestyles Executive Transportation
<https://www.lifestylestransportation.com> | 904-335-0863

Taxi Service

- Amelia Car Service | Tony Grego, 904-415-3066
- Yellow Jacket Transportation | Ted Peoples, 912-467-1726
- Ray's Rides | 904-583-6858
- Tom's Island Transportation (Luxury) | 904-321-7994

Hotel Reservations

The room rate for NADC members is \$359 per night plus taxes. You may make your reservations online [HERE](#) or by calling 888-239-1217 and referencing "**National Association of Dealer Counsel**". Note that there are a limited number of rooms for Friday, Saturday and Tuesday at our member rate.

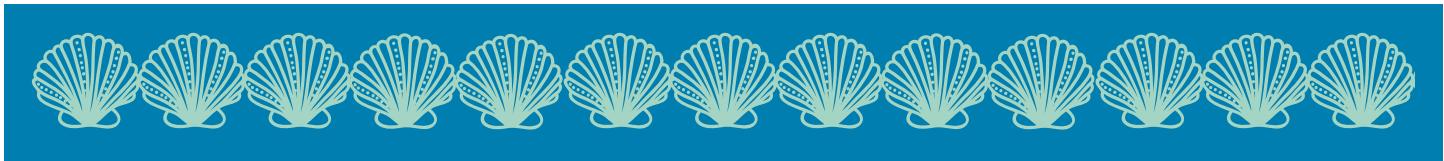
Note: Saturday night is sold out; if you are looking for a room for Saturday night contact jpolo-sherk@dealerounsel.com to be added to the waitlist.

Make sure to reserve your room by the cutoff date, April 7th, or before it sells out, whichever occurs first.

Hotel Address

The Ritz-Carlton, Amelia Island
4750 Amelia Island Parkway
Amelia Island, FL 32034

Hotel Cancellation Policy—Reservations cancelled within seven days of arrival will be charged both the first and last night's room and tax. Guests who neither arrive nor cancel reservations will be charged room and tax for the duration of the confirmed stay. Guests departing before their confirmed departure will be charged room and tax for all remaining nights of the reservation.



Conference Schedule

SUNDAY, APRIL 30, 2023

12:00 to 2:30 pm

Dealer 101 Program | Plaza 1

(Light lunch served)

Speakers: Johnnie Brown, *Pullin, Fowler, Flanagan, Brown & Poe, PLLC*

Shari Patish, *Hall Automotive, LLC*

This program is an introduction to the dealership environment and the legal and regulatory issues dealership principals and managers are likely to encounter. It is designed for those attorneys relatively new to dealership operations and issues, or those more experienced attorneys who may be very knowledgeable about one legal area and wish to gain knowledge of other legal exposures faced by motor vehicle dealers. This session is part two of a three-part series for Dealer 101 and will focus on a general introduction to employment and human resources exposures.

3:00 to 5:00 pm

Board Meeting | Director's Room

5:30 pm

New Member and First Time Attendee Reception | Courtyard
(Inclement Weather Location: Salon 3)

6:00 to 7:30 pm

Welcome Reception | Courtyard (Inclement Weather Location:
Salon 3)

Co-Sponsored by:



MONDAY, MAY 1

7:00 am

Registration | Foyer

7:00 to 8:00 am

Breakfast | Salon 3

8:00 to 8:30 am

Opening Remarks | Salon 1 & 2

8:30 to 10:00 am

Session 1: NADA Update | Salon 1 & 2

Speakers: Andrew Koblenz, *NADA*

Paul Metrey, *NADA*

During this session, NADA Executives Andy Koblenz and Paul Metrey will highlight salient and breaking federal regulatory developments affecting dealers on a range of topics including NADA's principles to guide the future of auto retailing, federal legislation, the FTC's Proposed Vehicle Shopping Rule, other significant rulemakings, recent enforcement actions and related compliance issues, and more.

10:00 to 10:30 am

Break | Salon 1 & 2 Foyer

Mondav Refreshments Co-Sponsored by:



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10:30 am to 12:00 pm

Session 2: Top Legal Issues for Auto Dealers in 2023 and Beyond | Salon 1 & 2

Speakers: Michael Charapp, *Mahdavi, Bacon, Halfhill & Young*
Eric Chase, *Bressler Amery & Ross, P.C.*

Eric Chase and Michael Charapp will discuss selected leading topics in the law for car dealers during 2023 and discuss them interactively with the members. They will provide useful and practical commentary, suggesting ways for dealers to address several of the challenges 2023 is likely to bring.

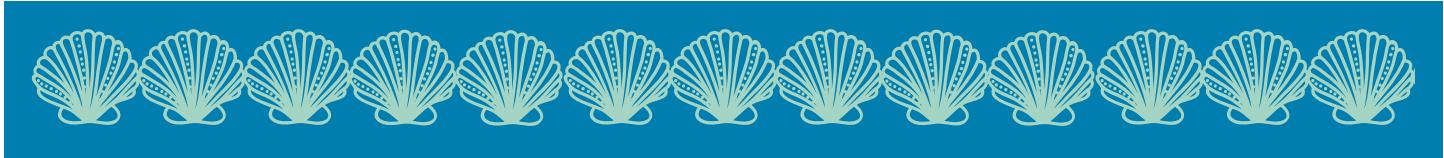
A handout will be the *Defender* publication of Eric Chase's top trends article published in January 2023. As in the past, the presentation may also include important developments arising in the first few months of 2023, so that the information is as current as possible.

12:00 to 1:00 pm

Lunch | OceanFront Lawn (Inclement Weather Location: Salon 3)

Co-Sponsored by:





Conference Schedule

12:00 to 1:00 pm

In-House Counsel Roundtable Session | Plaza 1

(In-House Only) (Lunch Served)

Facilitators: Kyle Sipples, *Autosaver Group*

Kate Uding, *Luther and Landers Automotive Groups*

Leila Qutami, *Galpin Motors, Inc.*

1:00 to 2:00 pm

Session 3: EVs: The End of Franchising? | Salon 1 & 2

Speakers: Anthony Bento, *CNCDA*

Michael McMahan, *ArentFox Schiff*

Ford, JLR, and other manufacturers are using electric vehicles as an excuse to rewrite the franchise arrangement. Threats to the entire model are on the rise, and strong defense of our franchise laws are necessary. This session will cover pending disputes, preview upcoming disputes, and cover state laws that protect dealers.

2:00 to 2:30 pm

Break | Salon 1 & 2 Foyer

2:30 to 3:30 pm

Session 4: Website Accessibility – Compliance and Defense

Strategies | Salon 1 & 2

Speakers: Anthony Bento, *CNCDA*

Kaye Lynch-Sparks, *NADA*

Angelique Strong Marks, *Cars.com*

Over the past couple years, dealers have been hit with a wave of lawsuits alleging noncompliance with Americans with Disabilities Act (ADA) due to the design of their websites. The ADA predates the commercial Internet and courts have struggled with how to apply the law to business websites; and the dynamic nature of dealership websites makes compliance difficult. This panel will provide an overview of the current state of the law on website accessibility and discuss compliance and defense strategies for dealer counsel.

3:30 to 3:45 pm

Break | Salon 1 & 2 Foyer

3:45 to 4:45 pm

Session 5: Are You Listening? The Cars We Drive Say a Lot About

Us | Salon 1 & 2

Speakers: Andrea Amico, *Privacy4Cars*

Eric Johnson, *Hudson Cook*

This Session will discuss the collection of and access to consumers' personal information in a motor vehicle, who may be impacted by consumers' personal information found in a motor

vehicle, what laws and regulations may be impacted by such information collection, including the FTC's Safeguards Rule, the potential penalties, litigation and enforcement for not following these laws and regulations, and recommended actions a motor vehicle dealer should take with respect to a consumer's personal information found in a motor vehicle.

5:00 to 6:30 pm

Reception | OceanFront Lawn (Inclement Weather Location:

Salon 3)

Sponsored by:



TUESDAY, MAY 2

7:00 am

Registration | Foyer

7:00 to 8:15 am

Breakfast | Salon 3

Sponsored by:



8:15 to 8:30 am

Opening Remarks | Salon 1 & 2

8:30 to 9:30 am

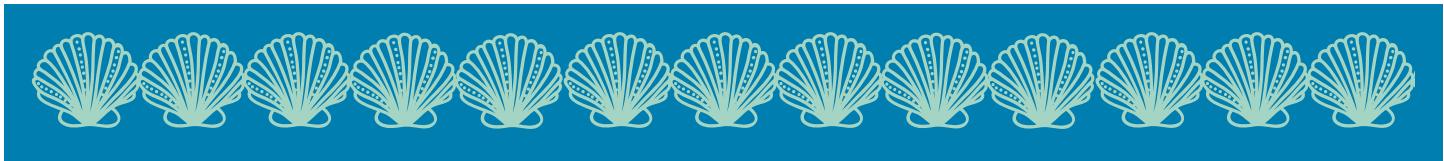
Session 6: Rebirth of Customer Satisfaction Indices-A Modern Day Punitive Weapon | Salon 1 & 2

Speakers: Paul Addison, *The Fontana Group*

Joseph Roesner, *The Fontana Group*

Ron Smith, *Stoll Keenon Ogden PLLC*

Historically, the most invalid and unreliable measurement utilized by Manufacturers/Distributors ("Manufacturers") the evaluation of dealership performance has been customer satisfaction indices ("CSI"). It's been so unreliable that, prior to the advent of incentive programs, Manufacturers paid little attention to the measurement as a predictor of dealership performance. Although the measurements resurfaced slightly during GM and Chrysler bankruptcy hearings, Manufacturers over the last five or so years have been attempting to re-establish the importance of CSI scores with the predictable result of penalizing dealers with an unreliable and invalid



Conference Schedule

statistical program. These CSI scores are increasingly being used to the economic detriment of dealerships:

- As incentives which condition new vehicle margins received by the dealership (after reducing gross profit margins), e.g., various award programs with economic ties to CSI performance.
- Support or threaten termination actions against the dealership.
- Denial of succession plans or buy-sells.

This presentation will include:

- History and background on CSI measures.
- The different CSI measures employed by Manufacturers will include the recent increase of Manufacturer use of a measurement called Net Promoter Score – its features and fallacies.
- Incentive programs tied to CSI.
- Examples of punitive actions taken by Manufacturers that employ CSI scores.
- The manipulation of CSI scores (intentional or unintentional?).
- Applying statistical analyses to attack the design and application of CSI measures.
- Recommended courses of action for dealers going forward.

9:30 to 9:45 am

Break | Salon 1 & 2 Foyer

Tuesday Refreshments Sponsored by:



9:45 to 10:45 am

Session 7: Transportation Transformation: Federal and State Mandates for Cleaner Vehicles, Greener Vehicles, and Fewer Vehicles | Salon 1 & 2

Speakers: Doug Greenhaus, NADA
Matthew Groves, CADA

Two dealer association experts will describe how an unprecedented array of federal and state mandates and incentives designed to “decarbonize” transportation are impacting the vehicles dealers sell, and even how, where, and when they may be operated. Learn how stricter emissions and fuel economy rules and EV and other alternative fuel requirements are changing how dealers interact with their household and commercial customers. Learn too how government investments and incentives from new federal tax credits to HOV lane access are also serving to drive change.

10:45 to 11:00 am

Break | Salon 1 & 2 Foyer

11:00 am to 12:00 pm

Session 8: Detecting Fraud – Dealing with Banks and the Manufacturer – from a legal perspective | Salon 1 & 2

Speakers: Charles Gallaer, ArentFox Schiff
Ken Rosenfield, Rosenfield & Co, PLLC

This session will cover how to detect fraud and deal with the bank and manufacturer from a legal perspective. The speakers will touch on bank fraud issues, manufacturer relations issues, employment issues, and insurance issues.

12:00 to 1:00 pm

Session 9: Selling a Dealership | Salon 1 & 2

Speakers: Justin Persaud, DSMA
Michael Semarie, Killgore, Pearlman, Semarie, & Squires, P.A.

This session will feature a discussion of curated topics related to the process of selling a dealership, with an emphasis on recently trending issues, including the expanding applicability of the Hart-Scott-Rodino Act, the growing prevalence of cross-border transactions, and a variety of tips on how to prepare the dealership for a sale.

1:00 pm

Closing Remarks and Adjourn | Salon 1 & 2

ADDITIONAL SPONSORS:



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OF DEALERSHIP
COMPLIANCE OFFICERS



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Local Activities



Historic Downtown Fernandina Beach

Amelia Island is a treasure trove of history and heritage. One of the best things to do in Amelia Island to learn about the more than 4,000 years of history is to walk along the brick streets of historic Fernandina Beach. Many of the buildings are on the National Register and several historic homes are now cozy B&Bs.

www.visitflorida.com/en-us/cities/fernandina-beach

Amelia Island State Park

For a relatively small island, Amelia is packed with some amazing Florida State Parks. These parks offer a variety of ways to enjoy the island's natural beauty, from lush forests to beach access to walking and biking trails with plenty of chances to spot wildlife.

<https://www.floridastateparks.org/parks-and-trails/amelia-island-state-park>



Amelia Island Museum of History

Amelia Island has a very interesting history and culture that comes from many different groups of people who have settled in the city since the beginning. Visitors can do self-guided tours but it is recommended to go for the 45-minute guided tour since the tour guides are very knowledgeable and explain the history in an engaging manner. Some of the information includes the history of African-Americans in the region and how the city was affected before, during and after the Civil War.

<https://ameliamuseum.org/>

Popular Restaurants

Joe's 2nd Street Bistro

Located in a restored 1900s home in downtown Fernandina Beach, Florida, Joe's 2nd Street Bistro features fresh, local seafood, certified angus beef and a unique wine list to fit all occasions. Open since 1998, Joe's has become a mainstay in Fernandina's historic district. With Chef/Owner Ricky Pigg and his wife Mari running the restaurant since 2012, Joe's has received regional and national acclaim and has become a local favorite.

14 S 2nd St, Fernandina Beach, FL 32034

(904) 321-2558

Joesbistro.com

Le Clos

Enjoy a memorable dining experience at Le Clos (be sure to make reservations well in advance). This excellent French restaurant has a long-established reputation downtown. Look for the charming cottage, circa 1906, with its white picket fence along the sidewalk.

20 S. 2nd Street, Fernandina Beach, FL 32034

(904) 261-8100

Leclos.com

Lagniappe Restaurant

The Louisiana French Creole use the term "lagniappe" to describe something that's "a little something extra," and that's exactly what chef owner Brian Grimley knows it takes to transform a dish from mere food into an experience you never forget. Inspired by the culture and flavors of New Orleans, Charleston and Savannah, Chef Grimley's Lagniappe Restaurant combines the traditions of the French Creole with unique twists on Southern culinary staples using only the freshest local ingredients. And should you wish to elevate your experience by imbibing one of the many cocktails on the menu, you'll choose from a range of both classic and new wave cocktails inspired by the eclectic spirit of the South.

4810 First Coast Highway, Fernandina Beach, FL 32034

(904) 844-2634

www.lagniappeamelia.com

Register Today! [click here.](#)

Hotel Deadline is Friday, April 7, 2023. [click here.](#)

The group rate is available until Friday, April 7th, unless it sells out earlier!