

IN THE MATTER OF

DETROIT AUTO DEALERS ASSOCIATION, INC., ET AL.

Docket 9189. Interlocutory Order, Jan. 27, 1994

ORDER

On December 13, 1993, counsel for respondent John L. Drummy, Sr. filed "Respondent's Unopposed Motion to Reconsider Decision As To Deceased Respondent, John L. Drummy, Sr." The Motion requests that the complaint against Mr. Drummy be dismissed and the order of February 22, 1989, be modified to delete his name because he passed away on November 30, 1993. The motion recites that Drummy Oldsmobile, Inc. will remain as a respondent. Complaint counsel do not oppose the motion.

The Commission has considered the motion and has determined to grant it. Accordingly,

It is ordered, That the complaint against John L. Drummy, Sr. be and hereby is dismissed.

It is further ordered, That the order of February 22, 1989, of the Commission be and hereby is modified to delete the name of John L. Drummy, Sr.

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IN THE MATTER OF

DETROIT AUTO DEALERS ASSOCIATION, INC., ET AL.

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ORDER

On January 3, 1994, counsel for McAlister Motors Inc. filed "Respondent McAlister Motors Inc.'s Second Superseding Motion to Reconsider Decision As To Its Status as a Respondent Because It Is Out of Business," requesting that the Commission dismiss the complaint against it and remove its name from the order of February 22, 1989.

McAlister Motors previously filed a similar request, but furnished an affidavit stating that its Toyota franchise had been sold to Audette Toyota. On September 28, 1993, the Commission issued an order directing that McAlister Motors file additional information on the issue whether Audette Toyota is a successor or assign within the meaning of the order of February 22, 1989. McAlister Motors has now provided evidence that its Toyota franchise was terminated at the time that the assets of the dealership were sold to Audette Toyota. Complaint Counsel does not oppose the motion.

The Commission has considered the motion and determined to grant it. Accordingly,

It is ordered, That the complaint against McAlister Motors, Inc. be and hereby is dismissed.

It is further ordered, That the order of February 22, 1989, of the Commission be and hereby is modified to delete the name of McAlister Motors, Inc.