



Coordinating Committee For Automotive Repair (CCAR®)

A Partnership of Industry, Education and Government

October 27, 2015

Margaret Samadi
Maune Raichle Hartley French & Mudd, LLC
1015 Locust Street, Suite 1200
St. Louis, MO 63101

Re: *Leona Robertson vs. 5 Star, et al.*

Dear Ms. Samadi,

Please find enclosed copies of documents that the Coordinating Committee For Automotive Repair (CCAR) was able to locate in response to the subpoena that we received yesterday.

S/P2 is a training product that is trademarked by U, Inc. – a for-profit organization based in the Kansas City area. CCAR has not had any involvement nor connection with S/P2 since 10/22/13. For more information regarding that product, you may want to contact them at;

Phone: **888.241.8332**

Email: info@sp2.org

Fax: **866.267.7606**

Mailing Address:

9200 Glenwood St.,

Suite 102

Overland Park, KS 66212

Sincerely,

A handwritten signature in blue ink, appearing to read 'Charles E. Ayers', with a long horizontal flourish extending to the right.

Charles E. Ayers
President

enclosures

729 East Dundee Road • Arlington Heights, Illinois 60004
Telephone: 888-476-5465 • Fax: 800-765-1615

Web: <http://www.ccar-greenlink.org>

SUBPOENA DUCES TECUM

IN THE CIRCUIT COURT FOR THE THIRD JUDICIAL CIRCUIT OF ILLINOIS,
MADISON COUNTY, EDWARDSVILLE, ILLINOIS

STATE OF ILLINOIS,)
COUNTY OF Madison) ss

The People of the State of Illinois
to the Sheriff of said County - GREETING:

WE COMMAND YOU TO SUMMON Custodian of Records: CCAR-Greenlink located at
729 East Dundee Road, Arlington Heights, Illinois 60004

if the y shall be found in your County, personally to be and appear on the 30 day of
November, A.D. 2015, before the Circuit Court of said
County, to be holden at the Courthouse in Edwardsville in said County, and to bring
with them and produce at the time and place aforesaid, to be used as evidence for the Plaintiffs
certain instrument s of writing purporting to be See attached Exhibit A.
In lieu of attendance, you may send all records to Margaret Samadi at
Maune Raichle Hartley French & Mudd, LLC at 1015 Locust Street, Suite 1200
St. Louis, Missouri 63101 before November 30, 2015.

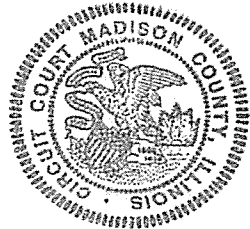
bearing date on or about the _____ day of _____

In the year of our Lord two thousand and _____

then and there to testify, and the truth to speak, concerning all and singular those things of which the y may
have knowledge, or the said instrument s of writing doth import of, and concerning a certain suit now
pending and undermined in the said Circuit Court wherein
Plaintiff Leona Robertson, Individually and as Special Administrator for the Estate of Dennis Robertson, deceased 14 L 1727

Defendant 5 Star, et al. in the plea of _____

on the part of the said Plaintiff And this the y shall in nowise omit,
under penalty of what the law directs; and have you then and there this writ, with an endorsement thereon in what
manner you shall have executed the same.



Witness, [Signature] Clerk of
our

said Third Judicial Circuit Court, and the Seal
thereof, at Edwardsville, Illinois this 23 day of
October A.D. 20 15

[Signature] Clerk



P.O. Box 26741
Overland Park, KS 66225-6741

Phone: 866-477-2669 • Fax: 800-765-1615
www.sp2.org



For Immediate Release
February 8, 2005

Contact: Robert G. Stewart
(913) 498-2227
stewart@ccar-greenlink.org

Ford Motor Company Advocates CCAR's "S/P2" Training to Ford and Lincoln-Mercury Dealers

**The Coordinating Committee For Automotive Repair's (CCAR)
"S/P2" online training in Safety and Pollution Prevention has
been promoted to Ford and Lincoln-Mercury dealers by Ford
Motor Company for "use as part of an overall environmental
awareness plan."**

OVERLAND PARK, KAN. – Ford Motor Company has advocated the Coordinating Committee For Automotive Repair's (CCAR) "S/P2" online training in Safety and Pollution Prevention to Ford and Lincoln-Mercury dealers across the United States.

"S/P2 is industry-recognized and recommended for dealership use as part of an overall environmental awareness plan," said Al Rocker, Field Operations Manager/ Technical Service Operations, Ford Customer Service Division. "Ford and Lincoln Mercury Dealers are encouraged to participate in the S/P2 training, which can play a valuable role in the important task of safety and environmental stewardship in both the collision repair and service repair departments."

Ford Motor Company, a global automotive industry leader based in Dearborn, Mich., manufactures and distributes automobiles in 200 markets across six continents. With more than 327,000 employees worldwide, Ford's core and affiliated automotive

(more)

brands include Aston Martin, Ford, Jaguar, Land Rover, Lincoln, Mazda, Mercury and Volvo. Its automotive-related services include Ford Motor Credit Company and The Hertz Corporation.

CCAR's S/P2 is an Internet-based training that addresses key safety and pollution prevention issues for automotive repair professionals. It has been crafted to adhere to U.S. EPA and OSHA standards, which require that shop personnel be trained when they start work and at least annually on safety and environmental regulations.

"Ford is to be congratulated for its environmental focus on behalf of its more than 4,400 dealers across the United States," said Lirel Holt, CCAR Chairman of the Board. "We look forward to an ongoing partnership with Ford Motor Company as we seek to make the world a cleaner and safer place for everyone, create a healthy workforce environment, and enhance the daily lives of all who work in the industry."

S/P2 is also provided free of charge to automotive schools and training programs throughout the U.S. Currently, over 1,600 schools have access to the S/P2 courseware, representing a student audience of more than 130,000. S/P2 tracks technician/student progress through the training, grades tests and is constantly updated as changes occur in federal and state laws.

CCAR, a 501(c)(3) not-for-profit organization, also operates "CCAR-GreenLink[®]," the National Environmental Compliance Assistance Center for Automotive Repair, in cooperation with the U.S. Environmental Protection Agency (EPA).

For more information on **S/P2**, visit its web site at www.sp2.org or call toll-free at 1-866-477-2669.

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A joint press conference by Ford Motor Company and the Coordinating Committee For Automotive Repair was held at the recent National Automobile Dealers Association Convention & Exposition in New Orleans to announce Ford's advocacy of the CCAR "S/P2" online training in Safety and Pollution Prevention to its dealers across the U.S. Present at the announcement were (left to right) Lirel Holt, CCAR Chairman; Dee Ann Riegle Torres, CCAR Outreach; Lee Cork, Manager, Technical Career Entry Programs, Technical Support Operations, SEO, Ford Customer Service Division; David McClain, Manager, Field Operations, Technical Support Operations, SEO, Ford Customer Service Division; and Robert G. Stewart, CCAR President.



Coordinating Committee For Automotive Repair (CCAR®)

A Partnership of Industry, Education and Government



**For Immediate Release
March 14, 2005**

Contact: Robert G. Stewart
(913) 498-2227
stewart@ccar-greenlink.org

Ford Motor Company Adopts CCAR's "S/P2" Training to Technical Career Entry Programs

Ford Motor Company has adopted the Coordinating Committee For Automotive Repair's (CCAR) "S/P2" online training in Safety and Pollution Prevention as part of the company's Technical Career Entry Programs.

OVERLAND PARK, KAN. – The Coordinating Committee For Automotive Repair (CCAR) announces that Ford Motor Company has adopted CCAR's "**S/P2**" online training in Safety and Pollution Prevention and will incorporate it into the company's "Technical Career Entry Programs."

"Among Ford Motor Company, our dealers, and the schools that make up our Technical Career Entry Programs, there is a shared commitment: to protect the environment, as well as the health and safety of students," said Lee Cork, Manager, Technical Career Entry Programs, Technical Support Operations, SEO, Ford Customer Service Division. "The adoption of **S/P2** and our partnership with CCAR is a further demonstration of this commitment."

S/P2 is Internet-based education developed by CCAR to address key safety and pollution prevention issues for automotive repair professionals. The training is based on

(more)

P.O. Box 26741 • Overland Park, Kansas 66225-6741
Telephone: 913-498-2227 • Fax: 913-681-3033

Web: <http://www.ccar-greenlink.org>

U.S. EPA and OSHA standards, which require that shop personnel be trained when they start work and at least annually on safety and environmental regulations.

CCAR provides **S/P2** free of charge to automotive training programs, and more than 1,650 schools representing over 138,000 students currently have access to the training.

"With the addition of **S/P2**, the Ford Technical Career Entry Programs schools are providing students with a high level of awareness and self-compliance with OSHA and EPA laws," said Cork. "This is in keeping with our vision of being the premier programs in the global automotive industry for the training and placement of new manufacturer-specific service technicians."

Ford's technical education programs involve a comprehensive series of career-entry programs ranging from high school outreach to two-year college degrees, offered at more than 130 schools across the U.S.

"We are pleased to extend our work with Ford to the schools in its network of technical education," said Robert G. Stewart, CCAR President. "Ford and CCAR have a common goal, to increase the industry's level of awareness in the area of safety and pollution prevention for auto repair, and we know that carrying this message via the schools that are training the coming generation of technicians is a vital step."

CCAR, a 501(c)(3) not-for-profit organization, also operates "CCAR-GreenLink[®]," the National Environmental Compliance Assistance Center for Automotive Repair, in cooperation with the U.S. Environmental Protection Agency (EPA).

For more information on **S/P2**, visit its web site at www.sp2.org or call toll-free at 1-866-477-2669.

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Ford Motor Company and CCAR representatives working to bring the S/P2 online training in Safety and Pollution Prevention to the Ford Technical Career Entry Programs are (left to right) Al Rocker, Manager, Technical Training Field Operations, Technical Support Operations, SEO, Ford Customer Service Division; Lirel Holt, CCAR Chairman; Dee Ann Riegle Torres, CCAR Outreach; and Lee Cork, Manager, Technical Career Entry Programs, Technical Support Operations, SEO, Ford Customer Service Division.

**For Immediate Release
April 28, 2006**

Contact: Jennifer Penland
(888) 686-4445
hazmat@ccar-greenlink.org

Ford Motor Company Recommends “HazmatU” to Dealers

Ford Motor Company has recommended the “HazmatU” online training provided by the Coordinating Committee For Automotive Repair (CCAR®) to its network of dealers as part of their environmental awareness training for employees.

OVERLAND PARK, KAN. – Ford Motor Company has recommended “HazmatU,” the Internet-based training program from the Coordinating Committee For Automotive Repair (CCAR®), to Ford and Lincoln-Mercury dealers across the U.S.

“Regulatory requirements for the transportation of hazardous materials are complex, and automotive dealerships are searching for understandable information that can be put into practical use,” said Leo Hughes, Manager, Technical Training Operations, Technical Support Operations/SEO, Ford Customer Service Division. “HazmatU offers Ford and Lincoln-Mercury dealers with a source of training that has been designed around a dealership’s day-to-day operations, and we encourage them to participate.”

Ford Motor Company, a global automotive industry leader based in Dearborn, Mich., manufactures and distributes automobiles in 200 markets across six continents and has more than 300,000 employees worldwide.

The HazmatU training provides a clear and accurate understanding of the U.S. Department of Transportation (DOT) regulations for the transport of hazardous materials, also known as “HazMat.” Among the typical hazardous materials shipped by an automotive dealership are: air bags, seat-belt pretensioners, brake boosters, compressed gas shocks and lifts, batteries, paint, adhesives, solvents and hazardous waste.

The North American Automotive Hazmat Action Committee (NAAHAC), a group of regulatory compliance specialists representing the major automotive manufacturers in North America, selected CCAR – working in cooperation with ShipMate, Inc., a HazMat specialty training company based in Torrance, Calif. – to develop and provide the **HazmatU** training.

“Ford’s review and recommendation of **HazmatU** is another demonstration of the company’s environmental focus that encompasses more than 4,400 dealers,” said Robert G. Stewart, CCAR President. “We are proud that our partnership with Ford Motor Company has expanded to provide a means for dealerships that are involved with the transportation of hazardous materials to meet the DOT requirements that employees be trained, tested and certified in the regulations.”

HazmatU is available for a \$299 annual subscription per facility, which allows a dealership to train an unlimited number of employees during the year.

CCAR is a 501(c)(3) not-for-profit organization that also operates the National Environmental Compliance Assistance Center for Auto Repair – CCAR-GreenLink® – in cooperation with the United States Environmental Protection Agency.

For more information on **HazmatU**, visit the web site at www.hazmatu.org or call toll-free to 1-888-686-4445.

#####



7/17/2006

«account_name»
Attn: «first_name» «last_name»
«street_address»
«city», «state» «zipcode»

Dear «first_name»:

As a Ford dealership, you received very important communication from the Ford Motor Company earlier this year. In EFC0600143 – NEW HazmatU Training for Dealership Personnel, it is recommended that your dealership consider HazmatU & S/P2 from the Coordinating Committee for Automotive Repair (CCAR®) as part of your environmental awareness training plan.

Ford's Technical Support Operations and Retailer Education & Training have reviewed the training and recommend it as training tailored specifically to the automotive industry and dealership personnel.

CCAR®, a not-for-profit 501(c)(3) corporation established in 1994 administers and operates these programs. CCAR operates the U.S. Environmental Protection Agency's (EPA) Compliance Assistance Center for auto repair. ShipMate, a HazMat specialty training company, developed and will maintain the HazmatU content of the program based on its longtime experience with the Department of Transportation (DOT).

Regulatory requirements are complex, and automotive dealerships are searching for resources to help translate regulations so they can be put into practical use. Employees are required by law to be trained, tested and certified in the regulations.

Dealerships that are currently obtaining training material or courses from outside consultants are receiving material that may not be tailored to the automotive industry. Content may be very general, with much of it outside the scope of the dealership's day-to-day operations. This can lead to spending excess time and money on training that is not relevant to your business.

Dealerships are encouraged to consider HazmatU and S/P2 training from CCAR/ShipMate as a tool to train appropriate dealership personnel.

The annual cost is \$299 for either the HazmatU or S/P2 program. Access allows you to train ALL appropriate staff at that facility annually for one fixed price.

Due to the existing relationship between Ford and CCAR, a "bundle discount" is available:

Hazardous Materials Online Program – Retail Price:	\$299*
S/P2 Safety and Pollution Prevention – Retail Price:	\$299
Total Retail:	\$598
Less Bundle Discount for Both Programs:	(\$150)
Bundled Price for Both Programs:	\$448

* A \$75 per seat price is available for HazmatU.



Benefits:

- Allows easy tracking/reporting of usage and verification
- Places Ford Motor Company dealers in a positive industry position on support for OSHA/EPA/DOT compliance requirements
- Provides proof to Federal agencies of Ford Motor Company dealership overall commitment
- Provides dealership specific proof of compliance for training in all significant areas
- Non-technical fixed operations personnel will receive HazMat training credit as a Certification Elective in STARS2
- HazmatU training will be provided, along with S/P2, to students who participate in Ford Technical Career Entry Programs, including ASSET, FACT, and MLR.

We believe that HazmatU and S/P2 can be a valuable part of your efforts in the important task of safety and environmental stewardship in both the collision repair, service repair and parts departments.

For more information and to access the HazmatU and S/P2 web training courses, contact CCAR at 913-498-2227, or visit the websites at www.hazmatu.org or www.sp2.org.

Sincerely,

Al Rocker
Field Operations Manager, Technical Support Operations/FCSD Service Engineering



Ford Motor Company

Technical Support Operations
1555 Fairlane Drive
Allen Park, MI, 48101

June 11, 2007

Mr. Robert G. Stewart
President
Coordinating Committee for Automotive Repair

Mr. Stewart,
Due to numerous inaccuracies and problems associated with the content of the CCAR Safety and Pollution Prevention (SP2) training, Ford Motor Company hereby notifies CCAR that it withdraws all recommendations or support for the SP2 training program of any kind, and instructs CCAR to cease referencing Ford Motor Company in any materials or communications relating to Safety and Pollution Prevention (SP2) training.

Regards,

A handwritten signature in cursive script, appearing to read "Al Rocker".

Al Rocker
Field Operations Manager
Technical Support Operations

August 26, 2013

VIA EMAIL (stewart@ccar-greenlink.org); and
FIRST CLASS MAIL

Robert G. Stewart
Coordinating Committee for Automotive Repair
7201 West 129th Street, Suite 200
Overland Park, KS 66213

Re: Infringement of Ford Trademarks

Dear Mr. Stewart:

This law firm represents the Ford Motor Company ("Ford") in intellectual property and trademark enforcement matters. Ford owns numerous trademarks including without limitation FORD®, the FORD BLUE OVAL®, and their related design marks (collectively the "Ford Marks"). Use of the Ford Marks, or any confusingly similar variations thereof, without Ford's express, written authorization, violates United States Federal Law, is misleading to the public, and constitutes a misappropriation of the goodwill and reputation developed by Ford.

It has recently come to Ford's attention that Coordinating Committee for Automotive Repair ("CCAR") has continued to use the Ford Marks and to advertise that Ford supports CCAR's SP2 training program, despite Ford's previous instruction to CCAR that CCAR "cease referencing Ford Motor Company in any materials or communications relating to Safety and Pollution Prevention (SP2) training." Additionally, CCAR is inappropriately using the Ford Marks in other ways, such as listing Ford as a "Client," or listing Ford under the "Alliances" tab of the website. Ford is also listed as supporting HazmatU through membership in the NAAHAC. All of these uses are misleading to the public and inappropriate. Ford does not support or endorse these programs. Attached is a copy of Ford's cease and desist letter to CCAR, dated June 11, 2007, for your reference.

Below are images found at ccar-greenlink.org showing CCAR's current trademark infringement and CCAR's false advertising wherein CCAR is falsely advertising an affiliation with Ford when no such affiliation exists:



Acura



BMW



Buick



Cadillac



Chevrolet



Chrysler



Dodge



Fiat



Ford

See <http://ccar-greenlink.org/About/Clients.php>

- Became the fastest voluntarily adopted curriculum ever in vocational/career schools in the United States
- Sponsored by Toyota Motor Sales, U.S.A., Inc., for its T-TEN schools
- Adopted by American Honda Motor Company for its Professional Automotive Career Training (PACT) program
- Incorporated in major student technician competitions:
 - National Automotive Technology Competition for high school students held in conjunction with the New York International Auto Show
 - SkillsUSA National Championships for automotive service technology students
 - Ford/AAA Student Auto Skills Competition

HazMatU:

- Introduced in 2005 to address Department of Transportation (DOT) requirements for Hazardous Materials training
- Developed in cooperation with the North American Automotive HazMat Action Committee (NAAHAC) whose members include:
 - American Honda Motor Co., Inc.
 - Mercedes-Benz USA
 - BMW of North America, LLC
 - Mitsubishi Motor Sales America
 - Chrysler Corporation
 - Nissan Motor Manufacturing Corporation USA
 - Ford Motor Company
 - Toyota Canada Inc.
 - General Motors Corporation
 - Toyota Motor Manufacturing N.A., Inc.
 - Honda of America Manufacturing, Inc.
 - Toyota Motor Sales
 - Hyundai Motor America
 - Volkswagen Canada Inc.
 - Kia Motors America, Inc.
 - Volvo Cars of North America, LLC
- Designed for individuals working in the automotive industry to gain clear and accurate understanding of HazMat handling regulations
- Helps dealerships, distribution centers and other facilities avoid costly violations

See <http://ccar-greenlink.org/About/CompanyFactSheet.php>

NAAHAC is a group of regulatory compliance specialists representing the following automotive manufacturers and suppliers:

ARC Automotive, Inc.
Autoliv ASP, Inc.
BMW of North America, LLC
Chrysler LLC
Chrysler LLC - MOPAR Parts Division
Delphi Corporation
Delphi Electronics and Safety
Ford Motor Company

See <http://www.hazmatu.org/about.php>

The law is well-settled that an independent retailer cannot use a manufacturer's trademarks, or even variations of such trademarks, such as the world-famous BLUE OVAL® in advertising, in its business name, on signage, in telephone listings, on stationery, in answering the telephone, in advertising products, or otherwise, and judges typically award significant damages against organizations that do so. See e.g. *Volkswagen Aktiengesellschaft v. Uptown Motors*, 1995 WL 605616, *1 (S.D.N.Y. 1995) (awarding Volkswagen \$221,000 in damages as measured by service center's revenues when service center displayed VW and Audi logos in its yellow pages advertisements); *Harley-Davidson, Inc. v. Grottanelli*, 164 F.3d 806 (2d Cir. 1999) (enjoining motorcycle repairer from using manufacturer's "bar-and-shield" logo in signage and in advertisements).

Further, CCAR's references to Ford Motor Company, as shown above, are misleading to the public, constitute false advertising, and create the impression that Ford is affiliated with CCAR or supports CCAR when no such affiliation or support exists.

This letter is intended to secure CCAR's voluntary agreement to cease from violating Ford's intellectual property rights and to cease its false advertising. Ford requires that you sign the below-attached Agreement and return it to our office by no later than **September 9, 2013**. If we have not received a signed copy of the Agreement from you by the close of business on that day, we will infer that you are unwilling to resolve this matter voluntarily and we will advise Ford to proceed with further action against you.

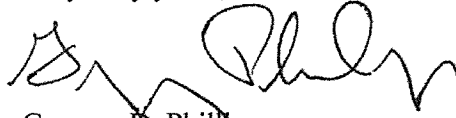
CCAR may be infringing or violating Ford's rights in ways other than those set forth above. The list set forth above is not intended to be comprehensive, and Ford reserves the right to bring to your attention other matters that Ford believes infringe or dilute its trademarks and trade dress, or constitute false advertisement.

This letter is without prejudice to all rights of Ford, including past or future royalties, past or future damages, attorneys' fees, and to bring enforcement actions for all past or future infringement, dilution, unauthorized uses, or false advertisement.

August 26, 2013
Page 4 of 5

Should you have any questions concerning Ford's position in this matter, please do not hesitate to contact me.

Very truly yours,



Gregory D. Phillips

GDP:sv
cc: Ford Motor Company

AGREEMENT

By execution of this Agreement, Robert G. Stewart, individually and on behalf of Coordinating Committee for Automotive Repair (collectively "CCAR"), agrees to immediately cease and desist from all unauthorized uses of any trademark of Ford Motor Company (the "Ford Marks") and to cease and desist from all false advertisement in connection with any products, services, advertisements, promotional literature, promotional telecasts, broadcasts, signage, on the Internet, or otherwise, in connection with the advertisement or sale of any product, part, good, or service.

Specifically, by way of illustration and without limiting the general agreement expressed above, CCAR agrees that it will immediately, and by no later than **September 9, 2013**, cease and desist all unauthorized use of Ford Marks in any manner, and cease and desist from falsely advertising any affiliation between CCAR and Ford, including, but not limited to, listing Ford as a "Client," listing Ford under the "Alliances" tab of the website, and/or stating or implying that Ford supports HazmatU through membership in the NAAHAC.

CCAR further agrees and acknowledges that any violation or breach of this Agreement will cause irreparable harm to Ford, and that Ford will be entitled to both a preliminary and permanent injunction against it for any violation of this Agreement, as well as any other remedy allowed by law. CCAR further agrees that if it breaches this Agreement, it will pay all costs incurred by Ford in enforcing this Agreement, including reasonable attorneys' fees, whether incurred with or without suit or before or after judgment.

AGREED TO:

COORDINATING COMMITTEE FOR AUTOMOTIVE REPAIR

Signature:

Robert G. Stewart, individually and on behalf of
Coordinating Committee for Automotive Repair

Date: _____

September 17, 2013

VIA EMAIL (cea@ccar-greenlink.org); and
FIRST CLASS MAIL

Charlie Ayers, President and C.E.O.
Coordinating Committee for Automotive Repair
7201 West 129th Street, Suite 200
Overland Park, KS 66213

Re: Infringement of Ford Trademarks

Dear Mr. Ayers:

Please find enclosed correspondence addressed to Robert G. Stewart, dated August 26, 2013 (hereinafter "Demand Letter"). Because we have not received any response from Mr. Stewart and the infringement referenced in the Demand Letter still remains at CCAR-greenlink.org, we are now writing you in an attempt to resolve this matter.

Please see the images and links provided in the Demand Letter. As explained therein, CCAR's references to Ford Motor Company are misleading to the public, constitute false advertising, and create the impression that Ford is affiliated with CCAR or supports CCAR. Ford does not support or endorse any of the programs listed at CCAR's website and Ford demands that all references to Ford Motor Company and all Ford trademarks (i.e. the Ford Blue Oval) be removed immediately.

You should be aware that the Lanham Act imposes serious consequences on those who engage in trademark infringement. More specifically, 15 U.S.C. § 1117(c) provides:

"In a case involving the use of a counterfeit mark ... in connection with the sale, offering for sale, or distribution of goods or services, the plaintiff may elect ... an award of statutory damages for any such use in connection with the sale, offering for sale, or distribution of goods or services in the amount of—

- (1) not less than \$500 or more than \$100,000 per counterfeit mark per type of goods or services sold, offered for sale, or distributed, as the court considers just; or
- (2) if the court finds that the use of the counterfeit mark was willful, not more than \$1,000,000 per counterfeit mark per type of goods or services sold, offered for sale, or

distributed, as the court considers just.”

This firm has represented several clients in cases where an infringer refused to cease its unauthorized use of our clients’ trademarks. The liability for such a decision can be substantial. *See Audi AG v. D’Amato*, 469 F.3d 534 (6th Cir. 2006) (affirming grant of summary judgment in favor of Audi, affirming transfer of AUDISPORT.COM to Audi, and affirming award of fees to Audi, determined in later proceedings to be \$139,254.50); *Ford Motor Company v. Cross*, 441 F. Supp. 2d 837 (E.D. Mich. 2006) (transferring domain name FoMoCo.com to Ford, enjoining use of FoMoCo trademark, and awarding Ford \$138,288.89 in damages and fees); *General Motors Corporation v. E-Publications LLC*, 2001 WL 1798648 (E.D. Mich. 2001) (enjoining use of the business names “Restore GM” and “Restore GM Muscle,” and awarding General Motors \$13,646.34 in fees and costs).

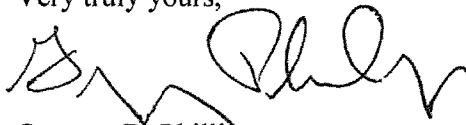
Ford desires to resolve this matter with you amicably; however, in order to do so your prompt response to our communications is required.

Please confirm in writing that the infringement has been removed from CCAR’s website and provide a signed copy of the attached agreement on or before **September 24, 2013**. If we have not heard from you by that date we will assume that you do not intend to reach an amicable resolution of this matter and we will advise Ford to proceed with further action against you.

This letter is without prejudice to the rights of Ford, all of which are expressly reserved.

If you have any questions regarding Ford’s position in this matter, please do not hesitate to contact me.

Very truly yours,



Gregory D. Phillips

GDP:sv

cc: Ford Motor Company

AGREEMENT

By execution of this Agreement, Charlie Ayers, individually and on behalf of Coordinating Committee for Automotive Repair (collectively "CCAR"), agrees to immediately cease and desist from all unauthorized uses of any trademark of Ford Motor Company (the "Ford Marks") and to cease and desist from all false advertisement in connection with any products, services, advertisements, promotional literature, promotional telecasts, broadcasts, signage, on the Internet, or otherwise, in connection with the advertisement or sale of any product, part, good, or service.

Specifically, by way of illustration and without limiting the general agreement expressed above, CCAR agrees that it will immediately, and by no later than **September 24, 2013**, cease and desist all unauthorized use of Ford Marks in any manner, and cease and desist from falsely advertising any affiliation between CCAR and Ford, including, but not limited to, listing Ford as a "Client," listing Ford under the "Alliances" tab of the website, and/or stating or implying that Ford supports HazmatU through membership in the NAAHAC.

CCAR further agrees and acknowledges that any violation or breach of this Agreement will cause irreparable harm to Ford, and that Ford will be entitled to both a preliminary and permanent injunction against it for any violation of this Agreement, as well as any other remedy allowed by law. CCAR further agrees that if it breaches this Agreement, it will pay all costs incurred by Ford in enforcing this Agreement, including reasonable attorneys' fees, whether incurred with or without suit or before or after judgment.

AGREED TO:

COORDINATING COMMITTEE FOR AUTOMOTIVE REPAIR

Signature:

Charlie Ayers, individually and on behalf of
Coordinating Committee for Automotive Repair

Date: _____