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Mercedes-Benz dealer sues independent dealer

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Bill Ussery Motors' **Mercedes-Benz** of Coral Gables filed a lawsuit this week against Palmetto Sport Cars, alleging that the independent dealership is selling the high-priced sports cars without being an authorized Mercedes-Benz dealership.

The lawsuit alleges that Palmetto Sport Cars acquired new Mercedes vehicles from an out-of-market dealer and illegally offered these new vehicles for sale, in violation of a Florida law that protects car dealers from unfair competition.

The suit alleges that the manufacturer's records still reflect that most of these cars, if not all, are still in the inventory of the out-of-market dealer.

The suit asks a judge to stop the dealership from selling the cars and to levy damages to make up for the money Bill Ussery has lost as a result of the unfair competition.

"Florida statutes governing franchise dealerships are designed to protect legitimate business enterprises from those who engage in unfair methods of competition, or unconscionable, deceptive or unfair business practices," said Alex Kurkin of Miami-based law firm **Kurkin Brandes** LLP, the attorneys for Bill Ussery Motors.

"Palmetto became a de facto Mercedes-Benz dealership in wanton violation of the law," Kurkin said.

Calls to **Palmetto Sports Cars** were not returned.

Kurkin said this isn't the only dealership that engages in this practice and he expects other lawsuits will be filed.

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