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News

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Lawsuit Filed in British Columbia Against Auto Manufacturers

Mar 24, 2008

UCanImport Publications ("UCanImport") announces that the Company is supporting the British Columbia-based law firm, Dinning Hunter Lambert & Jackson, which has filed a lawsuit in British Columbia against various auto manufacturers for practices in contravention of Canada's Competition Act. UCanImport has agreed to act as a conduit for this lawsuit by hosting related information and registration documentation on its web site at www.UCanImport.com.

Lawsuit Allegations

The lawsuit, filed on February 26 2008, at Victoria, British Columbia, alleges that BMW Canada Inc., Hyundai Auto Canada Corp., Hyundai Canada Inc., Mercedes-Benz Canada Inc., Mitsubishi Motor Sales of Canada Inc., Subaru Canada Inc., Toyota Canada Inc., Volvo Cars of Canada and Volvo Group Canada Inc., have, contrary to the federally-regulated Competition Act, implemented unlawful policies designed to curtail imports from the United States into Canada. These policies include: preventing U.S. dealerships from selling new vehicles to Canadians, implementing new mandatory documentation requirements with exploitive fees for distribution, voiding OEM warranties, dictating unnecessary modifications and/or charging exploitive labour rates for modifications and/or inspections, as well as forcing Canadians to wait up to 90-days for the service and/or inspections deemed mandatory prior to vehicle registration. In addition, some manufacturers have refused to provide the mandatory documentation to Canadians, effectively blocking their vehicle certification in Canada.

The aim of these unlawful polices, the lawsuit alleges, is to curb cross-border vehicle purchases, thereby protecting regional distribution territories, and preferential pricing practices in the United States. Depending on the make and model, the price differential between MSRPs in Canada and the United States can be as high as 50%. Under normal market conditions of free trade and the economics of supply and demand, and with the present currency parity, the price difference is alleged to be unsupportable.

European regulators have already fined a auto manufacturers for similar restraint-of-trade practices in Europe.

Legal Counsel

Nearly 190,000 vehicles were imported from the U.S. into Canada during 2007, and a record year appears to be underway for 2008. Lead counsel for the lawsuit,

Mr. Wm. Rory Lambert of Dinning Hunter Lambert & Jackson, based out of Victoria, British Columbia, states, "It is our position that the trade barriers that have been erected by the named vehicle manufacturers are unlawful, and the purpose of our lawsuit is to force these manufacturers to comply with the law as well as obtain compensation for Canadian vehicle importers who have suffered losses as a result of these punitive policies."

How to Participate in the Lawsuit

If you are a resident of British Columbia or Alberta and have imported a vehicle from the United States, review the Statement of Claim to determine if you qualify as a plaintiff in this lawsuit. The Statement of Claim, as well as a Questionnaire and a Plaintiff Registration Form are currently available at www.UCanImport.com. Dinning Hunter Lambert & Jackson is seeking court approval for this lawsuit to become a "class action" suit, which it anticipates it will receive by June of 2008. If you register, you will be contacted for further details on your particular importation case.

Note that this lawsuit creates the opportunity for individuals who have lost money to recover it. However, submission of documentation does not obligate you to participate in the lawsuit. In addition, once class certification is obtained, you are not at risk to pay any costs if the suit is unsuccessful. The costs will be borne by the proposed representative plaintiff.

It is also expected that other car manufacturers will be added as defendants, prior to certification approval. If you have been adversely affected by these exploitive practices during a vehicle importation, but purchased from a manufacturer not currently named as a defendant, you are also encouraged to register.

About Dinning Hunter Lambert & Jackson

Dinning Hunter Lambert & Jackson has been providing a full range of legal services in Canada for over twenty-five years. The firm offers its expertise in areas such as complex litigation, aboriginal law, commercial and corporate law, immigration, insurance, personal injury, real estate, and estate law. Dinning Hunter Lambert & Jackson offers lawyers who are members of the bars of British Columbia, Alberta, and Saskatchewan.

About UCanImport Publications

UCanImport Publications is an educational company that teaches Canadians how to import vehicles from the United States into Canada. The Company operates the website www.UCanImport.com and has a large, national subscriber base to which it provides ongoing editions of a comprehensive step-by-step guide, a monthly eNewsletter, as well as an extensive online resource library. UCanImport has also forged partnerships with a number of U.S. and Canadian companies, including foreign exchange merchants, "Canadian-friendly" U.S. vehicle dealerships & auto brokers, vehicle transport companies, etc. For those Canadians who would prefer to have an expert at hand during their vehicle importation, UCanImport provides its expertise on a consulting basis.

For more information, visit www.UCanImport.com or the Company's blog at www.ucanimport.blogspot.com. You can also e-mail the Company at info@UCanImport.com.

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