

NORTH CAROLINA
LAWYERS WEEKLY
www.nclawyersweekly.com

Lawyers Weekly, Inc.

[Try 3 Free](#) | [Subscriber Services](#) | [Our Newspapers](#) | [Other Products](#) | [Advertise](#) | [Help](#)



Wealth Management for the Legal Industry
• Experience • Expertise • Focus

[Learn more >>](#)



From the January 01, 1995 North Carolina Lawyers Weekly.

[Order a REPRINT
of this Story](#)

Trial Reports

Tort/Consumer Protection

Unfair, Fraudulent Auto Distribution Practices Forced Dealer Out of Business -- Release Obtained By Fraud, Duress -- \$5.9 Million Settlement

Brief statement of claim: Toyota dealer alleged that defendants' unfair automobile distribution practices and other fraudulent schemes forced him out of business. He also alleged that a release obtained by defendants was obtained by fraud and signed under duress.

ADVERTISEMENT

Principal injuries (in order of severity): Loss of profits and distress sale of a Toyota dealership

Special damages: \$750,000 to \$1,000,000.00

Tried or settled: Settled

County where tried or settled: Durham

Case name and number: Toyota of Wilson v. J.M. Family Enterprises, Inc. et al (90 CvS 1398)

Date concluded: Settlement concluded August 1993 but agreed to keep settlement confidential until May 15, 1994 to allow defendants time to settle other similar cases.

Name of Judge: Anthony Brannon

Amount: \$5,900,000, which included a cash payment of \$5,750,000 and forgiveness of indebtedness of approximately \$150,000

Insurance carrier: n/a

Expert witnesses and areas of expertise: Cliff Thomas, C.P.A. (Raleigh, NC) and J.Finley Lee, Ph.D., economist

Attorneys for Plaintiff: Donald R. Strickland and Donald H. Beskind of Blanchard, Twiggs, Abrams & Strickland, P.A., Raleigh

Other useful info: Plaintiff's attorneys had previously prosecuted one of the defendants, Southeast Toyota Distributors, Inc., as private attorneys general, before the N.C. Division of Motor Vehicles for obstruction of justice and perjury in connection with a prior DMV proceeding. Judge Robert Collier, specially appointed to preside, found Southeast Toyota guilty of obstruction of justice. He fined the defendant \$3,000,000 and awarded attorney fees of \$750,000 plus cost, which is believed to be the largest fine ever assessed by the State of North Carolina. Plaintiff had planned to use Judge Collier's favorable findings at the upcoming trial.

© Copyright 1995 Lawyers Weekly Inc., All Rights Reserved.

**Order a REPRINT
of this Story**

[User Agreement For Subscriber-Only Online Benefits](#) | [Help](#) | [Our Privacy Policy](#)
Send any questions or comments to comments@lawyersweekly.com

Subscriber Services: 1-800-451-9998 **Technical Support:** 1-800-451-9998
© Copyright 2008 Lawyers Weekly, Inc. All Rights Reserved



Lawyers Weekly does not use spyware; however, we link to a number of other sites and do not take responsibility for any spyware they may use.

This site is best viewed with Internet Explorer 6 ([click here to download](#))

209.42.202.50/5.93