

Dear Collision Repair Owner & Manager:

In the news over the last few months, you may have read about the litigation that has been filed in several States by collision repairers, just like you, and even with their State associations. You may be wondering what this litigation is all about, or even thinking about becoming part of it?

The following document is to briefly explain why you should be involved, and how to become involved.

THE PRIMARY BENEFICIARY OF THE LITIGATION:

The ultimate beneficiary of this litigation is to the vehicle owners and families that are involved in an accident, and must utilize their insurance policy, or the policy of the other party, to have their vehicle repaired.

THE CORE PURPOSE OF THIS LITIGATION:

The core purpose of this litigation is to ensure that the vehicle is properly repaired to as close to pre-accident condition as humanly possible, that it is safe for the vehicle owners and their families, and that payments made by the insurance companies represent full payment to do so.

To accomplish this, it **MUST** be the sole responsibility of the collision repair professional to determine the proper repairs necessary utilizing the vehicle manufacturers' published repair procedures as the standard for repair, what parts, materials, and outside contracted services are to be used for the repairs, and what vendors to make their purchase decisions, without 3rd party intervention or control.

The Litigation is a very comprehensive law suit including most of the injustices our Industry has been subject to for over 50 years. These include:

- Steering and Deceptive Referrals by Violating the Vehicle Owners Right to Choose their Repairer
- Intimidation Tactics Used to Continue to Suppress the Industry
- Tortious Interference Between Repairs and their Customers, and Now Repairers and their Vendors
- Unjust Enrichment of the Insurers by Denying Payment for Operations Required
- Manipulation of the Estimating Systems by Selectively Ignoring Non-Included Operations
- Manipulation of the Market Rates Through Invalid Surveys and Information Provider Data
- Suppression of Industry Through Scorecards that are not Audited, Have Value, or with no Oversight
- Violation of the Right to Order Parts and Materials from the Vendors of Our Choice
- Placing the Vehicle Owners at Risk by Requiring Inferior Parts, Services, or Suppliers
- Imposing Private Business Agreement Rates to a Market
- Continuing to Violate the 1963 Consent Decree and Participating in Anti-Trust Violations

I firmly believe this litigation will change the industry, and restore the proper relationship between the Collision Repair Industry and the Insurance Industry. It does ask for damages that may exceed \$2000.00 per every vehicle you have repaired for the number of years your State allows in it statue. [In Indiana this is 6 years]

If you interested in more information, and how to become part of it, please contact me at: Director@iaba.info. There is an online presentation available explaining the litigation in more detail, and I can send you the forms necessary to become involved as well.

This is the time ... it is our time to right so many wrongs that we have accepted as how it is ... it is time to make a difference for our future, and the protection of the vehicle owner.

Tony Passwater
Executive Director - IABA