

## \*Ohio Applicants Only

### Introduction

Additional information regarding Lemon Law remedies may be obtained by contacting the Consumer Protection Section of the Ohio Attorney General's Office at 1-800-282-0515.

## \*Wisconsin Applicants Only

### Introduction

Additional information regarding Lemon Law remedies and the offset for use may be obtained by contacting the Wisconsin Department of Transportation, Division of Motor Vehicles, Dealer & Agent Section. You may also visit [www.dot.wisconsin.gov/safety/consumer/rights/lemonlaw](http://www.dot.wisconsin.gov/safety/consumer/rights/lemonlaw)

### Eligibility

Wisconsin applications may be received at any time; there is no time frame limiting eligibility.



## Administrator's Office

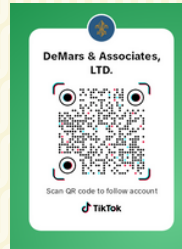


For additional information or an application, please contact:

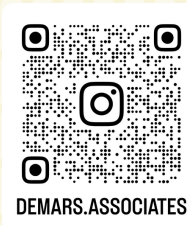
CAP-Motors  
DeMars & Associates, Ltd.  
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[www.demarsassociates.com](http://www.demarsassociates.com)  
(800) 279-5343



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CAP MOTORS  
**CONSUMER  
ARBITRATION  
PROGRAM**  
FOR MOTOR VEHICLES



**CAP MOTORS**

CONSUMER ARBITRATION PROGRAM  
Administered by DeMars & Associates, Ltd.

# Introduction

This guide provides basic information concerning CAP-Motors, the mediation and arbitration program for resolving disputes involving Porsche Cars North America products ("Program") under the Magnuson-Moss Warranty Act ("Act") and your state lemon law (the "Lemon Law"), where applicable. More details on program operations, or an application, can be obtained by contacting the Program Administrator, DeMars & Associates, Ltd. ("Administrator") at (800) 279-5343, press option 3 then 4, or at [www.demarsassociates.com](http://www.demarsassociates.com).

This program is free to qualifying Porsche owners, and all administrative fees, including the Mediator and Arbitrator fees, are paid in advance by the involved manufacturer.

The Program makes every effort to resolve cases within 40 days of the date the application is received. The 40 day timeline may be extended for a few limited reasons or at the consumer's request.

A consumer may be required to use this process before asking a court for the rights and remedies available under the Lemon Law. Additional information regarding Lemon Law remedies and the offset for use may be obtained by contacting your State Department of Consumer Affairs or State Attorney General's Office.\*

\* (Florida, Ohio & Wisconsin Consumers: please see specific contact & eligibility information at the end of this brochure).

## Eligibility

The Program reviews warranty related concerns. To be eligible for the Program, vehicles must be covered by the New Car Limited Warranty, Certified Pre-Owned Warranty or Porsche Approved Limited Warranty when the application is received.\* Disputes regarding conditions not covered by the Lemon Law are not eligible for arbitration.

To obtain an application, contact your Porsche dealer, manufacturer or the Program Administrator at (800) 279-5343 press option 3 then 4, or at [www.demarsassociates.com](http://www.demarsassociates.com).

The Administrator reviews the application to see if it meets the Program requirements. If the case does not meet eligibility requirements, the consumer will be notified in writing. If a consumer believes the ineligible determination was made in error, an arbitrator will consider a written request for appeal received within 30 days.

If the case is eligible, the consumer and manufacturer are notified in writing, a date is set for the arbitration hearing, and CAP-Motors initiates mediation when appropriate. Cases can be resolved through mediation or arbitration.

## MEDIATION

Mediation is a process in which parties to a dispute and a Mediator (a neutral person who is not part of the dispute) discuss possible solutions. The Mediator cannot make a decision for the parties, but a Mediator can help the parties reach a satisfactory agreement. When the case is opened, the Administrator will assign a Mediator who will attempt to resolve the case prior to the arbitration hearing when appropriate.

## ARBITRATION

In arbitration the parties agree to let an impartial person decide the case for them. The Arbitrator is not the same person who attempted to mediate the case. Any decision of the Arbitrator is binding on the manufacturer once the consumer accepts that decision, and the manufacturer is required to act in good faith in carrying out the terms of the decision.

## Required Forms

Once a case is deemed eligible, the parties are sent forms to complete. One form requests information about the vehicle and the repair history.

Another form requests information such as:

- (1) whether the party will be represented by an attorney
- (2) whether the consumer will be using an interpreter
- (3) any witnesses to be called by the party
- (4) the documents the parties want the Arbitrator to consider that have not already been submitted

## Hearing

Every effort is made to hold the hearing at a Porsche dealership.\* Arbitration hearings are open to the public as required by the Act.



### Representation

Any party may be represented by an attorney, however the attorney's name, address and telephone number must be submitted to the Administrator at least ten (10) days prior to the hearing, and any attorney's fees are the responsibility of the party. All parties must be represented by persons who have authority to settle the dispute.

### Preparation for Arbitration Hearing

All parties should come to the hearing prepared to present testimony, documents and other evidence on all aspects of the dispute, including information related to the solution the consumer is requesting. The parties should bring copies of all documents they have submitted to the Program and all documents they have received from the Program.

### The Vehicle

The consumer should have the vehicle at the arbitration hearing if the vehicle is operable and can be safely driven to the hearing. The Arbitrator may inspect the consumer's vehicle if a party requests the inspection or if the Arbitrator feels it would be beneficial. Additionally, the Arbitrator may test-drive or ride in the vehicle. The parties must be present on such inspection or ride unless a party waives its right to be present on the record.

The consumer must bring proof of current insurance coverage on the vehicle to the hearing.

### Scope of Decision

The Arbitrator will render a fair decision based upon the information gathered by the Program and upon any information provided by the parties. In addition, the Arbitrator will take into account all legal and equitable factors, including but not limited to the written warranty, the provisions of the Lemon Law, program rules and any other appropriate equitable factors.

### Available Awards

The Arbitrator is not authorized to award attorney's fees, consequential damages or lost wages.

The Arbitrator may award the following:

- - Refund of vehicle purchase price
- - A replacement vehicle
- - A further repair
- - Reimbursement for incidental expenses
- - No further action



## Hearing, contd.

**SPEED  
LIMIT**

### Time and Form of Decision

The Arbitrator will make a decision within ten (10) days of the date of the hearing. The decision is sent to the parties in writing and is signed by the Arbitrator. It includes a brief statement of the reasons for the decision. Customer has 10 days to accept or reject the decision rendered by the arbitrator.

### Reasonable Offset for Use

If the Arbitrator orders that the vehicle be replaced or repurchased, the consumer may be assessed a mileage charge for use of the vehicle. All parties will receive a Use Calculation Worksheet to reference during the mediation and/or arbitration to assist in determining a fair mileage charge.

### Compliance with Arbitrator's Decision

If the decision is in favor of the consumer, the manufacturer must complete the terms of the decision within thirty (30) days of the date the consumer accepts the decision. Compliance occurs on the date the consumer receives the award specified in the decision. If the manufacturer fails to comply within the time required the consumer must notify the Administrator in writing within ten (10) days.

A decision of the Arbitrator is binding on the manufacturer once it is accepted by the consumer. If the consumer rejects the decision, or the manufacturer fails to complete the terms of an accepted decision within the required time frame, the consumer may pursue other rights and remedies available under state or federal law. The Arbitrator's decision may be introduced into evidence by any party in subsequent legal proceedings.

## \*Florida Applicants Only

### Introduction

Additional information regarding Lemon Law remedies and the offset for use may be obtained by contacting the Florida Department of Agriculture and Consumer Services at 1-800-321-5366 or website at [www.800helpfla.com/lemonlaw](http://www.800helpfla.com/lemonlaw)

### Eligibility

Consumers may apply by phone to CAP-Motors by providing the following information: Name, Address, Phone Number, Make/Model of Vehicle, VIN, Brief Statement of Problem(s), and Statement of Relief Sought.

### Hearing

The hearing will take place within a 75 mile radius of the consumer's residence and will take place at a Porsche dealership when possible. If it is not possible to hold the hearing a Porsche dealership, or if the consumer objects in writing to the hearing location, the Administrator may assign an alternate hearing location.

