



The Office of
Minnesota Attorney General Keith Ellison
helping people afford their lives and live with dignity, safety, and respect • www.ag.state.mn.us

November 14, 2024

Minnesota Automobile Dealers Association
c/o Kiralyn J. Locke
Lathrop GPM LLP
80 South 8th Street, 3100 IDS Center
Minneapolis, MN 55402

VIA EMAIL ONLY
kiralyn.locke@lathropgpm.com

Re: Minnesota Automobile Dealers Association (MADA)

Dear Minnesota Automobile Dealers Association:

The mission of the Office of the Attorney General (“AGO”) is to help the people of Minnesota afford their lives and live with dignity, safety, and respect. One core function of this mission is protecting Minnesota consumers from consumer fraud, deceptive trade practices, false advertising, and other unlawful practices in business, commerce, or trade. The AGO conducts investigations and acts where appropriate to stop and deter fraud and other unlawful business practices to protect consumers. The AGO also participates in numerous coordinated investigations of potential fraudulent or unlawful conduct by multiple state and federal enforcers of consumer protection, including other state attorneys general, the Federal Trade Commission (“FTC”), and the Consumer Financial Protection Bureau (“CFPB”).

The AGO routinely investigates and takes action against companies engaged in deceptive marketing practices and unlawful or deceptive practices, including auto dealerships who have violated Minnesota law such as Minnesota’s Prevention of Consumer Fraud Act, Minn. Stat. § 325F.69, *et seq.*; Deceptive Trade Practices Act, Minn. Stat. § 325D.44, *et seq.*; False Statement In Advertisement Act, 325F.67; and sale of motor vehicles laws, *see* Minn. Stat. §§ 325F.662 – 325F.665. Enforcement actions taken by the AGO can, and do, include filing lawsuits against companies who have established a pattern and practice of illegal behavior.

It is our understanding that MADA is undertaking efforts to promote auto dealer compliance with Minnesota’s consumer protection laws and to encourage auto dealers not to engage in deceptive or misleading advertising practices. Should MADA identify dealers that it believes are engaging in a pattern and practice of using false and misleading advertisements, the AGO has informed MADA that it would welcome any reports of information about dealers engaging in false or deceptive practices, which may violate Minnesota’s consumer protection laws. As a general matter, many of the enforcement actions brought by the AGO are referred to us through organizations and consumer complaints identifying potential violations of Minnesota law. As a result, the AGO welcomes complaints from constituents on a large variety of matters, including auto dealer compliance with all applicable Minnesota laws.

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The AGO also welcomes opportunities to educate Minnesotans about Minnesota law. To that end, whether through in-person speaking opportunities or remote lunch-hour briefings, the AGO would be happy to assist MADA in its efforts to educate auto dealers about Minnesota's consumer protection laws.

Thank you for your work supporting non-deceptive advertising practices. Please do not hesitate to contact the AGO if we can provide further assistance or with any questions, concerns, or information about violations of Minnesota law that the AGO may address through its law enforcement tools.

Sincerely,

A handwritten signature in blue ink, appearing to read "JP Kuhl", is written over a large, faint circular watermark or stamp.

JASON PLEGGENKUHLE
Manager, Consumer Protection Division
Assistant Attorney General

(651) 757-1147 (Voice)
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