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Guest commentary: Florida case will decide if linking vehicle allocations to facility upgrades constitutes coercion

Additional vehicles, cash payments, and other benefits can encourage dealers to participate in manufacturer facility-upgrade programs. But when declining to participate puts a dealer at a significant competitive disadvantage, the line between incentive and coercion becomes less clear.

In an article for *Automotive News*, Day Pitney Partners Laurence Smith and Michael Fialkoff examine that divide through *The Collection, LLC v. Porsche Latin America, Inc.*, a notable Florida case involving a Porsche program that conditioned eligibility for discretionary vehicle allocations on facility upgrades. They explore whether the program offered dealers a permissible incentive or effectively penalized those that chose not to participate, as well as how the outcome could help courts evaluate similar disputes under state dealer-protection laws.

Read more here.

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