

Stolen Yukon ...

On the Plaintiff's Witness List, a customer relations manager at GMAC was shown as a possible witness. Her testimony was anticipated to be that she spoke with both the buyer and dealer and was told by the dealer representative that, "the Yukon was in service as a demo vehicle and that their employee had lent it, without permission, to a friend and that only a small amount of mileage was put on the vehicle while it was gone." That was a lie.

Because of the smallness of Cheyenne, incestuous-like relationships abound and the assigned district court judge, Nicholas Kalokathis, handed off the case to Tom Sullins of Casper. The well-connected are connected to the top of the food chain.

In the sworn deposition of the son, he said he had no knowledge that vehicles had been stolen off his lot. At the time the Yukon was stolen, a Denali was also stolen by another member of the burglary ring. It was also estimated that the dealership sells maybe an average of 60 new vehicles a month - from several lots, of several makes. But he didn't know that two of the most expensive models had been stolen? No one told him about that?

He also took the position that a car arriving from the manufacturer or another dealer which had never been titled was a new car - regardless of how many miles were put on it. He told about driving a demo for eight months himself and putting 18,000 miles on it, then sold it as new.

And that's fine. A potential buyer would know there were 18,000 miles on the odometer and could question who had put them on and how. But get the truth?

This stolen vehicle had about 4,000 miles on it and no one knew how many were put on before it was stolen and just how the miles were accumulated *while* it was stolen. The young guy who stole the Yukon referred to it as "my Yukon" and told police he had used the vehicle for "off-roading." The vehicle was filthy when recovered, full of electronic gear [stolen?], with a pair of gloves and a socket with handle on the rear seat - and a 5"-6" rigid-blade knife in the front console. Also, an employee parking permit for Lowe's was hanging from the rear view mirror.

The use of this stolen vehicle was audacious. First, stolen Colorado plates were put on the vehicle (they were still in the vehicle when recovered), then stolen "2" county Wyoming plates were affixed. They were still on the Yukon when it was recovered. It is uncertain whether the owners of the vehicles those plates rightfully belonged on ever filed a report of stolen plates.

The fact that no friend, relative, co-worker, boss, acquaintance - no one - ever questioned how a 19 year-old could afford to drive an '06 Yukon, a \$43,000 vehicle. And no one noticed that inside the vehicle there were several pieces of expensive electronics on the rear floor (they liked to steal XM radios - FROM THE SAME DEALERSHIP!). This guy had been in trouble with the law in the recent past.

He and his compatriots broke into as

many as twenty different Cheyenne businesses and stole various items and sometimes trashed the interior. He had even left the door open in a place where he worked so he could return later and steal things there that he coveted. Then, less than two years later, without steady high-paying employment, he could drive a \$43,000 Yukon without suspicion?

Going back to the dealers son's deposition, he was asked at what level of damage his firm would be required to inform a potential buyer of that damage. He said 70%. Shown state statutes, he agreed that the threshold was only 6%, not 70%.

There was a total of about \$3,600 of damages repaired after the Yukon was recovered. The purchase price was \$33,000 - damages amounted to about 11%.

The son had also told the AG's office that "the Yukon wasn't damaged physically in any way ..." What is a broken windshield - an emotional damage? The \$3,600 in damages were not physical? What, then?

The salesman on this deal and the general manager of the dealership at that point were also deposed. Besides being very critical of the honesty and integrity of that dealership, the salesman also was surprised that there was no MSRP sticker on the side window. The Yukon was supposed to be a new vehicle and should have had the sticker. The salesman could not find one in the file either. Obviously, the one that had been on the window was taken off after it was stolen so as not to draw unnecessary attention to the Yukon. That was another telltale sign that the Yukon sold to this buyer did not comply with being a "new" vehicle.

I called a friend of mine who has had a new car dealership in Minnesota for 35 years and outlined the issue to him and asked him how he would have handled the same situation.

He said that it isn't legally required that a dealer disclose that a vehicle has been stolen from the lot - no more than it is required for a consumer to inform him that the vehicle being traded in was stolen at some point. But he said it was stupid for the dealer not to disclose the information, particularly with all the damage. He said a number of concessions could have been offered to the consumer. A greater discount, extend the factory warranty, suggest an independent inspection be made by someone of the buyer's choice, etc.

Why didn't the dealer resolve the problem without the eventual settlement they were forced to make? In my opinion, it is because new car dealerships in Cheyenne do not have to fear exposure through the mainstream media. Meaning their secret is safe. Meaning the local daily newspaper and television station would never break a story like this one because so much advertising revenue is at stake. This is not the first cover-up by mainstream media and it won't be the last.

Before trial, the dealership agreed to pay \$20,000 cash and a \$10,000 product certificate. She keeps the Yukon.

Editor's note: I have not identified the dealership. It is one on Westland Road. If I am challenged by any dealer, I will name the dealership in the next issue.

You Can Help Hands in Harmony

Surely everyone in Cheyenne is familiar with the group, Hands in Harmony.

Their "signing" to upbeat and positive music brings hope and inspiration everywhere they perform.

Unfortunately, published reports indicate that a trusted insider allegedly stole nearly \$50,000 of the group's funds. As bad as that is, it provides an opportunity for the community to step up and confirm to

Hands in Harmony that they're appreciated. Fundraisers are being held around town. Culver's has challenged other local restaurants to match their plan to donate 10% of one day's proceeds to Hands in Harmony. The Anderson School Student Council has already held a fundraiser to benefit Hands. Cheyenne Herald readers can donate to Hands in Harmony, P.O. Box 104, Cheyenne WY 82003. Watch this paper and the WTE for announcements of future fundraisers.

Cheyenne Herald

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