



## Kevin E. Timson

SENIOR ASSOCIATE

Kevin brings more than 25 years of combined business and legal experience to ArentFox Schiff. He has served private and public company clients, with businesses ranging in size from \$500,000 to \$500 million in valuation.



### Industries

Automotive & Transportation  
— Automotive

— Managing Automotive Regulatory Compliance

### Practices

Complex Litigation  
Real Estate

### Education

New York Law School, JD  
Syracuse University, MPA  
Rice University, BA

### Offices

New York

### Phone

212.457.5513

### Email

[kevin.timson@afslaw.com](mailto:kevin.timson@afslaw.com)

### Client Work

Kevin has extensive experience representing automotive dealership clients on a range of legal matters, including M&A, real estate, business divorce, succession planning, customer and manufacturer settlements, disputes, and litigation, as well as real-estate financing, entity formation, and commercial contracts. His clients span the United States, though he has notable experience representing clients local to the Northeast. He also regularly counsels franchised automotive dealers on multi-store buy-sell transactions, manufacturer disputes, sales, customer service, and facility deficiencies, state DMV licensing, partner buy-ins and buy-outs, as well as the negotiation of management contracts.

Kevin is an active member of the National Association of Dealer Counsel. He has written articles in various trade publications and given presentations to state and regional motor vehicle and marine vessel associations across the country, including the New York State Automobile Dealers Association, Greater New York Auto Dealers Association, New York Independent Automobile Dealers Association, Massachusetts State Automobile Dealers Association, Minnesota Automobile Dealers Association, Kentucky Automobile Dealers Association, Marine Retailers Association of America and the New Mexico Automotive Dealers Association.

Kevin has an extensive background in financial and operating analysis from his years of experience at RR Donnelley, the Metropolitan Transportation Authority, and the National Science Foundation. This experience has proven invaluable in understanding each client's business to support their financial objectives while minimizing their legal risks.

The son of a serial entrepreneur, Kevin has always maintained an interest in helping other entrepreneurs, family-owned businesses, and other business owners create and grow their business while effectively navigating the spectrum of legal issues and concerns that may arise in such endeavors.

### Selected Transactions

Represented a private buyer on the purchase of an Acura store in Temecula, CA from Lithia Motors.

- Counseled Towne Automotive Group on the sale of its BMW, Audi, Volkswagen and MINI dealerships, as well as a collision center, to West Herr Auto Group.
- Represented Eagle Auto Mall in the sale of Eagle Chevrolet of Riverhead, Eagle Kia of Riverhead, Eagle Mazda of Riverhead, and a wholesale parts business to Dennis & Co. Auto Group.
- Counseled one of the partners in the settlement and separation of a 23-store, multi-brand dealership business in New York with \$100-million plus in aggregate asset value. Brands represented included Toyota, Honda, Kia, Ford, Chevrolet, Cadillac, CDJR, Hyundai/Genesis, Mercedes-Benz and Audi. Assets included related real property, reinsurance entities and other ancillary businesses.
- Represented one of the partners in the settlement and separation of a five-store, multi-brand dealership business in New York with \$20-million plus in aggregate asset value. Brands included Hyundai/Genesis, Volkswagen, Kia and Nissan. Assets included related real property, collision center, reinsurance entity and other ancillary businesses.
- Counseled a Midwestern regional dealership group in sale of a Cadillac and Chevrolet store.
- Represented large Connecticut dealership group in the purchase of a Chevrolet store.
- Represented dealers in New York, Connecticut, Pennsylvania, Michigan and Hawaii in the purchase and sale of various single-point stores for brands including Subaru, Acura, Volvo, Mazda, Rolls Royce, Fiat, Volkswagen, Ford, Honda and Chevrolet.

## **Presentations, Publications & Recognitions**

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### **Presentations**

- “Buy-Sell Best Practices: Taking a Dealership Purchase From Term Sheet to Closing”, National Association of Dealer Counsel 2022 Fall Conference, Chicago, IL
- “Key Considerations in Buy/Sell Practices”, 2020 Brady Ware Dealership Conference
- “Keeping It All in the Family: How New York Dealers Can Prepare Their Dealerships for the Next Generation”, New York State Automobile Dealers Association, March 31, 2020
- “Coronavirus Crisis Webinar”, New York State Automobile Dealers Association, March 31, 2020
- “State Warranty Reimbursement Laws” Fixed Ops Roundtable, June 18, 2020

### **Publications**

- “Viva Las Vegas: Top Six Buy-Sell Takeaways from NADA 2024”, ArentFox Schiff Alert, February 2024
- “Highlights for Dealers from the National Association of Dealer Counsel Fall 2022 Meeting”, Beyond the Lot (Monthly Client Newsletter), October 2022
- “An Electric Vehicle Argument in Favor of Franchised Dealers, by Way of the Book Industry”, Beyond the Lot (Monthly Client Newsletter), September 2022
- “Avoiding the Shock of Contract Terms with EV Charging Vendors”, Beyond the Lot (Monthly Client Newsletter), August 2022
- “The FTC’s Proposed Dealer Advertising Rules”, Beyond the Lot (Monthly Client Newsletter), July 2022
- “Tips for Reviewing Dealership Purchase Offers from Private Equity Buyers” Beyond the Lot (Monthly Client Newsletter), June 2022
- “Are OEM Vehicle Allocations Impacting Your Sales Performance Objectives?” Beyond the Lot (Monthly Client Newsletter), April 2022
- “New York Dealerships: The Next Generation”, Beyond the Lot (Monthly Client Newsletter), March 2022
- “Better safe than sorry: Dealership buyers must ensure their newly purchased dealerships are compliant with the FTC’s Safeguards Rule” Automotive Buy-Sell Report, October 23, 2019

“Anticipate environmental risks when negotiating the purchase agreement”, Automotive Buy-Sell Report, August 14, 2019

- “Drafting provisions to protect sellers that remain as dealer-principals after the sale”, Automotive Buy-Sell Report, May 22, 2019
- “Stock Purchase Agreements – Knowing When to Use Them and Structuring Them for a Buy-Sell Transaction”, Automotive Buy-Sell Report, September 19, 2018
- “Uses and Implications of virtual data room features for corporate real estate due diligence”, Corporate Real Estate Journal, Autumn/Fall 2015 (Vol. 5, No. 1)

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## Bar Admissions

[New York](#)