

**PRINCETON, NEW JERSEY**

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PRACTICE AREAS:

[Automotive Industry & Dealership](#)

[Business Counseling](#)

[Financial Services Litigation](#)

[Litigation](#)

[Product Liability](#)

[Commercial Litigation](#)

[Government Affairs](#)

STATE ADMISSIONS:

New Jersey

District of Columbia

COURT ADMISSIONS:

U.S. District Court for the District
of New Jersey

EDUCATION:

J.D., Syracuse University College of
Law, 1989

B.A., Syracuse University, 1986

Anthony E. Bush

MEMBER

Tony Bush has substantial commercial litigation and regulatory experience with an emphasis on issues affecting the automotive industry. His clients include operators of wholesale motor vehicle auctions, auto dealerships, finance companies, floor plan lenders, wholesale auto parts distributors, lessors, and auto body repair facilities. Tony represents clients in corporate and consumer litigation including class actions, regulatory compliance, business counseling, employment matters, land use matters and franchise disputes, before the New Jersey Motor Vehicle Commission and New Jersey Department of Law and Public Safety, Division of Consumer Affairs, and in legislative and regulatory issues that impact the automotive industry.

Tony served as a judicial clerk to the Honorable Leo Yanoff, Judge of the Superior Court of New Jersey, Law Division, Essex County

REPRESENTATIVE MATTERS

- Successfully recovered millions of dollars on behalf of creditors in dozens of cases in state and federal courts by way of orders to show cause with temporary restraints pending orders of turnover.
- Recovered over \$700,000 in collateral consisting of motor vehicles and cash and approximately \$30,000 in fees and costs after temporary restraints entered and prior to defendants filing an answer to the complaint.
- Obtained summary judgment on behalf of wholesale auto auction dismissing Consumer Fraud Act claims because the court found the act not applicable to wholesale transactions occurring at an auction and barred by the hold harmless and indemnity provisions of the parties' agreement that was found valid and enforceable.
- Successfully represented manufacturer of fire apparatus in suit seeking permanent injunctive relief and damages under the Federal Computer Fraud and Abuse Act, misappropriation of trade secrets, and alleging tortious interference with prospective economic advantage.
- Obtained summary judgment in two matters based upon findings that the Federal Communications Decency Act grants complete immunity to interactive computer service providers. One client was an online listing service sued by a buyer where a seller allegedly perpetrated a fraud and the other a transporter for hire

online platform connecting transporters and vehicle shippers.

- Represent automobile dealerships and driving schools on suspension and termination matters before the New Jersey Motor Vehicle Commission.
- Obtained through two separate applications municipal approvals for installation of rooftop, detention basin, and carport-based solar panels. The combined production of energy equates to enough to power 12-15 typical homes.
- Obtained summary judgment, which was reversed on appeal prior to prevailing at trial, in only reported New Jersey decision interpreting “as is” contract term.
- Won a defense verdict at trial on behalf of auction defendant that it was entitled to inventory and proceeds in the possession of a car dealer that acquired vehicles from a debtor of auction because the transactions did not occur in a commercially reasonable manner.
- Successfully obtained relief from the automatic bankruptcy stay and then summary judgment on behalf of a creditor prior to recovering \$225,000 in part by levying on funds held by a debtor’s criminal defense lawyer for his benefit in his attorney’s trust account.
- Successfully represented purchaser of shopping center in suit seeking temporary restraints and specific performance compelling property owner to execute final agreed upon contract for sale and to convey property to plaintiff.
- Provide business counseling to clients dealing with state motor vehicle and taxation agencies.
- Provide general corporate counseling.

PROFESSIONAL AFFILIATIONS

- New Jersey State Bar Association
- District of Columbia Bar Association
- New Jersey Independent Auto Dealers Association, Board Member (February 2015-present)

COMMUNITY INVOLVEMENT

- Lower Makefield Township (PA) Planning Commission, Member and three-time Chair (2006-2014, 2019-current)
- Member Bucks County Free Library Board (2020-current)
- Member of the endowment committee for a local religious organization
- Successfully served as Campaign Chair for a Pennsylvania State Representative
- Congregation Kol Emet, Executive Board Member, (June 2013 – June 2018)

AWARDS AND RECOGNITION

- Cited for contributing to the New Jersey Motor Vehicle

NEWS AND INSIGHTS

PUBLICATIONS

- [“NJ Auto Industry Alert: COVID-19 Update,”](#) Eckert Seamans’ NJ Auto Industry Alert, December 17, 2020.
- [“NJ Auto Industry Alert: COVID-19 Update,”](#) Eckert Seamans’ NJ Auto Industry Alert, May 20, 2020.
- [“COVID-19 Update: More Restrictions for Essential Retail Business, and New Tax Deadlines,”](#) Eckert Seamans’ NJ Auto Industry Alert, April 9, 2020
- [“NJ Auto Industry Alert: COVID-19 Update,”](#) March 31, 2020.
- [“NJ Auto Industry Alert: COVID-19 Update,”](#) March 23, 2020.
- [“COVID-19 News from the New Jersey Motor Vehicle Commission and New Tax Deadlines,”](#) March 20, 2020.
- [“New Jersey Motor Vehicle Commission’s COVID-19 Deadlines that Impact Dealers and New Collateral Protections Requirements,”](#) Eckert Seamans’ NJ Auto Industry Alert, March 2020.
- [“Bill Allows Dealers To Offer Vehicle Subscription Services Along With Selling And Leasing; Compliance Tips For Including And Enforcing Arbitration Provisions In Sales Documents; And New Case Law Holds That Dealers And Lenders Do Not Need To Automatically Return Repossessed Vehicles To Consumers That File For Bankruptcy Protection,”](#) Eckert Seamans’ NJ Auto Industry Alert, November 2019.
- [“New Law Bars Asking Job Applicants About Their Salary History and Compliance Tips Concerning Retail Sales Of Vehicles Without Titles,”](#) Eckert Seamans’ NJ Auto Industry Alert, August 2019.
- [“Sales Tax To Decrease, Bill Concerning Temporary Registrations For Out of State Consumers Advances and New Law Proposed To Limit Spot Delivery,”](#) Eckert Seamans’ NJ Auto Industry Alert, December 2017.
- [“New Disclosure Requirements For Motor Vehicle Dealers,”](#) Eckert Seamans’ NJ Auto Industry Alert, November 2017.
- [“New Jersey Legislative Update,”](#) New Jersey Independent Auto Dealers Association Dealer News, August/September 2017.
- [“Legislation Important to Motor Vehicle Dealers: New Payment Assurance Device Law, Temporary Registration Legislation Advances and New Requirements About Lien Payoffs Introduced into the Legislature,”](#) Eckert Seamans’ NJ Auto Industry Alert, June 2017.
- [“Legislation Important to the Used Car Dealer Community: NJ Payment Assurance Device Legislation Advances Out of the Senate Commerce Committee, Proposed Law Limits Use of Payment Assurance Devices and Conditions Use on 10 Point Interest Rate Deduction; Creates Violation of Consumer Fraud Act,”](#) Eckert Seamans’ NJ Auto Industry Alert, November 2016.
- [“Gov. Christie Vetoes \\$15 Minimum Wage; U.S. Dept. Of Labor Backs Service,”](#) Eckert Seamans’ NJ Auto Industry Alert,

September 2016.

- [“Class Actions Involving New Jersey’s Obscure Warranty Notice Act,”](#) New Jersey Independent Auto Dealers Association Dealer News, August/September 2016.
- [“Dealers Best Practices: Class Actions Involving New Jersey’s Obscure Warranty Notice Act,”](#) MidAtlantic Dealer News, August 2016.
- [“New MVC Dealer Regulations Expected, Legislature Tackles \\$15 Minimum Wage and Paid Sick Leave,”](#) Eckert Seamans’ NJ Auto Industry Alert, June 2016.
- [“Lawsuits Against Manufacturers and Used Vehicle Sales,”](#) NJ Independent Auto Dealers Association Dealer News, April/May 2016.
- [“Dealer Best Practices in Response to Emissions Fraud Lawsuits Filed by NJ AG and Others vs. Volkswagen – Implications for the Sale of Any Used Vehicle,”](#) MidAtlantic Dealer News, April 2016.
- [“Recall Actions, Minimum Wage and Paid Sick Leave,”](#) Eckert Seamans’ NJ Auto Industry Alert, March 2016.
- [“NJ Legislation Anticipated for NJ MVC Alleged Fraud and Misconduct,”](#) MidAtlantic Dealer News, February 2016.
- [“Regulatory Update: Major changes Expected – Legislation Anticipated after NJ State Commission of Investigation Blasts NJ MVC for Alleged Fraud and Misconduct,”](#) Eckert Seamans’ NJ Auto Industry Alert, February 2016.
- [“Regulatory Update: NJ State Commission of Investigation Releases Scathing Report on NJ MVC; Significant Regulatory Changes Expected,”](#) Eckert Seamans’ NJ Auto Industry Alert, December 2015.
- [“Did You Know? New Jersey Law Protects Secured Lienholders Over Anyone Asserting a Lien for the Storage of a Motor Vehicle,”](#) MidAtlantic Dealer News, November 2015.
- [“New Jersey Attorney General’s Office Continues to Aggressively Pursue Car Dealers; Paid Sick Leave Bills Remain Pending,”](#) Eckert Seamans’ NJ Auto Industry Alert, September 2015.
- [“NJ Legislative Update,”](#) NJ Independent Auto Dealers Association Magazine, August/September 2015.
- [“NJ MVC Ups Enforcement for Alleged Misuse of Dealer Plate Logs by Dealers,”](#) NJ Independent Auto Dealers Association Magazine, August/September 2015.
- [“Dealers Face Heightened Scrutiny by Attorney General; Legislature Continues Seeking Expanded Employee Protections and Benefits,”](#) Eckert Seamans’ NJ Auto Industry Alert, July 2015.
- [“Primer on Repossessions in New Jersey,”](#) NJ Independent Auto Dealers Association Magazine, June/July 2015.
- [“Governor Conditionally Vetoes Bill Concerning Dealer Obligation for Emissions; Enforceability of Arbitration Provisions Used by Dealers Continue to be Eroded by the Courts,”](#) Eckert Seamans’ NJ Auto Industry Alert, May 2015.
- [“Primer on Repossessions in New Jersey,”](#) Mid-Atlantic Dealer News, May 2015.

- [“Significant Changes to NJ Employment Laws,”](#) NJ Independent Auto Dealers Association Magazine, April/May 2015.
- [“Dealer Obligations Concerning Emissions Expected to Change: Expanded Enforcement Activity by the FTC,”](#) Eckert Seamans’ NJ Auto Industry Alert, April 2015.
- [“Legislative Update: Potential Restrictions on Payment Assurance Devices and Buyers Orders,”](#) Eckert Seamans’ NJ Auto Industry Alert, March 2015.
- [“RECALL BILLS PASS ASSEMBLY – LEGISLATIVE UPDATE: Bill Requires Dealerships to Notify Buyers \(but Not Fix\) Outstanding Recalls When Selling Used Cars on a Retail Basis; Creates Violation of Consumer Fraud Act,”](#) Eckert Seamans’ NJ Auto Industry Alert, January 2015.
- [“New Jersey Automobile Industry Trends and Topics: Proposed Legislation That Can Impact Your Dealership,”](#) Eckert Seamans’ NJ Auto Industry Alert, January 2015.
- [“Airbags and Other Recalls: Dealers’ Obligations in New Jersey,”](#) Eckert Seamans’ NJ Auto Industry Alert, November 2014.
- [“New Jersey Automobile Industry Trends and Topics,”](#) NJ Independent Auto Dealers Association Magazine, August/September 2014.
- [“New Jersey Automobile Industry Trends and Topics: New Regulations, Case Law, and Recent Enforcement Activity That Can Impact Your Dealership,”](#) Eckert Seamans’ NJ Auto Industry Alert, August 2014.
- [“New Jersey Automobile Industry Trends and Topics: Case Law, and Legislation That Can Impact Your Dealership,”](#) Eckert Seamans’ NJ Auto Industry Alert, June 2014.
- [“New Jersey Automobile Industry Trends and Topics: Recent Enforcement Activity by State Agencies, Legislative Trends and New Laws,”](#) Eckert Seamans’ NJ Auto Industry Alert, March 2014.
- [“Beware: Selling Vehicles of Consignment Can Be Risky Business,”](#) NJ Independent Auto Dealers Association Magazine, Feb/March 2014.
- [“New Jersey Automobile Industry Trends and Topics: Settlement of Civil Suit; New Regulations and Legislation,”](#) Eckert Seamans’ NJ Auto Industry Alert, November 2013.
- [“New Jersey Automobile Industry Trends and Topics: Case Law, Regulations and Legislation,”](#) Eckert Seamans’ NJ Auto Industry Alert, September 2013.
- [“Beware: Selling Vehicles “As Is” Can Be Tricky Business,”](#) NJ Independent Auto Dealers Association Monthly, April/May 2013.

MEDIA COVERAGE

- [“New Jersey Lawmakers Revisit Online Car Sales Issues,”](#) Wards Auto, December 23, 2020.
- Commentator on an episode of American Greed on CNBC (season 11 episode 10).
- [“NIADA leads effort to prevent GPS device ban in NJ,”](#) BHPH Report, March 20, 2017.
- “Ex-Ramsey Emporio Motor Group luxury car dealer Bobby Khan

charged with fraud,” Bergen County Record, December 24, 2014.

- “Ex- Ramsey Emporio Motor Group luxury car dealer Bobby Khan a fugitive, FBI says,” Bergen County Record, December 18, 2014.

SPEAKING ENGAGEMENTS

- “[Mid-Year Review of Legislation that Can Impact your Dealership](#),” presented for the New Jersey Department of Banking and Insurance, June 5, 2017.
- “Dealing with Regulatory Challenges and Legislative Issues,” presenter at the Mid-Atlantic Regional Independent Automobile Dealers Association Conference, November 2016.
- “Regulatory Compliance, Enforcement, and Legislative Trends that impact car dealers,” presented at the Middle Atlantic Region Independent Auto Dealers Association’s annual convention, September 2015.
- “Mid-Year Review of New Jersey Legal Trends That Can Impact Your Dealership,” NJ Independent Auto Dealers Association Compliance Conference, June 2015.
- “Compliance Enforcement, Focus and Trends,” Middle Atlantic Region Independent Auto Dealers Association’s annual convention, September 2014.