



Sara D. Judge

PARTNER

Sara is a partner in the Automotive Group who focuses her practice on representing national and regional automotive dealership clients, franchises, businesses and equipment distributors.



Industries

[Transportation & Mobility](#)

Education

Wake Forest University School of Law, JD, 2001
University of Massachusetts, Amherst, BA, 1998

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Sara represents businesses and individuals in the automotive, distributing, and franchise industries. She represents national, regional, and local motor vehicle dealership clients in consumer class actions and complex litigation, federal and state regulatory matters, unfair competition claims, commercial and consumer litigation, and franchise disputes. She has handled a variety of commercial disputes, including breach of contract, franchise terminations, product liability, unfair competition, unfair and deceptive trade practices, real estate disputes, wage and hour disputes, and insurance coverage disputes.

A significant portion of Sara's practice is devoted to representing motor vehicle dealers in trade regulatory matters. Her dealer clients rely on her for sound advice and counsel with respect to franchise matters, including dealer appointments, dealer protests, dealer relocations, dealer buy/sell agreements, and dealership terminations. Sara also assists dealers with advertising compliance, consumer disputes and programs mandated by the manufacturer, such as mandatory facilities upgrade and image programs. She helps dealers understand their rights under state and federal laws which protect dealership operations.

Sara is also an experienced class action defense attorney. Her experience includes defending businesses against consumer and employment related class action claims. She routinely counsels her motor vehicle dealer clients on wage and hour issues, including the revision of pay plans and employee classification disputes. She also defends companies during Attorney General investigations and audits.

When it comes to motor vehicle dealership terminations, Sara understands that dealers need to be aggressive to preserve the dealership. Sara uses her extensive business litigation experience to defend dealerships that are pressured unfairly by the manufacturer. She understands the sales performance metrics relied upon by manufacturers in terminations and she helps dealers defend against accusations of poor sales performance. One of the biggest hurdles that dealers face is getting their manufacturer to understand the realities of the local market, which can differ significantly from the manufacturer's expectations. Sara uses years of experience to advocate on behalf of dealers in a way that helps preserve the dealers' relationship with the factory going forward.

Experience

Sara's representative engagements include:

- Successfully litigated and obtained judgment in favor of client which allowed client to exercise a right of first refusal to purchase an interest in real property;
- Won a favorable judgment after multi-day trial defending dealer client's right to use an easement to unload car carriers; decision upheld on appeal;
- Obtained dismissal of a consumer class action lawsuit on behalf of a restaurant client;
- Obtained dismissal of a consumer class action lawsuit on behalf of a transportation industry client;
- Successfully represented motor vehicle dealership group in defending against manufacturer termination;
- Forced manufacturer to allow motor vehicle dealership to relocate despite prior refusal from manufacturer;
- Successfully negotiated favorable settlement for dealer client in an add point dispute;
- Negotiated favorable settlement for dealer client in a warranty reimbursement dispute.

Client Work

- *Goodwill Enterprises, Inc. v. Kavanagh*, 95 Mass. App. Ct. 856 (2019) (client obtained specific performance of a right of first refusal over leased premises).
- *In re Corbett*, No. 11-13667-JNF, 2018 WL 1229717 (Bankr. D. Mass. Mar. 8, 2018) (enforcing client's right of first refusal).
- *In re Corbett*, No. 11-13667-JNF, 2018 WL 832885 (Bankr. D. Mass. Feb. 12, 2018) (enforcing client's right of first refusal).
- *Leder v. Am. Traffic Sols., Inc.*, 81 F. Supp. 3d 211 (E.D.N.Y.), aff'd, 630 F. App'x 61 (2d Cir. 2015) (successful dismissal of class action litigation).
- *Anarpet Realty Corp. v. Stutz Motor Car Co.*, 88 Mass. App. Ct. 1110 (2015) (defended client's right to use easement)
- *Anarpet Realty Corp. v. Licensing Bd. of Salem*, 85 Mass. App. Ct. 1109, 5 N.E.3d 3 (2014) (successfully defended the issuance of a Class 1 dealer license to client after challenge by unhappy neighbor).

Memberships

Member, National Association of Dealer Counsel ("NADC")

Associate Member, Massachusetts State Automobile Dealers Association ("MSADA")

Publications

- "Does Your Dealership Need a Privacy Checkup?" Massachusetts Auto Dealer Magazine, April 2021.
- "When the AG's Office Knocks at the Dealer's Door," Massachusetts Auto Dealer Magazine, September 2018
- "Contract Challenges with Selling 'Dualed' Auto Dealerships," Automotive Law360, June 2017
- "Why 'Side Agreements' with Your Customers Are a Bad Idea," Texas Dealer Magazine, May 2016
- "Protecting Honda and Acura Dealers During the Airbag Recall Campaign," Massachusetts Auto Dealer Magazine, February 2016
- "Running Credit Reports: How to Keep Your Dealership Out of Trouble," Massachusetts Auto Dealer Magazine, April 2015
- "GM Facilities Upgrade Mandate," Burns & Levinson Automotive Dealer Bulletin, March 2011

Features

- “People Moves of the Week,” Mergers & Acquisitions Magazine, March 2014

Quotes

- “Mass. dealership lawsuit against Nissan can proceed, federal judge rules,” Automotive News, September 18, 2024
- “Governor Proposes ‘Fix’ for Commission-Only Employees,” Massachusetts Lawyers Weekly, October 2019
- “Expert Unnecessary to Support Lemon Law Claim,” Massachusetts Lawyers Weekly, August 2019
- “Bankruptcy Sale of Nominee Trust Interest Triggers Right of First Refusal,” Massachusetts Lawyers Weekly, November 2017
- “Lack Of Defect Claim No Pass For Automakers: Mass. Court,” Law360, June 2014

Presentations

- “Dealership Data Security: OEM Agreements & MA State Law Compliance,” Webinar Host, Burns & Levinson, June 2021
 - “Top 10 Legal Issues Impacting Dealers in 2021,” Webinar Presenter, National Alliance of Auto Dealer Advisors Conference, June 2021
 - “Top 10 Legal Issues Impacting Dealers,” Presenter, National Alliance of Auto Dealer Advisors Conference, May 2019
 - “Trademarks, Trade Dress and Licensing Issues for Dealers,” Speaker, National Association of Dealer Counsel 2015 Member Conference, April 2015
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Bar Admissions

[Massachusetts](#)

[New Jersey](#)

[New York](#)

Court Admissions

[US District Court, District of Massachusetts](#)

[US District Court, District of New Jersey](#)

[US District Court, Eastern District of New York](#)

[US District Court, Southern District of New York](#)

[US Court of Appeals, 1st Circuit](#)

[US Court of Appeals, 2nd Circuit](#)