

Libertyville Pontiac dealer sued over rebate

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A Libertyville auto dealer was accused in Cook County Circuit Court Tuesday of pocketing a \$400 rebate in 1988 that was due a customer.

A class-action suit was filed against Patrick Pontiac-GMC Truck Inc. by attorney Vincent DiTommaso on behalf of all Pontiac buyers who were entitled to rebates from the dealership from 1983 to 1988.

"In my opinion, this class potentially involves dozens of purchasers," DiTommaso said.

DiTommaso said the named plaintiff, Richard Kasten, bought a Pontiac from Patrick for \$10,536 on June 22, 1988, but did not discover until Aug. 8, 1989, that he was entitled to a rebate.

"Kasten was reviewing the case file because he had gone to arbitration against General Motors on whether GM should pay the cost of repairing a defect in his car," DiTommaso said. "He saw this document saying he had gotten a \$400 rebate and said, 'Wait a minute, I never got a rebate.'

"He also noticed that the signature on a rebate document was not his. We are alleging that the dealer got the benefit of the rebate, probably in the form of a credit from GM, instead of Kasten."

The suit called Kasten's signatures on the rebate documents "forgeries" and said Patrick "intentionally failed to disclose to plaintiff and all other class members that there was a rebate due to plaintiff."

William Kelly, attorney for Patrick, declined to comment on the suit on grounds that he had not seen it.

"Without seeing the accusations, I can't respond to them. I'll have to talk to the Patrick Pontiac people to see what the situation is and what the response will be," Kelly said.