

McGuireWoods LLP
World Trade Center
101 West Main Street
Suite 9000
Norfolk, VA 23510
Tel 757.640.3700
Fax 757.640.3701
www.mcguirewoods.com

John D. Padgett

McGUIREWOODS

March 29, 2019

Laura Smith, Esquire
Truth In Advertising, Inc.
P.O. Box 927
Madison, CT 06443
lsmith@truthinadvertising.org

RE: Damiler AG and Mercedes-Benz Vans, LLC

Dear Ms. Smith:

Mercedes-Benz USA, LLC (“MBUSA”), as the company responsible for marketing and distribution of all Mercedes-Benz commercial vans in the United States, has retained McGuireWoods, LLP to advise it regarding the issues raised in Truth in Advertising, Inc.’s (“TINA.org”) letter of March 22, 2019 (“TINA Letter”). McGuireWoods is reviewing the material used in MBUSA’s marketing campaign to determine compliance with the laws and regulations that govern the issues raised in the TINA’s Letter.

While McGuireWoods is performing its review, MBUSA, without prejudice or any admission of liability, will discontinue actively using the marketing materials that are mentioned in the TINA letter. The material is currently distributed on a variety of platforms. The process and time required to change or stop the distribution of the marketing content will vary depending on the platform. Yet, MBUSA intends to complete the process as soon as commercially reasonable. MBUSA has already removed the content from relevant digital media and radio and television placements. It has changed the content of the advertising distributed in connection with the NCAA basketball tournament and has initiated modifications to its website and marketing templates. MBUSA has also tasked its creative team with modifying the media kits and other resources used by its United States’ authorized dealerships. The process will continue for the next few weeks. Yet, the content that is widely distributed has already been changed and modified by MBUSA.

MBUSA values its relationship with its consumers. MBUSA’s intent has and will be to comply with all regulations controlling the content of its marketing material. In the event any of the material is not aligned with the rules and regulations controlling its marketing content, MBUSA will appropriately revise the material. We appreciate TINA’s efforts to alert MBUSA of its concerns.

Sincerely,


John D. Padgett

JDP/bla

cc: Benjamin Benson, Esq., Counsel
Mercedes-Benz USA, LLC