

miss meetings and court deadlines, and at times became aggressive with congressional staffers. His dismissal was “99%” responsible” for a split from which the once-powerful dealer organization has yet to fully recover, sources say.

“Jim was a friendly guy. Everyone tried to support him but he never appreciated it,” says Roy Littlefield, former head of SSDA. “He’d lie to get out of a box and just end up in a bigger box.”

Daskal’s excuses for not meeting deadlines or delivering documents on time became legendary. He would cite his wife’s cancer, the hospitalization of his daughter, his mother’s need for dialysis, and various car break-downs and accidents. His grandmother also seemed to die on a number of occasions, recalls one marketer lawyer.

“The trouble with Jimmy is that he can mesmerize a roomful of dealers. He’ll tell them exactly what they want to hear and persuade them to file a lawsuit, but then never deliver the goods,” says Paul Fiore, current president of SSDA.

Indeed, a check of the U.S. courts shows a long list of cases filed by Daskal on behalf of dealers.

“Our experiences with him were terrible,” says Dennis DeCota, exec with the California Service Station and Auto Repair Assn.

Daskal was recommended to CSSARA in 2000 when the Federal Trade Commission ordered Exxon to spin off its Benecia, Calif., refinery and retail sites as part of its purchase of Mobil.

“But he never delivered what he had promised and the dealers finally terminated him,” says DeCota. “Our association lawyer, Kevin Lally, refused to work with him because he kept dropping the ball. He’d say that he had a brain tumor or that he was in an accident every time he came to California. He could talk the talk, but never walked the walk.”

Daskal says such claims are “pure garbage” and “meritless,” and are being raised by people “to avoid paying sums that are lawfully due.”

“The many cases I won for dealer groups are recorded for history and speak for themselves.”

### **Facing charges, Daskal cites mental woes**

Daskal says his problems are caused by mental illness developed as a result of head injuries he incurred in car crashes. He says he has been diagnosed with bi-polar disorder and trauma-

induced borderline personality disorder, and has had two tumors removed from his brain (OE 08/01/05). When he dropped out of marketing circles a few years ago, he told friends and associates that he was going to the West Coast to be treated for attention-deficit disorder.

It was about that time that Daskal’s behavior started catching up with him.

In 2001, he was caught practicing law in New Jersey when he had no legal standing to do so.

Daskal had already been warned by U.S. District Judge Faith Hochberg not to argue or submit pleadings to her court unless he had been properly admitted to practice law in New Jersey. Nevertheless, he did so, giving the court the impression he had offices in the state and was admitted to the bar there. Neither was true.

As a result, Daskal was officially sanctioned by U.S. Magistrate Judge Stanley R. Chesler. He was ordered to enroll in a course on the ethical obligations of lawyers within 60 days and was instructed to reimburse Motiva for legal and other fees incurred as a result of his behavior.

Daskal says he argued before Hochberg in “the mistaken belief” that a local lawyer he was working with had filed the necessary court papers.

It wasn’t the first time Daskal had practiced law without being properly admitted to a state bar.

Since 2000, he had been representing Robert Passmore, an Amoco dealer in Florida, although not admitted to the bar in that state either. Amoco claimed that Passmore owed \$258,000 in damages for the early termination of his franchise.

Thanks to Daskal, Passmore ended up paying Amoco a total \$434,997. Along the way, Passmore also saw his assets frozen and his furniture and personal belongings seized by Amoco as Daskal failed to contest court motions in time.

Daskal repeatedly assured Passmore that he was negotiating with high-level Amoco execs to resolve the dispute. In reality, he was forging the signatures of those Amoco officials to cover up his failures in the case, court documents show. Passmore was later awarded \$439,000 damages against Daskal. He has yet to collect a penny of it.