

1 Department of Commerce

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3 Adopted Permanent Rules Relating to Franchise Arbitration

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5 Rules as Adopted

6 2860.4400 UNFAIR AND INEQUITABLE PRACTICES.

7 All franchise contracts or agreements and any other device

8 or practice of a franchisor, shall conform to the following

9 provisions. It shall be unfair and inequitable for any person

10 to:

11 [For text of items A to I, see M.R.]

12 J. require a franchisee to waive his or her rights to

13 a jury trial or to waive rights to any procedure, forum, or

14 remedies provided for by the laws of the jurisdiction, or to

15 consent to liquidated damages, termination penalties, or

16 judgment notes; provided that this part shall not bar an

17 exclusive arbitration clause;

18 [For text of items K to M, see M.R.]