

The Explored La Salle

WHEN I THINK OF THE CLASSIC 1970S TELEVISION SITCOM *All In The Family*, I think first of the show's opening sequence. There were Archie and Edith Bunker, sitting at their upright piano, warbling the theme song, "Those Were the Days." The song excerpt ended with the lines, "Gee, our old La Salle ran great/ Those were the days."

Viewers reportedly had trouble understanding the words "Gee, our old La Salle ran great" through Edith's pronounced accent. In response, after the second season, the actors Carroll O'Connor and Jean Stapleton re-recorded the theme, with Stapleton carefully enunciating those particular words more clearly. However, some commented that the problem was not merely a matter of diction, but also that the La Salle reference was not familiar to viewers. Some apparently erroneously believed it was a reference to the La Salle University track team.

But while the La Salle may have been a reference to an increasingly distant past, it's still a prominent part of our hobby today, and particularly relevant in one court proceeding. As filed on December 23, 2011, a 1929 La Salle was involved in a divorce case involving Mr. and Mrs. Lichter, and discussed in a decision of the Appellate Court of Illinois.

According to the court's decision, during the course of this divorce proceeding, one issue was the valuation and disposition of the couple's La Salle. A trial court back in 2010 determined that the La Salle had a value of \$20,000 and that the car would be awarded to Mr. Lichter.

Mrs. Lichter appealed. She contended that the trial court erred in its determination of the car's value. Specifically, she argued that because neither party presented any expert testimony at trial as to the value of the car, the trial court should have ordered the vehicle be sold so that its true value could be determined from the sale.

The Appellate Court of Illinois upheld the decision of the trial court, ruling against Mrs. Lichter in her appeal. In its

decision, the appellate court noted that, in order to place a specific value on an item of marital property, proper evidence of its value must be presented. It further observed that "where a party does not offer evidence of an asset's value, the party cannot complain as to the disposition of that asset by the court... Parties should not be allowed to benefit on appeal from their failure to introduce evidence at trial."

In making its decision, the court reviewed the evidence that had been presented at trial. Mr. Lichter "testified that he had purchased the 1929 La Salle in 1997 for \$12,000. He was knowledgeable as to the value of antique cars, as he had followed the market on older cars for over 35 years. A comparable 1929 La

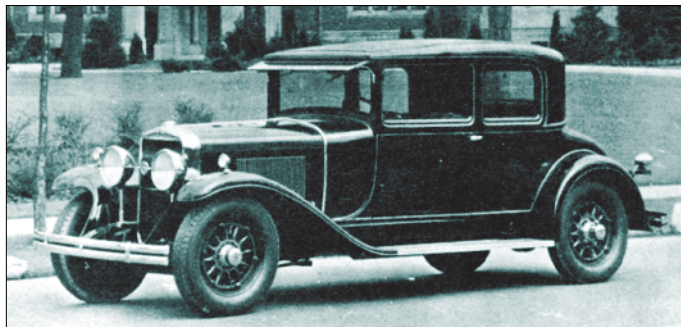
consistent with Mr. Lichter's testimony. Based on his familiarity with antique cars, Mr. Lichter was able to present competent testimony as to the value of the 1929 La Salle. In light of the competent evidence that Mr. Lichter presented, and because Mrs. Lichter presented none, we will not overturn the trial court's decision."

Thus, the Appellate Court of Illinois affirmed the trial court's determination that the La Salle had a value of \$20,000.

This case illustrates the fact that lawsuits are generally won and lost based on the evidence developed, presented and accepted, in conjunction with the applicable law. As seen here, evidence of a classic car's value can be established in a variety of ways, including through information regarding recent sales of

comparable vehicles in the same geographic area. Expert testimony can also be quite valuable in some cases, although it can be expensive. Here, the court accepted and relied upon the testimony of the husband, who demonstrated knowledge and experience on the issue.

Regardless of the context, be it division of assets in a divorce or in other legal proceedings, or simply in contemplation of a purchase or sale, there are numerous factors to consider in attempting to establish the value of a particular classic car. Nevertheless, just a few examples of factors familiar to collectors would be the original production volume and present availability (or "supply," for those with an economic bent); current popularity or interest among hobbyists ("demand"); other present relevant market conditions and trends; unique design and features; auto show or event recognition and awards; present condition and restoration status; and the extent to which the vehicle has retained its original physical components. Documentation from an impartial and recognized third party establishing and memorializing such information would be useful in increasing the chances of a successful outcome, in either a trial or a business transaction. 🐶



Salle in the area had recently been listed for \$20,000. A more desirable convertible version of the car had recently been listed for \$31,000. Mr. Lichter testified that, based upon his experience restoring antique vehicles and attending various car shows, he believed that the parties' car was worth \$20,000. Mrs. Lichter did not present any evidence as to the value of the car. She indicated in her comprehensive financial report that the car was worth between \$35,000 and \$50,000. In its divorce judgment, the trial court found that the car was worth \$20,000 and awarded it to Mr. Lichter."

The appellate court then assessed whether the circumstances supported Mrs. Lichter's appeal, and concluded that they did not. "Based on the limited evidence presented as to the value of the car, the trial court did not abuse its discretion in determining that the value of the car was \$20,000. The trial court's finding was