



THE COMMONWEALTH OF MASSACHUSETTS  
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February 25, 2026

**VIA E-FILING**

United States Court of Appeals for the First Circuit  
Clerk Anastasia Dubrovsky  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way, Suite 2500  
Boston, MA 02210

Re: Alliance for Automotive Innovation v. Campbell, No. 25-1262

Dear Clerk Dubrovsky,

Pursuant to the Court's instruction at oral argument on February 3, 2026, the Defendant-Appellee Attorney General Campbell respectfully submits this letter providing the Attorney General's position on the prospect of mediation. Specifically, the Court instructed the parties to confer and submit a statement on whether the parties would like to have the Court decide this case or refer it to the Court's mediation program.

Counsel for the Attorney General has conferred with counsel for the Plaintiff-Appellant and does not wish to submit this case to mediation. At oral argument, Plaintiff's counsel acknowledged that it is possible for its auto manufacturer members to safely comply with the Right to Repair Law as construed by the District Court in its February 11, 2025, Memorandum of Decision. *See* Transcript at 44:16-20 ("everyone agrees now that the law has been interpreted that it's possible...."). Therefore, the Plaintiff has conceded the facial preemption claim asserted in this case, and there are no legal issues remaining to mediate. The Court should therefore affirm the District Court's decision that the Right to Repair Law is not preempted, for that reason and the others raised in the Attorney General's brief.

Even putting aside that the Plaintiff has admitted its members can safely comply with the Right to Repair Law, we do not agree to submit this case to mediation because the nature of this dispute is not susceptible to any compromise resolution that our office would authorize. The dispute concerns the facial validity of the Right to Repair Law. The Attorney General lacks the power to amend that statute, by stipulation or otherwise; only the state Legislature possesses the authority to modify the statute. *Cf. National Revenue Corp. v. Violet*, 807 F.2d 285, 288 (1st Cir. 1986). Under the circumstances, we believe that mediation will be unproductive and dilatory. While we understand that Plaintiff may prefer delay to a definitive ruling as to the Right to Repair

Law's validity, the Commonwealth does not. Instead, the Commonwealth's position is that the best way to conclusively resolve the dispute is for this Court to adjudicate the appeal.

The Right to Repair Law gives Massachusetts consumers the ability to choose where they will have their vehicles repaired. The law was overwhelmingly passed by the voters over five years ago. While this case has been pending since late 2020, some of the Plaintiff's auto manufacturer members have relied on the pendency of the litigation to take the position that they need not comply with the law. *See, e.g.*, ECF #296 ¶ 15 (affidavit of GM executive stating "GM simply needs guidance from the Court about the law's requirements before it can make any meaningful progress toward compliance."); ECF #297 ¶ 6 (affidavit of Stellantis executive stating "I understand that the parties disagree about what [the law] means and actually requires. Until the Court provides guidance on these issues, Stellantis cannot know what is required in order to comply."). The auto manufacturers need to understand their obligations under the law and take action to achieve compliance, and the people of Massachusetts deserve the benefit of the law they approved more than five years ago. A decision from this Court will provide the parties and the public with long overdue clarity on the status of this law.

Given the Attorney General's role in enforcement under the law, the Attorney General's Office is open to meeting with the Plaintiff and other stakeholders outside of the litigation, as appropriate, to discuss the auto manufacturers' plans to achieve compliance with their obligations under the law.

Thank you for your attention to this matter.

Very truly yours,

/s/ Christine Fimognari  
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