

# the Pallet Profile Pallet Board

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Messages in Pallet Board (325)

Search

Leave Forum

Classifieds

Terms of Use \*Updated

Groups | Pallet Board (325)

## Buckeye vs. Chep by Sam McAdow 09:08 on 17th Feb 2003

Know the facts before you decide:

The trial date in the lawsuit contesting CHEP USA's ownership rights and trade practices is just months away. On May 19, 2003, trial will begin in a case that contests CHEP's ownership rights to the millions of pallets it has allowed to be shipped outside of its supposed "close-looped system." In this case, the United States District Court will decide whether CHEP can have any claim to ownership of pallets that industry reports indicate it has intentionally placed into general circulation. The Court will also decide whether the representations as to ownership and as to recycler's responsibilities to return pallets that CHEP makes on a routine basis are a deceptive trade practice. Finally, the Court will decide – regardless of ownership – whether recyclers have a legal right to compensation for the return of CHEP pallets – compensation that cannot be conditioned on agreeing to CHEP's ownership, to disclosure of customer lists, or to litigate disputes in CHEP's hometown.

Before this lawsuit was filed, CHEP refused to pay recyclers a dime for returned pallets. Now they agree that recyclers are due compensation, but insist it must be on their terms, and for not much more than a dime.

As CHEP faces the rapidly approaching trial date, it may offer more. It may try to make deals before the Court rules. Each of you must decide for yourselves what is fair compensation for your work. Each of you must decide for yourselves whether now is the time to make a deal – or after a jury has had a chance to view CHEP's conduct.

I don't let anyone take from me what I have earned and built, certainly not the foreign companies. I will let the Court make its decisions before I decide what is fair to my business.

All of us recognize that we are part of something special. We recognize that we have come a long way since the filing of the lawsuit. I encourage you to absorb this time, seize it, embrace it, and take it the direction you want it to go.

P.S See you at Marco.

Exit Archives

About Forum 104 © 10-4, 1999.

- [Help!!!!!!](#) by Storm Chaser 15:02 on 25th Feb 2003
  - [Re: Help!!!!!!](#) by pallet bully 15:15 on 25th Feb 2003
  - [Re: Help!!!!!!](#) by Michigan 15:58 on 25th Feb 2003
    - [Re: Help!!!!!!](#) by touche 16:39 on 25th Feb 2003
      - [Re: Help!!!!!!](#) by Storm Chaser 23:20 on 25th Feb 2003
      - [Re: Help!!!!!!](#) by Touche 09:58 on 26th Feb 2003
- [Never Never Land](#) by Michael Jackson 14:50 on 21st Feb 2003
  - [Re: Never Never Land](#) by Bubbles the Chimp 14:55 on 21st Feb 2003
- [PMSI](#) by just pallets 18:07 on 18th Feb 2003
- [PMSI](#) by just pallets 18:07 on 18th Feb 2003
- [US Food Service](#) by Why 13:41 on 18th Feb 2003
  - [Re: US Food Service](#) by Vin 14:37 on 18th Feb 2003

