

— the Navajo Nation had enacted a law banning dealers from simply finding and towing away cars. Now a Tribal Court order to allow repossession was required. We still nurtured the idea of a class action suit, but now we had an accessible individual remedy in Tribal Court: challenging these contracts in a Navajo court.

This could be effective only to the extent it could be enforced. At first, car dealers continued their old ways and clients were not aware of the new law; by the time a client found out, the car was back on the lot in Farmington.

One afternoon, one of my favorite clients, a man whose energy and enthusiasm for life were palpable, arrived in the office, out of breath and in agitation.

He had been riding into Shiprock with his brother and seen a tow truck with his pickup hitched behind. He told his brother to turn around and give chase, until they came abreast of the truck and forced it to stop. He pulled out a gun and ordered the driver to unhitch the pickup. He then drove his own pickup to my office. I was elated: it gave us a chance to enforce the new law.

Within an hour, I got a call from the car dealer himself, spluttering, “Your guy pulled a gun on my guy.” He demanded some sort of satisfaction. I, relying on attorney-client privilege, said I couldn't say what happened, but assured him that if his agent again attempted to repossess any vehicle without an order from Tribal Court, we would take steps to impound his tow truck.

I never heard of another attempt, and I think of this as the case we won on that issue.