

COURT OF APPEALS

JUDGEMENT OF THE COURT OF APPEALS Tim Schreyer vs. SOM COA Ref. No. 26-12-CN July 8, 2026

FACTS IN BRIEF

On June 7, 2026, following Race 2 for Group 3 at the Chicago Region June Sprints Hoosier Super Tour held at Road America, Tim Schreyer, driver of E Production (EP) #38, protested Jon Brakke, driver of EP #89, alleging substitution of parts not originally equipped per the vehicle spec line. Specifically, the protest related to the rear differential cover of the BMW Z3, Level 2 Preparation.

The Stewards of the Meeting (SOM), Bryan Deane and Art Tapley (Chair) met, interviewed both drivers, and visually inspected EP #89. The SOM disallowed the protest and returned the protest fee to Mr. Schreyer.

Mr. Schreyer appealed the decision of the SOM.

DATES OF THE COURT

The SCCA Court of Appeals (COA) Jack Kish, Richard Mitchell, and Scott Bowman (Chair) met on June 25, 2026, to review, hear, and render a decision on the appeal.

DOCUMENTS AND OTHER EVIDENCE RECEIVED AND REVIEWED

1. Request to Appeal from Tim Schreyer, submitted June 14, 2026.
2. Official Observers Report and related documents, received June 18, 2026.
3. Appellant's detailed basis for appeal, received June 18, 2026.
4. Screen shots of BMW dealer parts software, received June 18, 2026.
5. Images from Bentley Publishers BMW Z3 Service Manual, received June 18, 2026.
6. Email and document from Art Tapley, SOM Chair, received June 29, 2026.

FINDINGS

In his appeal, Mr. Schreyer disagreed with the determination that the rear differential cover as configured on EP #89 was ever offered by BMW on the BMW Z3. GCR 9.1.5.C.2 allows updating or backdating within the specifications for the make and model listed on the same line of the Production Category Specifications (PCS). Mr. Schreyer provided significant detail in his appeal from two sources, a Bentley Publishers BMW Z3 Service Manual and the factory BMW Ersatzteile-Katalog (ETK) software package used by all dealers and independent shops to identify and procure parts.

The SOM interviewed both drivers, visually examined EP #89, and considered each driver's testimony and evidence. The SOM determined the allegation of non-compliance was not supported and disallowed the protest.

The COA received minimal documentation of the hearing and investigation performed at the event. In his appeal, Mr. Schreyer provided compelling evidence that deserves consideration. However, without additional information the COA cannot discern the vehicle's compliance. The COA did not receive photographs documenting the rear differential cover as raced at the June Sprints and the vehicle was released to Mr. Brakke following the SOM hearing. Therefore, the COA is unable to rule on the merits of the appeal.

The COA regrets it is unable to issue a finding in Mr. Schreyer's appeal. The COA encourages examination of the entirety of the evidence at a future SCCA event.

DECISION

The Court of Appeals returns Mr. Schreyer's appeal unheard. Mr. Schreyer's entire appeal fee will be returned.