



U.S. Department
of Transportation
National Highway
Traffic Safety
Administration

DOT Auto Safety Hotline
Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100145

Date Received

2004 JUL 26
07-MAY-2004

Repository ☐

PH 5-27
Reference No.
10072280

OWNER INFORMATION (Type or Print)

Name

Address

City CHARLOTTE

State NC

Zip Code

Daytime Telephone Number

E-mail Address

Evening Telephone Number

Do you authorize NHTSA
in the absence of an attorney
Signature of Owner

to the manufacturer of your vehicle? ☒ YES ☐ NO
provide your name or address to the vehicle manufacturer.

Date 7/15/04

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side
5HMAF67P62

Make
MITSUBISHI

Model
DIAMANTE

Model Year
2002

Date Purchased
8-21-02

Dealer's Name and Telephone Number
LEFFER'S

Engine:
No. Cylinders
6

Fuel Type:
Gas

Original Owner
☒

Dealer's City
HUNTERVILLE

State
NC

Zip Code
28078

6

Gas

Transmission Type

☒ Antilock Brakes

Powertrain

Vehicle Component Code

110000 ELECTRICAL SYSTEM

Multiple Failure: 1

FAILED COMPONENT(S)/PART(S) INFORMATION

Incident Date(s)
17-DEC-2003

Failure Mileage
21075

Failure Speed

ETACS SYSTEM FAILURE

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make

Tire Model (Name or Number)

Tire Size (Example P215/65R15)

DOT No. (Example: DOTM4L6ABC036)

☐ Original Equipment
☐ Prior Repair

Failure Location:

Tire Component Code

Tire Failure Type

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:

Date Manufactured:

Model No./Name:

Seat Type:

Installation System:

Child Seat Component Code:

Failed Part:

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)

Crash

Fire

Number of Persons Injured

Number of Deaths

Reported to Police

☐ Yes ☒ No

☐ Yes ☒ No

0

0

N

Narrative Description of Incident(s), Crash(es), and Injury(ies).

Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure;
i.e. parts repaired or replaced (and if old part is available).

WHILE DRIVING AT ANY SPEED ELECTRICAL SYSTEM FAILED. AS A RESULT, THE VEHICLE STALLED IN ONCOMING TRAFFIC. *AK

(3) ATTACHMENTS

Include, if available: Police/Fire Department Report, Photos, and Repair Invoices.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

December 16, 2003

Mr. Lee Forrest - GM
Keffer Mitsubishi of Huntersville
13517 Statesville Road
Huntersville, NC 28078

Bank One
National Payment Service
PO Box 182223
Columbus, OH 43218-2223

RE: 2002 Diamante
Serial #: 6NMAP67P62
Bank One Account

Gentlemen:

I am writing to inform you that due to the nature of the problems that have persisted in my new Diamante (delivered Sept, 2002), I am returning the car and I will not be making any additional payments to this account.

My service record with Keffer, will show that an intermittent noise, which sounded like an electrical related issue (a solenoid rapidly tapping) on the driver's side dashboard or engine compartment, was logged not long after delivery in 2002. Nothing could be recreated and therefore nothing was done to correct this problem.

Furthermore, this vehicle experienced a total electrical shutdown, which fortunately did not occur on a major highway, or Mitsubishi would be confronted with more than a returned vehicle at this point in time. Since Mitsubishi has changed its roadside assistance program to another service center, they cannot locate the information about this call, which occurred in the first half of 2003. A tow truck was dispatched, and just before the car was hooked up, we tried one more time and the car came back on. I contacted Keffer and there was nothing that could be done, since the results from the first time failed to locate the problem. Therefore, nothing would show on the service log. Frankly, I should have returned the car at that time, but I am not going to be foolish twice.

The problem seemed to go away for several months but recently resurfaced in early December. The failure was finally isolated to the ETACS system and furthermore to the fuse box and the wire harness which is integrated into the fuse box. The failure started as a loss in the AC blower, power antenna, door locks, and while the car was parked at the dealership, the trunk release and remotes failed. The car was literally failing in front of us.

For the record, here are the reasons I am returning the car.

- After the service manager checked the NA database, there were no instances of this having happened to any other Diamante in service to date.
- After looking at the failed part, this was an obvious factory installation issue, part integrity issue and/or failure in the factory QA process. Take your pick. It maybe all the above.
- Being that this was the first time ever that a tech was going to do this kind of massive fix, I questioned to the service and parts manager my concern about their ability to do a better job than the factory. I felt it was a bit of a long shot, because the factory has to have testing technologies that a dealer in the field does not have access to. There seemed to be little argument on that front, only to say they understood my concern and would do the very best they could. Good people, but not the answer I was looking for, or they could provide me.
- Even though this car has been fixed to the satisfaction of the dealer, and was road tested for one night, this type of failure was something that started more than a year ago and finally failed 20,000 miles later. An overnight test certainly does not raise my confidence level whatsoever.

- I commented to the service and parts manager that a intermittent electrical problem posed more of a threat than anything mechanical which typically can be reproduced. And seeing what was being gutted out of this car made me very nervous about its ongoing reliability. When it comes to electrical degradation, it is very difficult to argue that the fix is 100% guaranteed.

Gentlemen, the bottom-line to this is I am not, under any circumstance, putting a loved one behind the wheel of something that has demonstrated this type of intermittent failure. It's a potential death trap that I am not going to bury a loved one over. Therefore, Keffler, Bank One and Mitsubishi need to determine their course of action. I'm not sure the car under North Carolina law qualifies as a lemon, but that is the least of my concerns.

It matters not to me, if my credit takes a hit. I have had over sixty vehicles in my life time, Porsche, BMW, MB, Audi, Corvette, etc. and the record will show I never had a repossession. If need be, I will use this letter as proof that I attempted to bring resolution to this matter, and no one will challenge me when I say to them, "Would they put a loved one in a Diamante that has demonstrated this type of life threatening issue?" Everyone would be better served that I do not get into that kind of discussion in a competitor's dealership after they read my credit report. The way the auto market is today, they would be all over that. The good news is this is a one-off problem that other Diamante owners have not experienced, and not a massive recall. My suggestion is, treat it that way, take the loss, and move on.

For the record, the service manager and parts manager were as customer oriented and helpful as they could be given the circumstances they were dealt. As for Mitsubishi's customer service rep Mike Erlandson, I suggest you listen to the tape, and then get him some customer sensitivity training, or find him a new job. When I thought I may have found someone who could remotely care about the underlying issue, I got someone who does nothing more than deliver attitude to me. He was the final straw for me in my attempt to get to someone at Mitsubishi that cared.

Let me know who needs to be contacted regarding the pickup of this vehicle.

Regards,



SALES DIVISION
8400 KATELLA AVENUE
CYPRESS, CALIFORNIA 90630-6501
(714) 372-6000
TELEFAX (714) 373-1020
mitsubimotors.com

MAILING ADDRESS:
P.O. BOX 5400
CYPRESS, CALIFORNIA 90630-0054

May 12, 2004

[REDACTED]
[REDACTED]
CHARLOTTE, NC [REDACTED]

Re: 2002 Diamante
VIN: 6MMAF67P82T [REDACTED]

Dear [REDACTED]

This will acknowledge your telephone call on May 7, 2004, in regards to the above referenced vehicle and your request for a buyback of your car.

Naturally, we are sorry to learn of the matter as outlined in your letter and of your dissatisfaction. We assure you, [REDACTED] that customer satisfaction is the number one priority at Mitsubishi Motors North America, Inc. ("MMNA"). Whenever we are contacted and in a position to be helpful, we do not hesitate to take positive action.

After a careful review of the documents currently in our file, and a review of the repair history of your vehicle with the dealer, it does not appear that MMNA is responsible for the replacement or repurchase of your vehicle. In this respect, we must decline your request for a buyback.

Thank you for the opportunity to review this matter for you.

Sincerely,



Ovid Joyal
Mediation Manager



5/17/04

Mr. Ovid Joyal
Mitsubishi Motors North America
P.O. BOX 8400
Cypress, CA 90630-0084

Re: 2002 Diamante
VIN: 6MMA667P82T [REDACTED]

Subj: Reply

Mr. Joyal:

Thank you for your quick response to my request. Obviously you put a lot of time into this, with your two day turnaround and use of a form letter. I am also sorry to say that your response is unacceptable.

Help me understand something. How is it that you can write me that, "Customer satisfaction is your number one priority", acknowledge my "dissatisfaction" and then say that you, "Do not hesitate to take positive action", all in the same paragraph. This is nothing but a standard response in hope that I will go away quietly. I WILL NOT! What this letter does confirm is that Mitsubishi does not put customer safety and customer satisfaction as priority one.

First of all, who did you talk to at the dealer? The service manager? The general manager? Who? What did you ask them? What was their response? Certainly they are going to say that they did their job. What would you expect them to say, that they were incompetent? They should have told you they said to me:

- This was the first time they ever saw this type of problem
- That they could not determine how this happened in the first place
- That they could not determine where the problem originated, only where it finally showed up as a consistent failure.

You forget, I was there when they discovered this. I saw the fuse box first hand. I saw the concern on their face. It took them over a week to install the part. And it concerns me why you are not documenting your findings to me.

Next, you had no conversation with me whatsoever. The only information you have was the thumbnail sketch I gave to your Mr. Michael Vinciguerra. I expected a call from you prior to coming to your conclusion. If customer satisfaction is your number one priority (your words, not mine), why wouldn't you want to talk to your number one priority? If for nothing else, to make sure you had everyone's perspective.

So, unlike Mitsubishi, I am not the type of person who is going to hide my action from your view. You do not hesitate to take positive action, well, nor do I. I did not create this problem and I was not going to be put in a position where I would have to risk an injury or death before you people came to your senses.

I have contacted the National Highway Safety Agency and have reported this vehicle as being a death trap that Mitsubishi and Bank One have collectively turned their head from. I told them that the dealer fixed the problem where it finally showed up, but they were not able to confirm where it originated.

The minute that charred fuse box and wire harness was removed from the vehicle and there was no other record of any such incident in North America that was when "positive action" should have been taken. The minute the service manager and general manager admitted that electrical problems and water problems are always the most difficult ones to fix, I knew I had a problem. This car had both. The minute

I asked the service manager if their shop had the same QC equipment that the factory had, and he said no, I knew we had a problem. And the minute I asked them did they fix it 100% after having it for more than two weeks, they could only say they drove it for a day and it seemed OK to them. I told them this problem took 21000 miles and over a year to get it to consistently fail. When asked, would they put their wife or loved ones in this car, they acknowledged my concern.

Unfortunately, after researching the North Carolina "lemon law", the rules cannot be applied to this vehicle because of the inconsistency of the problem. I said that was the nature of electrical problems and that everyone acknowledged that. So, it's a Catch 22.

I have to tell you that I am amazed at businesses that do not want to do what is right. Forget the money. Do the humanitarian thing and protect the public ... your customer.

So, Mr. Joyal, here is where am going with this. You have forced the issue and I now have an obligation to perform a public service. I will visit the dealership one more time, but to inform them of my action, which I have every right to do. I am an executive recruiter. Probably means nothing to you. I deal with executive level people in major software companies nationwide. These are people that make well over \$100,000 per year. I have a database of 18,000 contacts. My marketing background would suggest that 18,000 emails would get the attention of about 3-5%, 500-1,000 interested parties, who also have interested parties, those who have your products and those who may be considering your products. Let me provide you with a short excerpt.

I am reaching out to you to inform you that if you or a family member or a close friend or relative is driving a late model Mitsubishi vehicle that the potential is you/they could be in serious danger. I have been the owner of a new 2002 Mitsubishi that had a severe electrical problem that shut down all electrical operations and control of the vehicle when in motion. The problem was very inconsistent and took over a year for it to fail consistently.

Please be aware, that the manufacturer has taken the posture that the vehicle was fixed, even though the dealer only drove it for less than 24 hours (and that was not continuous), and when I refused to take the car back, they allowed the bank to repossess it and sell it at auction.

The manufacturer claims that customer satisfaction is their number one priority, but they fail to do what is right, and that is to recall that car from service. There is no recall or record of the problem, but at the same time, the dealer cannot say for sure it is fixed. It took over two weeks to put the engine compartment back together, as it was their very first time with this type of a problem.

The car also had a water problem, which for all we know, could have been the root cause. Does your Mitsubishi have any water problems?

My next move will be to contact the Charlotte Observer and the TV stations in town. Needless to say, the one that is going to take the brunt of it will be the dealer.

Mr. Joyal, should I end up in court over this with Bank One, rest assure I will take every liberty to expose you, the dealer and the bank for lack of affirmative action. All I will have to do is to ask the judge, "Would you put a loved one in a car that demonstrated this kind of problem?"

You better come up with a different answer, because this is nothing but Mitsubishi sticking their head in the sand next to the dealer and Bank One. Remember, you were not there, I was. I saw the look in their eyes and I heard the words of the service manager and general manager.

The suggestion of the customer rep at Bank One was for me to drive the car and let my wife drive my Infiniti. My suggestion to you is to find someone in your company, probably your legal staff, to make a humanitarian and executive decision. As a "Mediation Manager", I would suspect that call has to come from someone high in the food chain.

This is not a threat. I am merely exercising my rights and I am reporting facts, not opinion.

Customer Satisfaction ... you people have no clue and that is why your products fail to compete with others. When I told the general manager I was getting into a 2004 Audi Quattro, including all maintenance for less money than the Diamante, he said he has no way of competing with that. There is someone who knows how to sell your value.

If I do not hear from you by May 26th, I will take it to mean you have no interest and I will launch my campaign. This is not going to benefit Mitsubishi one bit. The embarrassment alone will cost you and the dealership more than the balance on the account. Do the right thing.

Regards,



Cc: Rayburn Cooper & Durham, P.A.