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RICHARD J. CODEY  
Acting Governor

**New Jersey Office of the Attorney General**

Division of Consumer Affairs  
Consumer Service & Intake Center  
124 Halsey Street, 3rd Floor, Newark, NJ 07102

205 JAN 06 11 2



STEVEN C. HARVEY  
Attorney General

December 8, 2004

RENE ERICSSON  
Director

Mailing Address:  
P.O. Box 45025  
Newark, NJ 07101  
(973) 504-8200

Scotch Plains, NJ

Re: Audi America  
File No: 04-20512

Dear Sir/Madam:

Thank you for contacting the New Jersey Division of Consumer Affairs. Because the allegations you made in your letter are not within the Division's jurisdiction, we are referring this matter to:

National Highway Traffic Safety Administration  
400 7th Street, SW Room 5232  
Washington, DC 20590  
(888) 324-4236

All future correspondence, including inquiries and copies of additional documents, should be addressed to them.

Sincerely,

Patricia D. Pate  
Supervisor  
Consumer Service Center

PDP:ARO  
CSC 11B -Form

*Quaranta*  
1/11/05



JAMES E. McGREEVEY  
Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
Office of Consumer Protection  
Lemon Law Unit  
124 Halsey Street, 7<sup>th</sup> Floor, Newark, NJ 07102



PETER C. HARVEY  
Attorney General

RAW ERDOS  
Director

Mailing Address:  
P.O. Box 46028  
Newark, NJ 07101  
(973) 504-6226

September 29, 2004

Scotch Plains, NJ


Dear Consumer:

Based on the facts you have provided our office, your complaint does not meet the requirements of the Lemon Law's Dispute Resolution Process. That does not mean, however, that there is no recourse for you. We will refer your case to the Division's Consumer Service Center for further review. If your complaint can be resolved under some other consumer protection statute, you will be contacted by the appropriate enforcement unit. In the meantime, you may wish to consider alternative methods of resolution.

Some major car manufacturers sponsor an informal dispute settlement procedure. To find out if your vehicle's manufacturer supports this type of process, you should refer to your owner's manual or call your manufacturer for more information. If you wish to have a judge hear your case, you should contact the clerk's office at the Superior Court of New Jersey at (609) 292-4822 or call your local Small Claims Court for details on how to bring legal action.

If you have any further questions regarding this matter please call us at: (973) 504-6226 or contact us on line at: [www.state.nj.us/lps/ca](http://www.state.nj.us/lps/ca)

Sincerely,

  
Thomas J Daniels  
N.J. Lemon Law Unit

04 AUG 25 11:22

Scotch Plains, NJ

August 19, 2004

**VIA CERTIFIED MAIL/RETURN RECEIPT**

Mr. Axel Mees  
Vice President Audi America  
388 [REDACTED]  
Auburn Hills, MI 48326

Dear Mr. Mees:

I am a regretful owner of a 2002 Audi A4 3.0 liter Quattro. Since the purchase of this vehicle on May 6, 2002, I have had no less than ten defects, issues, malfunctions and the like. These occurrences ranged from the driver's side seat motor burning out three separate times to the entire vehicle failing to operate, also three separate times. I have had my headlight assembly, windshield washer system, radio and speakers all replaced, serviced or dismissed within the first two years of ownership. As I fear the impending approach of my warranty expiration, I am reaching out to you for corporate retribution prior to my continued pursuance to seek legal recourse.

Mr. Mees, I have attempted to resolve, repair, rectify and even return this vehicle and have even gone through the annoyance of issuing notice of Lemon Law on October 14, 2002. I have made numerous contacts with your Audi of Bernardsville dealership, speaking directly to Mr. Jim Todd, General Manger and Mr. Mark Butofsky, Sales and Finance manger—both of whom were less than effective in customer relations to the extent of Mr. Todd standing me up for an appointment scheduled on January 19, 2004 and Mr. Butofsky dismissing my hardship, thus aggravating my on-going inconveniences.

In addition to my countless visits to your "#1 dealer" and its "award-winning" service department, I have tried to seek resolution through your text-book trained "customer service" department. I have spoken with Mr. Bret Luper (2/2/04), Ms. Kristina Nikprelvc (4/1/04) and Ms. Amy Mills (4/20/04). I have even gone through the painful and less than effective process of calling your corporate office executive hotline on 2/2/04 at 2:46pm—whose promise it is to respond within 24-48 hours; may I add that I am still waiting for my returned call as of the date of this letter. I would have followed up myself, rather than wait with mild hopes of a corporate customer-centric response, but, very much in line with all of my dealings with your "luxury" organization, your policy is not to issue any direct phone numbers; so I have effectively run out of options. I understand that all of

your executives must be buffered from such trivial customer annoyances—given the nature of my situation and what I have learned of your ill deserved reputation, it would be impossible to dedicate the time necessary to even attempt an acceptable level of customer service. On behalf of all of the wronged and duped Audi buyers, I apologize for the inconvenience our repairs have been as a result of having purchased your inferior car.

I am writing this letter in a final attempt that someone, anyone, in the Audi of America organization cares enough or will at least go through the motions of attempting to rectify my position. I have nearly 35,000 miles on my car and am now in a position where its sub-standard design and engineering will begin to further affect my personal and economic resources. Upon even a superficial evaluation of my service history, I am sure that you will agree that the issues impacting my car cannot be considered "normal" operations for even an economy vehicle, none-the-less one you consider of "luxury" status.

As a result of my reaching out to you, I will await your timely response to address my situation in a pro-active, legal-free fashion. I have carefully considered viable resolutions, given my car's history and performance and the reoccurring inconveniences inflicted upon me, and have deemed that any of the following scenarios will suffice to prevent further recourse:

1. FULL EXCHANGE: substitute my A4 3.0 liter with a new comparable model
2. PURCHASE: refund the cost of my car at a value of \$30,000 [\$24,469 blue book-see *Edmunds sheet*- plus \$5,531 for compensation toward alternative vehicle purchase]
3. THREE YEAR UNLIMITED EXTENDED WARRANTY: Grant a no mileage limit, bumper-to-bumper, no restriction extension to safeguard my car against defects yet undetected. The three years are mandatory so that there will be ample time to pay off the balance on the vehicle and apply 12 months of non-payment to purchase of a new alternate vehicle.

Mr. Mees, I am enclosing my service documentation, along with a records log from which you may confirm my lack-luster ownership experience. I will make myself completely available should you have further questions. I trust, after you have reviewed my service history, and taken into consideration the burden put on me by my "new car ownership experience," my time, energy and aggravation; not to mention my out of pocket rental/borrower car expenses (\$74.15 for insurance coverage that Audi refused to pay and \$350.21 for windshield damage incurred while using your lender car during the third repair visit for the same problem), you will try to rectify this matter in a fashion appropriate to the reputation to which your company clings.

I will expect to hear from you within the more than reasonable time for seven business days from receipt of this letter.

Regretfully, a customer,

Cc:

Dr. Martin Winterkorn  
Chairman of the Board of Managers  
Audi AG  
c/o Germany  
PO Box 10 04 57  
85004 Ingolstadt

New Jersey Division of Consumer Affairs  
124 Halsey Street  
Newark, NJ 07102

Asa Aarons  
c/o WNBC.com

7onyourside  
c/D 7online.com-WABC

Scotch Plains, NJ

October 14, 2002

**VIA CERTIFIED MAIL/RETURN RECEIPT**  
**COPY**

  
Attention: Service Manager

Dear Sir or Madame:

This letter will serve as the written notification required pursuant to New Jersey State Statute 56:12-33 (e.g. "The Lemon Law") that the Audi 2002 A4, 3.0 liter vehicle purchased by me at your dealership on May 6, 2002 has been subject to repair two or more times for substantially the same nonconformity.

On May 13, 2002, the day I picked up my new car, I was told that the car was "dead" on the lot, but that a new battery was put in and that the car was fixed. However, on July 15, 2002, a mere two months later, the same problem occurred. There was no power to the engine or the remote; I was unable to remotely open the vehicle and when I manually opened the car door and turned the key in the ignition, the engine did not even turn over. Again, the battery was replaced. Upon picking up the car the second time, I was told that the car went "dead" this time because a battery too small for the model had been inadvertently installed in the car, the correct battery was now installed and that there would be no further problems.

This morning, after another two months, the car is again "dead." This is the third time, in less than 6 months, that you are repairing the same problem. If this repair does not permanently correct the problem, I will be pursuing all my rights under the New Jersey Law, including, but not limited to, a full refund.

Very truly yours,



## Used Vehicle Appraiser



**2002 Audi A4 4 Dr 3.0 quattro AWD Sedan**

**Color:** Gray  
**Mileage:** 35,000  
**Condition:** Clean  
**Zip:** 07076

[Maintenance Schedule](#) | [Insurance Quotes](#) | [Exit a Lease](#)

### Step 4

|                             | Trade-in        | Private Party   | Dealer Retail   |
|-----------------------------|-----------------|-----------------|-----------------|
| <b>Base Price</b>           | \$21,788        | \$23,092        | \$25,248        |
| <b>Optional Equipment</b>   | \$2,854         | \$3,030         | \$3,891         |
| <b>Color Adjustment</b>     | \$77            | \$81            | \$89            |
| <b>Regional Adjustment</b>  | \$-66           | \$-70           | \$-77           |
| <b>Mileage Adjustment</b>   | \$-194          | \$-194          | \$-194          |
| <b>Condition Adjustment</b> | \$0             | \$0             | \$0             |
| <b>Total</b>                | <b>\$24,469</b> | <b>\$25,839</b> | <b>\$28,767</b> |

**Certified Used Vehicle**

**\$30,207\***

\* You should expect to pay this amount if this vehicle has been certified as part of a manufacturer or authorized reseller program.

### Next Steps

[Sell Your Car Online](#)

[Request a Free Insurance Quote](#)

[Find a Local Dealer](#)

### Create Window Sticker

[Private Party](#)

[Dealer](#)

[PRINT](#)

[BACK](#)

[NEXT VEHICLE](#)

[Legal Notices](#)

| DATE      |                     | COMPLAINT/DESCRIPTION   | ACTIONS   |
|-----------|---------------------|---|---|
| 5/13/2002 | date of purchase    | Car delivered from PAJ  | Reported to customer day of   |
|           | date of pick up     | Battery was replaced per Chris Stanzione                                | pick-up; casual statement   |
|           | 5/8 signed contract |   |   |
| 7/15/2002 |                     | Car did not start; parked outside of customer house. On vacation 7/8-12 | Called 800#. flat had to dealer   |
|           |                     | Battery dead, no turn over at all, manual entry to car                  | No problems per dealer, per Chris "will not have any further problems"  |
|           |                     |   | Customer challenged diagnosis   |
|           |                     |   | Unusual to have 2 dead batteries within 2 months of new car.  |
|           |                     |   | upon request, Audi sent a driver to bring customer to dealer to retrieve car  |
|           |                     |   | Car was not completed—needed check-up to see what was draining battery  |
|           |                     |   | Loaner car was issued. Chris explained that the systems were never re-set when the first replacement battery was installed (esp?) |
|           |                     |   | AND that a smaller battery was installed by mistake. this combination caused drain.   |
|           |                     |   | Customer again noted hesitation (odd for new car to have a battery drain in 5 days.)  |
| 7/16/2002 |                     | Car reported to be fixed by dealer                                      | Customer drove loaner to exchange   |
|           |                     |   | Dealer, again, asserted that car is completely fixed.   |
| 13-Oct    |                     | Alarms in car/buzzer during local errands                               |   |
|           |                     | Put headlights on, 2nd buzz; remote did not lock system                 |   |

|            |  |   |  |
|------------|--|---|--|
| 10/14/2002 |  | Car dead                                    | Called CS at 11:16am                                 |
|            |  | remote did nt unlock doors                  | left message on voicemail                            |
|            |  | opened car manually, no engine turnover     | D.DeHart called immediately after                    |
|            |  | when the key was placed in the ignition     | Dealer arranged for Enterprise rental car            |
|            |  |   | red 2002 ford focus                                  |
|            |  |   | LD picked up rental car                              |
|            |  |   | Flat had arrived and left in absence                 |
| 10/16/2002 |  | LD called Audi for status of car            | CS said car was fixed.                               |
|            |  |   | Sensor on door that dims dash lights                 |
|            |  |   | was broken. It was replaced                          |
| 10/17/2002 |  | Rental car returned                         |  |
| 12/12/2002 |  | see service notes: windshield washer system | Audi service fixed windshield                        |
|            |  | front left parking light , stereo apeaker   | Confirmed no problem with                            |
|            |  |   | light (just cleaned) and stereo                      |
| 1/3/2003   |  | Light out again-front left parking          |  |
|            |  | LD made apt with Rick for earliest service  | service date 1/20                                    |
|            |  | with Audi loaner                            |  |
| 1/11/2003  |  | LD and DD apt. with GM Jim Todd             | Jtodd called 1/13 to arrange for car "swap" tues eve |
|            |  | to discuss service and car condition        | 1/14. Headlight assembly changed                     |
| 3/24/2003  |  | Had coils replaced ahead of recall letter   | Repair made after multiple conversations and finally |
|            |  |   | approval from a regional manager                     |
| 9/18/2003  |  | general service needed                      |  |
| october    |  | seat adjustment front drivers side          | mechanic reported how unusual it was for this to     |
|            |  | not working                                 | go dead  |
| 12/4/2003  |  | part in                                     | seat repaired  |
| 1/18/2004  |  | radio/cd/tape mechanism went dead           |  |
|            |  | operated 11:50am of 1/18, did not           |  |
|            |  | turn on next local trip est. sat 12:15pm    |  |

|           |  |  |   |
|-----------|--|--|---|
| 1/19/2004 |  | visit to Audi to resolve car issues—called and was told Jim Todd would be at dealer. Went to dealer and he was not there and he informed them that he would not be coming in. Marc Butofsky, sales and finance manager said he could help. He did not. He aggravated the situation, was callous, dismissive and had a non-customer centric attitude. | Note: dealership replaced radio unit  |
|           |  | LD called Audi of America Ref # 40028314, spoke with Brad Hollister—who would get back with follow up by wed   |   |
| 2/2/2004  |  | 2:46pm LD called executive line  | no response   |
| 3/23/2004 |  | front drivers side seat motor had grinding sound; not working, same as on 12/4/03  | spoke with Rick on 3/28; said to come by on 3/30; perhaps connector undone will look at or re-order a part  |
| 3/30/2004 |  | LD went to dealer to fix seat 2x   | confirmed motor blew out again<br>still no response from exec line  |
| 4/1/2004  |  | LD called customer service spoke with Kris/christina Nikprevic re/# 40148088   | said they will call back within 48 hours<br>received call on 4/15—14 days later   |
| 4/20/2004 |  | seat repaired  |   |
| 7/1/2004  |  | check engine light came on—stayed on approx 3 weeks—did not reset as told  | earliest appoint was 7/1; 3 weeks after light came on<br>was told catalytic convertor operating too low<br>audi reset   |
| 7/19/2004 |  | front seat motor broke; spoke to Jared   |   |
| 7/23/2004 |  | had motor replaced again; noted scratch on windshield which happened days after the blades were replaced from last service   | David, technician did not know why the motor went bad 3x; waiting for service to follow up on windshield repair—no one called upon my inquiry to seek adjustment for faulty blade/rubber/other... |



**THE ATTACHMENTS TO THIS  
DOCUMENT HAVE BEEN REMOVED  
TO PROTECT UNWARRANTED  
INVASION OF PERSONAL PRIVACY  
PURSUANT TO EXEMPTION 6 OF  
THE FREEDOM OF INFORMATION  
ACT (FOIA), 5 U.S.C. 552(b)(6).**