



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

Date Received

Od_or _____
rt_dt _____
od_rt _____
up_ltr _____

Reference No.

OWNER INFORMATION (Type or Print)

Name

Street No.

Apt.

City

Savannah

State

GA

Zip Code

Daytime Telephone Number

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle? ☒ YES ☐ NO
In the absence of your signature, provide your name or address to the vehicle manufacturer.

Signature of Owner

Date 03 / 31 / 05

PRODUCT INFORMATION

Vehicle Identification No. (VIN.) (Located at bottom of windshield on driver's side)

Make

Chevrolet

Model

Caprice

Year

1996

1 G 1 B L 5 2 W 8 T R

Purchased Date

4/3/03

Dealer's Name

Coastal Auto Mart

Engine Size
(CID/CC/L)

☐ Turbo

☐ Diesel

☐ Gas

☐ Fuel Injection

☐ New ☐ Used

Dealer's City

Savannah

State

GA

Zip Code

31419

No. Cylinders

8

Transmission Type

☒ Manual

☐ Automatic

Restraint System

☒ Driverside Air Bag

☐ Motorbelt

☐ Passengerside Air Bag

☐ 2-Point Belt

☐ 3-Point Belt

Cruise Control

☒ Yes

☐ No

Drivetrain

☐ Front

☐ Rear

☐ 4-Wheel

Vehicle Type

☒ Car

☐ Van

☐ Minivan

☐ Other

☐ Sport Utility

☐ Truck

☐ Motorcycle

Body Style

☐ 2-Door

☒ 4-Door

☐ Stationwagon

☐ Pick Up Truck

☐ Other

FAILED COMPONENT(S)/PART(S) INFORMATION

Part Name(s)

Cooper Tires (Cornell)

Location

☒ Left

☐ Front

☒ Right

☐ Rear

Failed Part(s)

☐ Original

☒ Replacement

Handicap Adaptive Equip

☐ Yes

☒ No

TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Brand Cornell (Cooper Tire & Rubber Company)

Tire Name

Cornell 535P215/75R15

Complete Tire Size 535P215/75R15

No. of Failures

3

Date(s) of Failure(s)

March 2004 - October 2004

Mileage at Failure(s)

89,544

Vehicle Speed at Failure(s): Vehicle Parked

Failed Part(s) State

Available? Farm

☒ Yes ☐ No

NHTSA Previously Contacted?

☒ Yes ☐ No

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the Incident(s), Failure(s), Crash(es), and Injury(ies). Attach photos if available.)

Crash

☐ Yes ☒ No

Fire

☐ Yes ☒ No

Number of Persons Injured

N/A

Number of Fatalities

N/A

Reported to Manufacturer

☒ Yes ☐ No

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

Defective Cornell Cooper Tires were sold to my family from March 04- October 04, resulting in tires exploding on 1996 Chevy Caprice Classic, while the car was parked, damaging the entire front end of vehicle. We contacted the insurance company, corporate management at Pep Boys, and Cooper Tires in Findlay, Ohio.

Continue on back.

The Privacy Act of 1974 - Public Law 93-579 This information is requested pursuant to a49 U.S.C. Chapter 301. You are under no obligation to respond to this questionnaire. Your response may be used to assist NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If NHTSA proceeds with administration enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

Mail postage free or fax to 202-366-7882



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

400 Seventh Street, S.W.
Washington, D.C. 20590

JAN 20 2005

[REDACTED]
[REDACTED]
Savannah, GA [REDACTED]

NVS-216 mec
Reference No. 10097611

Dear [REDACTED]

Thank you for your correspondence received by the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation (ODI). We apologize for the use of this form letter; however, due to the overwhelming number of letters received by ODI and the limited resources available to this agency, we are responding to your correspondence in this manner.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair vehicles or items of motor vehicle equipment when our investigations indicate that they contain serious safety defects in their design, construction, or performance. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency to initiate an investigation, sufficient data must exist to warrant the expenditure of agency resources. We cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

We appreciate the report you provided. Reports from motorists are a very important source of information for us. Each report is analyzed and compiled into a database to help us in identifying potential recall inadequacies and safety defects that require our attention. Reimbursement requests relating to a safety recall will be sent to the manufacturer with a request that it be reviewed for a possible resolution. Reimbursement requests relating to failure of a product, which is not related to a safety recall, do not fall under our jurisdiction. If you have not done so, you may consider contacting your local Consumer Protection Agency, the Better Business Bureau, and the State Office of the Attorney General for assistance.

If you wish to update or provide additional information, e.g., copies of repair invoices, police report where a crash occurred, fire department report when a fire occurred, or more detailed information about the incident(s) relating to motor vehicle safety, please attach the additional information to the enclosed Vehicle Owner's Questionnaire (VOQ). The information you provide will be used to update your report.

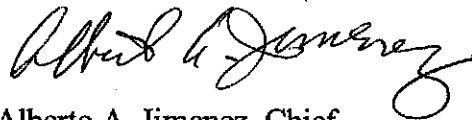


DOT AUTO SAFETY HOTLINE
888-DASH-2-DOT
888-327-4236

In cases where an investigation is initiated or your report relates to a current investigation, a copy of your report is provided to the manufacturer of the product being investigated. The Privacy Act prohibits our agency from providing your personal identifiers (name, mailing address, zip code, and complete vehicle identification number) to the manufacturer without your permission. Please mark the appropriate authorization box and sign the VOQ before returning it to the agency.

If you have access to a computer, you may obtain information about safety recalls, safety defect investigations, and other safety-related information by accessing NHTSA's Internet Web site at <http://www.nhtsa.dot.gov>.

Sincerely,



Alberto A. Jimenez, Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement

Enclosure

*Your report was referred to NHTSA by
Federal Highway Administration.*



COOPER TIRE

COOPER TIRE & RUBBER COMPANY

701 LIMA AVE. • FINDLAY, OH 45840-2315 • (419) 423-1321 • www.coopertire.com

December 3, 2004

[REDACTED]

Savannah, GA [REDACTED]

Dear [REDACTED]

Our File #: L-2004-10-0066

As was agreed upon, please find our enclosed check. This check is issued in the interest of your satisfaction and goodwill as reimbursement for a portion of the repair expenses for your vehicle. Please understand that this check is issued in the interest of your satisfaction without admission of any liability.

Thank you for allowing us to be of service.

Cooper Tire
Claims Administration

Enclosure



CONSUMER ASSISTANCE PROGRAM

November 24, 2004

CONFIDENTIAL

[REDACTED]
Savannah, GA [REDACTED]

Dear [REDACTED]

Thank you for your letter received November 24, 2004. The State Bar of Georgia has no jurisdiction in this matter. You may wish to contact the Governor's Office of Consumer Affairs at 404-656-1776. Here is the address:

Office of Consumer Affairs
2 Martin Luther King, Jr. Drive
Suite 356
Atlanta, GA 30334

The Consumer Assistance Program (CAP) keeps correspondence for only thirty days. After that, it is destroyed.

Sincerely,


Steven E. Conner
Assistant Director, CAP

SEC/bd



COOPER TIRE

COOPER TIRE & RUBBER COMPANY

701 LIMA AVE. • FINDLAY, OH 45840-2315 • (419) 423-1321 • www.coopertire.com

November 18, 2004

[REDACTED]
[REDACTED]
Savannah, GA [REDACTED]

Dear [REDACTED]:

Our File #: L-2004-10-0066

As was agreed upon, please find our enclosed check. This check is issued in the interest of your satisfaction and goodwill as reimbursement for a portion of the repair expenses for your vehicle. Please understand that this check is issued in the interest of your satisfaction without admission of any liability.

Thank you for allowing us to be of service.

Cooper Tire
Claims Administration

Enclosure



COOPER TIRE

COOPER TIRE & RUBBER COMPANY

701 LIMA AVE. • FINDLAY, OH 45840-2315 • (419) 423-1321 • www.coopertire.com

October 26, 2004

[REDACTED]
Savannah, GA [REDACTED]

Dear [REDACTED]
0066

Our File #: L-2004-10-

Per my conversation with your mother, I would like to extend the following offer to you:

1. Reimbursement for your insurance deductible up to \$500

AND

2. A new set of four (4) passenger or light truck tires of any size or type which will be shipped directly to your residence at no cost to you. Your only expense would be for installation.

This offer is available to you at any time within the next three (3) years of the date of this letter. Please contact us, at your convenience and mention our file number above, if you wish to take advantage of this offer.

We can be reached at 1-866-789-2468 during business hours.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren R. Lepper", written over a horizontal line.

Darren R. Lepper
Manager, Claims Administration



COOPER TIRE
NORTH AMERICAN TIRE DIVISION

COOPER TIRE & RUBBER COMPANY
701 LIMA AVE. • FINDLAY, OH 45840-2315 • (419) 423-1321 • www.coopertire.com

October 6, 2004

[REDACTED]
Savannah, GA [REDACTED]

Our File #: L-2004-10-0066

This letter confirms our recent notification regarding the situation you experienced with your tire(s).

There are many reasons and conditions for tire failure and a number of them can be detected only after careful examination under laboratory conditions. In order for us to process your claim, listed below are the items required for consideration:

1. Return of the tire(s) which is reported to be responsible for the damage*
2. Complete and return the enclosed claim report
3. Two (2) estimates for the repair of the damage
4. Copy of the replacement tire invoice (if applicable)
5. 3-6 photos of the damage to the vehicle

*A pre-addressed UPS shipping label has been provided for the return of the tire(s), at our expense.

See the attached "Instructions" for details regarding the process for shipping your tire(s) and the requested paperwork.

Upon receipt of all of the above items, we will advise you in writing of our decision, usually within 30 days. Please make a copy of the paperwork, estimates and receipts for your own files. Following the included instructions and using the enclosed materials will expedite our review process.

Please keep in mind that any tire, no matter how well constructed, may fail in use as a result of punctures, impact damage, improper inflation, overloading, or other conditions resulting from use or misuse for which we are not responsible. Many of the submitted tires we receive failed for one of these reasons above and the claims are accordingly denied for payment.

Thank you for your cooperation. If you have any questions, please feel free to contact the Claims Administration Department at 1-866-789-2468.

CC Pep Boys Corporate
CC Pep Boys Store #0129

December 7, 2004

Office of Consumer Affairs
2 Martin Luther King, Jr. Drive
Suite 356
Atlanta, Georgia 30334

Federal Highway, Administration
400 Seventh Street, SW
Washington, DC 20590
Complaints Department

Cooper Tire & Rubber Company
701 Lima Ave.
Findlay, Ohio 45840-2315
419-423-1321
File No. L200410006
Fax: 419-420-6050
Darren Lepper, Manager
Mr. Tom Dattillo CEO

PEP BOYS
8702 Abercorn Street
Savannah, GA 31406
912-920-1442
File No. 04012916299
Wander Rivera, Claims

Thank you, in advance for responding. Attached you will find documentation for claims, for defective tires sold to my family from March 04 - October 04, resulting in tires exploding on 1996 Chevy Caprice Classic (535P215/75R15), while the car was parked, damaging the entire front end of vehicle. We contacted proper local and corporate management concerning defective tires that were purchased from PEP BOYS.

1. **Results:** Cooper Tire & Pep Boys denied claim for tires exploding.
Offered
2. Reimbursement for insurance deductible.
3. A new set of (4) passenger tires of any size, shipped directly to home address.
4. Out of pocket expense.

REQUESTING LEGAL ASSISTANT

Over the past 71 days I have experienced a great deal of stress, trying to get our vehicle back on the road.

1. Vacation time from October 15 - October 29 was ruined.
Calling Pep Boys & Cooper Tire
2. Typing letters, copying, faxing documents from Washington DC to Ohio to Savannah Georgia.
3. Stress of thinking about this incident during my Competition (Bodybuilding) in Washington, DC on 10/16/04.
4. Exploding tire being lost my UPS shipped to Cooper Tire

Unprofessional from Pep Boys for not filing claim when requested and shifting the blame on Cooper Tire.

5. Putting extra Money on Visa card for Rental \$150.00
6. Check for rental delayed by Cooper Tire & DHL Express, causing stress in paying for personal home bills. 12/7/04

Below are dates of events

9/29/04	4:30 am	Tire Explosion	Damage vehicle
10-1-04	1:45 pm	Manager Phil Beach	Sold wrong tires
10-1-04	""	Wayne (Tire Spec.)	Sold wrong tires Switch out at my cost! Higher Grade \$18.25 extra each tire.
10-02-04	12:40 pm	State Farm phone to Pep Boys Asst. Mgr.	Mr. Dwayne Toms It's our fault, we sold wrong tires, we will pay for damage of vehicle rental and tires.
10-2-04	12:40 pm	State Farm Statement	Corporate Risk Department responsible for damages, rental, replacement tires.
10-04-04	1:00	Pep Boys Management	Unprofessional never submitted claim
10-05-04	11:00	Customer Complaint	Fill in manager submitted Claim.



STATE OF GEORGIA
GOVERNOR'S OFFICE OF CONSUMER AFFAIRS

2 MARTIN LUTHER KING, JR. DRIVE, SE, SUITE 356

ATLANTA, GEORGIA 30334-4600

404-656-3790

www.state.ga.us/gaoca

Sonny Perdue
GOVERNOR

Joseph B. Doyle
ADMINISTRATOR

December 7, 2004

[REDACTED]

[REDACTED]

Savannah, Georgia [REDACTED]

Re: Reference File No. 04-1203-018N

Consumer Name: Sudan Diarra

Business Name: Pep Boys

Dear [REDACTED]:

The Georgia Governor's Office of Consumer Affairs has received your complaint against the above referenced business. After reviewing your complaint, it appears the relief you seek involves compensation for damages that are beyond the scope of our statutory authority.

There may be other avenues to pursue this matter further. For example, there may be other laws that afford you a private right of action in regard to your complaint. Also, you may consider using small claims court in the county where the business is located. You can contact the Clerk of the Court in that county for information on filing a small claims action. Should you wish to pursue these possible alternatives, you might want to consult with another attorney.

Thank you for bringing this matter to our attention. We are sorry we could not be of further assistance.

Sincerely,

A. Faye Allen

Complaint Intake Technician

**REQUESTING SETTLEMENT
FOR STRESS & SUFFERING**

 vs. Cooper Tire

**71 Days of Stress & Suffering
\$2144.11**

December 7, 2004

DECEMBER 10, 2004

Plaintiff(s)

[REDACTED]
[REDACTED]
Savannah, GA [REDACTED]
[REDACTED]

vs.

Defendant(s)

Cooper Tire & Rubber Company
701 Lima Ave.
Findlay, Ohio 45840-2315
Mr. Tom Dattilo CEO
Fax: 419-420-6050
Darren Lepper
Fax: 419-427-4728

Thank you in advance for responding. Requesting legal assistance in settlement amount of \$ 2144.11 for stress and suffering for 71 days, due to tires exploding on vichele.

See: Enclosed documents

U.S. District Court
Southern District of Ohio
706 Potter Stewart US Courthouse
100 East Fifth Street
Cincinnati, Ohio 45202-3905

Superior Court
Chatham County Courthouse
133 Montgomery Street
Savannah, GA 31401
Fax: 642-7522

Municipal Civil Court
318 Dorney Plz Ste 206
Findlay, Ohio 45840

419-424-7143

Sincerely,