2005 MAY 10 AM 3:33

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ELIOT SPITZER
Attorney General

REGIONAL OFFICE DIVISION
Buffalo Regional Office

April 26, 2005

10121499

Buffalo, NY

Our File Number: 2005-483380
Company: Audi of America Inc.

Dear

On behalf of Attorney General Eliot Spitzer, I am writing to notify you that we have received your correspondence.

We appreciate your alerting us to this matter. We believe the organization shown below may be able to assist you and we are forwarding your correspondence there.

If you do not receive a response in the near future, please follow up directly with that organization. I suggest you attach a copy of this letter or, if appropriate, mention that you are adding new information.

Thank you for contacting us.

Very truly yours,

Karen Davis

Karen Davis
Consumer Frauds Representative
Bureau of Consumer Frauds
And Protection

KD/kmh

cc: National Highway Traffic and Safety Administration
400 7th Street SW
Washington, DC 20590

Editor
5/11/05

Consumer Fraud Unit
107 Delaware Avenue, 4th Floor, Buffalo, N.Y. 14202 • Phone (716) 853-8404 • Fax (716) 853-8414 * NOT FOR SERVICE OF PAPERS
http://www.oag.state.ny.us

ATTORNEY GENERAL ELIOT SPITZER
STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
BUREAU OF CONSUMER FRAUDS AND PROTECTION
Statler Towers, 107 Delaware Avenue, 4th Floor
Buffalo, NY 14202-3473
Tel. (716) 853-8404 Fax (716) 853-8414

COMPLAINT FORM

Consumer Hotline 1 (800) 771-7755 — For Hearing Impaired TDD (800) 788-9898
http://www.oag.state.ny.us

1. PLEASE BE SURE TO COMPLAIN TO THE COMPANY OR INDIVIDUAL BEFORE FILING.
2. PLEASE TYPE OR PRINT CLEARLY IN DARK INK.
3. YOU MUST COMPLETE THE ENTIRE FORM. INCOMPLETE OR UNCLEAR FORMS WILL BE RETURNED.
4. MAKE SURE YOU ENCLOSE COPIES OF IMPORTANT PAPERS CONCERNING YOUR TRANSACTION.

YOUR NAME		HOME TELEPHONE NUMBER	
		BUSINESS TELEPHONE NUMBER	
CITY/TOWN: Williamsville	COUNTY: Erie	STATE: New York	ZIP

NAME OF SELLER OR PROVIDER OF SERVICES: Audi of America Inc.		NAME OF OTHER SELLER OR PROVIDER OF SERVICES	
STREET ADDRESS: Attn: Customer Relations 3499 West Hamlin Road		STREET ADDRESS	
CITY/TOWN: Rochester Hills	STATE: MI / ZIP: 48309	CITY/TOWN	STATE / ZIP
TELEPHONE NUMBER: 1-800-822-2834		TELEPHONE NUMBER	
DATE OF TRANSACTION: 04/14/05	COST OF PRODUCT OR SERVICE: $ 360 + Tax	HOW PAID (Check those which apply): ☐ Cash ☐ Check ☐ Credit Card ☒ Other Quote for repair	
DID YOU SIGN A CONTRACT? ☐ Yes ☒ No	WHERE DID YOU SIGN THE CONTRACT?	DATE SIGNED	
WAS PRODUCT OR SERVICE ADVERTISED? ☒ Yes ☐ No	WHERE WAS IT ADVERTISED? Letter dated 11/04 from Audi	DATE ADVERTISED: 11/04	

TYPE OF COMPLAINT (e.g. car, mail order, etc. Use the reverse side of this form to provide details): Design or Mfg defect in front suspension

DATE YOU COMPLAINED TO THE COMPANY OR INDIVIDUAL: 04/14/05 ☐ By Mail ☒ By Telephone ☐ In Person	PERSON CONTACTED: Rep. for Maria Cofer	JOB TITLE: Corporate Audi Auto Service + Quality
NATURE OF RESPONSE: Vehicle checked for recall notice + rear lower control arm defective. See details		DATE OF RESPONSE: 4/15/05

HAS MATTER BEEN SUBMITTED TO ANOTHER AGENCY OR ATTORNEY? (If "Yes," give name and address) ☐ Yes ☒ No

IS COURT ACTION PENDING? (Please describe as necessary) ☐ Yes ☒ No

MANUFACTURER OF PRODUCT	PRODUCT MODEL OR SERIAL NUMBER
ADDRESS	WARRANTY EXPIRATION DATE

DID BUSINESS ARRANGE FINANCING? (If "Yes," give name and address of bank or finance company) ☐ Yes ☐ No

PLEASE DESCRIBE COMPLAINT ON REVERSE SIDE

CNS 001BF (10/01)

BRIEFLY DESCRIBE YOUR COMPLAINT

Audi replaced the front control arms about 1 year ago. the vehicle had 30,000 + miles. the parts/repair needed are mirror image of defective parts replaced. Vehicle has upper + lower control arms "wish bone". If problem occurs with one side then it's only logical that problems occurring to the other side (Lower control arm) must be related. However, Audi is not repairing the lower arms in this recall at this time. Apparently, it will take more complaints like our to get action.

the low mileage of this vehicle and the similar defect on related parts prompt us to believe Audi is hesitating on replacement of lower control arms which may be a serious safety issue.

WHAT FORM OF RELIEF ARE YOU SEEKING? (e.g., exchange, repair or money back, etc.)

Replace rest of both side lower front rear control arms - left + right side.

WHO REFERRED YOU TO THIS OFFICE? I work for VIS DOE in Buffalo - AR Program and am familiar with the AG's services. I hope you can help us because audi corporate is ~~[illegible]~~ unwilling on this issue with no logical explanation only the public is not at risk due to the defective suspension.

READ THE FOLLOWING BEFORE SIGNING BELOW

PLEASE ATTACH TO THIS FORM PHOTOCOPIES of any papers involved (contracts, warranties, bills received, canceled checks, correspondence, etc.). **DO NOT SEND ORIGINALS.**

NOTE: In order to resolve your complaint, we may send a copy of this form to the person or firm about whom you are complaining.

In filing this complaint, I understand that the Attorney General is not my private attorney, but represents the public in enforcing laws designed to protect the public from misleading or unlawful business practices. I also understand that if I have any questions concerning my legal rights or responsibilities, I should contact a private attorney. I have no objection to the contents of this complaint being forwarded to the business or person the complaint is directed against. The above complaint is true and accurate to the best of my knowledge.

I also understand that any false statements made in this complaint are punishable as a Class A Misdemeanor under Section 175.30 and/or Section 210.45 of the Penal Law.

Signature: [illegible] Date: 09/20/05

HAVE YOU ENCLOSED COPIES OF IMPORTANT PAPERS?

Return to: **Office of the Attorney General**
Bureau of Consumer Frauds and Protection
Statler Towers, 107 Delaware Avenue, 4th Floor
Buffalo, NY 14202-3473

Thurs ~~Wed 4/20~~ 4/14 DAN..
Drop off Wed Evening
Car will be
ready by Monday

Audi of America, Inc.

3800 Hamlin Road
Auburn Hills, MI 48326

November 2004

Subject: Service Action JE
1996-2000 Model Year Audi A4 Vehicles
2000 Model Year Audi S4 Vehicles
1997-2000 Model Year Audi A8 Vehicles
Check Front Suspension Lower Control Arms

Dear Audi Owner:

We are writing to inform you of a service action on some 1996-2000 model year Audi A4 vehicles, some 2000 model year Audi S4 vehicles and some 1997-2000 model year Audi A8 vehicles. Our records show that you are the owner of one of these vehicles.

What Is The Problem?
Audi has found that in rare cases one or both front suspension lower control arms on affected vehicles can exhibit wear, even though the damage to the rubber boots is not obvious. If the rubber boots of the front suspension lower control arms become damaged, this can lead to premature wear and, in isolated cases, to failure of one or both front suspension lower control arms, mainly on high-mileage vehicles.

What Will Audi Do?
In order to identify and correct this condition, we will inspect both front suspension lower control arms on your vehicle.

The affected control arm(s) will be replaced free of charge if one or both front suspension control arms are worn or the rubber boots are degraded and you can provide documentation of maintenance completed by an authorized Audi dealer or professional licensed repair facility according to the maintenance schedule for your vehicle.

If one or both front suspension lower control arms are worn and the rubber boots are damaged due to external influence, or if your vehicle has been repaired with non-genuine Audi parts, any necessary repairs will not be covered under this action.

Please note that other suspension components are not covered by this service action.

What We Would Like You To Do
Please contact your authorized Audi dealer and arrange for an appointment so that this check can be performed without delay. This check itself will typically take about one-half hour. However, your dealer may need additional time for the preparation of the check as well as to accommodate the daily workshop schedule.

Audi strongly recommends that you continue to follow the maintenance schedule as prescribed in the Owner's Manual for your vehicle.

This action is effective through March 31, 2006, after which time it will expire. Please retain this letter in the vehicle glove compartment with the vehicle Owner's Manual.

Reimbursement of Expenses
If you have previously paid for a front suspension lower control arm repair, you may be entitled to reimbursement if you can provide documentation of maintenance completed by an authorized Audi dealer or professional licensed repair facility according to the maintenance schedule for your vehicle. We would be pleased to review your reimbursement request. The enclosed form explains how to request reimbursement.

Lease Vehicles
If you are the lessor and registered owner of the vehicle identified in this action, please forward this information immediately via first class mail to the lessee.

Service Help from Us
If your authorized Audi dealer fails or is unable to complete this work free of charge within a reasonable time, please call or write to:

Audi of America, Inc.
Attn: Customer Relations (JE)
3499 West Hamlin Road
Rochester Hills, MI 48309
1-800-822-2834

We regret any inconvenience this matter may cause. Thank you for your continued loyalty.

Sincerely,

Maria Cotter
Audi Service & Quality

Audi has not been cited but it has recalled vehicles for problem with upper control arms. Failure may cause loss of control + Crashes

May 2001 Recalls

The U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) today released a list of auto safety recalls announced in May 2001 and urged consumers to have the problems fixed promptly.
The list identifies the make and model of the vehicle or equipment involved, with a brief description of the safety problem.
NHTSA said it is publicizing the recalls to alert consumers about safety problems and encourages them to take action. Under Federal law, safety problems must be remedied without cost to consumers. Currently, 72 percent of the owners of vehicles with safety problems have the recall work performed. NHTSA said manufacturers are required to mail a recall notice to all purchasers, owners and dealers when a safety defect or noncompliance with Federal safety standards is found. The agency urges owners to wait until they receive notification from the manufacturer before contacting their dealers to schedule the repair work. Not all vehicles of a particular make and model may be subject to the recall.
Consumers can get up-to-the-minute information on safety recall campaigns, or information on the recall history of a particular make and model of car, truck, motorcycle, or child safety seat, by calling the agency's toll-free Auto Safety Hotline at 1-888-327-4236. The Hotline also can be used to report safety problems.

SAFETY RECALL CAMPAIGNS
May 2001

VEHICLES:
CARS, VANS, LIGHT DUTY TRUCKS AND MOTORCYCLES
American Honda Motor Company
Models: Honda TL **Year:** 2002
Number Involved: 10,575
Dates of Manufacture: February - April 2001
Defect: On certain sedans equipped with an "auto-up" power window feature on the driver's door, the driver's side power window control unit can fail. Depending on the failure mode, the window could become inoperative, open or close independent of switch activation, or the auto-reverse system may not operate. The auto-reverse system failure could result in occupant injury.
Remedy: Dealers will replace the power window control unit. The manufacturer has reported that owner notification began May 9, 2001. Owners who do not receive the free remedy within a reasonable time should contact Honda at 1-800-999-1009.
[NHTSA Recall No. 01V161]
American Honda Motor Company
Models: Honda GL1800 **Year:** 2001
Number Involved: 6,662
Dates of Manufacture: October 2000 - February 2001
Defect: On certain motorcycles equipped with a newly designed engine stop switch, the engine stop switch is sensitive to accidental contact or strong jolting, such as hitting a pothole or riding over railroad tracks, which could cause the engine to cut out momentarily or even shut off. Sudden loss of engine power could lead to a crash.
Remedy: Dealers will install a contact plate, e-clip, and two

contact plate springs. The manufacturer has reported that owner notification began May 18, 2001. Owners who do not receive the free remedy within a reasonable time should contact Honda at 1-310-532-9811.
[NHTSA Recall No. 01V162]
American Honda Motor Company
Models: Acura 3.2TL **Year:** 2002
Number Involved: 9,034
Dates of Manufacture: March - May 2001
Noncompliance: Certain sedans fail to comply with requirements of Federal Motor Vehicle Safety Standard No. 209, "Seat Belt Assemblies." Certain driver and passenger seat belt buckles were improperly manufactured. The seat belt tongue could not be released from the buckle within the specified force limit.
Remedy: Dealers will inspect, and if necessary, replace the front seat belt buckles. The manufacturer has reported that owner notification began May 9, 2001. Owners who do not receive the free remedy within a reasonable time should contact Honda at 1-800-999-1009.
[NHTSA Recall No. 01V166]
Daewoo Motor America
Models: Daewoo Leganza **Years:** 1998-2001
Number Involved: 58,691
Noncompliance: Certain passenger vehicles fail to comply with requirements of Federal Motor Vehicle Safety Standard No. 201, "Occupant Protection in Interior Impact." These vehicles exceed the maximum allowable head injury criteria from contact with the front roof support (A-pillar) in a crash.
Remedy: Dealers will install padding to the A-pillar to reduce the risk of injury in a crash. The manufacturer has reported that owner notification began June 6, 2001. Owners who do not receive the free remedy within a reasonable time should contact Daewoo at 1-877-463-2396.
[NHTSA Recall No. 01V180]
DaimlerChrysler Corporation

Models:	Dodge Caravan	**Year:** 2001
	Dodge Grand Caravan	**Year:** 2001
	Chrysler Town and Country	**Year:** 2001
	Plymouth Voyager	**Year:** 2001

Number Involved: 41,587
Dates of Manufacture: March - April 2001
Defect: On certain minivans, the lower control arm pivot bolt could fracture. If the bolt fractures, the lower control arm could separate from the crossmember, causing a loss of vehicle control.
Remedy: Dealers will replace the lower control arm bolts and nuts. The manufacturer has reported that owner notification began April 30, 2001. Owners who do not receive the free remedy within a reasonable time should contact DaimlerChrysler at 1-800-843-1403.
[NHTSA Recall No. 01V152/DaimlerChrysler Recall No. 981]
DaimlerChrysler Corporation

Dodge **Years:** 1997-

Models:	Dakota	2000
	Dodge Durango	**Years:** 1997-2000
	Dodge Ram	**Years:** 1997-2001

Number Involved: 216,100
Dates of Manufacture: August 1996 - April 2001
Defect: On certain pickup trucks, the sound deadening material inside the steering wheel could become detached from the cover and housing. When this occurs, the material could interfere with the clockspring ribbon and cause an open circuit. The driver air bag system will become disabled, and the air bag warning lamp will illuminate on the instrument panel.
Remedy: Dealers will replace the clockspring assembly. The manufacturer has reported that owner notification began June 18, 2001. Owners who do not receive the free remedy within a reasonable time should contact DaimlerChrysler at 1-800-843-1403.
[NHTSA Recall No. 01V153/DaimlerChrysler Recall No. 982]
DaimlerChrysler Corporation

Models:	Dodge Neon	**Years:** 2000-2001
	Plymouth Neon	**Years:** 2000-2001

Number Involved: 353,000
Dates of Manufacture: July 1999 - March 2001
Defect: On certain passenger vehicles, the brake booster vacuum hose could swell and loosen from the intake manifold, causing a loss of power brake assist and an increase in engine idle speed.
Remedy: Dealers will replace the brake booster vacuum hose. The manufacturer has reported that owner notification began July 2, 2001. Owners who do not receive the free remedy within a reasonable time should contact DaimlerChrysler at 1-800-843-1403.
[NHTSA Recall No. 01V154/DaimlerChrysler Recall No. 983]
Ford Motor Company

Models:	Ford Explorer	**Year:** 2002
	Mercury Mountaineer	**Year:** 2002

Number Involved: 52,000
Dates of Manufacture: August 2000 - April 2001
Defect: On certain sport utility vehicles, the right side tires may have horizontal cuts on the edge of the tread that could have occurred during vehicle assembly. Over time, the tire could fail, increasing the risk of a crash.
Remedy: Dealers will inspect the tires and, if any slices are found, the cut tires will be replaced. The manufacturer has reported that owner notification began on June 7, 2001. Owners who do not receive the free remedy within a reasonable time should contact Ford at 1-800-392-3673.
[NHTSA Recall No. 01V171/Ford Recall No. 01S18]
General Motors Corporation

Models:	Chevrolet Suburban	**Year:** 2001
	Chevrolet Tahoe	**Year:** 2001

Chevrolet C Series	Year: 2001
GMC Suburban	Year: 2001
GMC Yukon	Year: 2001
GMC Yukon XL	Year: 2001
GMC C Series	Year: 2001

Number Involved: 9,196
Dates of Manufacture: September - October 2000
Defect: Some pickup and utility trucks have an internal component in the outboard seat belt retractors for the 2nd and 3rd row of seats that could be cracked. With repeated actuation of the locking mechanism, the crack could spread to the point such that the seat belt would no longer lock. In a crash, increased occupant injury could result from the no-lock condition.
Remedy: Dealers will inspect the outboard seat belts for specific lot numbers and replace the belts if necessary. GM is enclosing an inspection procedure for the owners to use or they can have their dealers do the inspections. The manufacturer has reported that owner notification began July 2, 2001. Owners who do not receive the free remedy within a reasonable time should contact Chevrolet at 1-800-222-1020 or GMC at 1-800-462-8782.
[NHTSA Recall No. 01V159/GM Recall No. 01043]
Kia Motors America, Inc.
Models: Kia Optima **Year:** 2001
Number Involved: 16,231
Dates of Manufacture: October 2000 - March 2001
Defect: On certain passenger vehicles, the side air bag wire harness for the driver position for the driver position could be misrouted. This could result in its being pinched or cut by the seat cushion tilt mechanism. Damage to the wire harness could result in the side air bag not deploying in an accident.
Remedy: Dealers will check for proper routing of the side air bag wire harness and secure it in place with a plastic tie-wrap. If the wire harness is damaged, it will be replaced. The manufacturer has reported that owner notification began May 11, 2001. Owners who do not receive the free remedy within a reasonable time should contact Kia at 1-800-333-4542.
[NHTSA Recall No. 01V156/Kia Recall No. SC020]
Nissan North America, Inc.
Models: Nissan Sentra **Year:** 2001
Number Involved: 80,000
Dates of Manufacture: July 2000 - April 2001
Defect: On certain passenger vehicles, one or more of the three bolts used to attach each front suspension lower control arm to the body on the left and right sides may not have been properly manufactured and could fracture, increasing the risk of a crash.
Remedy: Dealers will replace the lower control arm attachment bolts. The manufacturer has reported that owner notification began June 25, 2001. Owners who do not receive the free remedy within a reasonable time should contact Nissan at 1-800-647-7261.
[NHTSA Recall No. 01V174]
Polaris Industries, Inc.

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).