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State of North Carolina

**ROY COOPER
ATTORNEY GENERAL**

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CONSUMER PROTECTION
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May 24, 2005

Mazda North American Operations
Consumer Complaint Affairs
P O Box 19734
Irvine, CA 92623-9734

RE: File No. [REDACTED]
[REDACTED]
[REDACTED]
Mooresville, NC [REDACTED]

Dear Sir:

The Consumer Protection Section has received the attached request for assistance regarding your business.

In order to assess the merits of the complaint and to determine appropriate action, we need to know your position in this matter. Therefore, we ask that within the next ten (10) business days you provide a written statement of your position along with any supporting documents.

Please refer to our File Number 0505938 when you correspond with our office concerning this matter. Thank you for your cooperation.

Very truly yours,

Wendy L. Chipman
Consumer Protection Specialist

Enclosure

CONSUMER PROTECTION SECTION

cc: [REDACTED]

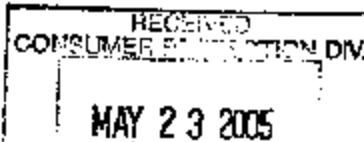
NHTSA

JUN 10 AM 11:10

WAC
268
6/13/05

[REDACTED]
Mooreville, NC [REDACTED]

May 19, 2005



Mazda North American Operations
Consumer Compliance
7755 Irvine Center Drive
Irvine, CA 92618-2922

Reference: 2003 Mazda MPV LX Van, VIN JH3LW28AX30 [REDACTED]

To Whom It May Concern:

I am writing to notify you of the recurring problem I am experiencing with my 2003 Mazda MPV van, VIN JH3LW28AX30 [REDACTED] and to request that you correct this problem within thirty (30) days of your receipt of this letter.

On June 25, 2004, I purchased my vehicle from Folger Automotive in Charlotte, NC. Within one month, I began having trouble with the transmission shift. Intermittently, when the van would shift from 1st to 2nd gear, there was a hard 'jerk' or 'shift' and the van would lunge forward.

On September 22, 2004, I took the van to Donald Craig Mazda in Mooreville to have the transmission shift problem checked and have replacements made in response to the "Shift Shock Recall". I was assured that the reflash was updated for the shift shock and this problem would be eliminated by the update. Within a day after picking up the van, the shift shock problem continued — it was no less frequent than before.

On October 12, 2004, I again took the van to Donald Craig Mazda with the same complaint. They attempted to correct the problem again, but the shift shock occurrence was still as frequent as ever.

Donald Craig couldn't seem to pinpoint the problem and the technicians were puzzled that the "fix" had not taken care of the shift problem. At this juncture, I felt that I was beginning to get the runaround — the dealership indicated that some of the problem might be the way I was driving the vehicle; however, my mom had driven the vehicle and experienced the same problem. I had the sense that the service department and technicians were "grasping at straws" and really didn't have the expertise to pinpoint and correct the problem. I asked about talking with the area Mazda representative and was told that they (Donald Craig) had already talked with the representative and would not give me the name of the local area representative.

The shift problem continued — on November 4, 2004, I again took the van in to Donald Craig with the same complaint. After 4 days, they called to say the van was ready. Within a couple of hours of picking up the van, the 'jerk' continued when the transmission shifted.

I began to document days, times, and circumstances under which the shift problem occurred. Let me reiterate here that this occurrence is not a slight jerk — it feels like the transmission stalls, then lurches into gear — when this happens, it physically jerks the passengers in the van! I made calls to Mazda and attempted several times to obtain the name of the local area representative to talk with that person about this persistent problem.

Donald Craig acknowledged that they knew there were "shift shock" problems with the 2003 Mazda vans. However, after Donald Craig repeatedly failed to correct the "shift shock" problem, I decided to try another dealership.

On February 23, 2005, I took my van to Tim Marburger Mazda in Concord, NC, with the same complaint about the 'shift shock' problem. They updated the reflash for the shift shock and thought this had corrected the problem. By the time I got back to Mooresville, I had experienced the 'shift' problem again — and again it was no better than before.

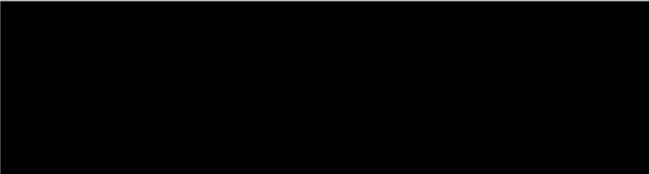
On March 15, 2005, I again took the van to Tim Marburger with the same problem. They updated the reflash again — but again this has not worked. I am attaching a partial list of the times this hard transmission shift/jerk has occurred.

Apparently Mazda has a severe problem with the transmissions in the Mazda MPV vans. I have researched customer comments and discovered numerous Mazda van owners who have experienced this shift shock problem; however, the defect in my van seems to be one that cannot be repaired..

The transmission shift problem in my vehicle is a serious defect, substantially impairing the use and value of my vehicle, as well as creating a potentially serious safety hazard. Two Mazda dealerships have repeatedly attempted to repair my vehicle and have failed — **THERE IS A SERIOUS PROBLEM!!!**

Five attempts have been made, by two dealerships, to correct this serious defect in my vehicle. Apparently, Mazda cannot repair this vehicle; therefore, I am requesting a comparable replacement vehicle or a full refund for this vehicle.

Sincerely,



Enclosures

cc:

Office of Attorney General, Consumer Protection Division

Donald Craig Mazda

Tim Marburger Mazda

Oct 1 2 times
Oct 5 1 time
Oct 8 2 times

Oct 5, called Lonnie, said make sure go over 100 mi and on interstate. Have gone 400 mi and on interstate. Appt with Donald Craig Oct 12th.

Took it in Oct 12 to fix transmission (they said it needed to be re-set). Today (Oct 13) it has slipped/jerked twice. I called Lonnie and he said to drive it on the interstate and over 100 miles and it should fix the problem.

Always when shifting from 1st to 2nd

Nov 9

1:00 pm
5:15 pm
5:18 pm

Nov 11

11:40 am
11:52 am
12:01 pm
12:46 pm
1:17 pm
1:20 pm

While in AL, did it 3 times in one day (Thanksgiving weekend)

12-1

Called Mazda

Picked it up on Friday, Feb. 25th. Drove fine on the way back to work, but it jerked three times on the way to Town Hall.

Feb 25th

Three times from 3:00 - 3:10

Feb 25th
1:30 and 2:55

Feb 28th
10:50am
12:45pm

March 2, 2005
3:30 pm
3:55 pm

4:23 pm

March 4, 2006

5:15 pm

March 6, 2006

12:55 pm

12:59 pm

1:02 pm

March 9, 2006

5:15 pm

Mar 12th

11:00 am

12:00 pm

1:10 pm

1:12 pm

1:13 pm

1:16 pm

1:44 pm

3:37 pm

4:00 pm

Mar 14

12:35 pm

1:30 pm

March 21

6:00 pm

March 22

8:10 am

1:00 pm

1:01 pm

March 23

12:15 pm

12:16 pm

12:35 pm

March 25

2:07 pm

2:08 pm

March 26

1:03 pm

1:37 pm

March 27

1:12 pm

March 28

5:07 pm

March 29

8:34 am

10:12 am

10:28 am

March 31, 2005

12:00 pm

April 1, 2005

12:00 pm

12:02 pm

12:08 pm

April 3, 2005

1:42 pm

April 4, 2005

1:00 pm

April 5, 2005

10:40 am

April 9, 2005

1:30 pm

3:15 pm

3:30 pm

April 12, 2005

1:00 pm

April 14, 2005

6:50 pm

April 15, 2005

1:00 pm
5:30 pm

April 16, 2005

3:12 pm
3:14 pm

April 18, 2005

12:50 pm

**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).**