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Denver, CO

7-31-2005

Nissan North America, Inc.  
Consumer Affairs Department  
P.O. Box 191  
Gardena, CA 90248-0191

Dear Sir or Madam:

On March 17, 2005 I purchased a new 2004 Nissan 350z, VIN#JN1AZ34E04M [REDACTED] from Peak Nissan at 5077 South Wadsworth, Littleton, Colorado, 80123. During the sales process everyone was very accommodating. Several employees went out of their way to comment on how fun the car is to drive, and how much my family will enjoy having a 350z. My teenage son made the initial contact with Peak Nissan and they knew he would be driving the car.

Less than four months later, and with only 1672 miles on the car, the clutch suddenly began slipping. We took the car back to the dealer on July 6, 2005. The attitude of the dealership was now completely different than during the sales process. Once the service department learned that a teenager had been driving the car, they stated that the problem was "owner abuse" and said that the repairs would not be covered under the warranty. After we agreed to pay \$650 dollars for the transmission to be taken apart, a service employee called and confirmed that this repair was not under warranty. Two independent transmission experts (Cottman Transmissions and Clutch Doctor) told us that it was highly unlikely that a burned clutch and grooved flywheel was due to owner abuse at 1672 miles and more likely due to adjustment or malfunction of the clutch hydraulic system. My husband spoke with Corey at 1-800-NISSANx3862. The file number is [REDACTED]. We received a reply stating, "If our dealership isn't calling it a defect, Nissan isn't going to call it a defect." Following this my husband met with the management at Peak Nissan, explained the situation as above, and was told again, the repair would not be covered under warranty. Feeling that we had no recourse we authorized the work on July 9, 2005.

When we picked up the car on July 14, 2005 the car's clutch was functioning properly and it had a completely different feel. The clutch was much easier to push in than when we bought the car, the engage point was much sooner, and the clutch engaged more quickly.

The owner of our local Cottman Transmission had driven the car shortly after we bought it. He drove it again after the repairs and told us that these significant changes were probably due to the adjustment or replacement of the hydraulic mechanism on the clutch.

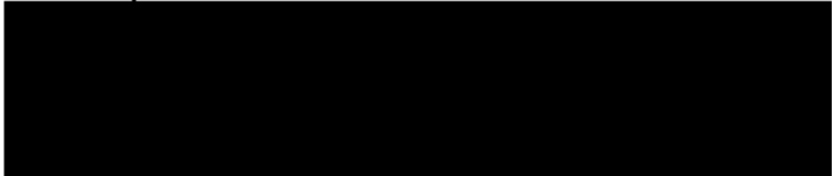
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I believe that Peak Nissan determined in the first service interaction that they would not cover the repair, no matter what. Every interaction with them was accusatory until we authorized the repair at our expense. This problem with the car was not "owner abuse" and I believe Peak Nissan was not accurate, or not honest, in their interactions with us regarding the cause of the burned clutch and grooved flywheel.

I request that I be refunded for the repairs on the attached invoice (\$2094.19).

I look forward to your response.



cc: Peak Nissan  
Better Business Bureau-Auto Line  
Better Business Bureau- Denver, Colorado  
NHTSA

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).