



NEW MOTOR VEHICLE BOARD

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August 18, 2005

10/35627

G.M. Lumsden
Porsche Cars North America, Inc.
980 Hammond Drive, STE # 1000
Atlanta, Georgia 30328

Re Complaint Of:



L.A., CA
VIN # WP1AA29P35L

Dear Ms.



Thank you for your letter dated August 16, 2005, regarding the above-mentioned consumer.

We have received a subsequent response from Mr. Furst (copy enclosed) with regards to his request for Porsche Cars of North America to repurchase his 2005 Porsche Cayenne. Below, please find a list of the repair attempts made to Mr. Furst's vehicle:

Invoice # [REDACTED] - 04/06/05 to 04/08/05 Days out of Service - 3
- Engine stalling concern: Replaced remotes

Invoice # [REDACTED] - 05/31/05 to 06/02/05 Days out of Service - 3
- Airbag light: Repaired Airbag module and modified harness
- Replaced Varta Battery
- Service Light on prematurely: Reset service light

Invoice # [REDACTED] - 06/22/05 to 06/28/05 Days out of Service - 7
- Engine Stalling Concern: Replaced fuel pump

Invoice # [REDACTED] - 07/11/05 to 07/27/05 Days out of Service - 16
- Engine Stalling Concern:
1st Repair: Replaced Pumps & Venturi pipes. Repair did not resolve concern.
2nd Repair: Performed fuel tank/sender calibration

2005 AUG 30 AM 3:22

NAR
CAF
8/22/05

In his correspondence, Mr. Furst requests Porsche Cars of North America to repurchase his vehicle based on the number of repair attempts performed to the airbag light/seat harness (1) and the engine stalling concern (3). Please note that California's Tanner Consumer Protection Act 1793.22(b)(1) states in part:

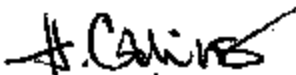
[...(1) The same nonconformity results in a condition that is likely to cause death or serious bodily injury if the vehicle is driven and the nonconformity has been subject to repair two or more times by the manufacturer or its agents, and the buyer or lessee has at least once directly notified the manufacturer of the need for the repair of the nonconformity...]

Attached please find a courtesy copy of California Civil Code 1793.22 for your review and consideration.

Please inform our office, in writing, by August 31, 2005, as to what you are willing to do in order to resolve Mr. Furst's vehicle safety concerns.

We appreciate your cooperation in this matter.

Respectfully,



Heather Collins
Mediation Services Representative

Enclosures

cc: file: C-0032-2006

National Highway Traffic Safety Administration

California Tanner Consumer Protection Act

Commonly Referred to as the "Lemon Law"

The Information Below May be Accessed on the Internet at the Following Address:

<http://www.leginfo.ca.gov>

Follow the Simple Steps Below:

- ❖ Select box for "California Law"
- ❖ Check the box for "Civil Code"
- ❖ Under "Keywords" enter "1793.22" and select "Search"
- ❖ Then Select the code sections that cover the range including the section above

Consumer Warranty Protection

§ 1793.22 (a) This section shall be known and may be cited as the Tanner Consumer Protection Act.

(b) It shall be presumed that a reasonable number of attempts have been made to conform a new motor vehicle to the applicable express warranties if, within 18 months from delivery to the buyer or 18,000 miles on the odometer of the vehicle, whichever occurs first, one or more of the following occurs:

(1) The same nonconformity results in a condition that is likely to cause death or serious bodily injury if the vehicle is driven and the nonconformity has been subject to repair two or more times by the manufacturer or its agents, and the buyer or lessee has at least once directly notified the manufacturer of the need for the repair of the nonconformity.

(2) The same nonconformity has been subject to repair four or more times by the manufacturer or its agents and the buyer has at least once directly notified the manufacturer of the need for the repair of the nonconformity.

(3) The vehicle is out of service by reason of repair of nonconformities by the manufacturer or its agents for a cumulative total of more than 30 calendar days since delivery of the vehicle to the buyer. The 30-day limit shall be extended only if repairs cannot be performed due to conditions beyond the control of the manufacturer or its agents. The buyer shall be required to directly notify the manufacturer pursuant to paragraphs (1) and (2) only if the manufacturer has clearly and conspicuously disclosed to the buyer, with the warranty or the owner's manual, the provisions of this section and that of subdivision (d) of Section 1793.2, including the requirement that the buyer must notify the manufacturer directly pursuant to paragraphs (1) and (2). The notification, if required, shall be sent to the address, if any, specified clearly and conspicuously by the manufacturer in the warranty or owner's manual. This presumption shall be a rebuttable presumption affecting the burden of proof, and it may be asserted by the buyer in any civil action, including an action in small claims court, or other formal or informal proceeding.



furst films

RECEIVED

AUG 18 2005

BY: _____

August 18, 2005

Attn: Heather Collins
New Motor Vehicle Board
Fax: 918-523-1631

RE: PORSCHE COMPLAINT

Dear Heather,

I would like to have my 2005 Cayenne repurchased based on the number of repair attempts performed on the safety concerns of the airbag and engine stalling problems.

This repurchase is in accordance with the Terner Consumer Protection Act.

Thank you.



• Los Angeles, California _____

**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).**