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2005 OCT 26 AM 7:40

**STATE OF KANSAS**  
**OFFICE OF THE ATTORNEY GENERAL**  
CONSUMER PROTECTION AND ANTITRUST DIVISION

**PHILL KLINE**  
ATTORNEY GENERAL

120 SW 10TH AVE., 2ND FLOOR  
TOPEKA, KS 66612-1887  
(785) 296-3751 • FAX (785) 291-3699  
CONSUMER HOTLINE (800) 432-2310  
WWW.KSAG.ORG

10141072

October 19, 2005

National Highway Traffic Safety Administration  
400 Seventh St. SW  
Washington, DC 20590

RE: Consumer: [REDACTED]  
Supplier: GM-Ponitac

Dear Sir/Madam:

Please find enclosed a letter received by this office describing a matter which appears to fall within the jurisdiction of your agency. We have closed our file because the matter does not fall within the jurisdiction of this office.

The consumer has been notified by courtesy copy of this letter that any future correspondence should be directed to your office. Any assistance you can provide the consumer would be appreciated.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL  
PHILL KLINE

Angela Nordhus  
Special Agent  
Consumer Protection/Antitrust Division

Enclosure

cc: [REDACTED]

*Handwritten:*  
Hester  
10/27/05

State Of Kansas  
Office of the Attorney General  
**RECEIVED** CONSUMER PROTECTION/ANTITRUST DIVISION

OCT 04 2005

120 SW 10TH STREET, SUITE 430  
TOPEKA, KANSAS 66612-1597  
PHONE: (785) 296-3751

<u>Office Use Only</u>	
Agent:	_____
Category:	_____
File No.:	_____

ATTORNEY GENERAL'S OFFICE

CONSUMER INFOLINE  
(785) 296-2424

CONSUMER HOTLINE  
1-800-432-2310

PHILL KLINE  
ATTORNEY GENERAL  
Website: www.ksag.org

**CONSUMER COMPLAINT**

**INFORMATION ABOUT THE CONSUMER  
(SIGNATURE ON BACK REQUIRED)**

**INFORMATION ABOUT THE COMPANY  
YOUR COMPLAINT IS AGAINST**

NAME: Mr. (Ms.) \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ APT. #: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_  
*Topeka, KS*

DAYTIME PHONE #: \_\_\_\_\_ REGISTERED ON NO CALL? YES  NO

I AM A (CIRCLE ONE):  INDIVIDUAL  SOLE PROPRIETOR  
 FAMILY PARTNERSHIP  PARTNERSHIP  CORPORATION

COMPANY NAME: *GM - Pontiac*

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

PHONE #: *Customer Service  
1-800-762-2737*

SALESPERSON: \_\_\_\_\_

CONTACT PERSON: *Felicia Williams*

**INFORMATION ABOUT THE TRANSACTION**

(REFERENCE SECTION LETTERS WHEN ATTACHING SUPPLEMENTAL INFORMATION)

DATE OF TRANSACTION: \_\_\_\_\_ COUNTY / PLACE OF TRANSACTION: \_\_\_\_\_ SECTION LETTERS: \_\_\_\_\_

DID YOU SIGN A CONTRACT? \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_ DID YOU HAVE A VERBAL AGREEMENT? \_\_\_\_\_

PRODUCT OR SERVICE INVOLVED: *Replacement of intake gasket which goes bad in GM vehicles. Cost prohibitive. 40% of GM vehicles have this problem.*

AMOUNT PAID: \$ \_\_\_\_\_ PAID BY:  CASH  CHECK  CREDIT CARD  LOAN  DIRECT DEPOSIT/TRANSFER C.

ARE YOU MAKING PAYMENTS ON A CONTRACT, CREDIT CARD, OR OTHER SUCH PAYMENT PLAN? \_\_\_\_\_ IF SO, LIST COMPANY NAME, ADDRESS, AMOUNTS PAID, AND YOUR ACCOUNT NUMBER: *I am paying for my car.* D.

FIRST CONTACT BETWEEN YOU AND THE COMPANY: (CHECK ONE)

PERSON CAME TO MY HOME  
 I TELEPHONED THE COMPANY  
 I RESPONDED TO A RADIO/TV AD/MAILING  
 I WENT TO COMPANY'S PLACE OF BUSINESS  
 I RECEIVED A TELEPHONE CALL FROM COMPANY  
 OTHER (EXPLAIN) \_\_\_\_\_

WHERE DID THE TRANSACTION TAKE PLACE: (CHECK ONE)

OVER THE PHONE  
 AT HOME  
 AT THE COMPANY  
 BY MAIL  
 OTHER (EXPLAIN) \_\_\_\_\_ E.

**CONSUMER HARM**

BRIEFLY EXPLAIN HOW YOU HAVE BEEN HARMED: *Car is 2002 Pontiac 49000 miles. Intake plastic gasket leaking. This is a repetitive problem with these cars. Costs are prohibitive, approx \$650.00 to replace.*

HOW COULD THIS HARM BE REMEDIED? (CIRCLE ONE)

RECALL  
 SERVICE PERFORMED  
 ENFORCEMENT ACTION  
 PRODUCT DELIVERY  
 OTHER

*For these vehicles. Recall warranted.* F.

PLEASE COMPLETE BOTH SIDES - INCOMPLETE FORMS MAY BE RETURNED

## ACTION YOU HAVE TAKEN

HAVE YOU CONTACTED THE COMPANY?  DESCRIBE RESULT OR EXPLAIN WHY YOU HAVE NOT CONTACTED THE COMPANY: Car is out of warranty, must be taken to Pontiac Dealer to confirm & this costs money to do that. SECTION LETTERS **H.**

HAVE YOU FILED A COMPLAINT WITH THE BETTER BUSINESS BUREAU OR ANY OTHER AGENCIES? no

WHAT RESPONSE HAVE YOU RECEIVED? \_\_\_\_\_ **I.**

DO YOU KNOW OF OTHERS WITH SIMILAR EXPERIENCES WITH THIS SUPPLIER? Person who previously worked at a GM Dealer told me about my car & explained this happens frequently. WHO AND WITH WHAT RESULT? frequently. **J.**

HAVE YOU BOUGHT THE ADVICE OF AN ATTORNEY REGARDING THIS COMPLAINT? no WHO IS THE ATTORNEY? \_\_\_\_\_

WHAT WERE YOU ADVISED? \_\_\_\_\_ **K.**

HAS LEGAL ACTION BEEN TAKEN BY YOU OR AGAINST YOU WITH REGARD TO THIS COMPLAINT? no IF SO, PLEASE DESCRIBE THE CURRENT STATUS OF ANY LEGAL ACTION: \_\_\_\_\_

ARE YOU CONSIDERING FILING AN ACTION IN SMALL CLAIMS COURT? \_\_\_\_\_ **L.**

## DESCRIPTION OF TRANSACTION

PLEASE DESCRIBE THE TRANSACTION IN CHRONOLOGICAL ORDER (ADD ADDITIONAL PAGES AS NECESSARY).

A previous employee with GM informed me that my car was leaking antifreeze & this involved replacing intake gasket. He stated this happens alot with these vehicles. My car is not totally 3 yrs old, but has 48,000 miles on it & 36,000 is under warranty. In talking with Service Dept. of Richard Pontiac, an estimate of 30% of vehicles are in for repair of this.

I ALLEGED THIS TRANSACTION WAS DECEPTIVE BECAUSE: \_\_\_\_\_ **N.**

I ALLEGED THIS TRANSACTION WAS UNCONSCIONABLE/UNSCRUPULOUS/UNETHICAL BECAUSE: \_\_\_\_\_ **O.**

## DOCUMENTATION OF THE TRANSACTION

PLEASE PROVIDE COPIES OF ALL DOCUMENTS RELEVANT TO THIS COMPLAINT, INCLUDING ADVERTISING MATERIAL, CONTRACTS, WARRANTY INFORMATION, RECEIPTS, LETTERS, CHECKS (FRONT AND BACK), PHOTOGRAPHS, BILLS, AND INVOICES, ETC. FAILURE TO PROVIDE ALL RELEVANT DOCUMENTS MAY CAUSE UNNECESSARY DELAY IN THE HANDLING OF YOUR COMPLAINT.

\_\_\_\_ DOCUMENTS ENCLOSED  NOTHING TO ATTACH **P.**

## VERIFICATION

I AM:  OVER AGE 60  OVER AGE 70  PARTIALLY DISABLED  TOTALLY DISABLED  ILLITERATE  
 NON-ENGLISH SPEAKING  OTHER SPECIAL CIRCUMSTANCES (DESCRIBE) \_\_\_\_\_ **Q.**

IN FILING THIS COMPLAINT, I UNDERSTAND AND AGREE THAT THE ATTORNEY GENERAL AND HIS STAFF ARE NOT MY PRIVATE ATTORNEYS, BUT INSTEAD REPRESENT THE STATE OF KANSAS IN ENFORCING LAWS DESIGNED TO PROTECT THE PUBLIC FROM DECEPTIVE AND UNCONSCIONABLE BUSINESS ACTS AND PRACTICES. I UNDERSTAND THAT KANSAS LAW LIMITS THE PERIOD OF TIME DURING WHICH I MAY FILE ANY PRIVATE LEGAL ACTION(S), AND I HAVE BEEN ADVISED TO CONTACT A PRIVATE ATTORNEY IF I HAVE ANY QUESTIONS CONCERNING THOSE TIME LIMITATIONS AND MY LEGAL RIGHTS WITH REGARD TO ANY PRIVATE ACTION(S). I FURTHER UNDERSTAND AND AGREE THAT THE CONTENTS OF THIS COMPLAINT MAY BE FORWARDED TO THE BUSINESS OR PERSON THE COMPLAINT IS DIRECTED AGAINST, MAY BE FORWARDED TO OTHER APPROPRIATE AGENCIES, AND WILL BECOME ACCESSIBLE TO OTHERS UNDER THE KANSAS OPEN RECORDS ACT. FINALLY, I DECLARE AND VERIFY UNDER PENALTY OF PERJURY AND THE LAWS OF KANSAS THAT ALL OF THE FOLLOWING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

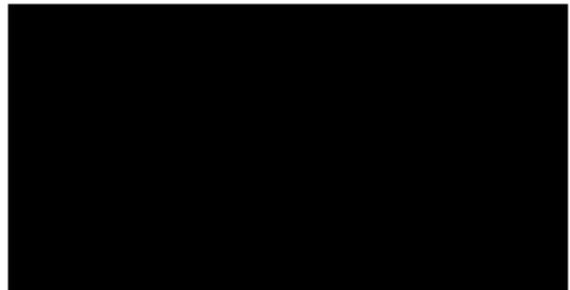
  
SIGNATURE OF COMPLAINANT  
(REQUIRED)

10/4/05  
DATE

9/30/2005

To Whom It May Concern:

Over the last 4 years as a Parts Manager and Automotive Technician it has come to my attention that the 3100 – 3400 V6 engines that GM offers have an apparent lower intake gasket leak. Over 40% of these engines have this problem, some of them well under 50k miles. GM has redesigned these gaskets several times and still have no solution. It is my observation that GM should recall these leaks and take care of their customers.



**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).**