



JON S CORZINE
Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
Consumer Service & Intake Center
124 Halsey Street, 3rd Floor, Newark, NJ 07102



NANCY KAPLAN
Acting Attorney General

KIMBERLY S RICKETTS
Director

January 26, 2006

101 51950

Mailing Address:
P.O. Box 45025
Newark, NJ 07101
(973) 504-6200

[Redacted]
Ocean, NJ [Redacted]

Re: Nissan USA
File No.: [Redacted]

2006 FEB 24 9:28

Dear Sir/Madam:

Thank you for contacting the New Jersey Division of Consumer Affairs. Because the allegations you made in your letter are not within the Division's jurisdiction, we are referring this matter to:

National Highway Traffic Safety Administration
400 7th Street, SW Room 5232
Washington, DC 20590
(888) 324-4236

All future correspondence, including inquiries and copies of additional documents should be addressed to them.

Sincerely,

Patricia D. Pate
Supervisor
Consumer Service Center

PDP:aro
CSC11B.frm

Edson
2/27/06

November 27, 2005

Division of Consumer Affairs
State of New Jersey
P.O. Box 45027
Newark, New Jersey 07101

Dear Sir:

The following is a letter that I have sent to the Nissan Consumer Affairs Department concerning a clutch problem with my 2004 Nissan 350Z Sports Car. As described in the letter, the clutch failed on Interstate 78 near the Pennsylvania border. The Clutch failed "at speed" and necessitated my coasting off to the side of the road from the left lane of the highway. Thank goodness that traffic was light at that time of morning or the situation could have been a lot worse, especially when one considers the amount of truck traffic on I 78. After doing some on-line research, I have found that I am not alone with this problem. Quite a number of 350Z owners have had the same problem. I wish to make you aware of this situation because, frankly, I was lucky. The next person might not be as lucky as I was.

Sincerely,
[REDACTED]

[REDACTED]
Ocean, New Jersey [REDACTED]

November 27, 2005

Nissan Consumer Affairs
Nissan-USA
P.O. Box 191
Gardena, CA 90248

Dear Sir:

On November 13, 2005, while traveling on Interstate 78 in New Jersey my 2004 Nissan 350Z (VIN # JN1AZ33A9 [REDACTED]) with 11,400 miles on the odometer,

developed a clutch problem and had to be towed to a Nissan Dealer in Easton, PA. Two days later the dealer informed me that the car needed a new clutch, something I was already aware of. He then informed me that the clutch was not covered under the warranty and would cost \$750 dollars to repair. This was quite a surprise considering the car had so few miles on it. He called back the next day and informed me that the car also needed a flywheel, at an additional cost of \$1,100 dollars, not covered by warranty, another unpleasant surprise. I called Nissan Consumer Affairs and was told that nothing could be done, the clutch is a "wear out" item, and that it was my fault the clutch failed.

Let me assure Sir, the clutch failure was "not my fault." I am fifty-nine years old and have been driving, and racing, sports cars for the last forty plus years. In all of that time I have never had a clutch failure in any of my cars. When I picked up the car the following Monday, after paying a bill of [REDACTED] had a car with a completely re-designed clutch. The clutch pedal was "softer," easier to depress, the friction point of the clutch is in an entirely different spot, and in the mid-range of the gears (3, 4, 5) the car is faster. This was not a one-for-one replacement of damaged parts. Furthermore, upon inspecting the flywheel, there appears to be no damage, certainly not the damage described to me by the dealer as "rivets ground off the flywheel." My best guess, based on years of experience racing cars, is that either the original clutch design was faulty, that the original clutch was improperly installed and adjusted, or a combination of the two. This action by Nissan USA, while if not outright fraud, certainly smacks of shoddy business practices designed to "cover up" problems with the 350Z clutch and pass the cost off to the consumer. I respectfully request redress of the problem and a return of my [REDACTED]

When I spoke to your Consumer Affairs personnel, I informed them that between my wife and I, we have owned or leased Nissans for the past 15 years, and that the lease on my wife's 2003 Nissan Pathfinder was up this coming spring and that the treatment that we have so far received from Nissan on this problem was causing her to re-think the brand of car she would be leasing in the future. The person at Consumer Affairs described us as a "Nissan Family." That statement, as far as it went, is accurate. However we are more than that. We have promoted Nissans to everyone that we have met, portraying them as well built, reliable automobiles. We have even assisted our neighbors in buying our cars when their leases expired. Our daughter and several business associates have purchased Nissans based on our recommendation. Let me assure you Sir, "word of mouth" works both ways. If there is no redress of the situation, we will most actively inform everyone we know of the way Nissan handles problems with its "Flagship Sports Car," to include e-mailing a copy of this letter to some rather extensive mailing lists involving the armature sports car community here in New Jersey. Your Consumer Affairs person response was "Sorry to loose you as a customer." I assure you Sir, loosing us as a customer will be the least of it.

Awaiting your response,

[REDACTED]

Ocean, NJ [REDACTED]

cc: Office of the Attorney General, State of New Jersey
Division of Consumer Affairs, State of New Jersey