

KENNY C. GUNN,
Governor

STATE OF NEVADA

PATRICIA MORSE JAHMAN
Commissioner
Consumer Affairs Division

SYDNEY H. WICKLIFFE, C.P.A.
Director
Department of
Business and Industry



DEPARTMENT OF BUSINESS AND INDUSTRY
CONSUMER AFFAIRS DIVISION
OFFICE OF THE COMMISSIONER

February 9, 2006

10153036

2006 FEB -9 PM 9:10

FYI

[REDACTED]
Pittman, NV [REDACTED]

Re: Desert Gmc

File #: [REDACTED]

Dear [REDACTED]

A careful evaluation of your complaint has been made. The intake officer has determined that the proper agency that may be able to assist you in resolving the issues in your complaint is:

— NHTSA Headquarters
400 7th St, SW
— Washington, DC 20590

Therefore, we are requesting that they review your complaint in an effort to determine if they can assist you in resolving it. To facilitate that end, we are forwarding a copy of the information you sent the division. I am sorry we could not assist you. Thank you for bringing your concerns to the attention of the division.

Sincerely,

William Tkach

William Tkach
Chief Investigator
Enclosure

2/9/06
3/19/06



RECEIVED

JAN 19 2008

BCP Las Vegas

CONSUMER COMPLAINT FORM

Thank you for taking the time to complete this complaint. Consumer complaints are one of the primary sources of information upon which the Bureau of Consumer Protection relies to identify problem areas needing enforcement. If your complaint falls under the jurisdiction of another agency, the Bureau of Consumer Protection may forward your complaint to that agency.

INSTRUCTIONS: Please type or print your complaint in ink and complete the form fully.

SECTION 1.

CONSUMER COMPLAINT

Your First Name: [REDACTED]

Your Last Name: [REDACTED]

Your Address: [REDACTED]

Henderson NV [REDACTED]
(City) (State) (Zip)

Your Phone Number (H): [REDACTED]

Your Mobile #: [REDACTED]

Your Fax #: [REDACTED]

Your Email: [REDACTED]

Your Date of Birth: Aug 13, 1948

YOUR COMPLAINT IS AGAINST

Individual/Business: Desert Pontiac, GMC Buick

If Business, Contact Person: Bill Buckley/Mike Fubelli

Individual/Business Address: 330 N. Gibson Rd.

Henderson NV 89014
(City) (State) (Zip)

Individual/Business Phone #: 702.558.3300

Individual/Business Mobile #: _____

Individual/Business Fax #: 702.558.7764

Individual/Business Email: _____

Individual/Business Web Site: www.DesertValleyGMC.com

SECTION 2.

Did you make any payments to this individual or business? Yes _____ No ✓ Not in this situation. Warranty work
If yes, please provide:

Date of payments: _____

Form of payments: _____

Total amount of payments: _____

SECTION 3.

Please detail the nature of your complaint against the above named individual or business. Include the "who, what, when, why, and where" of your complaint. You may use additional sheets if necessary.

My Complaint is: my car has been into the dealership on 3 separate occasions because the vehicle jerks when brakes are applied. The problem has returned but the dealership will not fix it because the car is now

out of warranty. They stated it was a manufacturing fault (see letter attached) but will do nothing about it. Because they did not fix the problem, I ^{originally} believe they need to rectify it as the car is not safe to be driving.

SECTION 4

List and attach photocopies (no originals) of any relevant documents, agreements, correspondence, or receipts that support your complaint. Copy both sides of any canceled checks that pertain to this complaint.

- a. Service Record - 08/05/04 car has 9,681 miles
- b. Service Record - 04/28/05 car has 15,336 miles
- c. Service Record - 08/01/05 car has 17,818 miles
- d. Letter written to Desert Pontiac, GMC, Buick
- e. _____
- f. _____
- g. _____
- h. _____
- i. _____

SECTION 5

Sign and date this form. The Bureau of Consumer Protection can not process any unsigned, incomplete, or illegible complaints.

I understand that the Attorney General is not my private attorney, but rather represents the public by enforcing laws prohibiting fraudulent, deceptive or unfair business practices. I understand that the Bureau of Consumer Protection does not represent private citizens seeking refunds or other legal remedies. I am filing this complaint to notify the Bureau of Consumer Protection of the activities of a particular business or individual. I understand that the information contained in this complaint may be used to establish violations of Nevada law in both private and public enforcement actions. I authorize the Bureau of Consumer Protection to send my complaint and supporting documents to the individual or business identified in this complaint. I understand that this complaint is also subject to disclosure under Nevada's Public Record Law.

I certify that the information provided on this form is true and correct to the best of my knowledge.

(Signature)

(Print Name)

Date:

01/14/06

(Signature)

(Print Name)

Date:

January 14, 2006

The Office of the Attorney General,
Bureau of Consumer Protection
555 East Washington Ave, Suite 3900
Las Vegas, Nevada 89101

Re: Vehicle - 2002 Pontiac Trans AM Collectors Edition (21,800 miles)
VIN# 2G2FV22GX2 [REDACTED] License [REDACTED]

Dealership

Desert Pontiac, GMC, Buick
330 N. Gibson Rd., Henderson, Nevada 89014
Tel: 702.558.330

Dear Sirs and Madams,

I am writing to request the assistance of someone in your office. My daughter and I have been dealing with Desert Pontiac, GMC, Buick on a matter that has never been resolved. I feel they have committed fraud and I need your assistance to resolve such issues.

On August 05, 2004 my daughter took my car into Desert Pontiac, GMC, Buick complaining the vehicle jerks when brakes are applied. At that time my car had 9,681 miles and was bought in 2002. The service advisor Raymond Zicari found that the car had excessive run out (warped rotors) and to fix the problem they turned both front rotors and said that the car was good to go; all work was done under warranty.

On April 28, 2005 my daughter took the car back to Desert Pontiac, GMC, Buick because again the vehicle jerks when brakes are applied. At that time the car had 15,336 miles. The service advisor this time was Michael Fubelli who said to bring the car in and they would have a look. They found that both front rotors were warped (excessive lateral run out) they replaced both front rotors and brake pads and said the vehicle was fixed, and again all work was done under warranty.

On August 01, 2005 my daughter took my car back into Desert Pontiac, GMC, Buick again complaining the vehicle jerks when brakes are applied. At that time the car had 17,818 miles. The service advisor Michael Fubelli stated he knew what was causing the problem and it was to do with the manufacturing of these cars. He would take a look at the problem. Again they change both front rotors and brake pads and again cover the work under warranty.

On January 02, 2006 my daughter phoned Michael Fubelli the service advisor stating that the vehicle jerks when brakes are applied. At this time the car has 21,723 miles. Mike Fubelli returned the phone call on January 03, 2006 at 11:00am stating again that he

knows what is causing the problem and that it is a manufacturing fault. He claimed that with these cars the calipers are hard hitting which warps the rotors and is known to be a problem. He needs to speak with his manager and would call her back in 24 hours.

On January 04, 2006 my daughter had not heard anything from Michael Fubelli so she called him. Michael Fubelli stated he spoke with his manager and was not sure what to do so they were going to speak with the Regional Manager once he arrived onsite for meetings.

Two days passed she nor I still had heard nothing from Michael Fubelli so she called again. Michael Fubelli said he spoke with the Regional Manager and they are not going to fix the car as it is now out of warranty. She stated to Michael Fubelli that this problem originated while in warranty and has not yet been fixed properly, plus they know it's a manufacturing fault so it is up to Pontiac to figure out a solution as it's not safe to be driving the car with faulty brakes.

I personally called and spoke to Bill Buckley the service manager at Desert Pontiac, GMC, Buick who informed me the same that they will not repair the car. I then called Pontiac head office who stated after speaking with the local dealership that they were also not going to help with the situation.

As noted this problem started back in August of 2004 and has kept re-occurring every 4 to 5 thousand miles, they stated to me that my daughter must drive the car hard when she is driving it, but that is contrary to what she was told. The problem seems to start gradually whether she drives it or not and gets worse and worse so I think there is a defect in the car that they have not found and fixed properly as the car was fine for the first two years and approximately 9,000 miles.

In closing, I feel I have been cheated by Desert Pontiac, GMC, Buick they have committed consumer fraud and I am looking for your assistance in resolving this issue. Desert Pontiac began the work while under warranty and is refusing to correct the issue now.

I look forward to your reply

Sincerely,

[REDACTED]
Henderson, Nevada
Home [REDACTED]
Cell #: [REDACTED]

Cc: Bill Buckley – Desert Pontiac, GMC, Buick
Pontiac Customer Assistance Center
Department of Motor Vehicles

**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).**