



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

DOT Auto Safety Hotline
Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET:www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received

Repository

2006 OCT -4 PM 2:15
08-SEP-2006

Reference No.
10167666

OWNER INFORMATION (Type or Print)

Name
Address
City BURNEY State CA Zip Code

Daytime Telephone Number
E-mail Address
Evening Telephone Number

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle? YES NO
In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer.
Signature of Owner _____ Date / /

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side
1J8GW68J84C

Make JEEP Model SCRAMBLER Model Year 2004

Date Purchased 09-MAY-03 Dealer's Name and Telephone Number S.J DENHAM CHRYSLER, INC 530 241 1756 Engine: No: Cylinders 8 Fuel Type: Gas

Original Owner Dealer's City REDDING State CA Zip Code 96003

Transmission Type AUTOMATIC Antilock Brakes Cruise Control Powertrain 4 WHEEL DRIVE Vehicle Component Code 034000 SERVICE BRAKES, HYDRAULIC:FOUNDATION COMPONENTS Multiple Failure: 2

FAILED COMPONENT(S)/PART(S) INFORMATION

Incident Date(s) 05-AUG-2005 Failure Mileage 29314 Failure Speed 35

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make _____ Tire Model (Name or Number) _____ Tire Size (Example P215/65R15) _____

DOT No. (Example: DOTM19ABC036) Original Equipment Prior Repair Failure Location: _____

Tire Component Code _____ Tire Failure Type _____

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make: _____ Date Manufactured: _____ Model No./Name: _____

Seat Type: _____ Installation System: _____

Child Seat Component Code: _____ Failed Part: _____

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies).)

Crash Yes No Fire Yes No Number of Persons Injured _____ Number of Deaths _____ Reported to Police N

Narrative Description of Incident(S), Crash(es), and Injury(ies).
Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e, parts repaired or replaced (and if old part is available).

DT*: THE CONTACT STATED WHILE DRIVING 35 MPH ON MOUNTAIN ROADS UNDER NORMAL ROAD CONDITIONS, THE VEHICLE PULLED TO EITHER SIDE WHEN TURNS OR BRAKING WERE MADE. THE VEHICLE WAS TAKEN TO THE DEALERSHIP WHO DETERMINED THE FRONT WHEEL ROTORS HAD TO BE REPLACED DUE NORMAL WEAR AND TEAR, HOWEVER THE VEHICLE HAD ONLY 29000 MILES. THE FRONT WHEEL ROTORS WERE REPLACED BUT THE PROBLEM PERSISTED AND THE DEALERSHIP DETERMINED AGAIN THE FRONT ROTORS HAD TO BE REPLACED WHEN THEY HAD BEEN IN USE FOR ONLY 11000 MILES. THE DEALERSHIP INSISTED THAT IT WAS CONSIDERED NORMAL WEAR AND TEAR. THE MANUFACTURER WAS CONTACTED WHO AGREED TO REIMBURSED THE SECOND ROTORS REPLACEMENT BUT REFUSED TO RECOGNIZE RESPONSIBILITIES FOR THE FIRST REPLACEMENT. THE CONTACT WAS VERY CONCERNED ABOUT THE DEFECTIVE BRAKES BECAUSE THE VEHICLE HAD TO BE DRIVEN ON MOUNTAIN ROADS ON A REGULAR BASIS. THE VEHICLE WAS A JEEP OVERLAND 2004.

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice. ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

[REDACTED]
Burney, CA [REDACTED]
[REDACTED]

History:

- Purchased 2004 Jeep Cherokee Grand Overland May '03.
- Brought vehicle to SJ Denham Chrysler Jeep for 30,000 mile service at 29,314 miles. Besides required checks, we requested brake check due to pulsation and "pulling". Were informed that rotors and pads had to be replaced (cost \$361.)- see attachment.
- Received notice of "free brake inspection" from Chrysler
- Returned to Denham 9/1/06. Brakes were again pulsating. It was verified that brakes again were faulty. Mileage: 40,002- less than 11,000 miles since replacement. Cost: \$288.30-see attachment.
- Received "Notice of Class Action Suit" re brakes- see attachment
- Called Chrysler re reimbursement of \$361. plus \$288.30
- 8/16 Spoke w/Dawn- Got address for submittal; she stated rotors had been "redesigned" when I questioned how long second set would last.
- 8/23-Spoke w/Greg at Denham: "no reim due to mileage over 40,000" per Corp
- 8/24 Called Corp, spoke w/JoAnn who transferred me to Bobbie; given corp case number: 153047727. She stated she spoke w/Greg and was told that first brake job was at "our request"- she offered reim for the \$288.30 only.
- Called Greg- he denied making such statement to Bobbie
- 9/8 Called Corp requesting to speak with a supervisor- was given to Chuck, another agent like Bobbie. Per Chuck: "not unreasonable for rotors to have to be replaced at 29,000 or even 11,000 miles.

Relief Sought:

Total reimbursement for brake work. It is unreasonable to have to replace said parts at these mileage periods. Rotors were defective and redesigned. The safety of vehicles with faulty rotors should be addressed and Chrysler held responsible.

Superior Court of New Jersey, Law Division: Bergen County

**IF YOU HAVE BOUGHT OR LEASED A 2003-2004 JEEP GRAND CHEROKEE YOU MAY QUALIFY FOR
BENEFITS FROM A CLASS ACTION SETTLEMENT**

**Please Read This Notice Carefully
Your Legal Rights May Be Affected By The Settlement**

The Superior Court of New Jersey, Law Division: Bergen County, has ordered the issuance of this Settlement Notice ("Notice") in a class action lawsuit titled *Robert Lubitz, et al. v. DaimlerChrysler Corp.* Case No. BER-L-4883-04. **This is not a solicitation from a lawyer, and you are not being sued.**

1. What Is the Purpose of This Notice? The purposes of this Notice are: (a) to tell you of the proposed nationwide settlement (the "Settlement") of a class action lawsuit that is pending against DaimlerChrysler Corporation ("DaimlerChrysler"); (b) to tell you how this lawsuit and the Settlement may affect your rights and what steps you may take to exercise any rights you may have; and (c) to outline the benefits that you may be eligible to receive under the Settlement. Please note, however, that your receipt of this Notice by itself does not mean that you are eligible to receive any benefits under the Settlement.

2. What Is the Lawsuit About? The Plaintiffs allege that DaimlerChrysler manufactured 1999-2004 Jeep Grand Cherokee automobiles with defective front brake components, including calipers and rotors, such that some of the vehicles manifest pulsation when the brake pedal is applied. Plaintiffs' lawsuit asserts claims against DaimlerChrysler for breach of express warranty, breach of implied warranty, negligence, fraud, and violation of consumer protection statutes. Plaintiffs also seek a declaratory judgment that the 36-month, 36,000-mile warranty applies to repairs made to correct the pulsation problem.

DaimlerChrysler vigorously denies all of Plaintiffs' allegations of wrongdoing and asserts numerous defenses to Plaintiffs' claims. DaimlerChrysler believes that Plaintiffs' lawsuit is entirely without merit. The proposed Settlement is not, and is not to be construed as, evidence of an admission or concession by DaimlerChrysler.

The Court has made no determination about the strengths or weaknesses of any of Plaintiffs' contentions or any of DaimlerChrysler's defenses. Instead, Plaintiffs and DaimlerChrysler have entered into a Settlement Agreement to end the litigation. The Court has preliminarily approved the Settlement provided for in the Settlement Agreement, but the Settlement will not actually take effect unless and until: (a) it is finally approved by the Court after the Fairness Hearing, described below in Paragraph 12, and a Final Order and Judgment has been entered by the Court and (i) the applicable period for the appeal of the Final Order and Judgment has expired without any appeals having been filed, or (ii) all such appeals have been dismissed; or (b) the appropriate Court of Appeals has entered a final judgment affirming the Final Order and Judgment of the Court, which (i) is no longer subject to any further appellate challenge, or (ii) has been affirmed by the United States Supreme Court.

3. Who Is Covered by the Class Settlement? The "Settlement Class" means all persons in the United States who bought or leased a Jeep Grand Cherokee vehicle, model years 1999-2004, between May 1, 1998 and the present, excluding fleet and governmental purchasers and lessees.

The "2003-2004 Model Years Warranty Subclass" means all members of the Settlement Class who bought or leased a model-year 2003-2004 Jeep Grand Cherokee vehicle. DaimlerChrysler's records indicate that you may be a member of this Subclass.

4. Who Represents the Settlement Class? Class Counsel are: Kantrowitz, Goldhamer & Graifman, Montvale, NJ, by Gary S. Graifman; The Mason Law Firm, Washington, DC, by Gary E. Mason and Charles A. Schneider; Stull, Stull & Brody, New York, NY, by Howard T. Longman; Stull, Stull & Brody, Los Angeles, CA, by Timothy J. Burke; Kynes, Markman & Felman, P.A., Tampa, FL, by James E. Felman and Katherine E. Yanes; Karr & Sherman Co., L.P.A., Columbus,

Your intention to appear at the Fairness Hearing and any objections that you wish to raise must be filed with the Court, and separate copies served on Class Counsel and DaimlerChrysler's counsel by first-class United States Mail, **no later than September 15, 2006**. The copies to be served on Class Counsel and DaimlerChrysler's counsel must be mailed to the following addresses:

Class Counsel:

Gary S. Graifman
KANTROWITZ, GOLDHAMER & GRAIFMAN
210 Summit Avenue
Montvale, New Jersey 07645

Gary E. Mason
THE MASON LAW FIRM, P.C.
1225 19th St. NW, Suite 500
Washington, D.C. 20036

Counsel for DaimlerChrysler:

Anthony J. Anscombe
SEDGWICK, DETERT, MORAN & ARNOLD, L.L.P.
One North Wacker Drive, Suite 4200
Chicago, Illinois 60606

If you do not comply with these procedures or the deadline for objections, you will lose any opportunity to have your objection considered at the Fairness Hearing or otherwise to contest the approval of the Settlement or to appeal from any order or judgment entered by the Court in connection with the Settlement.

12. **When Is the Fairness Hearing?** On October 30, 2006, at 9:00 a.m., the Court will hold a public hearing in Courtroom 426, Bergen County Justice Center, 10 Main Street, Hackensack, NJ 07601, to determine whether the Settlement Class is properly certified and whether the Settlement is fair, adequate, and reasonable and should be finally approved, with judgment entered accordingly. The Court will also consider Class Counsel's application for an award of attorneys' fees and expenses and any opposition thereto. This hearing may be continued or rescheduled by the Court without further notice to the Settlement Class. Settlement Class Members who object to the Settlement are not required to attend the Fairness Hearing. If you want to be heard orally in opposition to the Settlement, either personally or through your own separate counsel, you must state in your written objection your intention to appear at the Fairness Hearing as set forth in Paragraph 11.

13. **Where Can I Obtain More Information Regarding the Settlement?** If you have questions about this Notice or the Settlement, or if you did not receive this Notice in the mail and you believe you are or may be a member of the Settlement Class, you should contact the Settlement Administrator at the address or toll-free telephone number listed in Paragraph 5 above for more information. If you wish to communicate directly with Class Counsel, you may contact Gary Graifman at the address listed above in Paragraph 11. You may also seek advice and guidance from your own private attorney at your own expense, if you so desire. This Notice, which has been approved by the Court, is only a summary. For more detailed information, you may review the Settlement Agreement, containing the complete terms of the Settlement, which is on file with the Court and available to be inspected at any time during regular business hours at the Clerk's Office. You may also review the pleadings, records, and other papers on file at the Clerk's Office. The Clerk of the Court is located at Bergen County Courthouse, Room 425, 10 Main Street, Hackensack, NJ 07601.

PLEASE DO NOT WRITE OR TELEPHONE THE COURT, ANY JEEP DEALER, OR DAIMLERCHRYSLER ABOUT THE CLASS SETTLEMENT OR THIS LAWSUIT.

Dated: June 1, 2006

/s/ Honorable Sybil Moses
The Honorable Sybil Moses
Judge, Superior Court of New Jersey

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).