

[REDACTED]  
Fairfax Station, VA [REDACTED]

2006 OCT 17 PM 2:15

October 5, 2006

10172223

National Highway Transport Safety Administration  
Office of Defect Investigations  
NVS-216  
400 7<sup>th</sup> Street, SW  
Washington, DC 20590  
USA

Ref: **Sidewall cracks Goodyear tires mounted OEM on 2004 Nissan Maxima SE**

Dear Sir/Madam,

Please find attached hardcopies of my earlier communications with Goodyear Tire and Rubber Company, Akron, Ohio and with Nissan North America, Nashville, Tennessee.

You may notice from the attached correspondence that I continue to experience serious problems with the Goodyear tires (Eagle 245-45-18) that are mounted as OEM by Nissan North America on my 2004 Nissan Maxima SE. It is only after having consulted with a highly reputable independent tire expert in the USA that I have come to the conclusion that these Goodyear tires are by definition defective due to crucial shortcomings in engineering and/or manufacturing aspects.

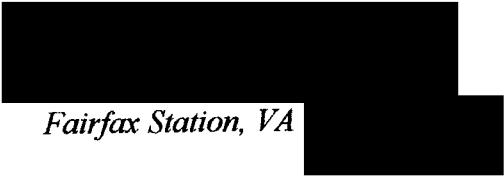
It is my strong opinion that your organization should carefully follow this case in which the safety of many motorists and the occupants of their vehicles is severely at stake. I am presently awaiting the official response from the Goodyear Tire and Rubber Company, as well as from Nissan North America. I can assure that if an amicable and fully satisfactory solution to this problem is not reached I will file an official complaint with NHTSA and bring the case, with assistance of potent lawyers, to the attention of the courts.

I look forward to receiving your reaction on the contents of the attachments.

Sincerely Yours,

[REDACTED]

*Quia max  
10/18/06*

  
Fairfax Station, VA

October 5, 2006

Center for Auto Safety  
Att. Mr. John Robinson  
Suite 330  
1825 Connecticut Avenue, NW  
Washington, DC 20009-5708  
USA

Ref: **Sidewall cracks Goodyear tires mounted OEM on 2004 Nissan Maxima SE**

Dear Mr. Robinson,

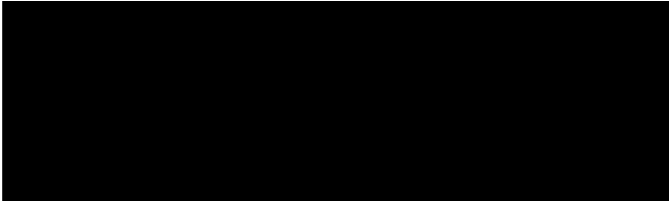
Please find attached hardcopies of my earlier communications with Goodyear Tire and Rubber Company, Akron, Ohio and with Nissan North America, Nashville, Tennessee. Also, please note that I have provided the NHTSA with this complete documentation.

You may notice from the attached correspondence that I continue to experience serious problems with the Goodyear tires (Eagle 245-45-18) that are mounted as OEM by Nissan North America on my 2004 Nissan Maxima SE. It is only after having consulted with a highly reputable independent tire expert in the USA that I have come to the conclusion that these Goodyear tires are by definition defective due to crucial shortcomings in engineering and/or manufacturing aspects.

It is my strong opinion that your organization should carefully follow this case in which the safety of many motorists and the occupants of their vehicles is severely at stake. I am presently awaiting the official response from the Goodyear Tire and Rubber Company, as well as from Nissan North America. I can assure that if an amicable and fully satisfactory solution to this problem is not reached I will file an official complaint with NHTSA and bring the case, with assistance of potent lawyers, to the attention of the courts.

I look forward to receiving your reaction on the contents of the attachments.

Sincerely Yours,



[REDACTED]  
Fairfax Station, VA [REDACTED]

October 3, 2006

Mr. Carlos Ghosn  
CEO Nissan  
c/o Nissan North America  
333 Commerce Street  
Nashville, TN 37201  
USA

Ref: **Sidewall cracks Goodyear tires mounted OEM on 2004 Nissan Maxima SE**

Dear Mr. Ghosn,

Please find attached hardcopies of my earlier communications to Mr. Charles Sinclair, Senior Vice President Global Communications of the Goodyear Tire and Rubber Company, Akron, Ohio. Also, please note that I have cc'ed the same documents to Messrs. Joseph M. Gringo (Executive Vice President Quality Systems and Chief Technical Officer), William M. Hopkins (Vice President Technology and Strategic Initiatives), and Robert J. Keegan (Chairman of the Board, Chief Executive Officer and President) of Goodyear Tire and Rubber Company with headquarters in Akron, Ohio.

You may notice from the attached correspondence that I continue to experience serious problems with the Goodyear tires (Eagle 245-45-18) that are mounted as OEM by Nissan North America on my 2004 Nissan Maxima SE. It is only after having consulted with a highly reputable independent tire expert in the USA that I have come to the conclusion that these Goodyear tires are by definition defective due to crucial shortcomings in engineering and/or manufacturing aspects.

I further wish to inform you that I have contacted two (2) Nissan dealerships in the area where I reside. Service managers at both these dealerships have confirmed that they are aware of many identical problems with the same Goodyear tires on Nissan Maximas and Altimas. One of these dealerships released the following written statement: "Found all 4 tires have splits in sidewalls. No apparent damage – looks like under warrantee."

I have earlier repeatedly contacted Nissan's Consumers Affairs Department and was on several occasions told that Nissan North America does not warrantee OEM tires on the vehicles that it sells. I have patiently explained the problems (that are evidenced in the attached photographic prints) and was repeatedly assured (see your file # 546 5541) that Nissan could not follow-up on my complaints, and I was advised to contact Goodyear.

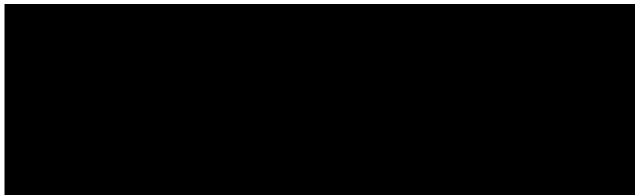
Henceforth, I would greatly appreciate receiving a written response from you, or anyone of your choice within the Nissan North America organization, on the following:

- (a) Nissan North America's "official" policy that states that OEM tires are not guaranteed by the Nissan organization;
- (b) Nissan North America's confirmation of the fact that the defects shown in the attached photographs are solely a result of the quality of Goodyear's tires and not in any way related to any known technical aspects that fall under the competence of Nissan as a car manufacturer, and;
- (c) Any knowledge of Nissan North America that similar problems were experienced on other 2004 and later Nissan Maximas or Altimas, equipped with identical Goodyear tires.

Let me assure you that my objective is to settle this tire issue in an amicable - and for me fully satisfactory manner - either with the Goodyear Tire and Rubber Company, or with Nissan North America.

I look forward to receiving your response on the contents of this letter.

Sincerely Yours,



CC. NHTSA (full package, with separate cover letter)  
CAS (full package, with separate cover letter)

[REDACTED]  
Fairfax Station, VA [REDACTED]

Fairfax Station,

September 28, 2006

Mr. Charles L. Sinclair  
Senior Vice President Global Communications  
Goodyear Tire and Rubber Company  
1144 East Market Street  
Akron, OH 44316  
USA

Dear Mr. Charles L. Sinclair,

Please find attached a hard copy of my earlier communications to Mr. Keith Price ([kprice@goodyear.com](mailto:kprice@goodyear.com)) and copied to you ([csinclair@goodyear.com](mailto:csinclair@goodyear.com)). These emails contained an exposé (text and self-explanatory photographic evidence) relating to problems that I experienced with my Goodyear tires.

Regretfully, the Internet provider returned my email to Mr. Price and the CC to you with a failure notice of delivery. It seems to me that either your office/IT specialist is blocking electronic communications, or else that the e-mail addresses that I used are no longer in existence/relevant.

I look forward to hearing from your organization.

Sincerely Yours,  
[REDACTED]

CC. Joseph M. Gingo,  
Executive Vice President, Quality Systems and Chief Technical Officer  
Goodyear Tire and Rubber Company

William M. Hopkins,  
Vice President, Technology and Strategic Initiatives  
Goodyear Tire and Rubber Company

Robert J. Keegan,  
Chairman of the Board, Chief Executive Officer and President  
Goodyear Tire and Rubber Company

----- Original Message -----

From: <MAILER-DAEMON@yahoo.com>

To: [REDACTED]

Sent: Tuesday, September 26, 2006 6:37 PM

Subject: failure notice

> Hi. This is the qmail-send program at yahoo.com.  
> I'm afraid I wasn't able to deliver your message to the following  
> addresses.  
> This is a permanent error; I've given up. Sorry it didn't work out.  
>  
> <[csinclair@goodyear.com](mailto:csinclair@goodyear.com)>:  
> 12.4.195.146 does not like recipient.  
> Remote host said: 550 [csinclair@goodyear.com](mailto:csinclair@goodyear.com)... No such user  
> Giving up on 12.4.195.146.  
>  
> <[kprice@goodyear.com](mailto:kprice@goodyear.com)>:  
> 12.4.195.147 does not like recipient.  
> Remote host said: 550 [kprice@goodyear.com](mailto:kprice@goodyear.com)... No such user  
> Giving up on 12.4.195.147.

TEXT OF E-MAIL MESSAGE SENT ON SEPTEMBER 26, 2006 TO MR. KEITH PRICE, DIRECTOR OF CORPORATE COMMUNICATIONS (kprice@goodyear.com), CC'D, TO MR. CHUCK SINCLAIR, VICE-PRESIDENT OF COMMUNICATIONS (csinclair@goodyear.com), GOODYEAR TIRE & RUBBER CORPORATION, AKRON, OHIO, USA. MESSAGE RETURNED AS UNDELIVERABLE ON THE SAME DATE.

Dear Mr. Price,

Herewith, I would like to draw your attention to some very unfortunate problems that I experienced with Goodyear Eagle tires (245-45-18), mounted OEM on my 2004 Nissan Maxima SE. For your convenience I have attached several recent pictures to my email.

You may notice from the attached pictures that (all 4 of) the tires on my Nissan have developed serious cracks, both on the inside and on the outside of the sidewalls. Also, you may notice from these pictures that the overall tread wear has been very modest and, more importantly, evenly distributed. There is no excessive tread wear, neither is there wear on the shoulders due to speedy cornering or faulty wheel alignments. As a matter of fact, the vehicle has always been serviced at an authorized Nissan dealership and the tires have been regularly rotated as per instructions contained in the Nissan Owner's Manual.

The attached pictures clearly evidence that tread failure is a work in process on these tires. As you know, tread failure starts off as small cracks. It is widely acknowledged that such cracks are a result of manufacturing and/or design defects that relate to the inner separation of one or more of the various layers that make up the tire. These small cracks are initially virtually invisible to the naked eye. In a later stage these minuscule cracks give way to larger cracks. This phenomenon is widely known as a premature tire fatigue.

It is common knowledge that the fatigue life of a tire is to exceed tread life - and thus the length of time that it takes to wear down the tire tread through normal use - by a substantial design/safety margin. Manufacturing and design defects cause shorter fatigue life and, as we all are aware, this can lead to catastrophic accidents, injuries or deaths, long before the tire's tread is worn out, and thus long before the tire's useful life is over.

I have contacted your "Customers Services Department" and have to the best of my knowledge described the problems that I experience with the 245-45-18 Goodyear tires. As instructed by the person that I spoke to at first, I brought my car to an outlet that sells Goodyear tires. Here, the tires were evaluated on September 12, 2006 by a technician who wrote in his official report: "2004 Nissan Maxima: Customer states all 4 tires have splits in sidewalls. Check and advise: We found cracks in sidewall of all 4 tires inconsistent with dry rot due to mileage and age of tires. Customer was offered 25% courtesy discount on new tires. Customer has declined at this time. Offer stands for 30 days. Note: Tread depth for all tires is 4/32 of an inch." Please note that the remaining tread was measured by the technician from the embedded tread life threshold/bar. Please also note that I sent an enquiry through your Goodyear's website, "Investors Relations" section. On September 15, 2006 I was called by some of Goodyear's staff that informed

me that Goodyear was willing to raise the "Courtesy Discount" to 33%. I informed said staff that the issue is not tread wear but rather a design/manufacturing defect. The last spokesperson for Goodyear called me on September 20, 2006, apparently as a result of my enquiry under "Investment Relations." She informed me that the tread should not be measured at the embedded tread life bar, and that tread on new tires is 10/32 of an inch. She confirmed that Goodyear could offer a 33% "Courtesy Discount" on the purchase of new Goodyear tires. I made it clear to her that the issue with the tires is a safety issue and not one of tread wear. Hence, so is my opinion, compensation by Goodyear should not make reference to the use that I made of the tires. My point is that I have been driving from day one on tires that are faulty in design or manufacturing process; the issue is one of engineering ! It must be clear to anybody therefore that I could not but refuse such meager compensation and I will, if the issue cannot be settled amicably, take legal action.

Please note that I am the Editor at Large of [REDACTED] an electronically distributed weekly magazine that serves the Italian car community and beyond. This website is clicked upon 800,000 times per month (near to 10 million times per year). My readers come from 90 countries worldwide (in descending order of hits: USA, Italy, the Netherlands, Belgium, France, the United Kingdom, Germany and Australia). In addition, I inform you that [REDACTED] staff and correspondents provide at regularly times in depth editorial articles for some of the world's most prestigious automobile magazines. Also, I wish to inform you that I am presently evaluating the launch of a tire survey among [REDACTED] reader's base, as I like to hear their comments /experiences on similar tire issues. It is my intention to analyze the survey data and subsequently advise the readers on what to do. However, before doing so, I would like to offer the Goodyear organization the opportunity to officially address (in writing) its position as to the tire sidewall cracking issue that I personally experienced on my 2004 Nissan Maxima. Finally, I wish to express my sincere desire to amicably settle this dispute with the Goodyear Tire & Rubber Company.

I look forward to your reply. Meanwhile, please accept my best regards.

[REDACTED]

[REDACTED]

Fairfax Station, VA [REDACTED]

Cc Chuck Sinclair (email)  
M. Carlos Ghosn (hard copy)

