



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

120 Broadway, New York, NY 10271

ELIOT SPITZER
Attorney General

THOMAS G. CONWAY
Assistant Attorney General In Charge
Consumer Frauds and Protection Bureau

212-416-8294

October 24, 2006

[REDACTED]
Poughkeepsie, NY [REDACTED]

10173294

Our File Number: [REDACTED]
Company: 2002 Dodge Grand Caravan

Dear [REDACTED]

On behalf of Attorney General Eliot Spitzer, I am writing to notify you that we have received your correspondence.

We appreciate your alerting us to this matter. We believe the organization shown below may be able to assist you and we are forwarding your correspondence there.

If you do not receive a response in the near future, please follow up directly with that organization. I suggest you attach a copy of this letter or, if appropriate, mention that you are adding new information.

Thank you for contacting us.

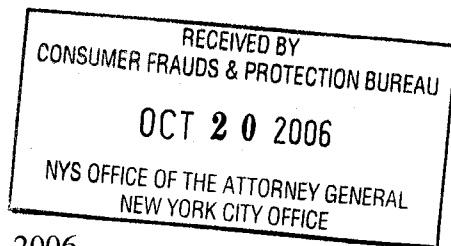
Very truly yours,

Philip Gamma/i

Philip Gamma
Bureau of Consumer Frauds
And Protection

✓ cc: National Highway Traffic and Safety Administration
400 7th Street SW
Washington, DC 20590

*Anamari
11/3/06*



Poughkeepsie, NY

October 17, 2006

New York State Office of the Attorney General
Eliot Spitzer
Consumer Protection Bureau
120 Broadway, 3rd floor
New York, New York 10271

Dear Sir/Madam:

I am seeking monetary compensation from DaimlerChrysler Automotive Corporation for the cost of repairing brake system damages on my 2002 Dodge Grand Caravan. These damages can in fact be directly attributed to a known documented brake system design flaw, as documented in a DaimlerChrysler service bulletin (bulletin# 05-011-06) dated March 9, 2006. The service bulletin details the damages attributed to the defective drum brake design and the redesigned replacement part required to fix the problem. I am enclosing the service bulletin summary page for your review. I was never notified of this problem and was made aware of it only after damages to my braking system occurred. As described in the service bulletin, the improperly designed backing plate allows water and snow to enter the brake drum enclosure and when the temperature drops to freezing the brake shoes freeze to the drum. The service bulletin mentions that the symptom would most likely occur when the emergency brake was on, which I did experience. However, after the first time it occurred I no longer used the emergency brake but it continued to happen. In either case, the result is the rear wheels are unable to rotate freely (the wheels are attached to the brake drum). When the unsuspecting driver attempts to move the vehicle, the wheels attempt to rotate and the brake shoes are subjected to extreme physical forces proven to be damaging to all the drum braking mechanism components. The service bulletin in fact describes the components possibly needing replacement. The frozen brake shoes may or may not release themselves from the brake drum when attempting to move the vehicle and if they do not you are stranded. To our horror my family and I have been stranded on numerous occasions in the dead of winter, even requiring our needing to spend the night at a hotel room until temperatures warmed sufficiently to thaw the brakes. After a number of these episodes had occurred I noticed the parking brake no longer worked and in addition grinding noises started emanating from the rear brakes. As a result I made an appointment to bring my vehicle to my dealership, Dutchess DaimlerChrysler in Poughkeepsie NY, and on May 11, 2006 they inspected my brake system. I discussed the rear drum brake freezing phenomenon with a

service manager, Richard Cronk, and he presented me with the service bulletin that identified this problem with the rear drum brakes. After assessing the entire braking system Richard Cronk recommended to totally rebuild the rear drum brakes due to excessive damage including repairing the parking brake which was also inoperable. Mr. Cronk stated that the damage was consistent with damage incurred when the rear drum brakes freeze as described in the service bulletin. In addition, he stated that the front brake pads and rotors needed to be replaced due to premature excessive wear. He attributed this to the fact that the rear drum brakes were much less effective, because of the damage incurred, thus rendering the brunt of the braking power to the front brakes. Due to the severity of the brake system damages I agreed to have the repair done immediately. When I inquired about DaimlerChrysler's repair cost responsibility, Mr. Cronk stated that I would have to negotiate that with DaimlerChrysler directly but that I would have to pay for the repairs upfront. I contacted DaimlerChrysler Assistance center by phone (1-800-992-1997) on May 17, 2006 and a customer assistance representative documented my case and assigned a file number [REDACTED]. I was told my case would be reviewed and I would be notified as to the decision. The next day, May 18, 2006, I was informed via a phone conversation with a customer assistance representative that since my vehicle was no longer under warranty they were no longer liable. After repeated attempts to speak to a customer assistance supervisor I received one final notification on May 19, 2006, by phone, stating that their decision was final and no further discussion was warranted. I am therefore appealing to the State Attorney General's Office to seek justice on my behalf since DaimlerChrysler will not take responsibility for overall damages incurred as a result of a dangerous defect in their product. Since the flaw in the vehicles brake design transcends the limitations of the vehicles warranty, I believe that DaimlerChrysler should reimburse me for all expenses incurred relating to the brake system defect. The magnitude of the damages that were incurred on my vehicles brake system have been realized through the extensive repair work performed as shown on my itemized repair bill. Therefore, I am seeking monetary compensation for the amount of \$814.60 dollars which is the amount I paid to have my brake system repaired.

Total invoice from bill	\$845.60
Minus vehicle inspect.	\$ 31.00

Total reimbursement amt.	\$814.60

Please find the following enclosed:

- 1.) Copy of DaimlerChrysler service bulletin summary page for rear drum brakes
- 2.) Copy of Dutchess DaimlerChrysler itemized repair bill

Thank you for you consideration in this matter.

Sincerely,

[REDACTED]



NUMBER: 05-001-06
GROUP: Brakes
DATE: March 9, 2006

This bulletin is supplied as technical information only and is not an authorization for repair. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, or otherwise, without written permission of DaimlerChrysler Corporation.

THIS BULLETIN SUPERSEDES TECHNICAL SERVICE BULLETIN 05-003-05, DATED JUNE 21, 2005, WHICH SHOULD BE REMOVED FROM YOUR FILES. THE REVISIONS ARE HIGHLIGHTED WITH **ASTERISKS**** AND INCLUDES AN ADDITIONAL MODEL YEAR AND A NEW APPLICABILITY DATE.**

SUBJECT:

Snow/Water Ingestion Into Rear Brake Drum

OVERVIEW:

This bulletin involves installing a revised rear drum brake support (backing) plate and possible replacement of the rear brake shoes and drums.

MODELS:

2001 - **2006**	(RS)	Town & Country/Voyager/Caravan
1996 - 2000	(NS)	Town & Country/Caravan/Voyager
1996 - 2000	(GS)	Chrysler Voyager (International Markets)

NOTE: This bulletin applies to vehicles equipped with sales codes BRA, BRB, or BRV (front disc/rear drum brakes) ****built on or before March 7, 2006 (MDH 0307XX).****

SYMPTOM/CONDITION:

While driving through deep or blowing snow/water, the snow/water may enter the rear brake drums causing rust to develop on the rear brake drum and shoe friction surfaces. This condition can lead to temporary freezing of the rear brake linings to the drums. This symptom is experienced after the vehicle has been parked in below freezing temperatures long enough for the snow/water to freeze inside of the rear brake drums. When the parking brake has been applied the symptom is more likely to occur.

DIAGNOSIS:

If the vehicle operator describes the Symptom/Condition above, perform the appropriate Repair Procedure based on the following:

- If Service Bulletin 05-002-04 has **not** already been performed, proceed to Repair Procedure A Step #1.
- If Service Bulletin 05-002-04 has already been performed, proceed to Repair Procedure B Step #1.



Stick with the Specialists™

New York State Office of the Attorney General
Eliot Spitzer
Consumer Protection Bureau
120 Broadway, 3rd floor
New York, New York 10271
(212) 416-8345 (phone)
(212) 416-8787 (fax)

CONSUMER
COMPLAINT FORM

1. Please Be Sure To Complain To The Company Or Individual Before Filing.
2. Please Type Or Print Clearly In Dark Ink.
3. You Must Complete The Entire Form. Incomplete Or Unclear Forms Will Be Returned To You.
4. Make Sure You Enclose Copies Of Important Papers Concerning Your Transaction.

CONSUMER			
YOUR NAME		HOME PHONE	
STREET ADDRESS		BUSINESS PHONE	
CITY/TOWN	COUNTY	STATE	ZIP
Poughkeepsie	Dutchess	NY	
COMPLAINT			
NAME OF SELLER OR PROVIDER OF SERVICES		NAME OF OTHER SELLER OR PROVIDER OF SERVICES	
DaimlerChrysler Automotive Corporation			
STREET ADDRESS		STREET ADDRESS	
DaimlerChrysler Assistance Center P.O. Box 21-8004			

CITY/TOWN Auburn Hills	STATE ZIP MI 48321	CITY/TOWN	STATE ZIP
TELEPHONE NUMBER DaimlerChrysler customer Assistance Center 1-800-492-1997		TELEPHONE NUMBER	
DATE OF TRANSACTION 5/11/06	COST OF PRODUCT OR SERVICE \$ 814.60	HOW PAID (Check those which apply) ☐ Cash ☐ Check ☒ Credit ☐ Card Other _____	
DID YOU SIGN A CONTRACT? ☒ Yes ☐ No	WHERE DID YOU SIGN THE CONTRACT? I signed a repair order to have the brake system repaired	DATE SIGNED 5/11/06	
WAS PRODUCT OR SERVICE ADVERTISED? ☐ Yes ☒ No	WHERE WAS IT ADVERTISED?	DATE ADVERTISED	
TYPE OF COMPLAINT (e.g. car, mail order, etc. Use the reverse side of this form to provide details) Automobile brake system repair (Please see cover letter for details)			
DATE YOU COMPLAINED TO THE COMPANY OR INDIVIDUAL ☐ By Mail ☒ By Telephone ☐ In Person 5/17/06	PERSON CONTACTED	JOB TITLE DaimlerChrysler customer Assistance Representative	
NATURE OF RESPONSE Due to the fact that the vehicle was no longer under warranty, Daimler Chrysler was no longer responsible for the repair cost.		DATE OF RESPONSE 5/18/06	
HAS MATTER BEEN SUBMITTED TO ANOTHER AGENCY OR ATTORNEY? (IF "Yes," give name and address) ☐ Yes ☒ No			
IS COURT ACTION PENDING? (Please describe as necessary) ☐ Yes ☒ No			
ADDITIONAL INFORMATION			

MANUFACTURER OF PRODUCT DaimlerChrysler Automotive Corp.	PRODUCT MODEL OR SERIAL NUMBER 2002 Dodge Grand Caravan
ADDRESS: DaimlerChrysler Customer Assistance Center P.O. Box 21-8004 Auburn Hills, MI 48321-8004	WARRANTY EXPIRATION DATE 3/05
DID BUSINESS ARRANGE FINANCING? (If "Yes," give name and address of bank or finance company) ☐ Yes ☒ No	

BRIEFLY DESCRIBE YOUR COMPLAINT

I had to pay for the cost of repairing brake system damages on my vehicle, which I should not have been responsible for, due to the fact that there is a known documented brake system design flaw.
(Please see attached cover letter for detailed information)

WHAT FORM OF RELIEF ARE YOU SEEKING? (e.g., exchange, repair or money back, etc.)

I am seeking monetary compensation for the amount of \$814.60 dollars which is the amount I paid to have the brake system repaired.
(Please see attached cover letter for detailed information)

WHO REFERRED YOU TO THIS OFFICE?

Geoffrey Rossi, Assistant to the State Attorney
General's office.

READ THE FOLLOWING BEFORE SIGNING BELOW

PLEASE ATTACH TO THIS FORM **PHOTOCOPIES** of any papers involved (contracts, warranties, bills received, cancelled checks, correspondence, etc.). **DO NOT SEND ORIGINALS.**

NOTE: In order to resolve your complaint, we may send a copy of this form to the person or firm about whom you are complaining.

In filing this complaint, I understand that the Attorney General is not my private attorney, but represents the public in enforcing laws designed to protect the public from misleading or unlawful business practices. I also understand that if I have any questions concerning my legal rights or responsibilities, I should contact a private attorney. I have no objection to the contents of this complaint being forwarded to the business or person the complaint is directed against. The above complaint is true and accurate to the best of my knowledge.

I also understand that any false statements made in this complaint are punishable as a Class A Misdemeanor under Section 175.30 and/or Section 210.45 of the Penal Law.

Signature 

Date: 10/17/06

**Return to: Office of the Attorney General
Bureau of Consumer Frauds and Protection
120 Broadway, 3rd Floor
New York, NY 10271-0332**

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).