



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
ATTORNEY GENERAL

DIVISION OF REGIONAL OFFICES
BROOKLYN REGIONAL OFFICE

April 20, 2007

[REDACTED]
[REDACTED]
Brooklyn, NY [REDACTED]

Our File Number: 2007-619973
Company: Kristal Auto Mall Corp

Dear [REDACTED]:

On behalf of Attorney General Andrew M. Cuomo, 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 Garin

Philip Garin
Consumer Frauds Representative

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



ATTORNEY GENERAL ANDREW M. CUOMO
STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
BROOKLYN REGIONAL OFFICE
55 Hanson Place, Suite 1080
Brooklyn, NY 11217-1523
Tel. (718) 722-3949 Fax (718) 722-3951

COMPLAINT FORM

Consumer Hotline For Hearing Impaired
1 (800) 771-7755 TDD (800) 788-9898
<http://www.oag.state.ny.us>

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 [REDACTED]		HOME TELEPHONE NUMBER [REDACTED]
STREET ADDRESS [REDACTED]		BUSINESS TELEPHONE NUMBER [REDACTED]
CITY/TOWN Brooklyn	COUNTY (KINGS)	STATE NY
COMPLAINT		
NAME OF SELLER OR PROVIDER OF SERVICES KRISTAL AUTO MALL CORP.		NAME OF OTHER SELLER OR PROVIDER OF SERVICES
STREET ADDRESS 5200 KING HIGHWAY		STREET ADDRESS
CITY/TOWN Brooklyn	STATE NY	ZIP 11234
TELEPHONE NUMBER 718 253 7575		TELEPHONE NUMBER
DATE OF TRANSACTION 9/30/05	COST OF PRODUCT OR SERVICE TOTAL 60757.25 CASH PRICE *	HOW PAID (Check those which apply) ☐ Cash ☐ Check ☐ Credit Card ☒ Other FINANCE CO.
DID YOU SIGN A CONTRACT? ☒ Yes ☐ No	WHERE DID YOU SIGN THE CONTRACT? AT KRISTAL AUTO	DATE SIGNED 9/30/05
WAS PRODUCT OR SERVICE ADVERTISED? ☒ Yes ☐ No	WHERE WAS IT ADVERTISED? ALL OVER RED TAG SALE AT KRISTAL AUTO	DATE ADVERTISED 9/05
TYPE OF COMPLAINT (e.g. car, mail order, etc. Use the reverse side of this form to provide details) CAR		
DATE YOU COMPLAINED TO THE COMPANY OR INDIVIDUAL 10/05	PERSON CONTACTED VARIOUS	JOB TITLE SALES PERSON
NATURE OF RESPONSE W/ASH ODOMETER REACHES 2,000 MILES VEHICLE SHOULD GET * * THE MILEAGE ADVERTISED * *	DATE OF RESPONSE 10/05	
HAS MATTER BEEN SUBMITTED TO ANOTHER AGENCY OR ATTORNEY? (If "Yes," give name and address) ☒ Yes ☐ No DOJ NATIONAL HIGHWAY TRAFFIC SAFETY 400 7th AVE WASHINGTON D.C. MARSHALL ST. 150 W. 55th ST. NEW YORK, N.Y.		
IS COURT ACTION PENDING? (Please describe as necessary) ☐ Yes ☒ No		
ADDITIONAL INFORMATION * TOTAL TIME PRICE \$66967.60		
MANUFACTURER OF PRODUCT CADILLAC MOTOR CAR DIVISION		PRODUCT MODEL OR SERIAL NUMBER 1G-YEK63NKS
ADDRESS TOLEDO OH. 43099 OR DETROIT		WARRANTY EXPIRATION DATE NEW CAR WARRANTY
DID BUSINESS ARRANGE FINANCING? (If "Yes," give name and address of bank or finance company) ☒ Yes ☐ No GMAC P.O. Box 2182 GREENY CO. 8063		

PLEASE DESCRIBE COMPLAINT ON REVERSE SIDE.

BRIEFLY DESCRIBE YOUR COMPLAINT I OWN A 2005 CADILLAC ESCALADE WHICH
ONLY GETS 8MPG IN THE CITY AND 10MPG ON THE HIGHWAY. THIS
IS WITHOUT RUNNING THE AIR OR HEAT AND NOT ~~PERFORMING~~
~~THESE~~ ~~AND~~ USING ELECTRICAL ELEMENTS THAT EFFECT THE
AIR. IT STILL DID NOT MAKE A DIFFERENCE WITH THE 3rd
ROW SEAT REMOVED. THE DEALER ^{STATED} THAT AFTER REACHING
AN ODOMETER READING OF 2,000 MILES THE VEHICLE SHOULD GET
THE MILEAGE THAT WAS ADVERTISED. I DID MOSTLY CITY DRIVING
AND DO TAKE CARE OF MY CAR, SINCE PURCHASING THE VEHICLE
IN 9/05 IT HAS NEVER REACHED THE MPG THAT IT SHOULD.
THE CURRENT MILEAGE IS APPROXIMATELY 10,000 MILES. I WAS
TOLD BY AN EMPLOYEE OF KAPITAL, PRIVATELY, THAT "ONCE IN A WHILE
WE GET VEHICLES LIKE THIS ONE AND THERE IS NOTHING WE CAN DO."
WHAT FORM OF RELIEF ARE YOU SEEKING? (e.g., exchange, repair or money back etc.)

WHO REFERRED YOU TO THIS OFFICE? FEDERAL TRADE COMMISSION

READ THE FOLLOWING BEFORE SIGNING BELOW

PLEASE ATTACH TO THIS FORM PHOTOCOPIES of any papers involved (contracts, warranties, bills received, canceled 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 210.43 of the Penal Law.

Signature: _____

Date: 4/16/07

HAVE YOU ENCLOSED COPIES OF IMPORTANT PAPERS?

Return to: Office of the Attorney General
Brooklyn Regional Office
55 Hanson Place, Suite 1000
Brooklyn, NY 11217-1523

ENCLOSURES: 8 CADILLAC INFORMATIONAL SHEET WHICH INCLUDES MILEAGE

② J. MARCHELLO, ESQ. LETTER OF 10/19/06

Chrysler

BREAK THROUGH

Standard Equipment

- Items Featured Below are included at NO EXTRA CHARGE in the Standard Vehicle Price shown at Right
- WORLD'S MOST POWERFUL FULL SIZE SPORT UTILITY**
- VORTEC 5.0L ENGINE 245 HP
 - LUXURY/COMFORT/CONVENIENCE:**
 - 14-WAY POWER FRONT SEATS W/ HEATED CUSHIONS & BACKRESTS
 - 2ND ROW BUCKET SEATS W/HEAT
 - REMOVABLE THIRD ROW SEATS W/ SPLIT FOLD & STOW DESIGN
 - NUANCE LEATHER SEAT SURFACES
 - BOSE PREMIUM AUDIO SYSTEM W/ CASSETTE & IN DASH 6-DISC CD
 - XM SATELLITE RADIO - OVER 120 CHANLS OF DIGITAL ENTERTAINMENT
 - SERVICE FEE EXTRA 1ST 3MO/1YR
 - REAR SEAT AUDIO
 - STEERING WHEEL RADIO CONTROLS
 - DRIVER INFORMATION CENTER
 - HID HEADLAMPS
 - POWER ADJUSTABLE PEDALS
 - TRI-ZONE AUTO CLIMATE CONTROL
- PERFORMANCE:**
- ALL WHEEL DRIVE
 - HEAVY DUTY 4-SPEED AUTOMATIC
 - STABILITRAK STABILITY SYSTEM
 - ROAD SENSING SUSPENSION
 - AUTOMATIC REAR LEVEL & 3 CNTRL
 - TRACTION CONTROL SYSTEM
 - 4-WHEEL ANTI-LOCK DISC BRAKES
 - ALL WEATHER 17" RADIAL TIRES
 - 18" SPARE WHEEL AND TIRE
- SAFETY:**
- DRIVER & FRNT PASSENGER FRONTAL AND SIDE IMPACT AIR BAGS
 - INCL PASSENGER SENSING SYSTEM AND DUAL LEVEL FRONTAL AIR BAG
 - ULTRASONIC REAR PARK ASSIST
 - TIRE PRESSURE MONITORING

Options & Price

MANUFACTURER

STANDARD VEHICLE PRICE

Options installed by the Manufacturer (not standard equipment shown at left)

SELECT EDITION PACKAGE

INCLUDES:

- EXPRESS OPEN SUNROOF
- CHROME WHEELS
- INTEGRATED NAVIGATION RADIO (REPLACES STANDARD PKG RADIO)

SECOND ROW BENCH SEAT (REPLACES BUCKET SEATS)

- EXT-BLACK PAVEN
- INT-PEWTER LEATHER

TOTAL OPTIONS:

11 AND 17 MPG IN THE CITY AND BETWEEN 14 AND 23 MPG ON THE HIGHWAY

13



17

ACTUAL MILEAGE

WILL VARY WITH OPTIONS, DRIVING CONDITIONS, DRIVERS HABITS AND VEHICLE'S CONDITION. POSSIBLE REPORTED TO EPA INDICATE THAT THE MAJORITY OF VEHICLES WITH THESE ESTIMATES WILL ACHIEVE BETWEEN

11 AND 17 MPG IN THE CITY AND BETWEEN 14 AND 23 MPG ON THE HIGHWAY.

2005 ESCALADE AND 4.8 LITER V6 ENGINE FUEL INJECTION AUTOMATIC 4 SPD ELECTRONIC TRANS CATALYST, FEEDBACK FUEL SYSTEM

ESTIMATED ANNUAL FUEL COST: \$1,591

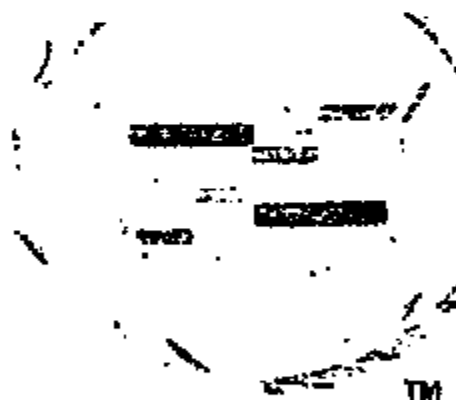
FOR COMPARISON SHOPPING, ALL VEHICLES SHOWN AS

SPECIAL PURPOSE

HAV BEEN ROUNDED UP AND RATHER THAN

11 TO 15 MPG CITY AND 14 TO 21 MPG HIGHWAY

MSRP



TOTAL VEHICLE & OPTIONS
DESTINATION CHARGE
TOTAL BEFORE SALES TAX
SELECT EDITION DISCOUNT
TOTAL VEHICLE PRICE*

SALES TO WHOLE DELIVERED

CHRYSLER AUTO RENT CORP.
200 KINGS HIGHWAY

CHRYSLER FINANCIAL GROUP

ORDER NO. JEP0001
SALES MODEL CODE 001 200
REAR/NO 0000
FINAL ASSEMBLY ARLN R001 TH 0.0A
DATE 00000000 00000000 00000000

*This total price includes destination charge, dealer prep, and delivery fee. It does not include taxes, title, license, and other available or regionally required equipment. Dealer price may vary. Dealer price may vary. Dealer price may vary.

2005 ESCALADE MSRP \$32,000. General Motors Corporation
Last December 2004

MONAGHAN, MONAGHAN, LAMB & MARCHISIO, L.L.P.

SUCCESSOR TO NEWARK LAMB MONAGHAN & MARCHISIO

ATTORNEYS AND COUNSELORS AT LAW

110 WEST 50TH STREET, SUITE 14
NEW YORK, NY 10019

PAUL J. MONAGHAN, JR.
RICHARD F. MONAGHAN
EUGENE C. LAMB
JUVENAL L. MARCHISIO
JAMES P. O'NEILL
KARL J. ROHRBACHER
JEFFREY C. PRIMIANO
ALBERT D. GARGANICO
MARK HEINZE

* ADMITTED IN NJ AND NY
** ADMITTED IN NY
*** ADMITTED IN FL AND NY
† OF COUNSEL

TEL: (212) 241-0800
FAX: (212) 241-2884

E-MAIL: MARCHLMB@aol.com

October 19, 2006

NEW JERSEY OFFICE
28 WEST GRAND AVENUE
MONTVALE, NJ 07075

TEL: (201) 802-8080
FAX: (201) 802-8088

EUROPEAN AFFILIATED OFFICE
MAYBUD ET CIE

RIVA PARADISO 14
CH 6800 LUGANO-PARADISO
SWITZERLAND

TEL: 011-41-91-854-2344
FAX: 011-41-91-854-2307

Kristal Auto Mall Corp.
5200 Kings Highway
Brooklyn NY 11234-1110

18 253 73 73

Re: [REDACTED]

Gentlemen:

We represent [REDACTED] who recently purchased a Cadillac Escalade from you. Unfortunately, the vehicle does not by far receive the gas mileage, which was warranted. Accordingly, our client invokes the provisions of the New York State Lemon Law and requests a refund of the purchase price.

Very truly yours,

MONAGHAN, MONAGHAN, LAMB & MARCHISIO

By _____

JUVENAL L. MARCHISIO

cc: [REDACTED]