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3/23/07 7:41

[Redacted]
[Redacted] Lake Mills [Redacted]
Tel. [Redacted]

Fax

To: Office of Defects Investigation (NVS-211) From: [Redacted]

Fax: (202) 366-7862 Pages: 5 (Includes cover sheet)

Phone: (888) 327-4236 Date: March 28, 2007

Re: [Redacted] Complaint

Urgent For Review Please Comment Please Reply

• **Comments**

RE: [Redacted] Complaint of Audi A4. VIN : WAUDH68DX1A [Redacted]

To whom it may concern:

Please find transmitted copies of correspondence mailed to Mr. James Cruse (Tel. 248 754-3349), the Regional Representative for Customer Relations of Audi. He is the person I have been dealing with concerning the damage to my Audi A4.

Another man who may be of interest is Tony Przytula (Tel. 414 643-3000, ext. 129), the Service Director of the Audi dealership. He is the man with most direct experience in servicing my Audi A4.

My family and I have endured significant hardship since the dealership, International Auto, has forced me to return the loaner car to them last week. Anything that can be done to expedite your investigation would be much appreciated.

Would someone please get back to me with an answer to the question: Does the NHTSA have enforcement powers? Will it be necessary to hire an attorney in a case like this? Thank you.

[Redacted]

[REDACTED]
Lake Mills, WI [REDACTED]
March 23, 2007

Mr. James Cruise
3499 West Hamlin Road
Rochester Hills, Michigan 48309

Dear Mr. Cruise:

I just learned this week that you and your automobile manufacturer, Audi, do not intend to correct the damage to my Audi A4 that was driven to the International Autos dealership on December 6, 2006 in Milwaukee, Wisconsin for repairs. International Autos is the dealership where I originally purchased the car.

To recount the incident that was reported to Audi's 800 number on December 2, 2006: On the night of December 1, 2006 after leaving a basketball game at Kettle Moosine High School in Jackson, Wisconsin (less than five minutes from the freeway) we noticed the smell of smoke. At the time my wife [REDACTED] was in the front passenger seat of the car and two of our children, ages 5 and 13, were in the rear seats of the car with a friend of the family, aged 13, also in the rear. I was the driver of the vehicle. Alarmed, I pulled the car over into a gas station parking lot. When the boys in the rear jumped out of the car, the dome light went on and I saw smoke billowing out between my legs, coming from under the driver's seat. I opened my driver's side door to escape smoke and fire and immediately heard an explosion. The side airbag had deployed, exploding out of the exterior side of the upper part of the driver's seat. Needless to say, we were all quite shaken by the experience.

One can easily imagine what could have happened to us and to others on the highway if the airbag had exploded while traveling at highway speed and with subsequent loss of control. My wife and I and the children in the rear seats, as well as any occupants of other cars on the freeway at the time could have suffered dearly in a high-speed accident.

Fortunately, there was no accident involved in the incident beyond what has been related above. Nor was there any maintenance neglected on our part that could have prevented the fire or the deployment of the airbag.

Yet I understand your position is that my insurance company should pay for the damages. Please find enclosed a copy of a letter dated March 20, 2007 from my State Farm Insurance

Dan Zempel, Agent
120 S Main St
Lake Mills, WI 53551
Office: 920-948-2296
Fax: 920-948-2908
dan.zempel@m7h@statefarm.com

March 20, 2007

██████████
██████████
Lake Mills, WI ██████████

To Whom It May Concern,

Based on the information collected from ██████████ in regards to the loss on the 2001 Audi A4, it was determined that the malfunction of electrical wiring caused the fire. The damage that resulted from the fire and smoke would be covered under the Comprehensive portion of an auto policy, but not the damage to the wiring or component that caused the fire.

I take pride in the services and products State Farm Insurance has to offer. If you have any questions or concerns please stop by the office or give me a call. Like a good neighbor State Farm is there.

Your Good Neighbor Agent,

Dan Zempel
Dan Zempel

agent, Dan Zempel, which very reasonably reports that the insurance company will not pay for damages in a case like this.

I am also enclosing a copy of a letter from Mr. Tony Przytula, Service Director at International Autos, describing the damage to my Audi A4 and estimated costs of repair. These estimates are only preliminary and may easily exceed the \$4326.43 total he refers to at the bottom of the page.

I believe the fire in the vehicle and the inappropriate deployment of the airbag were obviously due to a manufacturer's defect and not due to anything done, or not done, by me or dealership. The website of the National Highway Traffic Safety Administration clearly states that examples of safety defects include "wiring system problems that result in a fire" and "(a)ir bags that deploy under conditions for which they are not designed to deploy."

I believe your refusal to repair, replace or refund a reasonable dollar figure for my Audi is clearly indefensible.

At present, my car is in the parking lot of International Autos. It is completely inoperable. At least I was originally capable of driving it to the dealer's service shop. Now, whenever the battery is connected to the vehicle a fire erupts.

On top of that, I no longer have the use of the loaner car that was previously provided by International Autos. My family and I are experiencing much hardship now that we have only one family vehicle available for use.

I believe that good customer service as well as, quite possibly, United States law, demands that Audi either repair or replace my Audi A4. Providing another loaner car is also a minimal service your company should provide in a situation like this.

Please respond to my concerns as promptly as possible.

Sincerely yours,



Enclosures

INTERNATIONAL AUTOS
ESTIMATE OF REPAIRS

January 17, 2007

Star Fax and Copy Service

Lake Mills, Wisconsin

2001 Audi A4 2.8 Quattro Sedan

WAUDH68DX1

120,452 MILES

This is only and preliminary estimate of repairs, as more be found once repairs are started.

- Need to replace the complete air bag harness 10.0 hours labor plus \$349.97 parts
- Need to replace left front seat cover and air bag 1.1 hours plus \$84.21 parts
- Need to replace both seat harnesses, this show evidence of melting and neither seat
Will move unless harness is wiggled. Also when battery voltage is applied to
To vehicle, smoke begins to appear along both harnesses
3.0 hours labor plus \$497.98 parts
- Need to replace air bag module 1.2 hours labor plus \$957.17 parts
- May need to also replace dash harness, will not know until repairs are begun, this
May add another \$1800.00 or so to the original estimate. Again not sure what other
Damage may have been done.

15.30 Hours labor at \$107.00 per hour

Total estimate of parts

=

=

Total

w/o taxes to start out with