

CL-101 89022-1872

Letter of Complaint

April 6, 2007

National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington DC 20590
888-327-4236 or 202 366-0123

Dear Sir or Madam:

I am writing to you to ask your assistance in resolving a matter involving a faulty aftermarket catalytic converter for my 1999 Audi A6. The following are the facts of the case:

- 1) The original OEM Catalytic Converter on my Audit failed at 97,804 miles
- 2) After pricing out various sources, I went to Mighty Muffler to have it replaced (See attached invoice #1). They installed a MagnaFlow Catalytic Converter which failed via a check-engine light. The fee for installation and parts was \$813.03. The converter came with a 5 year/50,000 mile warranty agreement.
- 3) The newly installed MagnaFlow converter failed in less than a year. In February, 2007, Mighty Muffler agreed to replace the short-lived catalytic converter, at no additional cost, with another MagnaFlow catalytic converter.
- 4) In February 2007, I sought out other opinions including:
 - a. Winner Audi, Wilmington, DE - During this visit, Winner stated the engine was running rough due to the wrong catalytic converter being installed.
 - b. Don Rosen Audi – Conshohoken, PA – Stated the wrong catalytic converter was installed
 - c. Dougherty Automotive, West Chester, PA – Stated their experience with aftermarket catalytic converters do not work with Audis.
- 5) In March, 2007, the newly installed catalytic converter failed again. To help resolve this issue,

NM
4/24/07
CC

- a. I contacted Mighty Muffler and they stated that Magna Flow recommended this converter and they would replace it again with another Magna Flow converter. They would not replace it with a factory approved converter. The installer (Mighty Muffler) is not willing to give me my money back as his supplier MagnaFlow/NewBay Media says this is the correct replacement.
- b. I sent a letter to Magnaflow and to New Bay Media about the problem, informing them about the costly, defective repair situation and the consequential problem with passing state emissions. To date, I have yet to hear from them.

So far, I have incurred \$813.20 plus \$95.00 for a second diagnostic from Winner Audi. It appears we have come to a standstill with no resolution. This is how it should be resolved:

- 1) Mighty Muffler should return the \$813.20 to me or install a Audi approved converter
- 2) Magnaflow should recognize their converter for this particular car does not work and reimburse Mighty Muffler for their costs.

The contact information is as follows:

Installer

Mighty Muffler
3358 Market Street
Aston, PA 19014
(610) 497-3707

Manufacturer of the catalytic converter

Car Sound/NewBay Media LLC
810 Seventh Avenue, 27th Floor
New York, NY 10016
(212) 378-0400

It is obvious this product will not allow me to pass State Emission Standards and will prevent me from driving the vehicle. I need to have this matter resolved by no later than June 2007, which my inspection is due.

I would appreciate acknowledgement of this matter and information regarding your intentions to help resolve this matter.

Sincerely, *[Signature]*

[Redacted]

Glen Mills, PA [Redacted]

[Redacted]

[REDACTED]
[REDACTED]
Glen Mills, PA [REDACTED]

March 19, 2007

Attn: Mr. Anthony Savona
NewBay Media, L.L.C.
810 Seventh Ave. 27th Floor
New York, NY 10016

CarSounds, LLC
Rancho Santa Margarita, CA 92688

Dear Mr. Savona:

I am a resent customer from one of your installers of a catalytic converter for a 1999 Audi A6 and it is again, not operating correctly to past emissions.

I have had a second one installed (March 2007) via the failure of the first within the 1 year period and again experiencing the same problems: check engine light, rough idle, and a strong unburned gas smell.

I am now getting feedback from a variety of sources that recommend replacement with **only** a factory catalytic converter. I am not going to pay for a replacement and the major inconvenience of again, dropping my car off to have it replaced with an ineffective, non-state/federal emissions functioning catalytic converter.

So far the installer has been accommodating, but he is not willing to pay for a factory cat and I am not going to pay again, of what was told to me was the correct replacement from MagaFlow.

I am sending this letter to all concerned and will continue to follow whatever steps deemed necessary to get this resolved. Please provide the necessary follow up to resolve this issue once and for all. Thank you for your attention to this matter, with the hopes this can be resolved quickly and with complications.

Sincerely,

[REDACTED]

cc: Mr. Tony Keefe- President/CEO, Mr. Adam Goldstein-Group Publishing Dir., Mr. Doug Krainman- VP & Controller

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