

CL-10191974-4504

Poughkeepsie, NY

Tel #

2007 JUL 16 AM 9:24

7/6/2007

U.S. Dept of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation N.V.S.-210
400 7th St. S.W.
Washington, D.C. 20590

Re: File #10191974 (new data)
Mercedes Benz Vin#

Gentlemen:

On Friday morning, June 22nd, we went to Friendly Motorcars and requested they take possession of car. They stated that the best they could do was offer us trade in value against a new car or give us wholesale value. Based on the current problem with Mercedes Benz, we informed them that we did not want another Mercedes and we would consider a wholesale offer. Their offer was \$12,400., less Insurance Co. repair check of \$4,400. Friday afternoon John from M/B Friendly Motorcars left a message on our answer machine asking if we were going to accept their offer. After buying a new car from another dealership, we accepted their offer. Friendly Motorcars cut us a check for \$8,000. and took possession of car on 6/29/07.

I asked what they were going to do with car and was told it would be given to a wholesaler. The problem now exists, that the wholesaler will cosmetically fix car and then sell same to someone that will not know its history.

This car has a real potential of causing bodily injury to someone. Mercedes Benz USA LLC knows this and I really thought car would be taken out of service once it was in their hands.

My wife and I have a real sick feeling reference this car and it being allowed to continue its progress as a lethal weapon.

We kept car off of road for over 2 months, hoping problem would be resolved.

For your records.

Cc: State of NY Office of Attorney General Mark T. Hoops Bureau of Consumer
Fraud & Protection
Encompass Insurance Co. Anna Osborne
Marshall & Sterling Insurance Shawn Viana
Gellert & Klein PC Stephen E. Ehlers, Attorney

add to
7/16/07
cc

[REDACTED]
[REDACTED]
Poughkeepsie, NY [REDACTED]
Tel. # [REDACTED]

7/6/2007

Certified Mail

Mercedes Benz USA LLC
One Mercedes Drive
PO Box 350
Montvale, NJ 07645-0350
Phone: 1-201-573 0600
Fax: 1-201-573 0117

Attn: Mr. Frank P. Berenz, Associate General Council

Re: (a) Mercedes Benz C240 year 2002
(b) Vin#WDBRF61J42 [REDACTED]
(c) 1st accident 4/8/07 Mileage 34,077
(d) 2nd accident 4/23/07 Mileage 34,265
(e) Encompass Ins. Claim 1st [REDACTED]
(f) Encompass Ins. Claim 2nd [REDACTED]
(g) Your letter dated 6/4/07 received 6/7/07
(h) NYS Attorney General File # [REDACTED]
(i) My letters to you dated 6/8/07-6/15/07-6/22/07 & 6/29/07
(j) NHTSA File #10191974

Dear Mr. Berenz:

It has now been 28 days and you still have not sent me any documentation and/or correspondence reference my letter dated 6/8/07. (All documentation was to be in my hands on 6/15/07.)

Why are you continuing to avoid my request?

[REDACTED] continue to reserve all rights and defenses.

Sincerely yours,
[REDACTED]

Cc: State of NY Office of Attorney General Mark T. Hoops, Bureau of Consumer
Frauds & Protection
National Highway Traffic & Safety Administration (adding new information)
(file 10191974)
Encompass Insurance Co. Anna Osborne
Marshall & Sterling Insurance Shawn Viana
Gellert & Klein PC Stephen E. Ehlers, Attorney
Friendly Motorcars, Michael Ostrow, Owner