

CL-10195897-4023



2007 AUG -3 AM 10: 25

State of North Carolina

**ROY COOPER
ATTORNEY GENERAL**

Department of Justice
9001 Mail Service Center
Raleigh, NC 27699-9001

CONSUMER PROTECTION
Toll Free In NC
(877) 566-7226
Outside of NC
(919) 716-6000
Fax: (919) 716-6050

July 19, 2007

National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

RE: File No. 0704657
[REDACTED]

Dear Sir:

Enclosed is a consumer complaint from a consumer in our state concerning problems he has experienced with Ford Motor Company and his 2005 Ford F350. While he is outside the parameters of our Lemon Law, there does appear to be a manufacturing defect with this vehicle.

I am forwarding his information to your office for whatever action you may deem appropriate.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Patricia T. Jones".

Patricia T. Jones
Consumer Protection Specialist
CONSUMER PROTECTION DIVISION

Enclosure

cc: [REDACTED]

NM
8/3/07
CL



Ford Customer Service Division

PO Box 6248, MD 3NE-B
Dearborn, MI 48126 USA

June 4, 2007

JUN - 7 2007

Ms. Patricia T. Jones
Consumer Protection Agency
9001 Mail Service Center
Raleigh, NC 27699

Re: [REDACTED]

File: 0704657

Vin: 1FTWW33P35 [REDACTED]

Dear [REDACTED],

This is in response to your letter of May 1, 2007 regarding your 2005 F-Series.

Ford Motor Company considers the satisfaction of its owners to be one of its most important objectives. We commit substantial resources and effort in a sincere attempt to resolve the concerns of our owners.

Unfortunately, Ford Motor Company will not be meeting [REDACTED] expectations on a vehicle replacement. Due to the mileage on Mr. Sholar's vehicle, he does not meet criteria.

Thank you for taking the time to bring this matter to our attention. We recognize the importance of retaining your confidence in us and are striving to ensure your satisfaction.

Sincerely,

Tanya Arteaga

Tanya Arteaga
Consumer Intervention

CC: [REDACTED]



STATE OF NORTH CAROLINA
 CONSUMER COMPLAINT
 (Motor Vehicle)

MAIL TO:

CONSUMER PROTECTION
 ATTORNEY GENERAL'S OFFICE
 9001 MAIL SERVICE CENTER
 RALEIGH, NC 27699-9001
 TELEPHONE: (919) 716-6000
 TOLL-FREE IN NC: (877) 566-7226

APR 18 2007

SECTION 1: Your Information

<input checked="" type="radio"/> Mr. <input type="radio"/> Ms. <input type="radio"/> Mrs.	Last name	First name	MI
Mailing address			
City	State	Zip code	Country, if not US
Day phone number, including area code	Evening phone number, including area code	Fax number, including area code	
County of residence	E-mail address	Cell phone, including area code	

SECTION 2: Information About Company Against Which You Are Complaining

Full name of company			
Mailing address			
City	State	Zip code	Country, if not US
Telephone number, including area code	Fax number, including area code		

SECTION 3: Complaint Information (complete any blocks which apply to your complaint)

Year	Make	Model	VIN#	Mileage
2005	Ford	F350	1FTWW33P35	
Is your complaint about: <input type="checkbox"/> New car sales practices <input type="checkbox"/> Used car sales practices			Date of: (check all that apply)	
<input checked="" type="checkbox"/> Warranty <input type="checkbox"/> Repossession <input type="checkbox"/> Towing <input checked="" type="checkbox"/> Manufacturing Defect <input type="checkbox"/> Repairs			<input type="checkbox"/> purchase: _____	
<input type="checkbox"/> Financing or leasing? <input type="checkbox"/> Damage Disclosure <input type="checkbox"/> Title Issues			<input type="checkbox"/> repair: _____	
Did you buy your vehicle: <input checked="" type="checkbox"/> New <input type="checkbox"/> Used <input type="checkbox"/> As Is?		Where Financed (if relevant). Include Address:		
		Ford Credit P.O. Box 220564 Pittsburgh, P.A.		
Did you sign a lease? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		If yes, please give the following		Starting date
				Expiration date
Total amount paid	Amount in dispute	How was payment made: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Debit card		
53,000	53,000	<input type="checkbox"/> Money order <input type="checkbox"/> Wire transfer <input checked="" type="checkbox"/> Finance agreement		
Did you buy an extended service contract? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		If yes, name of company responsible for extended service contract or warranty		
If repairs, indicate type of repairs or services performed (Air conditioner, brakes, oil change, transmission, etc.)				
ENGINE FAILURE - ONGOING ENGINE FAILURE				
Before any work was performed, did you receive an estimate? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Did you authorize any changes to the original estimate? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide details on the next page				
Were the completed repairs different from what you had authorized? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide details on the next page				

SECTION 4: Information About the Transaction

How was initial contact made between you and the business?	Where did the transaction take place?
<input checked="" type="checkbox"/> I went to company's place of business	<input type="checkbox"/> At my home
<input type="checkbox"/> I received a telephone call from business	<input checked="" type="checkbox"/> At company's place of business
<input type="checkbox"/> I received information in the mail or by fax	<input type="checkbox"/> By mail
<input type="checkbox"/> I responded to radio/television ad	<input type="checkbox"/> Over the phone
<input type="checkbox"/> I responded to printed advertisement	<input type="checkbox"/> Via computer (website or e-mail)
<input type="checkbox"/> I responded to a Website or e-mail solicitation	<input type="checkbox"/> Trade show or hotel
<input type="checkbox"/> I attended a trade show or convention	<input type="checkbox"/> Other _____
<input type="checkbox"/> Other _____	

SECTION 5: Details of Complaint (use additional sheets if necessary)

I Purchased the 2005 Ford F350 to start a small transport business. After purchasing vehicle, and before arriving home, 26 miles from dealership, the engine was overheating. (October 2004) From day one there have been constant engine problems. The vehicle was at a Ford dealership for 25 days at one time for an engine replacement. First eight months vehicle was in shop 6 weeks. The downtime bankrupted my new business. This is a widespread problem with this model trucks - Attached is a statement from the service manager where vehicle was purchased - I kept thinking Ford Motor Co. would do the right thing and resolve this problem.

SECTION 6: Resolution Attempts You Have Made

Have you contacted the company with your complaint? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, name of person most recently contacted <u>Ford Public Relations</u>	His/her phone number, incl. area code ()
Results <u>0</u>		
What result would you consider fair? <u>Buy vehicle OR Replace vehicle</u>		
Do you have an attorney in this case? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, name of your attorney	Attorney's number, incl. area code ()
Has your complaint been heard or is it scheduled to be heard in court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, where and when?		
If already heard, what was the result?		

SECTION 7: Important Information

- Documents provided to this office may be public record.
- In most cases your complaint will be forwarded to the business complained about for response. If the complaint falls within the jurisdiction of another local, state or federal agency, we may refer your complaint to that agency.
- Please be sure to include copies of any supporting documents you may have, such as correspondence, contracts, invoices, receipts, etc. Do not send originals.
- This office does not have the authority to give private legal advice or provide private legal representation to individual consumers.

The information I have provided is true and accurate to the best of my knowledge.

Your signature: 

Date: 4-15-07

[REDACTED]
[REDACTED]
ELIZABETHTOWN, NC [REDACTED]

July 13, 2006

Ford Motor Company
World Headquarters
Post Office Box 1732
Drop # 7420
Dearborn, Michigan 48121

ATTN: CUSTOMER RELATIONS

Gentlemen:

In October, 2004 I purchased a Ford F-350 from Lumberton Ford, in Lumberton, North Carolina. I made this choice after researching many vehicles that would meet my business needs. I contracted to pay \$53,000.00 for the vehicle. The day that I purchased the vehicle, as I traveled to my residence, which is about twenty six miles from Lumberton, the engine overheated. I called the dealer and spoke with the salesman, Tim Carter, about the problem. He advised that this was normal for this vehicle.

After I drove the F-350 for a few days, the engine continued to overheat according to the temperature gauge. I returned to the dealer and asked the service department to check the vehicle. They indicated, after checking the vehicle, that they could not find a problem. I had owned numerous vehicles with diesel engines, and I was concerned about the performance of the vehicle if it continued to overheat. I continued to drive the vehicle over different types of terrain, and had to stop and allow the engine to cool or continue to drive the vehicle and risk damage to the engine.

After driving the vehicle about three months, I called the service department for an appointment to address the problem again. I left the vehicle at the dealership and the service manager advised that they would replace the gauge, but they did not have one in stock. After leaving the vehicle with the service department for several days, I was back on the road with the vehicle but it continued to overheat.

Over the next ninety days I made numerous visits to the dealers service department, where they continued to check the vehicle and replace different parts. Those replacements included the thermostat, complete gauge assemble, complete wiring harness, checked and replaced the cooling fan, and also made repairs to the rear end. After these repairs and replacements were made the engine began to shut down while the vehicle is being driven. On three different occasions, I was crossing four lanes of traffic and the engine shut down, causing me to block two lanes of traffic. I was almost broad-sided by an oncoming eighteen-wheeler.

I was advised to contact Ford Customer Service. I contacted them and have continued to contact them throughout many times as I attempt to get the problems resolved with this vehicle.

The problem with the engine shutting down was never resolved with the first engine. During all of the repairs and down time and frustrations, my transport business was suffering and loosing money. The vehicle continued to have problems and in July of 2005 the engine locked up on I-40 near Nashville, Tennessee, six hundred miles from my home. I called the service department and they advised me to call Ford Customer Service. The vehicle was towed to a dealership in Lebanon, Tennessee, which had only one diesel mechanic. The service manager at Lebanon was not very sympathetic with my problem but advised me that his service department stayed busy with F-350 vehicles with the same problems that I was experiencing.

After having the engine patched up and on the test drive by the service manager, he advised me that he was almost killed by traffic when the engine shut down while crossing several traffic lanes. The vehicle was returned to the dealership and a new 6.0 engine was installed. Approximately twenty- five days later I was back on the road again with my vehicle. I was never offered another vehicle to use so that I could continue operating my business or any compensation from Ford. I did not even receive a courtesy wash on my truck and it literally had oil on the inside and outside when it was returned to me.

When the vehicle had sixty nine thousand miles on it the engine failed again. During the first seven months I began hearing from friends who had the same 2005 F-350 that my problems were not isolated. One friend had an engine replaced with less than four thousand miles and another with less than five thousand miles. A small dealership in North Carolina advised that is had replaced forty eight 2005 F-350 engines.

After the engine was replaced I was having serious doubts about my truck and whether I could operate my business so I asked a service manager to talk with the Regional Representative and see if I could get any assistance, because with all of the problems this series of trucks was having, I was afraid that the new engine would not last and I may end up with a truck out of warranty... which is exactly what happened. I asked Barry Locklear, the service manager to talk with Cathy Spencer, the area representative and see if she would give me the one hundred thousand mile warranty on the new engine. I advised the service manager that if that could happen, I would not ask for anything else from Ford, with all the problems, I did not think that was too much to ask.

While running with the new engine, I experienced no problems for about ninety days, then the problems started all over again. Air intake to turbo blows off constantly which leaves the vehicle with no power. Two EGR valves were replaced within 3 days at my expense as the engine was overheating the same as in the beginning. I also incurred a towing fee, which I had to pay.

I requested a meeting with Cathy Spencer, the regional representative, before the warranty expired, but she declined telling the service manager that it would do no good and that it would not change her decision.

After approximately seventy-five thousand miles on the second engine, my worst fears came true. The third week of May 2006 the engine locked up and the vehicle became inoperable. I simply cannot afford to repair or replace this engine. It has cost me thousand of dollars just to operate this vehicle and I still owe approximately \$36,000.00 on a vehicle that is not serviceable.

I am appealing to Corporate Ford to please do the right thing and replace the engine in my truck or replace the vehicle. My original intent was to operate the vehicle about one hundred thousand miles and trade for another Ford. The design of this F-350 series is the best on the market, in my opinion, it just has an ill-designed engine. It is the best looking truck on the market today.

I purchased this vehicle to transport light utility trailers. I do not own a fleet of trucks, this truck is my fleet. I think that Corporate Ford wants customers to have a good experience with their vehicles.....mine has been a nightmare. The engine design flaw is that there is too much heat with the Turbo on top of the engine I have been stranded many time on dangerous highways and other unsafe places. I am just a small business, I do not impact Ford very much, but this Ford F-350 has devastated my world as I depend on it for my livelihood.

One of your customer service representatives, Robert, suggested that I contact this office. He could not believe that I had not pursued the legal route. I am relying on Ford to do what businesses do every day and that is to stand behind what they sell.

Page 3

I have tried to sell the vehicle but when callers learn that it has the 6.0 engine, they are not interested. I think that the attached note from the service manager where the vehicle was purchased, speaks for itself. Also attached is a print out of the current problems that need to be addressed.

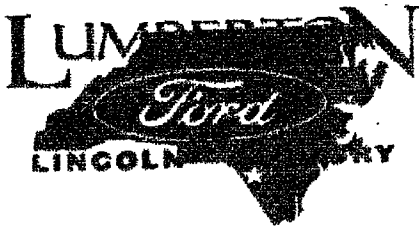
This vehicle has been in-operable since the first week in May of 2006.

Thank you in advance for reviewing my case and I look forward to hearing from you soon concerning this matter.

Sincerely,



Attachments



06/22/06

5045 Dawn Drive Lumberton, NC 28360 Phone 910.738.6281 USA 1.800.451.0863 Fax 910.738.3179

To Whom It May Concern,

This note is being written by the request of the customer. It is to reinforce the many engine concerns that the customer has experienced with this truck. From 04/09/05 to 12/29/05 we have seven different engine repairs documented. This does not include problems he had while traveling out of town or the problem he has now with the cylinder heads. I feel this customer has had more than his fair share of problems and any help that would be considered is justly due.

Thanks for your consideration.

Barry Locklear
Service Manager

A Tradition of Quality Since 1957

**STATE OF NORTH CAROLINA
CONSUMER
COMPLAINT
(Motor Vehicle)**

MAIL TO:

CONSUMER PROTECTION
ATTORNEY GENERAL'S OFFICE
9001 MAIL SERVICE CENTER
RALEIGH, NC 27699-9001
TELEPHONE: (919) 716-6000
TOLL-FREE IN NC: (877) 566-7226

APR 18 2007

SECTION 1: Your Information			
<input checked="" type="radio"/> Mr. <input type="radio"/> Ms. <input type="radio"/> Mrs.	Last name	First name	MI
Mailing address			
City	State	Zip code	Country, if not US
Elizabethtown	N.C.		
Day phone number, including area code	Evening phone number, including area code	Fax number, including area code	
County of residence	E-mail address	Cell phone, including area code	
SECTION 2: Information About Company Against Which You Are Complaining			
Full name of company			
Ford Motor Company			
Mailing address			
P.O. Box 1732 Dept # 7430			
City	State	Zip code	Country, if not US
Dearborn	Michigan	48121	
Telephone number, including area code	Fax number, including area code		
(313) 322-3000	(313) 845-6073		
SECTION 3: Complaint Information (complete any blocks which apply to your complaint)			
Year	Make	Model	VIN#
2005	Ford	7350	1FTWW33P35
Mileage		Date of: (check all that apply)	
		<input type="checkbox"/> New car sales practices <input type="checkbox"/> Used car sales practices <input checked="" type="checkbox"/> Warranty <input type="checkbox"/> Repossession <input type="checkbox"/> Towing <input checked="" type="checkbox"/> Manufacturing Defect <input type="checkbox"/> Repairs <input type="checkbox"/> Financing or leasing? <input type="checkbox"/> Damage Disclosure <input type="checkbox"/> Title Issues	
<input checked="" type="checkbox"/> New <input type="checkbox"/> Used <input type="checkbox"/> As Is?		Where Financed (if relevant). Include Address:	
		Ford Credit P.O. Box 220564 Pittsburgh, P.A.	
Did you sign a lease?	If yes, please give the following	Starting date	Expiration date
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			15257-256
Total amount paid	Amount in dispute	How was payment made:	
53,000	53,000	<input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Debit card <input type="checkbox"/> Money order <input type="checkbox"/> Wire transfer <input checked="" type="checkbox"/> Finance agreement <input type="checkbox"/> Other	
Did you buy an extended service contract?	If yes, name of company responsible for extended service contract or warranty		
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
If repairs, indicate type of repairs or services performed (Air conditioner, brakes, oil change, transmission, etc.)			
Engine Failure - Ongoing Engine Failure			
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Were the completed repairs different from what you had authorized? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide details on the next page			
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[REDACTED]
[REDACTED]
ELIZABETHTOWN, NC [REDACTED]

July 13, 2006

Ford Motor Company
World Headquarters
Post Office Box 1732
Drop # 7420
Dearborn, Michigan 48121

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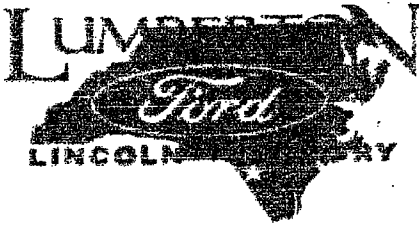
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Sincerely,



Attachments



06/22/06

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Barry Locklear
Service Manager

5045 Dawn Drive Lumberton, NC 28360 Phone 910.738.6281 USA 1.800.451.0883 Fax 910.738.3179

A Tradition of Quality Since 1957

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).