



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

2007 OCT -3 AM 8:10

ANDREW M. CUOMO
ATTORNEY GENERAL

212-416-8294

DIVISION OF ECONOMIC JUSTICE
BUREAU OF CONSUMER FRAUDS AND PROTECTION

September 20, 2007

[REDACTED]
Schaghticoke, NY [REDACTED]

CL-10205006-5253

Our File Number: 2007-[REDACTED]
Company: Newmar Corporation [REDACTED]

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 Gamma/d

Philip Gamma
Bureau of Consumer Frauds
And Protection

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

ET
10/31/07
KLS



ATTORNEY GENERAL ANDREW M. CUOMO
STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
BUREAU OF CONSUMER FRAUDS AND PROTECTION
120 Broadway, 3rd Floor
New York, NY 10271-0332
Tel. (212) 416-8345 Fax (212) 416-8787

COMPLAINT FORM

Consumer Hotline For Hearing Impaired
1 (800) 771-7755 TDD (800) 788-9898

RECEIVED BY
CONSUMER FRAUDS & PROTECTION BUREAU
SEP 04 2007
NYS OFFICE OF THE ATTORNEY GENERAL
NEW YORK CITY OFFICE

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		
[REDACTED]		HOME TELEPHONE NUMBER [REDACTED]
STREET ADDRESS [REDACTED]		BUSINESS TELEPHONE NUMBER [REDACTED]
CITY/TOWN SCHAGHTICOKE	COUNTY RENS	STATE NY
COMPLAINT		
NAME OF SELLER OR PROVIDER OF SERVICES NEW MAR CORPORATION		NAME OF OTHER SELLER OR PROVIDER OF SERVICES GENERAL TIRE c/o Continental Tires
STREET ADDRESS P.O. Box 30		STREET ADDRESS North America
CITY/TOWN NAPPANEE	STATE IN	ZIP 46550
TELEPHONE NUMBER website only: www.nawmarcorp.com		TELEPHONE NUMBER website only: www.general-tire.com
DATE OF TRANSACTION 6/29/07; 7/11/07; 8/28/07	COST OF PRODUCT OR SERVICE \$ [REDACTED]	HOW PAID (Check those which apply) ☐ Cash ☒ Check ☒ Credit Card ☐ Other
DID YOU SIGN A CONTRACT? ☒ Yes ☐ No	WHERE DID YOU SIGN THE CONTRACT? Seven O's RV Sales for trailer purchase	DATE SIGNED Oct 22, 2005
WAS PRODUCT OR SERVICE ADVERTISED? ☐ Yes ☒ No	WHERE WAS IT ADVERTISED?	DATE ADVERTISED
TYPE OF COMPLAINT (e.g. car, mail order, etc. Use the reverse side of this form to provide details) Tire tread ripped apart on barely used tires 3 times		
DATE YOU COMPLAINED TO THE COMPANY OR INDIVIDUAL 7/9/07 + 8/28/07 e- By Mail ☐ By Telephone ☐ In Person ☐		PERSON CONTACTED Jesse Newnam
NATURE OF RESPONSE Send in information and we will get back to you		JOB TITLE Newmar Customer Service
HAS MATTER BEEN SUBMITTED TO ANOTHER AGENCY OR ATTORNEY? (If "Yes," give name and address) ☐ Yes ☒ No		DATE OF RESPONSE none yet
IS COURT ACTION PENDING? (Please describe as necessary) ☐ Yes ☒ No		
ADDITIONAL INFORMATION		
MANUFACTURER OF PRODUCT General Tire		PRODUCT MODEL OR SERIAL NUMBER 235/85/16
ADDRESS www.general-tire.com		WARRANTY EXPIRATION DATE tread is new on tires = see photos
DID BUSINESS ARRANGE FINANCING? (If "Yes," give name and address of bank or finance company) ☒ Yes ☐ No Seven O's arranged financing of our trailer		

PLEASE DESCRIBE COMPLAINT ON REVERSE SIDE

BRIEFLY DESCRIBE YOUR COMPLAINT

The tires on our travel trailer at purchase were original from Newmar the manufacturer of trailer. The tread was excellent, as can be seen by photos. Without warning or observable flaws during a vehicle check before towing, the tire tread ripped apart on 3 tires, first the front two on the trailer and then the back passenger. Newmar was notified by email since I could not locate a telephone number; I followed Mr. Newman's directions and there has been no resolution. The third tire destructed causing body damage to the trailer, and still no response. Newmar is responsible for using defective vendor products which have had the potential of killing my family, and others, on 3 separate occasions.

WHAT FORM OF RELIEF ARE YOU SEEKING? (e.g., exchange, repair or money back, etc.) Reimbursement for

purchasing quality rated tires

WHO REFERRED YOU TO THIS OFFICE? self

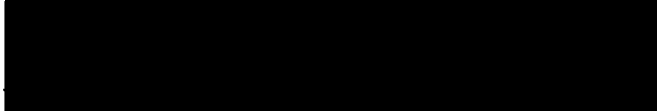
READ THE FOLLOWING BEFORE SIGNING BELOW

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 210.45 of the Penal Law.

Signature: 

Date: 8/30/07

HAVE YOU ENCLOSED COPIES OF IMPORTANT PAPERS?

Return to: Office of the Attorney General
Bureau of Consumer Frauds and Protection
120 Broadway, 3rd Floor
New York, NY 10271-0332

[REDACTED]

From: [REDACTED]
To: <customerservice@newmarcorp.com>
Sent: Monday, July 09, 2007 2:59 PM
Subject: 2003 American Star

My husband and I purchased a 2003 American Star (serial number 1N7FK322930 [REDACTED]) on October 22, 2005.

Our trailer passed its 2007 inspection. On Thursday, June 28, 2007 while traveling in New Hampshire, the driver's side front tire tread ripped apart, sending us to the shoulder of the road. The destruction of the tire broke the PVP piping for the septic system since the septic system is located next to the wheels. We purchased a new spare on Friday, June 29, 2007. On Saturday, July 7, 2007 while traveling in New York, the passenger's side front tire tread ripped apart, sending us across two lanes of traffic to the shoulder of the road. We will be purchasing ANOTHER spare tire on 7/12/07. The tire treads of both ripped apart tires passed inspection and were not worn in any way.

Based on the information provided to us by two separate tire dealers in two separate states, the tires that Newmar put on our travel trailer are not the appropriate size for the weight of our travel trailer. One dealer even told us that there was a recall on the brand of tire that blew apart (General Ameritrac M+S LT 235/85R16 120/116Q).

We believe that Newmar is responsible for paying for the two tires we have had to replace so far as well as the remaining two original tires and an appropriate spare.

We chose to purchase a Newmar product due to it's craftsmanship and quality. It's unfortunate that Newmar chose inadequate tires for their high quality travel trailers which has put my family's lives at risk TWICE within 10 days.

We will send you documentation, including photos or remains of the tire, with receipts for the new tires and the supplies to fix the septic system.

Thank you for providing your USPS address and the procedures for our reimbursement by 7/19/07.

[REDACTED]

Schaghticoke, NY [REDACTED]

8/27/2007

[REDACTED]

From: [REDACTED]
To: "Jesse L. Newman" <jnewman@newmarcorp.com>
Sent: Thursday, July 19, 2007 11:03 AM
Subject: Re: [SPAM] RE: 2003 American Star

Thank you for your email, Jesse. Specifically, what information would you like for review regarding the two defective tires thus far and where shall I send it?

[REDACTED]

----- Original Message -----

From: Jesse L. Newman
To: [REDACTED]
Sent: Thursday, July 19, 2007 9:49 AM
Subject: [SPAM] RE: 2003 American Star

[REDACTED] we are sorry to hear about your unfortunate problems with the tire. We have not had problems with these tires and do not know at this time what the problem could have been. If you would like to have the tires changed out and send in the information for review, we will be glad to review it. We can't commit to reimbursing you without understanding what the problem was. We will also get our vendors involved.

Thanks,

From: [REDACTED]
Posted At: Monday, July 09, 2007 2:59 PM
Posted To: Customer Service
Conversation: 2003 American Star
Subject: 2003 American Star

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8/27/2007

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We will send you documentation, including photos or remains of the tire, with receipts for the new tires and the supplies to fix the septic system.

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[REDACTED]
[REDACTED]
Schaghticoke, NY [REDACTED]

This communication (including any attachments) is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged information. If you are not the intended recipient, any retransmission, dissemination, distribution, disclosing, copying, or using any of this information is strictly prohibited. If you received this communication in error, please contact the sender immediately and delete or destroy the material in its entirety.

8/27/2007

From: "Jesse L. Newman" <jnewman@newmarcorp.com>
To: [REDACTED]
Sent: Thursday, July 19, 2007 11:50 AM
Subject: RE: [SPAM] RE: 2003 American Star

Send it to PO Box 30 Nappanee, IN 46550 to my Attention. If you can have one of the old tires saved in case someone wants to physically look at it that wouldn't be a bad idea.

Thanks,

From: [REDACTED]
Sent: Thursday, July 19, 2007 11:04 AM
To: Jesse L. Newman
Subject: Re: [SPAM] RE: 2003 American Star

Thank you for your email, Jesse. Specifically, what information would you like for review regarding the two defective tires thus far and where shall I send it?
 Tammy

----- Original Message -----

From: Jesse L. Newman
To: [REDACTED]
Sent: Thursday, July 19, 2007 9:49 AM
Subject: [SPAM] RE: 2003 American Star

[REDACTED] we are sorry to hear about your unfortunate problems with the tire. We have not had problems with these tires and do not know at this time what the problem could have been. If you would like to have the tires changed out and send in the information for review, we will be glad to review it. We can't commit to reimbursing you without understanding what the problem was. We will also get our vendors involved.

Thanks,

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[REDACTED]
[REDACTED]
Schaghticoke, NY [REDACTED]

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8/27/2007

[REDACTED]

From: [REDACTED]
To: Jesse L. Newman <jnewman@newmarcorp.com>
Sent: Wednesday, August 15, 2007 4:42 PM
Subject: Re: [SPAM] RE: 2003 American Star

Hi Jesse:

Did you receive the packet of information and pictures regarding my trailer and our emails?

Thanks

[REDACTED]

8/27/2007

[REDACTED]

From: "Jesse L. Newman" <jnewman@newmarcorp.com>
To: [REDACTED]
Sent: Wednesday, August 15, 2007 10:33 PM
Subject: RE: [SPAM] RE: 2003 American Star

I haven't been in the office, I will have to see when I get back next week.

From: [REDACTED]
Sent: Wed 8/15/2007 3:42 PM
To: Jesse L. Newman
Subject: Re: [SPAM] RE: 2003 American Star

Hi Jesse:

Did you receive the packet of information and pictures regarding my trailer and our emails?

Thanks,
[REDACTED]

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8/27/2007

[REDACTED]

From: [REDACTED]
To: "Jesse L. Newman" <jnewman@newmarcorp.com>
Sent: Thursday, August 16, 2007 8:05 AM
Subject: Re: [SPAM] RE: 2003 American Star

Thank you.

8/27/2007

[REDACTED]

From: [REDACTED]
To: "Jesse L. Newman" <jnewman@newmarcorp.com>
Sent: Monday, August 27, 2007 7:37 AM
Subject: Re: [SPAM] RE: 2003 American Star

Jesse:

Please be aware that I will now be seeking legal counsel in this matter for reimbursement since a THIRD TIRE blew on Interstate 81 in Pennsylvania on Sunday, August 26, 2007 at 3:20pm, which ONCE AGAIN has put all of my families lives in jeopardy - by the tire blowing out and by the four of us having to change it on the side of a major highway where people travel at 65 mph.

I will be replacing the THIRD tire that has lost it's tread and done damage to the undercarriage of the trailer - which I will be contacting my insurance carrier about so they can contact you because I alerted you of the issue in July. I will also be replacing the FOURTH General tire before it loses it's tread - which could happen on the side of a mountain in the Adirondacks since we are to go camping again this weekend.

I expect reimbursement for all four tires that I will have now purchased as well as the parts for repair the sewer line and my insurance claim.

I am disgusted and appalled by Newmar's lack to response so I have to take matters into my own hands before someone in my family is killed by Newmar's negligence.

[REDACTED]

----- Original Message -----

From: Jesse L. Newman
To: [REDACTED]
Sent: Wednesday, August 15, 2007 10:33 PM
Subject: RE: [SPAM] RE: 2003 American Star

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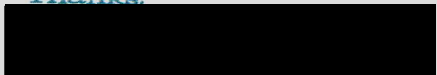
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8/27/2007

mailing to Newmar's Post Office Box

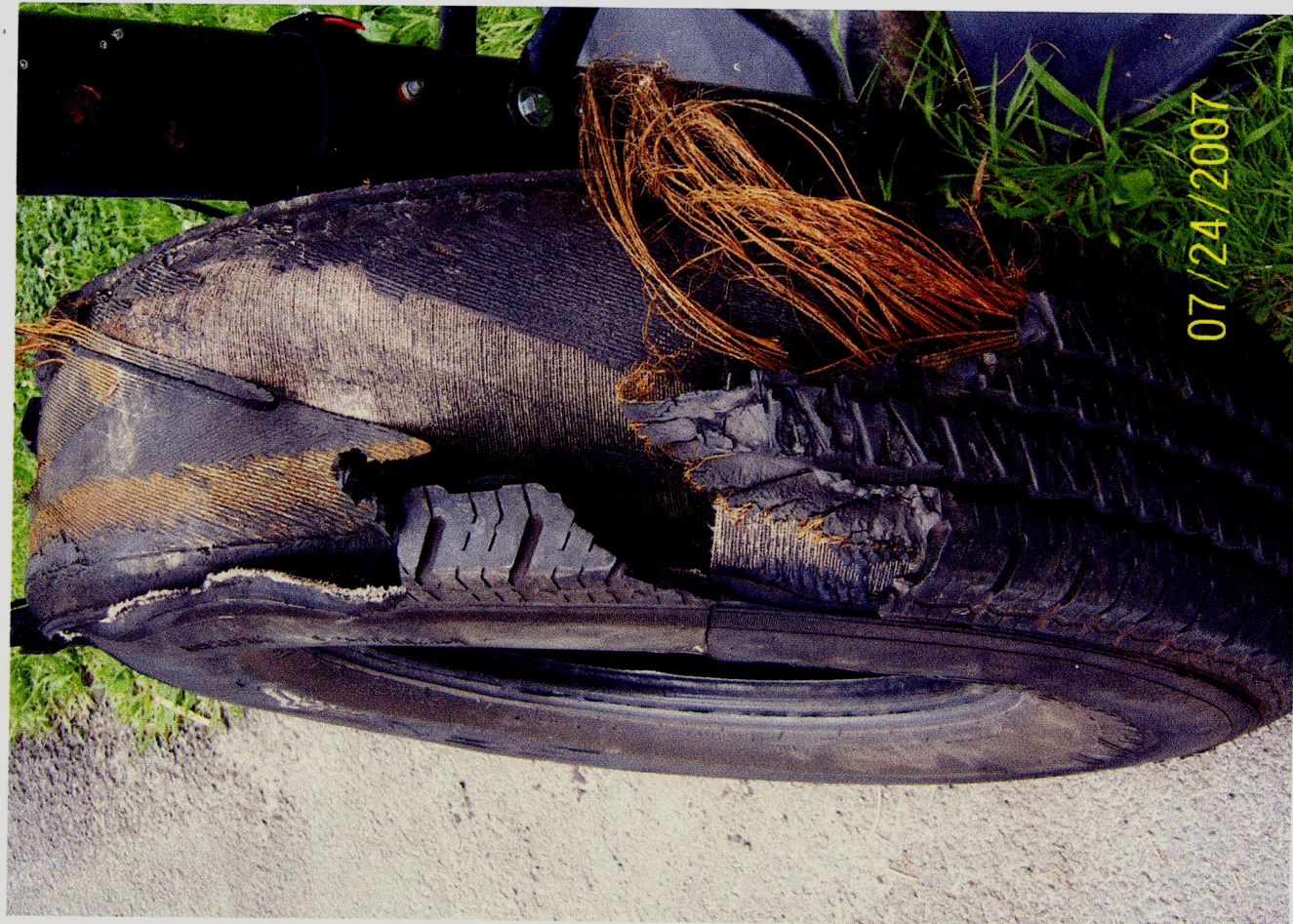
Hi 

I was unable to cut off a piece
of the tire to send. Would you
like me to try again to cut off
a piece?









**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).**