



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

DOT Auto Safety Hotline
Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236) 2008 JUN 10 M 6:56
INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received

Repository

16 APR-2008
M 6:56

Reference No.
10224699

OWNER INFORMATION (Type or Print)

Name _____
Address _____
City INDIANAPOLIS State IN Zip Code _____

Daytime Telephone Number _____

E-mail Address _____

Evening Telephone Number _____

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle? YES NO
In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer.

Signature of Owner _____ Date ____/____/____

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side
JF1GD29683G_____

Make SUBARU Model IMPREZA Model Year 2003

Date Purchased 23-APR-03 Dealer's Name and Telephone Number _____ Engine: No: Cylinders 4 Fuel Type: Gas

Original Owner Dealer's City _____ State _____ Zip Code _____

Transmission Type Antilock Brakes Powertrain ALL WHEEL DRIVE Vehicle Component Code 162800 STRUCTURE:BODY:HOOD
MANUAL Cruise Control Multiple Failure: 1

FAILED COMPONENT(S)/PART(S) INFORMATION

Incident Date(s) 17-MAR-2008 Failure Mileage 37000 Failure Speed 0

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make _____ Tire Model (Name or Number) _____ Tire Size (Example P215/65R15) _____

DOT No. (Example: DOTMAL9ABC036) Original Equipment Prior Repair Failure Location: _____

Tire Component Code _____ Tire Failure Type _____

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make: _____ Date Manufactured: _____ Model No./Name: _____

Seat Type: _____ Installation System: _____

Child Seat Component Code: _____ Failed Part: _____

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies).)

Crash Yes No Fire Yes No Number of Persons Injured 0 Number of Deaths 0 Reported to Police N

Narrative Description of Incident(S), Crash(es), and Injury(ies).
Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).

TL*THE CONTACT OWNS A 2003 SUBARU IMPREZA. THE CONTACT PURCHASED AN AFTERMARKET CARBON FIBER HOOD FROM A COMPANY CALLED VIC RACING SPORTS. DUE TO THE DESIGN OF THE HOOD, IT RETAINS WATER AND THERE IS NO WAY FOR THE WATER TO DRAIN. DUE TO THE COLD WEATHER IN HIS STATE, THE WATER FROZE AND CAUSED THE HOOD TO CRACK. THE FAILURE COULD ALSO CAUSE THE HOOD LATCH TO FAIL. THE COMPANY STATED THAT THE FAILURE WAS NOT COVERED UNDER WARRANTY AND NOTHING COULD BE DONE. THE FAILURE AND CURRENT MILEAGES WERE 37,000.

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice. ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

Ref. # 10224699

TO: NATION HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA)

Date: 04/30/2008

THE CONTACT OWNS A 2003 SUBARU IMPREZA. THE CONTACT ORDERED AN AFTERMARKET CARBON FIBER HOOD (MODEL: "TRACER") 04/2006 FROM ANDY'S AUTO SPORT (REFERRED TO AFTER THIS AS "A.A.S.") WHO AT THE TIME ONLY PLACED / PROCURED ORDERS "MIDDLE MAN" FROM THE MANUFACTURER: "VIS RACING SPORTS" (WHOM SHIPPED DIRECT).

THE FAILURE (APROX. 38,000) AND CURRENT MILEAGE (38,220).

DUE TO THE DESIGN OF THE HOOD, WATER (RAIN / MELTING SNOW) BECOMES TRAPPED IN THE NOSE (FRONT) OF HOOD FORMING A RESERVOIR WITH NO DRAIN OR WEEP HOLES INCORPORATED NEAR LATCH PROXIMITY FOR DRAINAGE.

DUE TO THE COLD WEATHER IN THE CONTACTS STATE, THE PONDING OF WATER IN THE HOOD CAVITY FROZE CAUSING THE MATERIALS USED IN THE MANUFACTURE OF THIS PRODUCT TO EXPAND SEPARATE AND FRACTURE (CRACK) IN CRITICAL AREAS OF PROXIMITIES TO THE HOOD LATCHING SYSTEM.(PHOTOS)

THERE WERE NO DIRECTIONS, INSTRUCTIONS OF INSTALLATION, WARNINGS OF FREEZING TEMPERATURE AFFLICTIONS OR THE NEED TO INCORPORATE SUCH DRAINAGE / WEEP HOLES WITH THIS "VIS RACING" PRODUCT.

NOTE: "POTENTIAL AND OR EMINENT FAILURE OF THE LATCHING SYSTEMS INTEGRITY HAS BEEN COMPROMISED DUE TO THE LOCATION / PROXIMITY OF THE CRACKING / FRACTURING.

CURRENT AREAS AFFECTED: FRACTURING OF THE TOP "EXTERIOR" OF HOOD IS APPROX. 12" (ON CENTER) LEFT OF LATCH LOCATION & EMINATING IN ALL DIRECTIONS (PHOTO).

THE "UNDERSIDE / INTERIOR" FRACTURING OF HOOD MATERIAL STARTS APPROX. 2" LEFT OF LATCH RETAINING BOLTS EMINATING TO 16" LEFT OF LATCH (PHOTO). (IT IS DIFFICULT TO CAPTURE "IN PHOTOS" THE FRACURING ON UNDERSIDE OF HOOD, SIMILAR TO THAT OF "CRACKED GLASS" AND HAVING TO BE AT THE CORRECT ANGLE AND LIGHTING CONDITIONS TO CATCH THE GLARE)

BECAUSE OF THE MATERIALS (CARBON FIBER; SIMILAR TO FIBERGLASS) USED: VIBRATION, FLEXING, TEMPERATURE EXTREMES AND VEHICLE SPEEDS (WIND RESISTANCE) WILL ACCELERATE THE FRACTURING OF THESE MATERIALS AND PROBABLE LATCH / MATERIAL FAILURE ARE EMINENT.

THE HOOD HAS WARPED TO THE DEGREE IT HAS OPENED ON THE INTERSTATE WHERE ONLY THE SAFETY LATCH RETAINS THE HOOD FROM FLYING OPEN OR OFF. THE CONTACT PLACED SHIMS BETWEEN LATCH MECHANISM BOLTS & HOOD TO CORRECT WARPING AND ALIGNMENT OF LATCH.

VIS RACING SPORTS STATED: "WE IMPLY NO WARRANTY AND THAT NOTHING CAN BE DONE."

VIS RACING'S REMARKS (EMAIL ATTACHED) TO CONTACT AFTER PERCEIVED DESIGN FLAW WAS BROUGHT TO THEIR ATTENTION... "SOME MODIFICATIONS MAYBE REQUIRED"?

THIS IS NOT A MODIFICATION FOR INSTALLATION, BUT A PERCEIVED DESIGN FLAW AT WHICH WOULD / MAY NEVER HAVE BEEN BE CAUGHT / DISCOVERED UNTIL LATCH FAILURE OR DAMAGE HAS / HAD / WAS INCURRED.

THIS IS NOT AN ESTHETIC MATERIAL DEFECT OR SHIPPING FLAW (IMPLIED & COVERED BY MANY COMPANY WARRANTIES), BUT A PERCEIVED DESIGN FLAW ON THIS PARTICULAR "VIS TRACER" MODEL HOOD DESIGN. THE "TRACER" HOOD DESIGN HAS BEEN MANUFACTURED & SOLD FOR MANY YEAR, MAKES & MODELS OF AUTOMOBILES (OTHER THAN SUBARU) BY VIS RACING.

THE CONTACT BELIEVES HIS VEHICLE TO BE UNSAFE TO DRIVE IN PRESENT CONDITION & COULD BE HAZAROUS TO HIGHWAY & GENERAL PUBLIC SAFETY.

THE GENERAL PUBLIC PURCHASING THIS MODEL / DESIGN "TRACER" HOOD MAY UNKNOWINGLY BE ENDANGERED NOT KNOW HOW / WHY THEIR HOOD LATCH FAILED OR AS TO WHY THE FRACTURING OF MATERIALS HAS OCCURED.

Ref. # 10224699

ON 04/28/2008 CONTACT _____ SENT A COPY OF THE "NHTSA" REPORT WITH HIS INTENT TO ANDY'S AUTO SPORT & VIS RACING AND RECEIVED AN IMMEDIATE REPLY FROM BOTH ENTITIES; VIS RACING RESPONDING WITHIN 9 MINUTES & ANDY'S AUTO SPORT 4 MINUTES THERE AFTER. "A.A.S." OFFERED MONETARY COMPENSATION.

THE CONTACT HAD WISHED TO SETTLE WITH EXCHANGE (KNOWING THE REMEDY TO THE PROBLEM; "DRILLING OF DRAINAGE HOLES" AS NOTED ON AUTO REPAIR ESTIMATE), BUT AS SEEN BY "A.A.S." EMAIL DATED 05/04/2008 DENIED THIS REPLACEMENT AND ONLY OFFERED MONETARY COMPENSATION FEDEX'ING A CHECK (COPY OF CHECK ATTACHED) DATE 05/05/2008

CONTACT DEPOSITED THE REFUND, BUT ONLY AFTER CONFORMATION OF THE CONTACT NOT HAVING TO REMOVE & RETURN HOOD. (EMAIL ATTACHED)

CONTACT TOLD "A.A.S." HE WOULD NOT PURSUE LEGAL LITIGATION W/ "A.A.S."; BECAUSE OF THEIR JESTER OF COMPENSATION.

"VIS RACING'S" REPLY IS ATTACHED PUTTING THE BLAME & REIMBURSEMENT COMPENSATION ON "A.A.S." FOR THIS, BUT THIS IS CLEARLY A PERCEIVED DEFECT / FLAW DESIGN OF "VIS RACING". ("ANDY'S AUTO SPORT" CAN NOT MODIFY, ALTER, OR CORRECT "VIS RACING" DESIGNS AND OR FLAWS WITHOUT SHARING LIABILITY).

"VIS RACING" HAS BEEN VERY UNCOOPERATIVE / ABRASIVE IN PREVIOUS EMAIL AND PHONE CONVERSATIONS (COPIES ATTACHED) & DENIED ANY CONTACT BETWEEN "A.A.S." & VIS RACING ON THIS MATTER.

EMAIL CORRESPONDANCES SHOW "A.A.S." & "VIS RACING" WERE AWARE AT ALL TIMES OF THE PROBLEM AS CONTACT _____) BCC'ED BOTH ENTITIES ON ALL EMAIL SENT TO "A.A.S." AND "VIS RACING" OF THE PROBLEMS INCURRED WITH THIS "VIS RACING'S PRODUCT".

THE CONTACT LET "VIS RACING" KNOW OF HIS CONCERNS ON THIS MATTER & INTENT OF FURTHER INVESTIGATION FROM "NHTSA" GOVERNMENT AGENCIES.

CONTACT BELIEVES THIS IS NOT AN ISOLATED INCIDENT OF "VIS PRODUCTS".

THE "BBB" HAS GIVEN VIS RACING AN "F" RATING.

I'VE INCLUDED ALL PHOTOS OF THE AFFLICTED AREAS OF DAMAGE, ESTIMATES OF REPAIR, AND EMAIL CORRESPONDENCES FROM "A.A.S" & "VIS RACING".

NOTE: THE USE OF THE WORD "PERCEIVED / BELIEVED" IS ONLY USED SO THAT THE CONTACT IS NON-LIABLED WITHOUT FEDERAL & STATE FINDINGS OF FACT.

Thank You;
Sincerely,

Signature _____

Dated: 05/17/2008

03/20/2008 at 01:00 PM
3514

Job Number:

HUBLER COLLISION - PLAINFIELD
Federal ID #:061805064
HUBLER EXPRESS COLLISION
2170 East Main Street
Plainfield, IN 46168
(317)839-8940 Fax: (317)839-8984

PRELIMINARY ESTIMATE

Written By: ROCKY CAMPFIELD
Adjuster:

Insured: _____
Owner: _____
Address: _____
Day: _____

Claim # _____
Policy # _____
Deductible: _____
Date of Loss: _____
Type of Loss: _____
Point of Impact: 12. Front

Inspect HUBLER COLLISION - PLAINFIELD
Location: 2170 East Main Street
Plainfield, IN 46168

Business: (317)839-8940

Insurance
Company:

Days to Repair

2003 SUBA IMPREZA WRX 4-2.0L-T 4D SED YELLOW Int:

VIN: 1F1GD29683G	Lic: _____	IN Prod Date: _____	Odometer: _____
Air Conditioning	Rear Defogger	Tilt Wheel	
Cruise Control	Intermittent Wipers	Keyless Entry	
Dual Mirrors	Console/Storage	Fog Lamps	
Clear Coat Paint	Power Steering	Power Brakes	
Power Windows	Power Locks	Power Mirrors	
AM Radio	FM Radio	Stereo	
Cassette	Search/Seek	CD Changer/Stacker	
Anti-Lock Brakes (4)	Driver Air Bag	Passenger Air Bag	
Front Side Impact Air Bag	4 Wheel Disc Brakes	Positraction	
Cloth Seats	Bucket Seats	5 Speed Transmissior	
4 Wheel Drive	Overdrive	Aluminum/Alloy Wheel	

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PP
1#	Repl	FREEZE DAMAGED HOOD / CARBON-FIBER AFTERMARKET	1	875.00	1.5	
2#	Rpr	DRILL DRAIN HOLES			0.5	
Subtotals ==>				875.00	2.0	

03/20/2008 at 01:00 PM
3514

Job Number:

PRELIMINARY ESTIMATE

2003 SUBA IMPREZA WRX 4-2.0L-T 4D SED YELLOW Int:

Parts		
Body Labor	2.0 hrs @ \$ 44.00 /hr	

SUBTOTAL		\$
Sales Tax	\$ 875.00 @ 6.0000%	

GRAND TOTAL		\$
ADJUSTMENTS:		
Deductible		

CUSTOMER PAY		\$
INSURANCE PAY		\$


The above is an estimate based on our inspection and does not cover any additional parts or labor which may be required after the work has been started. Occasionally, worn or damaged parts are discovered which may not be evident on the first inspection. Because of this, the above prices are not guaranteed. Quotations on parts and labor are current and subject to change. Insurance company estimates supersede this estimate as to repair methods, parts and prices.

A PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD AN INSURER FILES A STATEMENT OF CLAIM CONTAINING ANY FALSE, INCOMPLETE, OR MISLEADING INFORMATION COMMITS FELONY.

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide ARL7591, CCC Data Date 02/01/2008, and the parts selected are OEM-parts manufactured by the vehicle's Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided through alternate sources other than the OEM vehicle dealerships. OPT OEM or ALT OEM parts reflect some specific, special, or unique pricing or discount. OPT OEM or ALT OEM parts may include "Blemished" parts provided by OEM's through OEM vehicle dealerships. Asterisk (*) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate Not-Included Labor operations. Non-Original Equipment Manufacturer aftermarket parts are described as AM, Qual Repl Parts or Comp Repl Parts which stands for Competitive Replacement Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are included. Pound sign (#) items indicate manual entries. Some 2006 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The Pathways estimator provides a complete list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

CCC Pathways - A product of CCC Information Services Inc.

5/12/2008




Better Business Bureau

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www.labbb.org
Serving Los Angeles, Orange, Riverside, and San Bernardino Counties

We need your feedback!

Take a minute to review this company. Other customers will thank you.

[Write A Review](#)

Company Profile

DBA: VIS Racing Sports > Other

Address: 18856 East San Jose Avenue
City of Industry, CA 91748-1325 > Other

Primary Phone: (626) 573-8383 > Other

Primary Fax: (626) 573-4702 > Other

Primary Contact: Chung Chan, President > Other

Website: > Other

www.visracing.com

Company ID: 13145448

Business Start Date: 1/1/1996

BBB Created Record on: 12/22/2000

Nature of Business:

This company's business is the retail sale of auto parts and accessories.

BBB Comments and Analysis

Bureau's Comments and Analysis of Company's Business

We have no further comment about this company's business practices or analysis of its offer that may assist you in your consideration of this company.

Licensing

Licensing Agency:

License Number:

Status:

This license permits the company to perform the following services:

We know of no licensing or registration requirement for companies engaged in this company's stated type of business.

VIS Racing Sports

Rating Explanation:
The rating the Better Business Bureau assigns a business is determined by our composite score of such factors as its type of business, length of time in business, compliance ...

Company Rating
F

[» Full Rating Explanation](#)

Customer Reviews and Ratings

If you would like to view customer reviews and ratings or post a review on this company, click on the "Reviews" link below.

[» Reviews](#)

Complaint Experience

Bureau Summary and Analysis of customer complaints and company responses:

Our complaint history for this company shows that the company responded to and gave proper consideration to most complaints. However, some complaints are unresolved meaning the company failed to prop...

[» More](#)

Complaint Closing Statistics

The following grid displays the number and responses to complaints over the last 36 months:

No. of Cmpl	Type of Response
0	Making a full refund, as the consumer requested
0	Making a partial refund
2	Agreeing to perform according to their contract
0	Refusing to make an adjustment
0	Refuse to adjust, relying on terms of agreement
16	Unanswered
0	Unassigned
18	Total

Bureau Membership

Join Date:

This company is not a member of the Better Business Bureau. This fact does not disparage the company in any way.

[» More](#)

Government Actions

We know of no government action taken against this company.

Advertising Review

No question about the truth of this company's advertising has come to our attention.

Other Considerations

We know of no other matter or practice relating to this company that may assist you in your consideration of this company.

File a Complaint

If you have a dispute with this company, you may file a complaint. The BBB will try to mediate the dispute through our complaint process

[File Complaint](#)

Print Report

[Print Summary](#)

[Print Details](#)

[Done](#)

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http://www.labbb.org/BBBWeb/Forms/Business/CompanyReportPage_Expository.aspx?Co... 4/8/2008

1st Email to "VIS" March 17, 2008
"Got no reply"

From: [redacted]
To: <customersupport@visracing.com>
Sent: Monday, March 17, 2008 4:39 PM
Subject: Fw: Defective hood?

To Whom it may concern;

I bought a VIS Carbon-fiber hood about a 1 1/2 years ago thru Andy's Auto Sport.

I own a 2003 WRX Subaru & the VIS hood I purchased was the Tracer model.

I noticed since the installation that every time I open the hood water would pour out onto the engine from I assumed the cowl venting (louvers), but there was never any noticeable puddle in the underlying trays (below the louvers)?

My wife just passed away from cancer 01/21/08 & last years winter season I was away in Brazil attending her medical needs so I didn't drive the car during the entire "2006-2007" winter season.

I walked out the other day & noticed fracturing in the resin / gel-coat? I couldn't figure out the reasoning behind it?

I went out & showed my daughter & as I opened the hood again the water poured onto the engine? We looked at the underside of the hood to see if there were fractures there too & sure enough it was worse than the exterior?

I still couldn't figure out the cause & yesterday it hit me! The water was being trapped in the nose of the hood & had froze cracking the hood.

This hood was never drilled for weep / drainage of water.

It is only the right side that the water builds up in & form an unnoticeable reservoir in the nose of the hood.

The reason for my purchase of VIS products was because they are so highly recommended.

Upon receiving my hood I noticed imperfections, but chose not to complain or to return it based on the irregularities in the pattern.

Now I feel there were design flaws or some portion of the process that was not completed?

I sent an email yesterday via comments thru VIS web site, but feel the need to contact customer service to document my contact w/ VIS.

I hope to get a reply suitable to resolve or rectify this problem. I believe I paid close to \$700.00 for this hood & now feel the defect wasn't so much a visual defect as a poor planning or a non-finished product?

Thank You;

Sincerely...

Indianapolis, IN

3/19/2008

2nd Direct Email to "VIS" w/ reply
(04/07/2008 pg. 2)

From: <customersupport@visracing.com>
To: _____
Sent: Wednesday, April 09, 2008 12:55 PM
Subject: Re: Design flaws

No I remember quite accurately, which is why I was taken aback. In no way were you rude, up until that point.

You called and asked if we had any warranty on our products, I said "No, we don't. We cannot be responsible for what customers do to their hoods". Am I right? And yes, I did say to go through Andy's Auto Sports because they're the ones you purchased it from. If you buy anything elsewhere, don't you always go to the direct place you bought it from first? If you're trying to return a damaged product at WalMart, don't you go to WalMart first? And then WalMart deals with the manufacturer directly.

Besides, I've seen the copies of emails sent, and I read the one with the body shop evaluation. Modifications required. Its on the website.

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

From: _____
To: customersupport@visracing.com
Sent: Monday, April 07, 2008 6:01 PM
Subject: Re: Design flaws

Wow!

This is the most brash email from a professional business entity I've ever seen?

I'm sorry, but you must have me confused with someone else? I would never have said what you've made accusations of me saying especially while trying to settle a dispute diplomatically?

My wife just passed away 01/21/08 & I've only called you one time? After that the only phone conversations I've had have been w/ Andy's Auto Sports (Eric & Plamen) via phone & email at which I've sent copies to you in "BCC" (undisclosed recipients).

The only thing that I requested of you by phone if "you are the person" whom I spoke with on initial phone contact was that I'd like to talk to a supervisor & the only thing that was reiterated back was there is no warranty.

"Whom ever it was" would not let me talk to anyone with more authority "unless you are the owner", but to assume I'm the person who said what your insinuating & come to me with this attitude is very unbusinesslike ?

I'm totally taken by surprise! This can't be the way a business such as "VIS Racing" conducts their relations with other businesses or customers is it?

Thank You & I'm sorry if you confused me with someone else?

Sincerely;

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

From: customersupport@visracing.com
To: _____
Sent: Monday, April 07, 2008 6:37 PM
Subject: Re: Design flaws

Go ahead and tell them how you called me the "B" WORD as well. And didn't you already get a body shop evaluation of how you need to drill drainage holes? So when our terms and conditions say "modifications required" does it not apply to you?

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

From: _____
To: customersupport@visracing.com
Sent: Monday, April 07, 2008 3:25 PM
Subject: Design flaws

4/9/2008

VIS Racing;

You've been receiving my email indirectly through my correspondence (BCC) with Andy's Auto Sports. I've spoken with Eric & Plamen at Andy's trying to resolve a design flaw / not a material flaw.

At this time "Plamen with Andy's Auto Sports" has informed me they can't do anything w/ this "VIS" product & I want to make sure when filing through my small claims court here in Indianapolis IN that I have the responsible parties listed.

I have to get one more professional opinion on the design of this hood before I progress w/ this matter.

I'm also going to be in touch w/ the Attorney Generals office in CA to get their opinion as to the responsible party & whether there should be a recall on the dangerous situation.

This is not an isolated incident & I intend to go to Subaru & other motor sport web sites (forums) to see if there is anyone else whom has experienced these problems. I'm sure there won't be a problem "I just think people don't know how or why they've experienced this (water freezing) cracking problem."

Thus far I have not heard anything from "VIS" after countless emails?

I did talk to a receptionist at "VIS" one time by phone & I told her of my intent to contact motor sport web sites (forum) of this problem & her reply was "That's what everyone says" it sounds like there must be a lot of unhappy "VIS" customers?

I hope / wish that "VIS" is reputable enough to at least respond to my correspondences.

Thank You:

3rd Direct Contact w/ VIS Racing
My Reply to them

From: [redacted]
To: <customersupport@visracing.com>
Sent: Wednesday, April 09, 2008 1:16 PM
Subject: Re: Design flaws

VIS Racing;

I'm sorry, but I don't want to get drawn into dialogue on this matter?
 All one has to do is look at your BBB (Better Business Bureau) rating "F" "The worst a business can receive?"
 I don't want to insult your intelligence, but the Body Shop is recommending drilling drainage holes in the hood because of the defect / design flaw (So this won't occur again) not because of your "Some modifications might be required clause?" They said they thought the hood should have had some type of instructions stating the hood may retain water & in colder climates the drilling of drainage / weep holes is recommended, but also their thoughts like mine are that the hood wasn't designed properly (thought out properly to begin with) or it would have incorporated these drainage holes to reduce VIS Racing liability from latch failures & the unsightly cracking to your product. I'm sure The Department of Transportation Safety Standards are violated here too.

Thank You
 Sincerely:
 [redacted]

— Original Message —

From: customersupport@visracing.com
To: [redacted]
Sent: Wednesday, April 09, 2008 12:35 PM
Subject: Re: Design flaws

No I remember quite accurately, which is why I was taken aback. In no way were you rude, up until that point.

You called and asked if we had any warranty on our products, I said "No, we don't. We cannot be responsible for what customers do to their hoods". Am I right? And yes, I did say to go through Andy's Auto Sports because they're the ones you purchased it from. If you buy anything eslewhere, don't you always go to the direct place you bought it from first? If you're trying to return a damaged product at WalMart, don't you go to WalMart first? And then WalMart deals with the manufacturer directly.

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To: customersupport@visracing.com
Sent: Monday, April 07, 2008 6:01 PM
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"Whom ever it was" would not let me talk to anyone with more authority "unless you are the owner", but to assume I'm the person who said what your insinuating & come to me with this attitude is very unbusinesslike ? I'm totally taken by surprise! This can't be the way a business such as "VIS Racing" conducts their relations

4/13/2008

*VIS Racing's
Last Reply after receiving
NHTSA's complaint*

From: <customersupport@visracing.com>
To:
Sent: Monday, April 28, 2008 1:26 PM
Subject: Re: Emailing: U. S. Department of Transportation

To come to a conclusion on what to do with your hood we would need to speak to a representative from Andy's Auto Sport. Since they are the company you purchased from. However, no one from there has contacted our department.

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

From: customersupport@visracing.com
To: customersupport@visracing.com
Cc: Info ;
Sent: Monday, April 28, 2008 10:17 AM
Subject: Emailing: U. S. Department of Transportation

VIS Racing; Date 04/28/2008

The attached form is what I have filed to date & will be attaching all email correspondences to "NHTSA" & my "Indiana State Attorney Generals" office that I've had with VIS & Andy's Auto Sports to show or find where the responsibilities lay.

I have tried to make suitable & reasonable contact with all involved. Andy's Auto Sport's has cooperated with me to the best of my knowledge? "Eric" & "Plamen" (associate's at Andy's Auto Sport's) had told me they had made contact with "VIS Racing" on the matter as all my records will show with no resolve.

To date; The correspondences I've received from VIS are non-professional nor show any formality or intent to correct the problem that could or may already have caused liability associated with the unknowing recipients of the product.

Note: The "latch failure portion" of the correspondence to "NHTSA" will be corrected to read; "potential failure & the latching systems integrity is compromised in relationship to the cracking from trapped & freezing water in the nose of the hood (no drain or weep holes). The eminent possibility of latch failure in proximity to the cracking is probable because both top "exterior" (12" from latch "photo") & underside (8" from latch spanning to 14" "photo") of hood sustained fracturing from freezing. Because of the materials used; Vibration, flexing & vehicle speeds will accelerate the possible & probable latch & material failure."

I don't feel safe while driving my vehicle at any speed for fear of the hood latch & material failure. "My car wasn't driven regularly before & now hardly"

I will be forwarding this (form & correspondences) on to The National Highway Traffic Safety Administration & to my Attorney General's office in my State of Indiana....

I've forwarded a copy of this correspondence to myself & Andy's Auto Sports (Cc:) for the record & protection of liability as to possible product flaws with this VIS product.

This is all in retrospect to my intentions of proceeding to small claims court over the problems I incurred with these perceived design flaws of the "VIS Racing" Carbon Fiber Hood that I purchased through Andy's Auto Sports.

I would have liked to have resolved this before taking action, but as the email records show your customer service dept. is very unprofessional & uncooperative to say the least.

Thank You
Sincerely;

The message is ready to be sent with the following file or link attachments:
U. S. Department of Transportation

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Andy's Auto Sport
Email

From: [redacted]
To: "Info" <info@andysautosport.com>
Sent: Wednesday, March 19, 2008 4:10 PM
Subject: Re: VIS Hood

Hey Eric;

Thanks for your reply !

I'm waiting for the rain to quit here so I can get some photos & capture the water pouring out on film. I've considered contacting the Attorney General's office in CA. to see if VIS Racing should be held responsible / accountable because this is a dangerous flaw, but I'll wait for theirs & your responses to my complaint first. I do appreciate your contact / concern & I'll try to get the photos to you ASAP!

Thanks Again...Sincerely..

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

From: Info
To: [redacted]
Sent: Wednesday, March 19, 2008 4:02 PM
Subject: Re: VIS Hood

Hi [redacted] I feel horrible thinking that you are not satisfied with the product. Would it be possible to provide pictures documenting the problem you are having? That would be our first step toward an attempt at resolution. Thanks!

Eric

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

From: [redacted]
To: info@andysautosport.com
Sent: Tuesday, March 18, 2008 5:41 PM
Subject: VIS Hood

To: Andy's Auto Sport

Whom it May Concern;

I purchased a VIS Tracer style Hood from you a couple of years ago for my "2003" Subaru WRX. The hood performed well, but has always had water trapped in the hood somewhere? When I open the hood water pours over the engine from some unknown location? I've noticed Stress cracks (Expansion : ice freezing) from water not being properly drained from the nose of the hood? (There is no drainage or weep holes for the water to drain properly?)

I contacted VIS Racing by phone & email (via: customer support "With no answer by email") over this problem & they (by phone) said to contact you? I said "This isn't Andy's Auto Sport's problem, they can't and won't open every hood to drill the proper drainage holes or inspect every hood" (I told them I'd either have to go or look for small claims justice or a "Class Action Lawsuit".)

I've talked w/ my insurance company & they won't pay for this because it's not an act of God (nature) or Physical damage. (A design flaw)

It has definitely compromised the integrity of the latch system because the freezing water not only cracked the exterior, but also the underside (more extensively) near the latch.

I have been told "VIS Racing makes the best & if not one of the best carbon fiber products on the market", but this has defiantly got liability written all over it?

I'm going to take it to a couple of expert auto body shops here in Indy to get their evaluation of the cause for the cracking.

In the instructions it recommends hood pins, but most blogs (On the internet) I've read on the forums say this hood is strong & really doesn't need them?

I now see the design flaw especially on the make & model that I purchased & it should be recalled for that reason.

3/19/2008

I'd appreciate hearing your advice on this?

Sincerely...

Indianapolis, IN

From: [redacted]
To: [redacted]
Sent: Thursday, March 20, 2008 5:01 PM
Attach: Body shop evaluation.jpg; Body shop evaluation 001.jpg
Subject: Emailing: Body shop evaluation, Body shop evaluation 001

Hi Eric;

Sorry to bother you again...I was able to get out today & this is the body shop's evaluation..
They took photos too of the damage & agreed it was due to water being trapped & freezing.
They made note that part of the installation price of the hood if they install it would be drilling drainage holes.

Th

The message is ready to be sent with the following file or link attachments:

Body shop evaluation
Body shop evaluation 001

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

From: _____
To: "Info" <info@andysautosport.com>
Sent: Monday, April 07, 2008 12:17 PM
Subject: Re: Emailing: IMG_1472, IMG_1473, IMG_1474, IMG_1475, IMG_1476, IMG_1477, IMG_1478, IMG_1480, IMG_1483, IMG_1486, IMG_1487, IMG_1489, IMG_1490, IMG_1492

Hi Eric;

Sorry to bug you, but I've got a lot of things going & it's been a couple of weeks since our last contact? Have you gotten a response from VIS yet?

I've sent them a few email actually "BCC'ing" most of our (mine & yours) contact w/o any response? You'd at least think they'd respond w/ a non-warranty disclaimer or something? I thought they were a reputable company, but with engineering design flaws & them just turning their back is pretty bad?

I still need one more estimate before I drill the hood (drain holes) myself, but I've also noticed that when closing the hood after the freezing it wouldn't latch? I ended up having to put a couple of washers (shims) between the hood latch & hood. Something has definitely warped & it occurred after the water freeze.

Did you get the estimate I sent from the 1st body shop?

If you can't do anything on this I at least need your disclaimer as to your responsibility or liability? Only for purpose of whom I'm recommended to go after for these damages.

I think you or someone there at Andy's stated your only responsible is for shipping damage.

The body shop said it is clearly a design defect by not having the drainage especially since the Tracer hood has those open louvers & allows water to accumulate this way.

Thanks Again...& sorry for bothering you , but I can't become complacent on this matter.

Sincerely

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

From: Info
To: _____
Sent: Thursday, March 20, 2008 4:03 PM
Subject: Re: Emailing: IMG_1472, IMG_1473, IMG_1474, IMG_1475, IMG_1476, IMG_1477, IMG_1478, IMG_1480, IMG_1483, IMG_1486, IMG_1487, IMG_1489, IMG_1490, IMG_1492

Let me take it from here and see where I can go with this. No more pics needed, I think your explanation here and the pics you sent document the issue pretty well. I'll get back in touch once I have more information either way.

Eric

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

From: _____
To: Info
Sent: Wednesday, March 19, 2008 3:57 PM
Subject: Emailing: IMG_1472, IMG_1473, IMG_1474, IMG_1475, IMG_1476, IMG_1477, IMG_1478, IMG_1480, IMG_1483, IMG_1486, IMG_1487, IMG_1489, IMG_1490, IMG_1492

Hi Eric;

The photos are not real clear because of lighting & not being able to catch the sun's rays showing the clear coat / gel-coat fractures, but you can still see them even with the camera flash.

The photos show the car, louvers (left & right "showing no ponding of water in the louver trays"), water running out of every orifice in the hood upon lifting, fractures underside right front & exterior right front.

When closing the hood I can still hear water surging back to the nose of the hood?

I felt a need to lift the hood tonight to drain the water & keep it from freezing again tonight making the problem worse.

5/17/2008

Andy's Auto Sports reply after receiving "NHTSA" complaint

From: "Info" <info@andysautosport.com>
To: "
Sent: Monday, April 28, 2008 1:31 PM
Subject: Re: Emailing: U. S. Department of Transportation

thanks for copying us on your correspondence. Just to be clear, we continue to feel we should refund you in full for the order during the interim. Does that make sense to you?

Original Message

From: "
To: customersupport@visracing.com
Cc: Info ;
Sent: Monday, April 28, 2008 10:17 AM
Subject: Emailing: U. S. Department of Transportation

VIS Racing; Date 04/28/2008

The attached form is what I have filed to date & will be attaching all email correspondences to "NHTSA" & my "Indiana State Attorney Generals" office that I've had with VIS & Andy's Auto Sports to show or find where the responsibilities lay.

I have tried to make suitable & reasonable contact with all involved. Andy's Auto Sport's has cooperated with me to the best of my knowledge? "Eric" & "Plamen" (associate's at Andy's Auto Sport's) had told me they had made contact with "VIS Racing" on the matter as all my records will show with no resolve.

To date; The correspondences I've received from VIS are non-professional nor show any formality or intent to correct the problem that could or may already have caused liability associated with the unknowing recipients of the product.

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Because of the materials used; Vibration, flexing & vehicle speeds will accelerate the possible & probable latch & material failure."

I don't feel safe while driving my vehicle at any speed for fear of the hood latch & material failure. "My car wasn't driven regularly before & now hardly"

I will be forwarding this (form & correspondences) on to The National Highway Traffic Safety Administration & to my Attorney General's office in my State of Indiana...

I've forwarded a copy of this correspondence to myself & Andy's Auto Sports (Cc:) for the record & protection of liability as to possible product flaws with this VIS product.

This is all in retrospect to my intentions of proceeding to small claims court over the problems I incurred with these perceived design flaws of the "VIS Racing" Carbon Fiber Hood that I purchased through Andy's Auto Sports.

I would have liked to have resolved this before taking action, but as the email records show your customer service dept. is very unprofessional & uncooperative to say the least.

Thank You
Sincerely;

The message is ready to be sent with the following file or link attachments:
U. S. Department of Transportation

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

*Most recent Andy's Auto Sports
as of 4/30/08*

From: "Info" <info@andvsautosport.com>
To: _____
Sent: Wednesday, April 30, 2008 12:24 PM
Subject: Re: Emailing: U. S. Department of Transportation

_____ we have a satisfaction guarantee. So if you are not satisfied, we will refund you and bring the hood back on our dime. I am just making sure you are clear on our company policy. In terms of legal advice, we shouldn't be giving any. You can do whatever you feel is right, but if you ever want us to refund you in full and take the hood back, just say so and we will be happy to honor our company policy.

Eric

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

From: _____
To: info
Sent: Tuesday, April 29, 2008 3:45 PM
Subject: Re: Emailing: U. S. Department of Transportation

Andy's Auto Sport's;

I don't want to turn down fair compensation, but it won't cover the cost of replacement of going back to factory or the unnecessary stress this has put me through after losing my wife in January.

I also don't know if this releases VIS Racing from liability?

VIS Racing's "BBB" rating (attached)

Is this VIS Racing's recommendation or your companies policy?

I don't want to take this offer off the table & I appreciate your help & your offer.

I'm between a rock & a hard spot because my car isn't safe to drive at the performance level it's capable of, or for that matter any speed? I worry just driving it to the grocery?

It wasn't designated who my contact from Andy's is from the last email.

Please advise me of your situation & recommendations..."Is this my only solution?"

Thank You

Sincer

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

From: Info
To: _____
Sent: Monday, April 28, 2008 1:31 PM
Subject: Re: Emailing: U. S. Department of Transportation

_____ thanks for copying us on your correspondence. Just to be clear, we continue to feel we should refund you in full for the order during the interim. Does that make sense to you?

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

From: _____
To: customersupport@visracing.com
Cc: Info ; _____
Sent: Monday, April 28, 2008 10:17 AM
Subject: Emailing: U. S. Department of Transportation

VIS Racing;

Date 04/28/2008

The attached form is what I have filed to date & will be attaching all email correspondences to "NHTSA" & my "Indiana State Attorney Generals" office that I've had with VIS & Andy's Auto Sports to show or find where the responsibilities lay.

I have tried to make suitable & reasonable contact with all involved.

5/2/2008

As per our company policies, since you are not 100% satisfied with your order with us, we will be refunding you in full. We will send you a check by Fedex Express tomorrow. Also, we would be happy to offer you a replacement hood, but based on your dissatisfaction with the product I believe it would be a waste of your time and our time to go that route, and instead we will refund you in full. As per our prior email dialogues since you first contacted us, I have expressed this willingness all along, and you and I both have documentation of my desire to cooperate from the first time you contacted me by email.

Thank you,
Eric Ferguson

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

From: [REDACTED]
To: ericferguson@andysautosport.com
Sent: Friday, May 02, 2008 5:34 PM
Subject: Fw: I believe to be my final draft NHTSA.doc [1/2]

Jalal Mosameh
Info @ Andys Auto Sport
396 Railroad Ct.
Milpitas, CA 95035
800-419-1152 x101

Contact me on AOL's AIM!

SN: JalalatAndys

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

From: [REDACTED]
To: customersupport@visracing.com
Cc:
Sent: Friday, May 02, 2008 4:50 PM
Subject: I believe to be my final draft

To: Andy's Auto Sport's & VIS Racing;

I feel this is an accurate description of my findings between Andy's Auto Sport's & VIS Racings. I've been truthful and forthright in trying to settle this problem with both entities involved & Monday 05/05/2008 I will be approaching my Indiana local government's Township's Small Claims Court to ask them of in their opinion of where the liability for this problem lay.

You (one or both) will be summoned to appear in Indiana (per their advice) to resolve this problem.

I've been patient, observant & looking for a fair settlement on this perceived product design flaw.

At this point if not hearing of fair settlement or cooperation to my degree of satisfaction, filing a claim is of a minute obstacle for me. (I believe a \$70.00 filing fee).

Andy's Auto Sport' has never offered me a replacement hood option nor has VIS Racing been cooperative in any manor and of course would never admit to a design flaw or liability.

I have enough documentation to go forward at this point and pending the small claims courts non- biased objective opinion will find the target of the claims (someone will have to appear).

I've been through enough on this matter I will also look for "pain & suffering" & labor fees (installation) if the court allows, let alone your travel to Indiana . (Because of the loss of my wife in January of 2008 & the unnecessary ranglings & stress that you both have caused.)

If I don't find satisfaction with their hearings, finding, or advice I may choose to seek a class action attorney whom may be interested?

I don't want this to be perceived as a threat, I am only seeking fair compensation to myself or anyone whom may have something to settle over this perceived flaw of the product mentioned to the "NHTSA" & my State of Indiana's Attorney General's Office... "Steve Carter".

Thank You;

Sincerely;

5/10/2008

From: "Eric Ferguson" <ericferguson@andysautosport.com>
To: _____
Sent: Friday, May 09, 2008 3:41 PM
Subject: Re: Refund

Hi _____ that is correct, you do not need to return the hood to us, nor do we plan to make arrangements to have the hood shipped back to us. With your refund check in hand, you may do as you wish with the hood and it will make no difference to us.

Thanks,

Eric

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

From: _____
To: Eric Ferguson
Sent: Friday, May 09, 2008 12:34 PM
Subject: Refund

Andy's Auto Sport: (A.A.S)
Attn: Eric Ferguson;

Sorry to bother you again (I know your busy), but "via" our phone conversation today (05/09/08) on the **need not to return the "VIS Racing" hood based on the refund.** I thought it would be easier to just have you reply to our continued email for both our records.

As you ("Eric".... Andy's Auto Sport) stated, your (A.A.S.) making a refund (Check _____ in the amount of \$732.50) for the "VIS Racing" hood purchased through Andy's Auto Sports **doesn't constitute** the need for return of merchandise (hood), but I needed conformation in writing (email) that the hood **does not** need to be returned to Andy's Auto Sport as "Andy's 100% Satisfaction Guarantee" policy may infer for refund.

"I like to be safe rather than sorry & try to protect myself when possible?"

My jester for your compensation (refund): I'll remove Andy's Auto Sport from any legal litigation that I may have discussed or engaged in from my end & my records will only reflect we (Andy's Auto Sport & myself) settled any & all differences fairly between us.

Thank You for your help & cooperation thus far;
Sincerely;

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

From: Eric Ferguson
To: _____
Sent: Sunday, May 04, 2008 12:47 PM
Subject: Re: I believe to be my final draft NHTSA.doc [1/2]

As per our company policies, since you are not 100% satisfied with your order with us, we will be refunding you in full. We will send you a check by Fedex Express tomorrow. Also, we would be happy to offer you a replacement hood, but based on your dissatisfaction with the product I believe it would be a waste of your time and our time to go that route, and instead we will refund you in full. As per our prior email dialogues since you first contacted us, I have expressed this willingness all along, and you and I both have documentation of my desire to cooperate from the first time you contacted me by email.

Thank you,
Eric Ferguson

From: [redacted]
To: "Eric Ferguson" <ericferguson@andysautosport.com>
Sent: Friday, May 09, 2008 3:46 PM
Subject: Re: Refund

Thanks Again Eric...
"Sorry about all this, but it has been very stressful for me during these times trying to deal with the loss of my wife & life itself"

I appreciate your help... [redacted]

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

From: Eric Ferguson
To: [redacted]
Sent: Friday, May 09, 2008 3:41 PM
Subject: Re: Refund

Hi [redacted] that is correct, you do not need to return the hood to us, nor do we plan to make arrangements to have the hood shipped back to us. With your refund check in hand, you may do as you wish with the hood and it will make no difference to us.

Thanks,

Eric

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

From: [redacted]
To: Eric Ferguson
Sent: Friday, May 09, 2008 12:34 PM
Subject: Refund

Andy's Auto Sport: (A.A.S)
Attn: Eric Ferguson;

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Thank You for your help & cooperation thus far;
Sincerely;
[redacted]

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

From: Eric Ferguson
To: [redacted]
Sent: Sunday, May 04, 2008 12:47 PM
Subject: Re: I believe to be my final draft NHTSA.doc [1/2]

Refund from Andy's Auto Sport

INTEGRATED STRATEGIC RESOURCES, INC.
DBA ANDY'S AUTO SPORT
396 RAILROAD COURT
MILPITAS, CA 95035

WELLS FARGO BANK, N.A.
www.wellsfargo.com
11-4288/1210

5/5/08

PAY TO THE
ORDER OF

Seven hundred thirty-two & 50/100

\$ 732.50

DOLLARS

MEMO refund 160686

Michael P. Ferguson

AUTHORIZED SIGNATURE

Details on Back. Security Features included.

INTEGRATED STRATEGIC RESOURCES, INC. DBA ANDY'S AUTO SPORT

21368

INTEGRATED STRATEGIC RESOURCES, INC. DBA ANDY'S AUTO SPORT

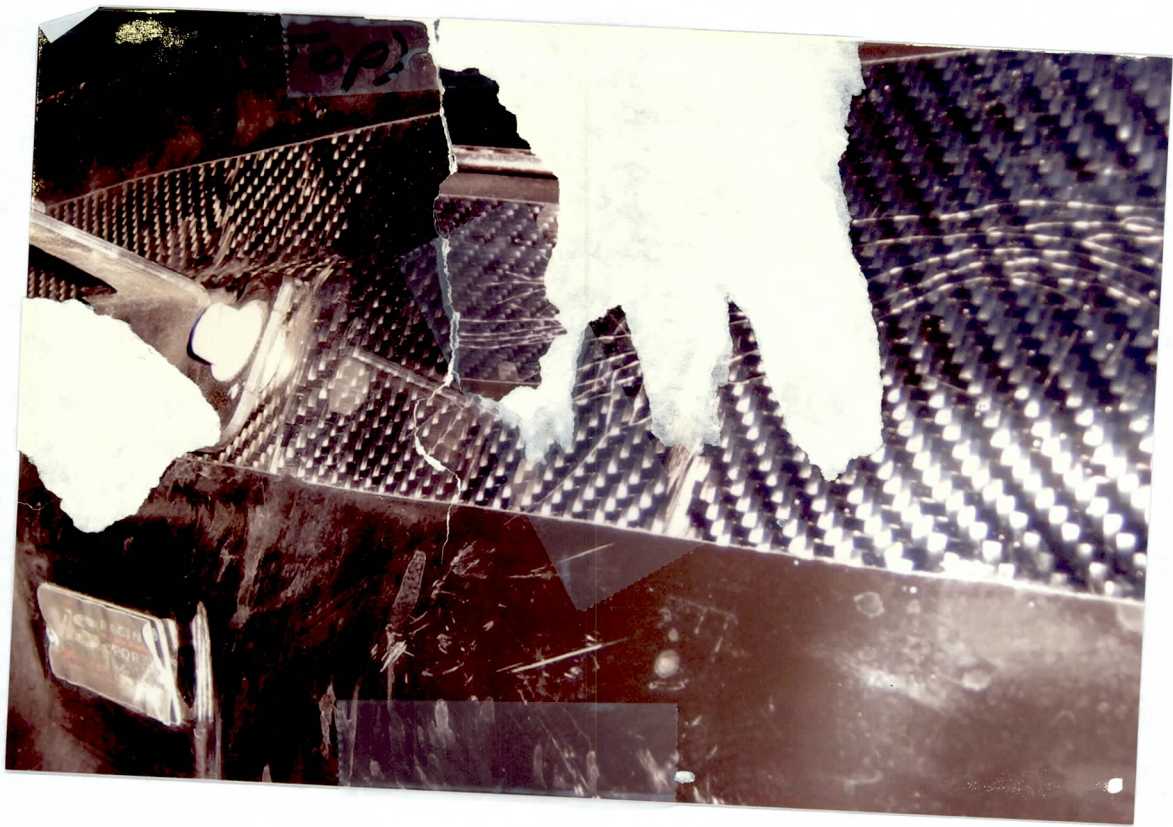
21368

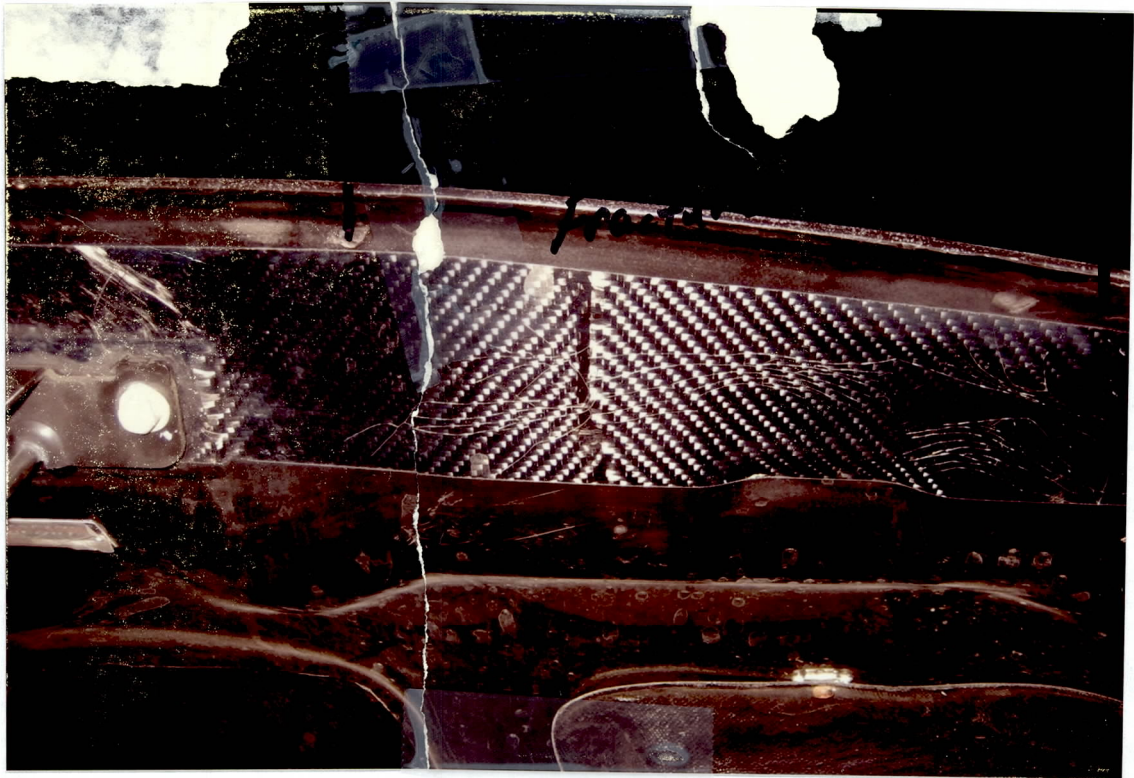
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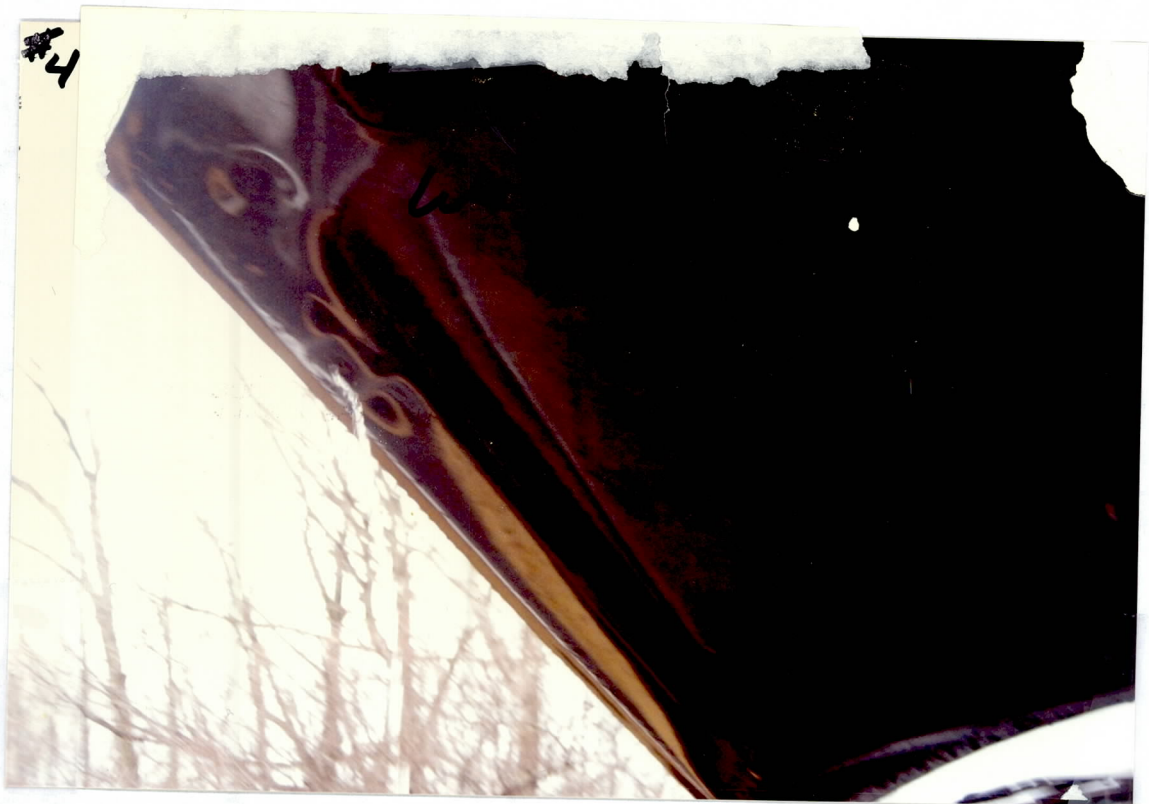
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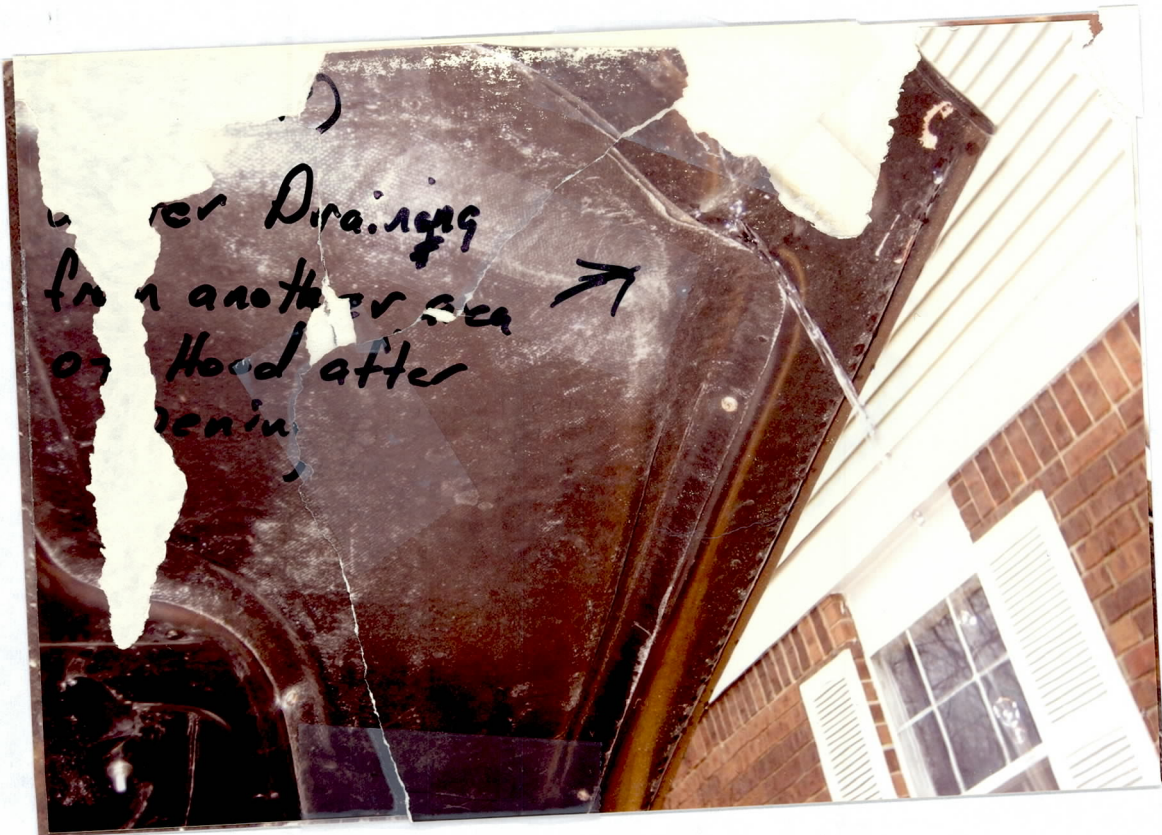
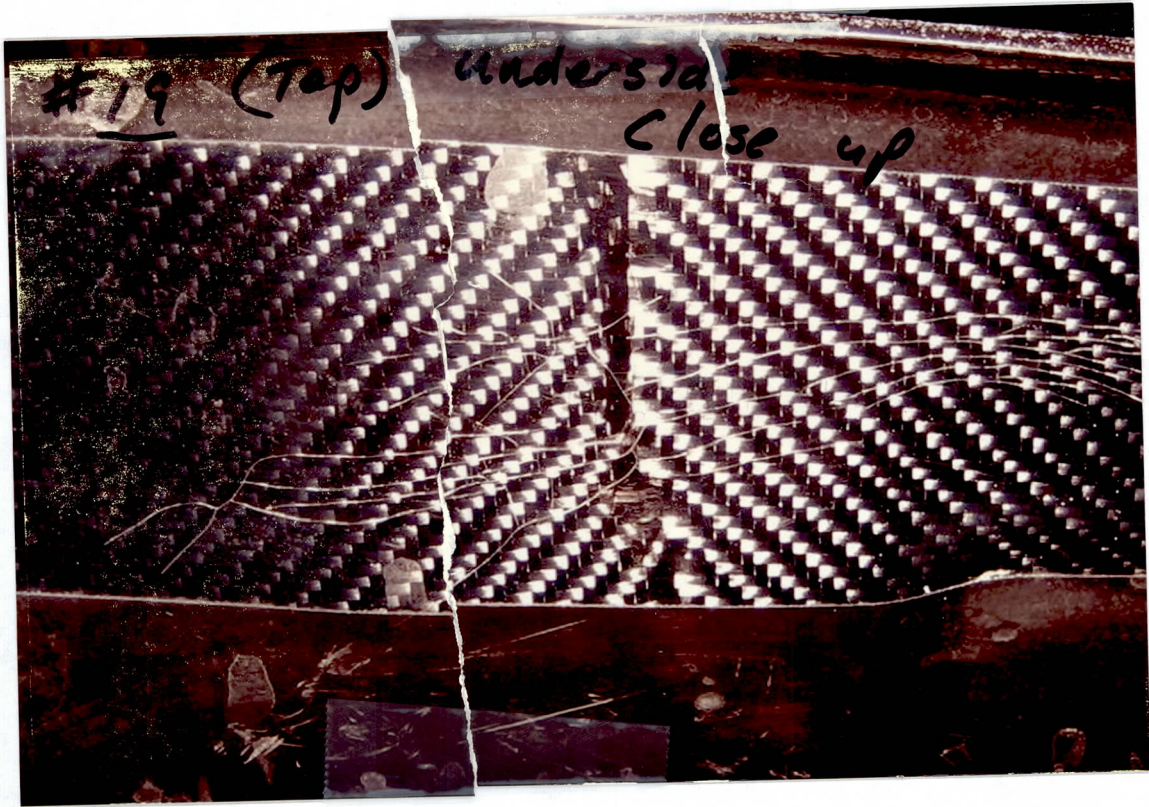
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Damages

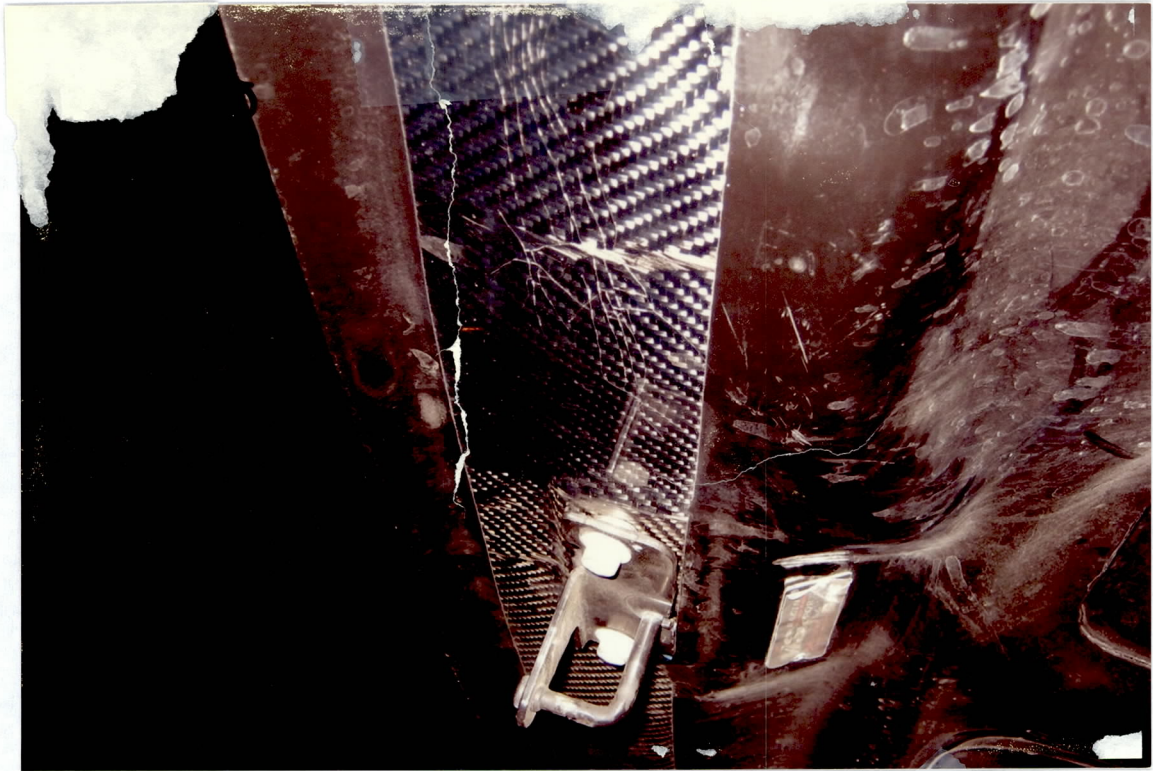


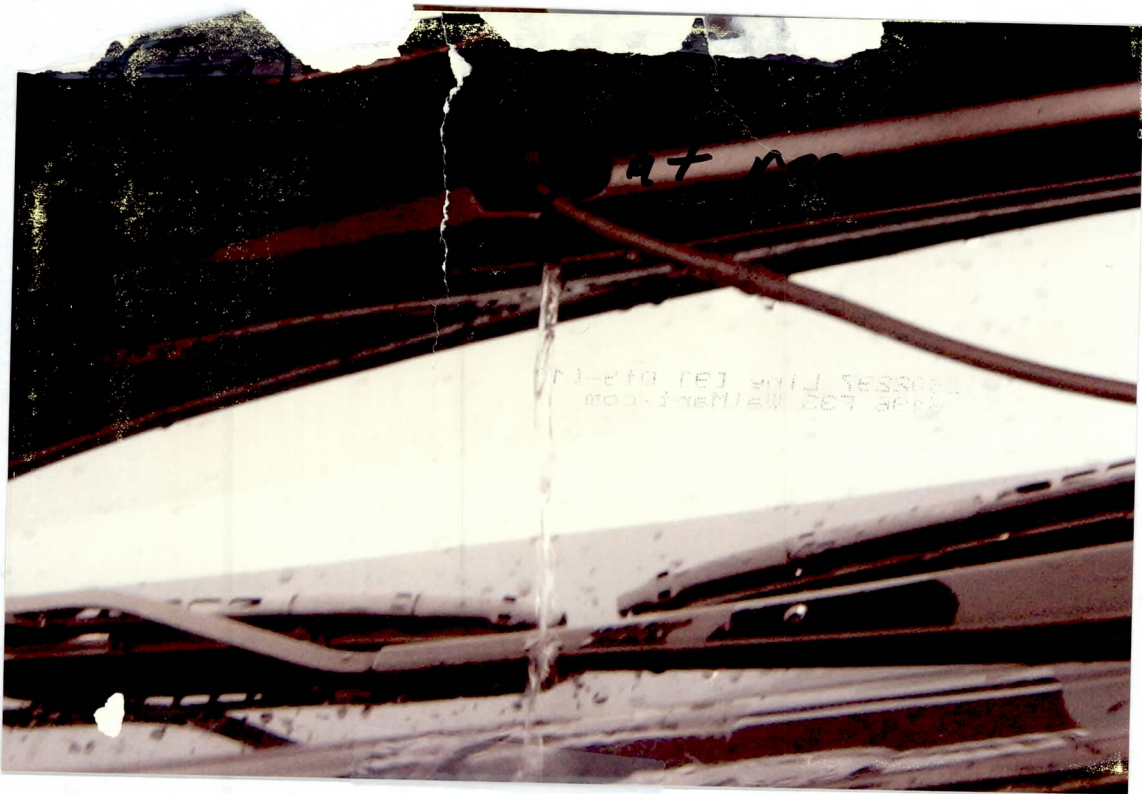


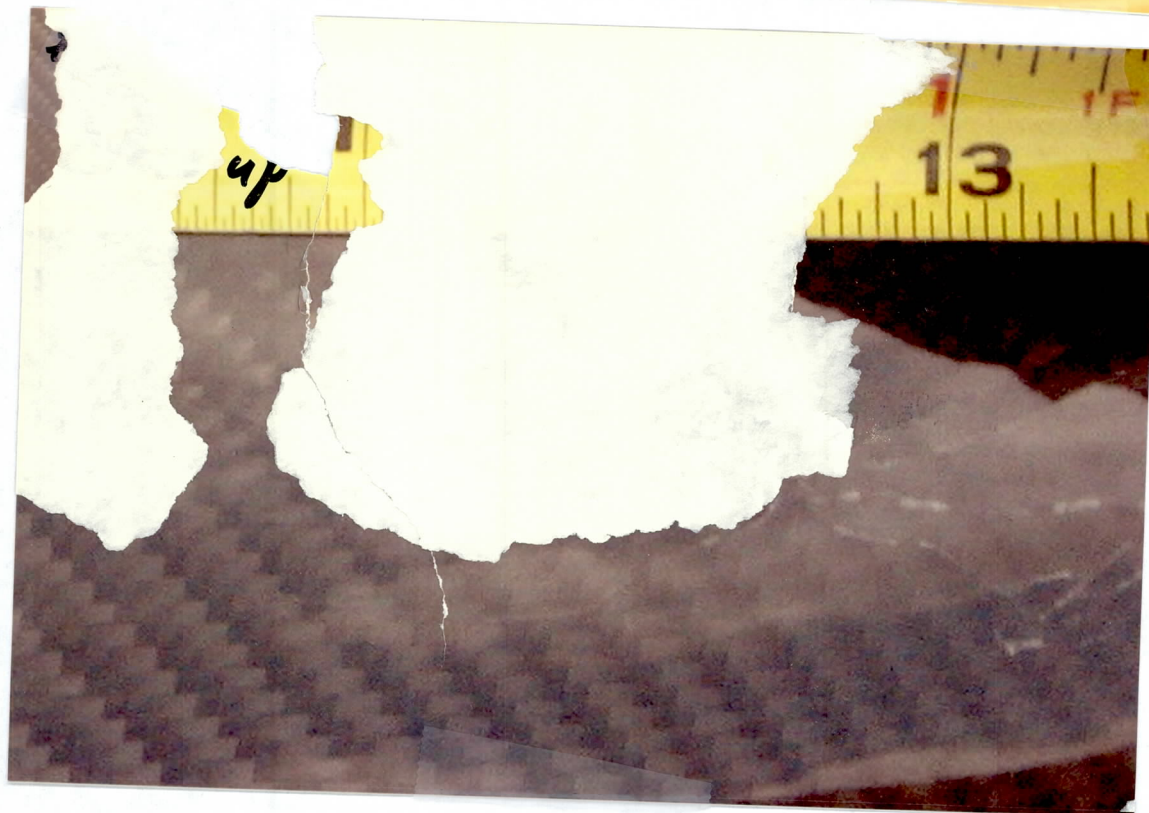








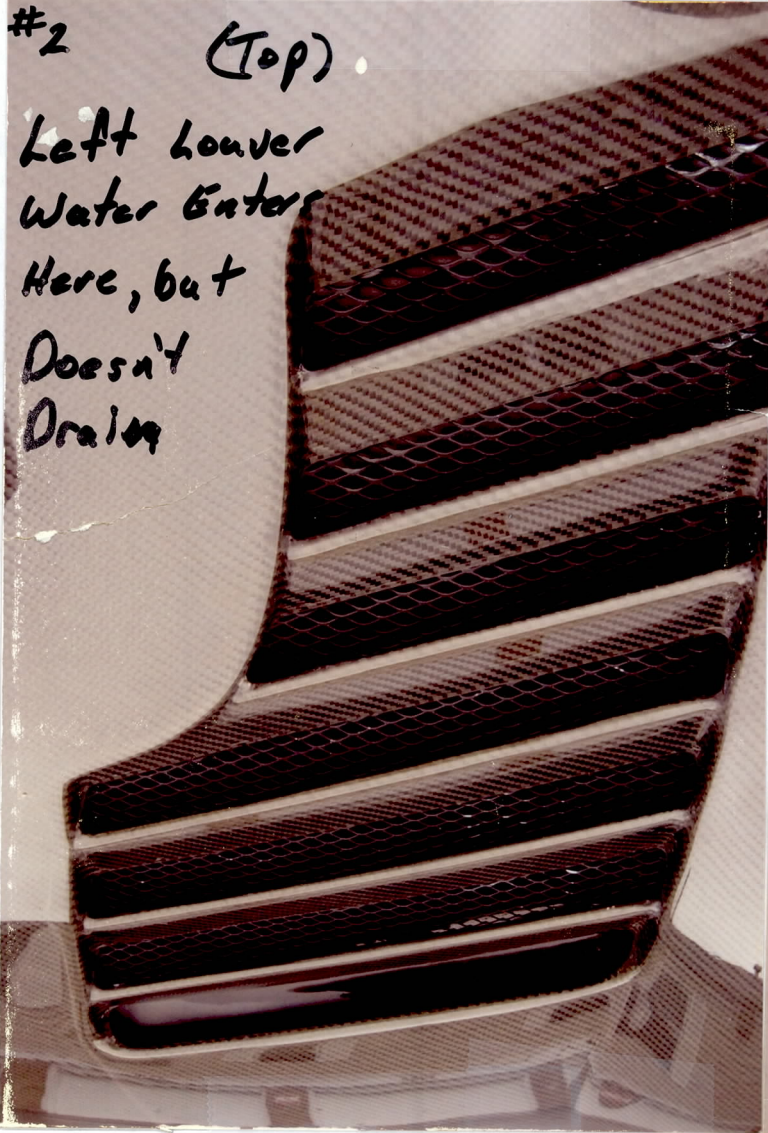




#2

(Top)

Left Louver
Water Enters
Here, but
Doesn't
Drain



#3

(Top)

Right Louver
water
Enters
Here,
but
Doesn't
Drain

