

DARRELL V. McGRAW, JR.  
ATTORNEY GENERAL

PHYSICAL ADDRESS:  
812 Quarrier St.  
Charleston, WV 25301

MAILING ADDRESS:  
P. O. Box 1789  
Charleston, WV 25326-1789

E-Mail: [consumer@wvago.gov](mailto:consumer@wvago.gov)  
<http://www.wvago.gov>



STATE OF WEST VIRGINIA  
OFFICE OF THE ATTORNEY GENERAL

August 19, 2008

CL-10236315-7491

2008 SEP -8 PM 5:10

Consumer Protection  
and Antitrust Division  
(304) 558-8986

Preneed Funeral Services  
(304) 558-8986

Consumer Hotline  
1-800-368-8808

FAX: (304) 558-0184

National Highway Traffic Safety Administration  
400 7th St., SW, Room 5232  
Washington, DC 20590

Re: [REDACTED]  
[REDACTED]  
Ranson, WV [REDACTED]

Dear Sir or Madam:

Enclosed please find a copy of a consumer complaint sent to our office. We would appreciate you investigating this complaint to determine whether there has been a violation of the laws that you administer or enforce. Please feel free to contact me if you have any questions regarding this matter.

Very truly yours,

*Stephanie Groom*  
Stephanie Groom  
Mediator  
Consumer Protection and  
Antitrust Division

kls  
Enclosure

PT  
5:10  
9/8/08  
AJT



**STATE OF WEST VIRGINIA**  
**OFFICE OF THE ATTORNEY GENERAL** AUG 04 2008  
**DARRELL V. MCGRAW, JR.**  
**CONSUMER PROTECTION DIVISION**  
**1-800-368-8808 or 304-558-8986**


<http://www.wvago.us>
E-Mail: [consumer@wvago.gov](mailto:consumer@wvago.gov)

## MOTOR VEHICLE CONSUMER COMPLAINT

### 1. PARTY COMPLAINING

Name:

☒ Mr. ☐ Mrs. ☐ Ms. [REDACTED]

Address: [REDACTED]

City: Ranson State: WVCounty: Jefferson Zip Code: [REDACTED]

Home Telephone: [REDACTED]

Work Telephone: [REDACTED]

Cell Telephone: [REDACTED]

Email: [REDACTED]

Best time to contact me: Day and evening

### 2. COMPLAINT AGAINST

Business Name: Apple Valley ChevroletAddress: 650 Foxcroft AvenueCity: Martinsburg State: WVCounty: Berkeley Zip Code: 25401Telephone: (304) 263-3341Name of person you dealt with: Cris ShoemakerTitle: Service Advisor3. Purchased: ☐ New ☒ Used

Vehicle Identification

Number (VIN): 1G1JC1234X7 [REDACTED]4. Car Make (manufacturer): ChevroletCar Model: Cavalier Year: 19995. Mileage at time of purchase: 125,000Present Mileage: 188,0006. Date of Purchase: March 2006Total Purchase Price: \$ 3,0007. Terms of Payment: ☒ Cash☐ Loan

Loan - Installment

☐ Check☐ Credit Card☐ Installment

Finance Company name: \_\_\_\_\_

☐ Debit Card☐ PayPal☐ Wire Transfer

Address: \_\_\_\_\_

☐ Other \_\_\_\_\_☐ Western Union

8. Did you purchase the vehicle from the business you are complaining about?

☐ Yes☒ No9. Have you complained to the business? ☒ Yes ☐ NoIf Yes, date you complained: August 1stWhat action was taken by the business: Waiting to hear back from district mgr.

10. Does the complaint involve the safety condition of the vehicle at the time it was sold to you?

☐ Yes☒ No11. Have you contacted the manufacturer about your vehicle complaint? ☒ Yes ☐ NoIf Yes, what action was taken: Same as #9

PLEASE CONTINUE TO OTHER SIDE

12. Have you filed this complaint with any other agency or organization? ☒ Yes ☐ No

If Yes - Identify organization: Better Business Bureau

What action was taken? Pending

13. Describe any legal action you have taken: Had a friend ask their lawyer what I should do.

14. Provide COPIES - front and back - of all documents you have, such as:

☐ Warranty

☐ Buyer's Guide

☐ Purchase Agreement

☐ Odometer Statement

☐ Repair Orders

☐ Loan Contract - Retail Installment

Agreement

☐ Title

15. Please describe your complaint in detail - If you need additional space to tell what happened, please continue on a separate page and attach it to your complaint:

See attached 2 page letter.

20. How do you want your complaint resolved? I want my car fixed and nothing else.

The information you provide will be used in efforts to resolve your problem and may be shared with the party complained against. It may also be used to enforce applicable state laws.

I hereby authorize any party to whom the Attorney General directs this complaint to release any and all information about this matter, including account information, to the Attorney General's Office.

I certify that all information provided is true and correct and I have the legal authority to submit this claim.

SIGNATURE (Required)

DATE 4 AUG 2008

AGE 31

Return this form and copies of your papers to:

Office of the Attorney General  
Consumer Protection Division  
PO Box 1789  
Charleston, WV 25328-1789

August 4, 2008

## To Whom It May Concern:

I am writing you today to explain a problem I am having with General Motors and Apple Valley Chevrolet in Martinsburg, WV. I went to work on July 20<sup>th</sup> and after I parked my car, shut it down and took the key out of the ignition, smoke started coming through the AC vents. I popped the dash and noticed that the wires had been burned. I researched recalls on my particular car and noticed GM recall 04002 which is under **Electrical System: Ignition Switch**. (see attached NHTSA printout) Other than the smoke, a **THEFT SYSTEM** light came on and the car would not shut off even with the key out of the ignition.

The next day I called Chevrolet at 800-950-2438 and reported my problem. I spoke to Tony Humbee (x-12028) and explained to him in detail the very specifics of my issue. I didn't tell him that I researched it and found a recall # myself, he voluntarily said that my issue fell under recall # 04002, it would be fixed free of charge and he would set up an appointment with a local GM dealer to get it fixed. I had an appointment at Apple Valley Chevrolet in Martinsburg at 9am on the 26<sup>th</sup>. Sales Advisor Cris Shoemaker (304-263-3341 x204) set everything up. He said it would only take an hour to fix. He came back and said that they replaced the wiring harness but they needed to order the ignition switch and would get it on Tuesday July 29<sup>th</sup>.

Cris Shoemaker called me shortly after 12pm on Tuesday and said the car was finished and ready for pickup. I asked him specifically if the theft system light was off and he said yes. As I got in the vehicle to start it up, I noticed the dash was where I left it. Open. I looked under it and noticed that the burned wires were not replaced. I started the car and the theft system light was still on. Also, the car would not shut off even with the key out of the ignition. I went back to Cris and asked what did they do because the car was not fixed. I advised him that he told me over the phone the theft system light was off when it wasn't and that the burned wires were not replaced. He showed me the paperwork and it says to replace the ignition switch and wiring harness and that's what they did. He then told me he would have to go to his service manager, Chuck Mease, (x212) for the next step because they did what the recall told them to do. Cris came back and was advised by Chuck that they would have to contact the District Manager of GM because he ultimately has the final say whether they can proceed in fixing this car.

I called Apple Valley again on Wednesday the 30<sup>th</sup> and was told they had not heard anything from the district manager yet and they would keep me updated. I also called the Chevrolet 800 # again and advised Tony Humbee what was going on and expressed my displeasure over the service. I reminded him about our phone conversation we had and how I explained in detail what happened with my car and that he said it would be taken care of free of charge. He then said, "No, no sir I never said that. I told you that only the ignition switch would be replaced of free of charge. He lied.

No other news on Thursday. I called Apple Valley back on Friday and Cris said they were still waiting for them to make a decision. I advised him that my car needed to get fixed and quick. The damage that occurred to my vehicle was due to the ignition switch recall and I want it fixed. He stated again that they replaced what the recall asked for and they were still waiting for the district manager to decide whether or not it was the ignition switch that caused the damage. I simply said the purpose of a recall is to replace the necessary parts BEFORE any damage occurs. You replaced the parts after the fact; therefore, the recalled parts caused the damage. I bought this vehicle in early 2006 and have not been informed at all about any recalls from GM or Chevrolet. This recall was reported in 2004.

I called Tony Humbee back on Friday as well. He basically told me the same thing that I heard from Cris Shoemaker and that everyone has gone home for the weekend and wouldn't get any new information until Monday around noon. I told him that if my car wasn't fixed on Monday that I would take action myself. He then said, "Well, sir, that's your prerogative." Unbelievable.

This has become increasingly stressful on me as each day passes. I am not out to get GM or give them a bad name. I just want the car fixed. I transport my 2 children, 5 and 3 years old, every day in that car and something worse could have happened putting their lives and mine at risk. In the meantime, I have been driving my father's 1998 Buick 100 miles roundtrip per day as my only means of transportation. He has been nice to lend it to me, but that is his only vehicle and I do not want to put a lot of wear and tear on it. Please do what you can to help out. Thank you very much for your time in reading this. I hope to hear from you very soon.

Sincerely,





## OFFICE OF DEFECTS INVESTIGATION (ODI)

### Recalls - Search Results

1 Record(s) Displayed.

Report Date : August 1, 2008 at 01:27 AM  
Search Type : VEHICLE  
Make : CHEVROLET  
Model : CAVALIER

Make : CHEVROLET

Model : CAVALIER

Year : 1999

Manufacturer : GENERAL MOTORS CORP.

Mfr's Report Date : JAN 27, 2004

NHTSA CAMPAIGN ID Number : 04V036000

NHTSA Action Number: N/A

Component: ELECTRICAL SYSTEM:IGNITION:SWITCH

Potential Number Of Units Affected : 1415231

#### Summary:

ON CERTAIN PASSENGER VEHICLES. IF THE ENGINE FAILS TO START AND THE DRIVER HOLDS THE KEY IN THE "START" POSITION FOR AN EXTENDED PERIOD, HIGH CURRENT FLOWS THROUGH THE IGNITION SWITCH, AND SOMETIMES PRODUCES ENOUGH HEAT TO MELT INTERNAL SWITCH PARTS.

#### Consequence:

IF THE SWITCH IS DAMAGED, A FIRE COULD OCCUR IN THE STEERING COLUMN, EVEN WITH THE ENGINE OFF AND THE KEY REMOVED. THE FIRE COULD SPREAD TO THE INTERIOR OF THE CAR, WHICH COULD INJURE OCCUPANTS OR CAUSE DAMAGE TO ADJOINING STRUCTURES.

#### Remedy:

DEALERS WILL INSTALL A RELAY KIT IN THESE VEHICLES TO PREVENT HIGH CURRENT FROM FLOWING THROUGH THE IGNITION SWITCH, AND CHECK THAT YOUR CAR WILL START WITH A PROPERLY CHARGED BATTERY AND, IF NECESSARY, REPLACE THE IGNITION SWITCH. OWNER NOTIFICATION WILL BEGIN ON MARCH 1, 2004. OWNERS WHO TAKE THEIR VEHICLES TO AN AUTHORIZED DEALER ON AN AGREED UPON SERVICE DATE AND DO NOT RECEIVE THE FREE REMEDY WITHIN A REASONABLE TIME SHOULD CONTACT CHEVROLET AT 1-800-630-2438, PONTIAC AT 1-800-620-7668, BUICK AT 1-866-608-8080, OR OLDSMOBILE AT 1-800-630-6537. CUSTOMERS CAN ALSO CHECK THEIR VEHICLE ONLINE BY GOING TO WWW.MYGMLINK.COM AND ENTERING THE VEHICLE'S IDENTIFICATION NUMBER.

#### Notes:

GM RECALL NO. 04002. CUSTOMERS CAN ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S AUTO SAFETY HOTLINE AT 1-888-DASH-2-DOT (1-888-327-4238).



General Motors Corporation  
Customer and Relationship Services  
Customer Assistance Center  
PO Box 33170  
Detroit, MI 48232-5170

August 13, 2008

State of West Virginia  
Office of the Attorney General  
Consumer Protection Division  
Attention: Stephanie Groom

Customer: [REDACTED]  
Service request: 71-647514527  
Customer Relationship Specialist: Victoria Kotecki

Dear Mediator Groom:

Thank you for your recent correspondence regarding [REDACTED]. We are sorry he is dissatisfied with his 1999 Chevrolet Cavalier. We are concerned when we learn that a Chevrolet owner is dissatisfied with any phase of their experience with our product.

At your request we again reviewed [REDACTED]'s case. After careful consideration, it has been decided that this case would be referred to our Product Allegation Department for further review. Due to the sensitive nature of a product allegation, we ask that you refer all correspondence on [REDACTED]'s concerns to that office. PAR can be reached at 1-800-231-1841.

If you have further questions, please contact me at 866-790-5700 extension 41050, Monday through Friday between 9:00 a.m. and 4:30 p.m., Eastern Time. Please refer to your service request number above and I will be happy to assist you.

Sincerely,

Chevrolet Business Resource Center

August 15, 2008

State of West Virginia  
Office of the Attorney General  
Consumer Protection Division  
Attention: Stephanie Groom

Customer: [REDACTED]  
Service request: 71-647514527  
Customer Relationship Specialist: Victoria Kotecki

Dear Mediator Groom:

Thank you for your recent correspondence regarding [REDACTED]. We are sorry he is dissatisfied with his 1999 Chevrolet Cavalier. General Motors' continued success depends upon the satisfaction our customers receive from their vehicles.

We feel our customers have the right to expect long-term, reliable performance from their Chevrolet products. However, there are many variables, which may affect the life of any part, or the appearance of an automobile. Although we feel we offer an excellent warranty, no manufacturer's warranty is unlimited.

The Bumper-to-Bumper coverage on the 1999 Chevrolet Cavalier is 36 months and/or 36,000 miles, whichever comes first. We regret that because [REDACTED]'s vehicle is 72 months and 150,000 miles beyond the warranty, we cannot comply with his request for financial assistance.

Please note [REDACTED] refers to a Recall in his letter that extended coverage on his ignition switch for the life of the vehicle. This recall has been performed by General Motors at no cost to [REDACTED]. We regret that [REDACTED]'s vehicle has additional damage not related to the recall and we cannot comply with his request for assistance.

If you have further questions, please contact me at 866-790-5700 extension 41050, Monday through Friday between 9:00 a.m. and 4:30 p.m., Eastern Time. Please refer to your service request number above and I will be happy to assist you.

Sincerely,

Chevrolet Business Resource Center