



SEP 11 2009

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
ATTORNEY GENERAL

CL-10284308-4397

August 27, 2009

DIVISION OF ECONOMIC JUSTICE
CONSUMER FRAUDS & PROTECTION BUREAU

[REDACTED]
Earlton, NY [REDACTED]

Re: Our File No: 2009-802924
Company: Volkswagen of America

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,

John VanVoris

John VanVoris
Bureau of Consumer Frauds
and Protection

cc: National Highway Traffic Safety Administration
Office of Defects Investigation
1200 New Jersey Avenue SE West Bldg.
Washington, DC 20590

MC 8
4-58
9/11/09
NJ



ATTORNEY GENERAL ANDREW M. CUOMO
STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
BUREAU OF CONSUMER FRAUDS AND PROTECTION
The Capitol
Albany, NY 12224-0341
Tel. (518) 474-5481 Fax (518) 474-3618

COMPLAINT FORM

Consumer Hotline For Hearing Impaired
1 (800) 771-7755 TDD (800) 788-9898
http://www.oag.state.ny.us

RECEIVED BY

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		CONSUMER FRANCHISES ALBANY OFFICE	
YOUR NAME [REDACTED] recent last name change		HOME TELEPHONE NUMBER [REDACTED]	
STREET ADDRESS [REDACTED]		BUSINESS TELEPHONE NUMBER [REDACTED]	
CITY/TOWN Earlton NY	COUNTY Greene	STATE NY	ZIP [REDACTED]
COMPLAINT			
NAME OF SELLER OR PROVIDER OF SERVICES Capital Cities Imported Cars		NAME OF OTHER SELLER OR PROVIDER OF SERVICES Volkswagen of America	
STREET ADDRESS 617 Route 9W South		STREET ADDRESS 2200 Ferdinand Porsche Drive	
CITY/TOWN Glenmont	STATE NY	CITY/TOWN Herndon	STATE VA
ZIP 12077		ZIP 20171	
TELEPHONE NUMBER 463-3141		TELEPHONE NUMBER 1800 822 8987 / 800 771 7755	
DATE OF TRANSACTION 7/18/2006	COST OF PRODUCT OR SERVICE \$ 10,600.00	HOW PAID (Check those which apply) ☐ Cash ☒ Check ☐ Credit Card ☒ Other Automated Telephone Service	
DID YOU SIGN A CONTRACT? ☒ Yes ☐ No	WHERE DID YOU SIGN THE CONTRACT? Capital Cities	DATE SIGNED 7/18/2006	
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) Vehicle undergone engine problems - mostly from 2007 to Present			
DATE YOU COMPLAINED TO THE COMPANY OR INDIVIDUAL Company ☐ By Mail ☒ By Telephone ☐ In Person		PERSON CONTACTED Dan Stien	JOB TITLE SALES PERSON
NATURE OF RESPONSE I could trade the car in on another one and roll my loan over. But I can't afford too!! Don't want		DATE OF RESPONSE January 09	
HAS MATTER BEEN SUBMITTED TO ANOTHER AGENCY OR ATTORNEY? (If "Yes," give name and address) ☐ Yes ☒ No Volkswagen			
IS COURT ACTION PENDING? (Please describe as necessary) ☐ Yes ☒ No			
ADDITIONAL INFORMATION VIN# WYWP063882P			
MANUFACTURER OF PRODUCT Volkswagen		PRODUCT MODEL OR SERIAL NUMBER 2002 Vol Paset 61X	
ADDRESS 2200 Ferdinand Porsche Drive, Herndon VA 20171		WARRANTY EXPIRATION DATE July 2008	
DID BUSINESS ARRANGE FINANCING? (If "Yes," give name and address of bank or finance company) ☒ Yes ☐ No V.W. Credit 1800 428 4034 90 day w/ 2 year extended			

PLEASE DESCRIBE COMPLAINT ON REVERSE SIDE

Jaslyn

BRIEFLY DESCRIBE YOUR COMPLAINT CAR cannot be driven. I have not used it in a year and a half. I have paid my car payments on time and my car insurance. I tried to put it back on the road but to no avail it breaks down. I am very upset. I am a consumer who trusted V.W. they promise that they stand by their cars. Google "My V.W. Lemon" or "I hate Passat's", see what you get. There is something V.W. is hiding, and it's not fair that us small people have to pay for their mistakes on the building of the Passat engine. It misfires, it has oil sludge, it's catalytic converters burn up, spark plugs & coil packs are constantly being replaced. Parts are too expensive, V.W. wants a person to come to them, but the labor is \$90 an hour. I owe 3500.00 + 2200.00 in financing for a car that sucks and can't get me to work.

WHAT FORM OF RELIEF ARE YOU SEEKING? (e.g., exchange, repair of money back, etc.) my money back.
So I can buy another car, somewhere else.

WHO REFERRED YOU TO THIS OFFICE? I Referred my self, found Phone # in Phone book - Verizon -

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:

July 30, 2009

HAVE YOU ENCLOSED COPIES OF IMPORTANT PAPERS?

Return to:

Office of the Attorney General
Bureau of Consumer Frauds and Protection
The Capitol
Albany, NY 12224-0341

Cont From Complaint form.

I am asking V.W to help me please. I need to borrow cars every day to get to work. I start nursing school in fall, and need a car. I depended on this 2002 Passat to get me there!! I bought it for work and to potentially get me to school. \$10,000. in 06, now no car 3 yrs later; It did not even last me the loan of the car. V.W of America said they cannot help me because it's over 100,000 miles. But, if I knew this in the beginning, than i would not have bought it.

No one can help, not even the dealer. Trade it in - No.

I CANT even give it away.

First, breaks, then coil packs & spark plugs - then Cadillac Conver burns up, luckily I made it home to turn the engine off!! I could have burned up in the car if I was further from my driveway. I did not even know this was burning as i was driving. It.

I do not think it's just my passat. Thousands across the country.

I recieved a mailing, but to late to respond of course. FROM USDC OF UTAH, Notice of Pendancy Class Action for 2000 - 2003 VW PASSATS

w/ turbo 1.5 engine, many diff. things wrong with

car. I even told this to the dealer in January of 09, He said he knew nothing about it.

A copy is enclosed. —

I only make under 30,000. a year. I was laid off, and found a reception job 9 months later. I cont. to pay my car payments. I cannot afford to continue to make payments on a car that does not work, and keeps breaking down.

I really need some help w/ this problem Passat. If it were a great V.W. And truly did make

"Life A littler easien" or they stood by thier mission + policies than I would be driving a dependable Volkswagen!

I have Always heard that V.W. was the way to go, My dad owend V.W bugs years and years ago. They were fun to ride in, on our vacations to beaches and stuff. But now what!! It's so upsetting that they cannot stand behind, this Passat!!

Please google 2000-2003 PASSATS

So MANY unhappy V.W. owners, People working trying to make A living. Just throwing money out the window. NO ONE no matter how much money a person MAKES a year, wants or would stand for this. They are an un forgiving

Company. If this is how they want to be than Someday, something will happen to them and know how us consumers feel!

II. THE SETTLEMENT

VWoA and counsel for the Settlement Class have agreed to a proposed settlement which, if approved by the Court, will result in the dismissal of this action based upon VWoA's VWGoA will fully implement the safety recall program, which is currently designated "26E5/R5" involving the installation of an additional underbody heat shield on vehicles with automatic transmission flashing the 1.8T engines with a precautionary software update and inspecting and adjusting the fuel line routing on 1.8T vehicles and the fuel tank ventilation valve on four wheel drive vehicles (4motion), and replacing these components if necessary. VWoA will also provide a limited warranty against defects in material or workmanship on all parts and labor required to effectuate the 26E5/R5 Program for a period of 12 months or 12,000 miles from installation, whichever comes first, regardless of the age or mileage of the Settlement Class Vehicle at the time of repair or retrofit. Such warranty will be in addition to and apart from any other warranty applicable to the Settlement Class Vehicle. In addition, VWGoA will reimburse all documented out-of-pocket expenses for the costs of any repair or replacement included in the 26E5/R5 Program incurred by any Settlement Class Member prior to May 30, 2008. VWoA's notification letter for the 26E5/R5 Program has previously been mailed to addressees of this Notice. Please consult it for full details of the program. If you have not received a copy of VWoA's notification letter, please contact VWoA Customer Care, at 1-800-893-5298, toll free, or at the address provided in your Warranty and Maintenance Manual.

III. ATTORNEY FEES – CLASS COUNSEL

In the event that the Court approves the proposed settlement of the case, VWoA will pay attorneys' fees, plus costs and expenses, in the amount awarded by the Court to Class Counsel. VWoA has agreed to pay such fees up to a total amount of \$145,000, plus costs and expenses. Any fee payment will be made solely by VWoA and will not reduce, directly or indirectly, any of the Settlement's benefits to Class members.

The Counsel for the Settlement Class are:

Eric A. Christensen, Esq.
Parsons, Behle & Latimer
One Utah Center
201 So. Main Street, Suite 1800
Salt Lake City, Utah 84145

Roy A. Katriel, Esq.
The Katriel Law Firm
1101 30th St., N.W.
Washington, D.C. 20007

You may address any inquiries concerning this Notice to any of them in writing.

IV. RIGHTS AND OPTIONS OF CLASS MEMBERS

If you are a Settlement Class member, you have the following options:

- You may do nothing and remain a Settlement Class member. If you choose to take no action, your interests as a member of the Settlement Class will be represented by the class representative and his counsel. You will not be charged for their services. You will be bound by any judgment or other final disposition of this litigation and may participate as a member of the Settlement Class in any settlement.
- You may remain a Settlement Class member and represent yourself or hire your own attorney to represent you at your own cost. You or your attorney must file a Notice of Appearance with the:

Clerk
United States District Court
350 South Main Street, Room 150
Salt Lake City, Utah 84101-2180

and send a copy to Counsel for the Settlement Class and VWoA identified in this Notice. Such Notice of Appearance must be filed by November 26, 2008