

10313147-5309

[REDACTED]
Ridgefield Park, N.J. [REDACTED]

Nissan North America Inc.
Consumer Affairs
PO Box 685003
Franklin, TN 37068-5003

Dear Sir/Madam:

August 23, 2008

Please consider this letter to be a formal appeal of the decision to deny claim # [REDACTED] submitted in response to the 2008 Safety Recall for a faulty Electronic Control Module (engine computer) that could cause the engine to stall.

Upon receipt of the recall notice a call was placed to the Nissan toll free number explaining my Nissan Sentra was about to be traded in because of the stalling problem. I brought the car to a Nissan dealership in October of 2007 because it would stall while driving (it happened to me on the highway, but luckily no accident occurred). I was told the problem was due to engine computer and it would have to be replaced. I was also told to get some other maintenance work done (tune-up) to assure the car rode smoothly, which I did. Unfortunately, within a few weeks, the car began to stall again and I decided that for my own safety, it was time for a new car.

The day before I was to pick up my new car, the recall notice arrived in the mail. My father called the 800 number, spoke to Natasha Jeffrey and was told it was not a problem. If we could provide the bill for the new engine computer, proof of ownership, and proof of transfer, we would be reimbursed. The documentation was faxed to Natasha on 2/12/2008 and again on 2/15/2008 (when informed the first fax could not be found).

Numerous phone calls and faxes later (please review the call logs / tapes for details) my father received a phone call denying any reimbursement because only reprogramming was covered by the recall, not replacement. He was also told that in spite of the fact we supplied Nissan with numerous written documents, no written denial explaining the reason would be sent. My father was told an appeal could be sent to the address above.

Please consider this my formal appeal. I've enclosed copies of the documentation previously provided. I would also like someone to answer the question - if reprogramming was all that was necessary, why was I told I needed and charged for a full replacement of the computer in October 2007 by your Nissan Dealership?

I am hoping someone at Nissan will review this appeal and act in a customer focused manner.

Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]

cc: Mr. Carlos Goshen, President and CEO of Nissan Motor Company
Administrator, National Highway Traffic Safety Administration

McNug
2/20/10
DT



GARDEN STATE NISSAN, LLC
T/A GARDEN STATE NISSAN
 400 RIVER STREET
 HACKENSACK, N.J. 07601
 (201) 489-6330 - Fax: (201) 489-3529
 www.gardenstatenissan.net

Date of Bill
 ↓

Bill Page 1

CUSTOMER NO. 51741	ADVISOR RAYMOND CARONIA	TAG NO. 663	1439	INVOICE DATE 10/26/07	INVOICE NO. NICS18068
[REDACTED]	LABOR RATE 85.00	LICENSE NO.	MILEAGE 105,845	COLOR BLACK/	STOCK NO.
RIDGEFIELD, NJ	YEAR / MAKE / MODEL 02/NISSAN/SENTRA/4 DOOR SEDAN			DELIVERY DATE 01/01/01	DELIVERY MILES
	VEHICLE I.D. NO. 3 N 1 A B 5 1 A 0 2 L			SELLING DEALER NO.	PRODUCTION DATE
	F.T.E. NO.	P.O. NO.		R.O. DATE 10/23/07	REPRINT# 1
	BUSINESS PHONE	COMMENTS			MO: 105845

[EXT. WTY. VERIF] STK# 5334A
 JOB# 1 CHARGES

LABOR
 J# 1 55NIZINSP FREE MULTIPOINT INSP HOURS: TECH(S):127 INTERNAL
 E
 PERFORM MULTI POINT INSPECTION AS PER NISSAN MOTORS-
 COURTESY GARDEN STATE NISSA-SEE ATTACHED FORM
 PERFORM INSPECTION

JOB# 1 TOTALS
 JOB# 1 JOURNAL PREFIX NICS JOB# 1 TOTAL 0.00

JOB# 2 CHARGES
 LABOR
 J# 2 07NIZZ02 ENGINE LIGHT ON HOURS: 2.00 TECH(S):127 170.00
 C/S CHECK ENGINE LIGHT IS ON AND VEHICLE STALLS WHILE DRIVIN
 REPLACED ECU COMPUTER ASSM

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	PRICE
	1	41060-ZG225	PAD KIT - DISC	75.88	75.88
	2	41003-03P25	GREASE - SHIM D	1.31	2.62
	2	26261-04W00	BULB	3.38	6.76
	1	PLUG	TIRE	4.85	4.85
	1	23710-8U543	ENGINE CONTROL	564.58	564.58
TOTAL - PARTS					654.69

MISC	CODE	DESCRIPTION	CONTROL NO	PRICE
	10L	10% DISCOUNT		-17.00
	10P	10% DISCOUNT		-65.47
TOTAL - MISC				-82.47

JOB# 2 TOTALS
 LABOR 170.00
 PARTS 654.69
 MISC -82.47

JOB# 3 CHARGES
 JOB# 2 JOURNAL PREFIX NICS JOB# 2 TOTAL 742.22

LABOR
 J# 3+02NIZZO90000 90.00M SERVICE HOURS: 4.00 TECH(S):127 340.00
 CHANGE OIL & FILTER, CHK & TOP UP FLUID LEVELS, CHK & REPL
 SPARK PLUGS, SET TIMING TO SPECS, ADD JB OIL & FUEL ADDITIVE
 TEST LIGHT, HEATING & A/C, CHANGE PCV VALE, CHK & ADJ IDLE
 SPEED, LUBE THROTTLE LINKAGE, CHASSIS AND SUSP. CLEAN & ADJ
 FRONT & REAR BRAKES, LUBE ALL DOOR LOCKS & HINGES, ROTATE
 TIRES & ADJ TIRE PRESSURES, ENGINE MAINTENEANCE, REPL FUEL
 FILTER, AIR FILTER, PEFORM ECU TEST, INSP DIST CAP, ROTOR &
 WIRES, PERFORM PCP FUEL INJECTOR SERVICE.
 90,000 MILE SERVICE COMPLETE

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	PRICE
	6	999MP-AA100P	AUTO TRANSMISSI	8.31	49.86

Stalling
 Problem
 +
 Replace
 Computer
 ← Solution

Part # 564.58
 Labor 170.00
 10% Dis 734.58
 73.46
 # 661.12
 Total Cost

Reynolds and Reynolds, EPAINTS14E CC657515 Q (08/06)



Bill - Page 2

GARDEN STATE NISSAN, LLC
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 400 RIVER STREET
 HACKENSACK, N.J. 07601
 (201) 489-6330 - Fax: (201) 489-3529
 www.gardenstatenissan.net

Monday - Friday
 7:30 am - 6:00 pm
 Saturday
 8:00 am - 4:00 pm

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	BUSINESS PHONE	COMMENTS	MO: 105845		

PARTS	QTY	FP NUMBER	DESCRIPTION	UNIT PRICE	
	1	999MP-A3042P	BRAKE CLEANER 2	4.56	4.56
	1	PK9E	9E 5QRTS	15.95	15.95
	5	5W30OIL		****	****
	1	11026-01M02	WASHER-DRAIN	****	****
	1	15208-9E000	FILTER OIL	****	****
	1	ANTIF	ANTIFREEZE	12.20	12.20
	1	16546-0Z000	ELEMENT ASSY-AI	14.98	14.98
	1	JB4	ENG/TUNE/UP	9.00	9.00
	1	JB15	F/INJ/CLEANER	19.00	19.00
	1	JB55	TRANS/COND	11.50	11.50
	1	28890-9E000	BLADE ASSY-WIND	14.24	14.24
	1	28890-3Z610	BLADE ASSY-WIND	14.26	14.26
	4	22401-5M015	PLUG-SPARK	13.20	52.80
				TOTAL - PARTS	218.35

JOB# 3 TOTALS -----
 LABOR 340.00
 PARTS 218.35
 JOB# 3 JOURNAL PREFIX NICS JOB# 3 TOTAL 558.35

JOB# 4 CHARGES -----
 LABOR-----
 J# 4+02NIZBFF *FLUSH BRAKE SYSTEM HOURS: 2.00 TECH(S):127 170.00
 FRT BRAKE RESURFACED FRT ROTORS
 FRT BRAKES RESURFACED FRONT ROTORS

MISC-----CODE-----DESCRIPTION-----CONTROL NO-----
 SS SHOP SUPPLIES
 TOTAL - MISC 3.00

JOB# 4 TOTALS -----
 LABOR 170.00
 MISC 3.00
 JOB# 4 JOURNAL PREFIX NICS JOB# 4 TOTAL 173.00

JOB# 5 CHARGES -----
 LABOR-----
 J# 5+18NIZ BODY ELECTRICAL HOURS: 0.20 TECH(S):127 17.00
 REPLACED PLATE LIGHTS
 REPLACED

JOB# 5 TOTALS -----
 LABOR 17.00
 JOB# 5 JOURNAL PREFIX NICS JOB# 5 TOTAL 17.00

JOB# 6 CHARGES -----
 LABOR-----
 J# 6+09NIZ ALIGN/TIRES/WHEELS HOURS: 0.20 TECH(S):127 INTERNAL
 PLUGGED R/R TIRE

Thank You For Your Business

Reynolds and Reynolds EPRINTS14E CC657515 O (09/06)



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*Bill -
 Page 3
 + Paid
 Receipt*

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JOB# 6 TOTALS-----
 JOB# 6 JOURNAL PREFIX NICS JOB# 6 TOTAL 0.00

JOB# 7 CHARGES-----
 LABOR-----
 J# 7+55NIZGTIR INSPECT TIRES HOURS: TECH(S):127 INTERNAL
 PERFORM TIRE INSPECTION AS PER NISSAN-COURTESY GARDEN STATE
 PERFORM TIRE INSPECTION AS PER NISSAN MOTORS
 TIRES HAVE 6/32" THREAD DEPTH-OK

JOB# 7 TOTALS-----
 JOB# 7 JOURNAL PREFIX NICS JOB# 7 TOTAL 0.00

COMMENTS-----
 DELETED OPERATION(S)-----
 18NIZZ18 RADIO.AUDIO SYSTEM

TOTALS-----

TOTAL LABOR....	697.00
TOTAL PARTS....	873.04
TOTAL SUBLET...	0.00
TOTAL G.O.G....	0.00
TOTAL MISC CHG.	3.00
TOTAL MISC DISC	-82.47
TOTAL TAX.....	104.34
TOTAL INVOICE \$	1594.91

 * [] VISA [] MSTRCD *
 * [] AMEX [] DISCVR *
 * [] CASH [] CHECK *
 * [] D/C *

THANK YOU FOR SERVICING WITH US.
 DARRIC MITCHELL, GENERAL MANAGER

CUSTOMER SIGNATURE



*Payment
 Receipt*

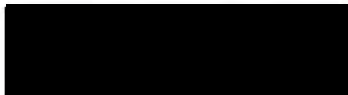


Bank

Lien Release Page 1

PAID LOAN NOTICE

DATE: March 13, 2007



RIDGEFIELD PARK NJ



Loan Services Toll free 1-877-SF4-BANK (734-2265)

ACCOUNT NOTE 00001

We acknowledge payment in full of your original note dated March 12, 2004. Any funds received in excess of the payoff amount will be sent to you within two (2) weeks. Please retain this notice for your records. Should another financing need arise, we would appreciate the opportunity to be of service to you again. Thank you for choosing us as your financial institution.

LIEN/SECURITY INTEREST RELEASE INFORMATION

- Real Estate Mortgage/Deed of Trust Release. Your real estate release or satisfaction has been: Sent directly to the county recording office for recording. Sent to:

Vehicle/Boat Release

- Item enclosed: Lien release (forward with Certificate of Title in your possession) Certificate of Title Original title will be forwarded if received from the titling/registration office. A lien release is enclosed for your convenience. Release sent to the appropriate titling/registration office for processing. The office will send you a paper title when State Farm Bank's lien has been removed. Release and/or original title sent to: Per our letter dated we never received your original Certificate of Title, so we are unable to send it with this notice. A lien release is enclosed for your convenience. Please contact your local titling/registration office to determine what steps, if any, you must take to obtain a new title.

PLEASE NOTE: In the following states the vehicle owner, not the bank, retains possession of the original title while the lien/security interest is in place: Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, New York, Oklahoma, Wisconsin. Section 342.22 of the Wisconsin Vehicle Code requires that you promptly mail or deliver both your Certificate of Title and the enclosed Release of Lien to the Department of Motor Vehicles, Bureau of Vehicle Registration. This will release our interest in your vehicle, and a new Certificate of Title will be issued to you.

Other:

Insurance Notice: Please notify your insurance agent to remove the lienholder clause on this vehicle/boat/home.



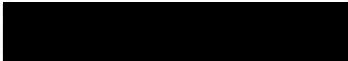
Bank

*Lien Release
Page 2*



LIEN RELEASE

Date: March 27, 2007



Customer Name(s)

2002
Year

NISSAN
Make

3N1AB51A02L
Serial Number



We have no encumbrance against this vehicle.

PAUL CORNELL
Paid Loan Processor

ACKNOWLEDGMENT

State of WISCONSIN
County of DANE

I, SHANE HARRING, a Notary Public for the State of WISCONSIN, do hereby certify that PAUL CORNELL, AUTHORIZED AGENT of STATE FARM BANK, FSB, an Illinois corporation, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 27TH day of MARCH, 2007.

SHANE HARRING
Notary Public, Dane County, Wisconsin
My Commission expires 03/22/09.





NISSAN NORTH AMERICA, INC.

National Headquarters
Consumer Affairs Department
P.O. Box 685003
Franklin, Tennessee 37068-5003

*Recall
Notice
Received in
January
2008*

[Redacted]
Ridgefield Pk, NJ [Redacted]

OWNER NOTIFICATION

Dear Nissan owner:

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act. Nissan has decided that a defect which relates to motor vehicle safety exists in some 2002 and 2005-2006 model year Nissan Altima and Sentra vehicles equipped with the 2.5 liter engine. Our records indicate that you own the Nissan vehicle identified by the Vehicle Identification Number on the cover of this notice.

Reason for Recall

On some 2002 and 2005-2006 model year Nissan Altima and Sentra vehicles equipped with the 2.5 liter engine, there is a possibility that the engine might stop running while being driven due to the program in the Electronic Control Module (engine computer). If the engine stops running while driving, this could result in a crash without warning.

What Nissan Will Do

In order to prevent this incident from occurring, your Nissan dealer will reprogram the Electronic Control Module. This free service should take about one hour to complete, but your Nissan dealer may require your vehicle for a longer period of time based upon their work schedule, or parts availability.

What You Should Do

Contact your Nissan dealer at your earliest convenience in order to arrange an appointment to have your vehicle repaired. Please bring this notice with you when you keep your service appointment. Instructions have been sent to your Nissan dealer. If the dealer fails, or is unable to make the necessary repairs free of charge, you may contact the National Consumer Affairs Department, Nissan North America, Inc., P.O. Box 685003, Franklin, TN 37068-5003. The toll free number is 1-800-NISSAN1 (1-800-647-7261). You may also contact the Administrator, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590; or call the toll-free Vehicle Safety Hotline at 1-888-327-4236 (TTY: 1-800-424-9153); or go to <http://www.safercar.gov>.

Federal law requires that any vehicle lessor receiving this recall notice must forward a copy of this notice to the lessee within ten days.

Thank you for your cooperation. We are indeed sorry for any inconvenience this may cause you.

[Redacted signature line]

Proof of Trade-In

ODOMETER DISCLOSURE STATEMENT

Federal law and State law require that you state the mileage upon transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

I, [REDACTED] state
(TRANSFEROR'S NAME—PRINT)

that the odometer now reads 113141 (no tenths) miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described below, unless one of the following statements is checked.

(1) I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.

(2) I hereby certify that the odometer reading is **NOT** the actual mileage.

WARNING—ODOMETER DISCREPANCY.

Year 02	Make NISSAN	Body Type SD	Model SENTRA
Vehicle Identification Number 3N1AB51A02L [REDACTED]			

X

TRANSFEROR'S NAME (SELLER) [REDACTED] TRANSFEROR'S SIGNATURE [REDACTED]

PRINTED NAME [REDACTED]

TRANSFEROR'S ADDRESS STREET WEST ORANGE NJ [REDACTED]

CITY STATE ZIP CODE

DATE OF STATEMENT 02/01/08

X

TRANSFeree'S NAME (BUYER) CALDWELL TOYOTA TRANSFeree'S SIGNATURE [REDACTED]

PRINTED NAME 1155 BLOOMFIELD AVE

TRANSFeree'S ADDRESS STREET WEST CALDWELL, NJ 07006

CITY STATE ZIP CODE