

CL-10313186-2B46

April 11, 2009

To Whom It May Concern

Automobile involved - Mercedes Benz model R107 VIN #WDB10704212 [REDACTED] (see photo enclosed)

I am providing the attached documentation describing a major defect found in many Mercedes-Benz automobiles (see attachment A). This defect has been recognized by both Mercedes-Benz and NHTSA (see attachment B). See attachment E from MB dealer identifying the condition on my car and recommendation plus see picture of crack included. I have retained the defective sub-frame as proof of the defective condition.

I have had the defect repaired at a cost of \$1,400.26 by the MB recommended shop in South Tacoma, Washington. (see Attachment C)

I corresponded with Dr. Zetsche, Chairmen of the Board and Prof. Dr. Heinrich Flegel, Director Research Materials & Manufacturing (letters enclosed) requesting they reimburse me for the repairs my car required. As you can note, the seriousness of this defect could result in a "sudden catastrophic failure" (see attachment D) for a copy of the S/L Recall campaign notice #191185120001, however Mercedes-Benz USA has taken a very narrow view of the condition saying my 280SL does not qualify because it is gray market, that is, was not imported to a MB dealer but purchased in Germany. This position does not address the defect. All R107's contain this same defective sub-frame component; therefore they all are subject to catastrophic failure.

In my opinion, the attitude of MBUSA to ignore this most serious defect in all but a few cars and not step up to the responsibility of handling this condition and reimbursing the owners is unacceptable. They hide behind the fact that when the Recall was issued in 1985, no one outside of Mercedes-Benz was aware of the seriousness of magnitude this defect encompassed. By limiting the models in the Recall to 350/450SL's delivered in the USA, they avoided their responsibility on all other defective sub-frames. As stated, all R107's are affected, therefore should have been covered regardless of where they were sold or delivered. MBUSA will try to side steep the issue based on the fact Recall did not include the other models i.e. 280's 300's, 380's and 420's. This is irresponsible!

Many of these cars are gone from the road today, however those remaining are being driven on our highways and streets in the United States, many of which the owners are unaware of the potential hazard. Our group, www.Benzworld.org has published many articles warning the current owners of the dangers, but this should not relieve MBUSA of their responsibility.

Therefore, I am requesting you contact Mercedes-Benz USA and insist they reimburse owners, such as my self, for taking the responsibility of having our cars made safe for the USA roads. The contact is MBUSA General Manager, Mr. Ralph Fisher, telephone # 1-800-367-6372.

We need you immediate intervention into this most serious matter.

[REDACTED]
[REDACTED]
Edgewood, Washington [REDACTED]

Cc: Dave Reichert - United States Congressional Representative

C. Thompson
2/20/10
DT

Safety Defect and Noncompliance Report Guide for Vehicles
PART 573 Defect and Noncompliance Responsibility and Reports¹

On Nov. 1, ¹⁹⁸⁵~~2007~~, 191185120001 ^{see attachment A} [MFR] decided that (a defect which relates to motor vehicle safety)(a noncompliance with Federal Motor Vehicle Safety Standard No. ?) exists in the motor vehicles listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 Defect and Noncompliance Responsibility and Reports.

Date this report was prepared: APRIL 13, 2009

Furnish the manufacturer's identification code for this recall (if applicable): ?

1. Identify the full corporate name of the fabricating manufacturer of the vehicle being recalled. If the recalled vehicle is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

MERCEDES BENZ USA LLC, THREE MERCEDES DRIVE
MONTVALE, NJ 07645-0350

Identify the corporate official, by name and title, whom the agency should contact with respect to this recall.

MR. RALPH FISHER, GENERAL MANAGER
MERCEDES BENZ USA, LLC

Telephone Number: 1-800-367-6372 Fax No.: 201-476-6213

Name and Title of Person who prepared this report.

OWNER OF 280SL
MERCEDES BENZ
#WDB10704212

Signed:

¹ Each manufacturer must furnish a report, to the Associate Administrator for Enforcement, for each defect or noncompliance condition which relates to motor vehicle safety.

This guide was developed from 49 CFR Part 573, "Defect and Noncompliance Responsibility and Reports" and also outlines information currently requested. Any questions, please consult the complete Part 573 or contact Mr. George Person at (202) 366-5210, by FAX at (202) 366-7882, or by E-Mail to RMD.ODI@dot.gov.

I. Identify the Vehicle Models Involved in the Recall

2. Identify the Vehicles Involved in the Recall, for each make and model or applicable vehicle line (provide illustrations or photographs as necessary to describe the vehicle), provide:

Make(s): MERCEDES Model Years Involved: 1977 Model(s): R107

Production Dates: Beginning: 1981 Ending: 1989

VIN Range: Beginning: 107 ? Ending: 107 ?

Vehicle Type: CONV. Bodystyle: 2 DOOR

Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:

NO DIFFERENCE - ALL 107'S ARE THE SAME

Make(s): _____ Model Years Involved: _____ Model(s): _____

Production Dates: Beginning: _____ Ending: _____

VIN Range: Beginning: _____ Ending: _____

Vehicle Type: _____ Bodystyle: _____

Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:

Make(s): _____ Model Years Involved: _____ Model(s): _____

Production Dates: Beginning: _____ Ending: _____

VIN Range: Beginning: _____ Ending: _____

Vehicle Type: _____ Bodystyle: _____

Descriptive information which characterizes/distinguishes the recalled vehicles from those model vehicles not included in the recall:

Identify the approximate percentage of the production of all the recalled models manufactured by your company between the inclusive dates of manufacture provided above, that the recalled model population represents. For example, if the recall involved Vehicles equipped with certain items of equipment from January 1, 1996 through April 1, 1997, then what was the percentage of the recalled Vehicles of all Vehicles manufactured during that time period.

II. Identify the Recall Population

3. Furnish the total number of vehicles recalled potentially containing the defect or noncompliance.

[illegible]

Total Number Potentially Affected by the Recall:

4. Furnish the approximate percentage of the total number of vehicles estimated to actually contain the defect or noncompliance:

Identify and describe how the recall population was determined--in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled vehicles:

[illegible]

III. Describe the Defect or Noncompliance

5. Describe the defect or noncompliance. The description should address the nature and physical location of the defect or noncompliance. Illustrations should be provided as appropriate.

Describe the cause(s) of the defect or noncompliance condition.

Describe the consequence(s) of the defect or noncompliance condition.

Identify any warning which can (a) precede or (b) occur.

If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.

Identify the name and title of the chief executive officer or knowledgeable representative of the supplier:

IV. Provide the Chronology in Determining the Defect/Noncompliance

If the recall is for a defect, complete item 6, otherwise item 7.

6. With respect to a defect, furnish a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect. The summary should include, but not be limited to, the number of reports, accidents, injuries, fatalities, and warranty claims.

7. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.

V. Identify the Remedy

8. A description of the manufacturer's program for remedying the defect or noncompliance. This program shall include a plan for reimbursing an owner or purchaser who incurred costs to obtain a remedy for the problem addressed by the recall within a reasonable time in advance of the manufacturer's notification of owners, purchasers and dealers, in accordance with §573.13 of this part. A manufacturer's plan may incorporate by reference a general reimbursement plan it previously submitted to NHTSA, together with information specific to the individual recall. Information required by §573.13 that is not in a general reimbursement plan shall be submitted in the manufacturer's report to NHTSA under this section. If a manufacturer submits one or more general reimbursement plans, the manufacturer shall update each plan every two years, in accordance with §573.13. The manufacturer's remedy program and reimbursement plans will be available for inspection by the public at NHTSA headquarters.

9. Furnish a description of the manufacturer's remedy for the defect or noncompliance. Clearly describe the differences between the recall condition and the remedy.

Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

Identify and describe how and when the recall condition was corrected in production. If the production remedy was identical to the recall remedy in the field, so state. If the product was discontinued, so state.

VI. Identify the Recall Schedule

10. Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please, identify any foreseeable problems with implementing the recall.

VII. Furnish Recall Communications

11. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this recall from the time your company determines the defect or noncompliance condition on, not just the initial notification. *A DRAFT copy of the notification documents should be submitted to this office by Fax (202-366-7882) or by E-Mail to RMD.ODI@dot.gov for review prior to mailing.*

Note that these documents are to be submitted separately from those provided in accordance with Part 579.5 requirements.

Attachment

A, B & D

As you will note in this document, Mercedes Benz recognized the problem and was willing to repair the autos, but choose to provide a very narrow solution based on only the 350/450SL even through they knew the danger was in all SL's including the 280SL.



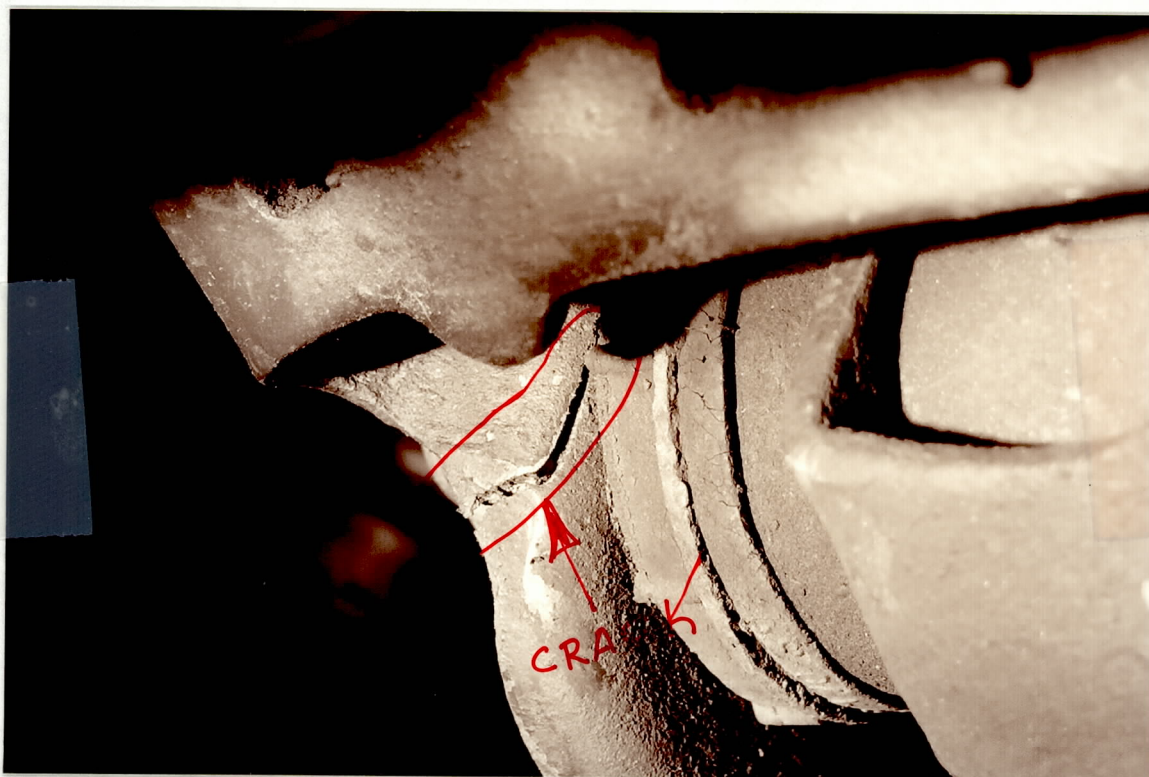
Recall

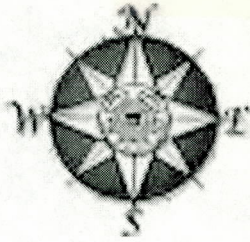
This is a picture of my R107 as taken March 24, 2009. As you see, this is a collector car in Excellent Condition.



The following picture of the sub-frame was taken prior to the removal of said defective unit.

Note: I have retained the defective part and will hold it until this matter is settled.





Mercedes Benz Model (107) R107 - W107
280/300/350/380/420/450/500/560 SL's & SLC's



ATTACHMENT A, B & D

Sub-frame Recall (S/L Recall campaign # 191185120001)
(SIL 33/001 Subframe Modification 11/1/85)

In this article sub frame, subframe and ("front axel carrier" term used by Mercedes in recall), are all the same part

It is VERY important to check the status of the attachments on your SL. Many cars haven't been recalled, and Mercedes interpreted the scope of the government-mandated recall in a narrow way: 350/450SL/SLC are covered, but 380SL/SLC and others using the same part subject to the same failure are NOT covered, therefore no one seems to be checking them. **Check yours! It could save your life.**

If the subframe fails you will drop the lower control arm onto the ground. **Simply put (out of control!)**

In a service bulletin from a local dealer. The bulletin covers 350/450 SL's and SLC's only. Those are 107.023/.043/.024/.044. The bulletin was issued in 11/85. It does appear that if you have a 280/300/380/420/500/560 you are not covered. Dealer should still be honoring this update for the 350/450 SL's and SLC's. *Newer 107's have a boxed style unit attachment that appears to be stronger.*

This was an important recall campaign as it fixes the problem of cracking steel sub-frames that can create a safety/hazard issue.

Note: You should understand that the sub-frame is subject to "sudden catastrophic failure" and **should not** be ignored.

All U.S. Model 107 450SL's up to 1980 are affected by this recall and it is still honored by Mercedes-Benz.

What is it: The sub-frame underneath the front end of the car can and may develop a crack that could cause the car to malfunction and cause injury.

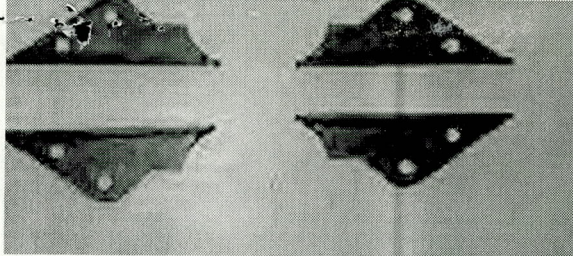
How is it repaired? If the sub-frame has developed a crack the entire sub-frame will be replaced by Mercedes. If it has not cracked yet then a support will be welded in place to prevent the crack from occurring. How to determine if your SL has had the repair done: Take your car to the nearest Mercedes Benz dealer and have them check the MBnet using your vehicles' VIN number. Ask about SIL 33/001 Sub-frame Modification dated 11/1/85.

How much does it cost? The entire repair is covered fully under the recall. The only item not covered is the rubber sub-frame mount kit at \$280

The repair kit is to reinforce the subframe of a SL or other 107 to prevent it from cracking from the stresses that rust, pot holes, curbs, and other things impose on it.

The SL's are subject to a failure of the front lower control arm rear attachment to the subframe. This will result in loss of steering control and likely, a crash. The 450SL was recalled but Mercedes has never recalled other SL's and SLC's, that have the same defective subframe design.

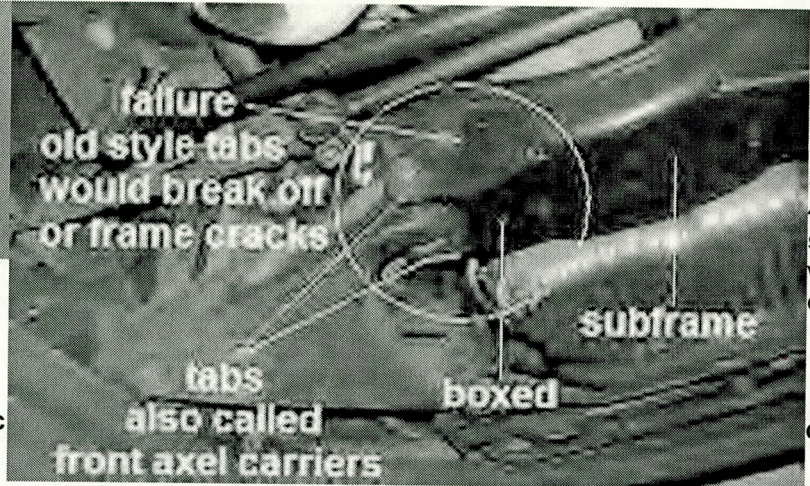
The subframe problem never went away, Mercedes just decided to ignore it when they put the lighter aluminum V8 in the car! I had to replace the subframe in my '82 380SL because one of the lower control arm mounting tabs broke off! I have the new subframe in my '79 450SL, and it is MUCH stronger than the one in the '82, which is now the original subframe style with the reinforcing tabs. All the reinforcing tabs do is add some metal to each side of the lower control arm tabs. **A new sub-frame from for Mercedes-Benz 1973-80 350/450 and 1981-85 380 and 1986-89 560 (SL's + SLC's) Part Number: 333-001 comes with the tabs boxed in, easily twice as strong as the original setup in the tab area.** (All bushings and other replacement parts are available there as well). I imagine that all 380SLs and 560SLs will eventually need new subframes, or at least the reinforcing tabs installed. I don't know how they got away with limiting the recall to only the cars with cast iron engines installed. MB will honor the recall, but it only applies to the



the cast iron engine. Not the 380SL 560SL. In my opinion, they should have recalled all the 107 SL's.

As the subframes in these classic continue to age, they will become more and more prone to the

stresses that pot holes, rust, curbs and other things impose on them. So, these kits provide very inexpensive insurance against the potentially costly and catastrophic failure the above person experienced and others could very well experience in the future.



350/
450'
s
with
or

cars

Kits include 4 gussets that Mercedes sells for \$98-\$106, and installation instructions explaining how to weld them into place.

MERCEDES SL 107 SUBFRAME REINFORCEMENT KIT >>>

...

If you can't weld, you can have a muffler shop, body shop or other shop that does welding install the gussets for you, typically in an hour or two.

Speaking as a long-time SL owner, I believe the benefits of doing so could greatly outweigh the costs, aggravation and even injury that could result if the subframe cracks or breaks.

This is the newer boxed unit. (The original lower control arm attachment points on the rear of the subframe **didn't have the boxed area** at all). They only had the tabs projecting down, and no side reinforcements at all, so if the car was curbed the tabs would break off. It would be pretty easy to box the front tabs also, and would probably be a good idea for your project. The whole front subframe began with the 114 cars, in fact my '82 has a 114 subframe under it right now. I had thought I remembered the boxing of the rear lower control arm tabs on the '79 going right under the arms, but after looking under my two cars just now, I can see that it is like the photos. Not as strong as I remembered, but a huge step up from the old setup, which as someone said, they continued with through the '85 model year.

The author of this page assumes no liability based on information contained herein - zip, zilch, nada.

Please note: we do not answer technical and mechanical questions, please visit our [Repair Pages](#) or list of [Mercedes forums](#) for answers.

If you have information and repair articles you would like featured on our site, please contact us through the link supplied here

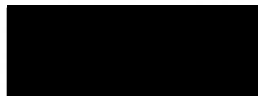
[email: contact us](#)



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Attachment **E**

This is the copy of the Mercedes Benz dealer in Tacoma, Washington, Mercedes-Benz of Tacoma, that discovered the problem and strongly recommended I have the car repaired ASAP. They spoke with MBVAS (Robert) at 201-476-6326 with regards to the problem and repair.



*Recommended
Repair*

The Robert Larson Automotive Group

MERCEDES-BENZ OF TACOMA
4001 20TH STREET E. FIFE, WA 98424
(253) 922-6820



Mercedes-Benz

ATTACHMENT E

CUSTOMER NO. 58449	ADVISOR SANDRA NOLAN	708	TAG NO. 1091	INVOICE DATE 11/25/08	INVOICE NO. MBCS188283
LABOR RATE	LICENSE NO.	MILEAGE 131,411		COLOR /	STOCK NO.
YEAR / MAKE / MODEL 77/MERCEDES-BENZ/280SL			DELIVERY DATE	DELIVERY MILES	
VEHICLE ID. NO. 10704212			SELLING DEALER NO.	PRODUCTION DATE	
F. T. E. NO.			P. O. NO.	R. O. DATE 11/25/08	REPRINT# 1
RESIDENCE PHONE			COMMENTS		
			MO: 131411		

JOB# 1 CHARGES

LABOR-----
J# 1 95MBZSA SEE ADVISOR TECH(S):602 INTERNAL
CUSTOMER HAS A GREY MARKET SL. HAS CRACKS IN SUBFRAME.
SPOKE WITH MBUSA, ROBERT, DIRECT LINE 201 476 6326
DIRECT FAX 201 476 6213
ROBERT SUGGESTED CUST SPEAK WITH RICK KUPFER & HAVE
CAR INSPECTED
VERIFIED CRACKS IN THE SUBFRAME.
HAD RICK LOOK AT THE CRACKS.
NOTE: THE CAR NEEDS TO BE FIXED ASAP, SHOULD NOT DRIVE MUCH
IF AT ALL...

JOB# 1 TOTALS

JOB# 1 JOURNAL PREFIX MBCS JOB# 1 TOTAL 0.00

TOTALS

TOTAL LABOR.... 0.00
TOTAL PARTS.... 0.00
TOTAL SUBLET... 0.00
TOTAL G.O.G.... 0.00
TOTAL MISC CHG. 0.00
TOTAL MISC DISC 0.00
TOTAL TAX..... 0.00

TOTAL INVOICE \$ 0.00

CLIENT SIGNATURE

Thank you for this opportunity to serve you. It is our aim to perform all repairs requested on this repair order to your complete satisfaction.

If our service was satisfactory tell your friends; if not, please tell us immediately. All claims for adjustment must be accompanied by this invoice. We enjoyed doing business with you!

DISCLAIMER OF WARRANTIES

Any warranties on the product sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products. Any limitation contained herein does not apply where prohibited by law.

The information contained on the estimate, worksheet and/or repair order is incorporated herein by reference.

TERMS

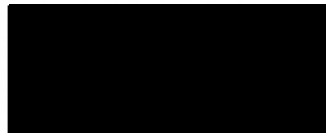
NO RETURNS ON ELECTRICAL OR SPECIAL ORDER ITEMS.
A 15% RESTOCKING CHARGE WILL BE APPLIED ON ALL MERCHANDISE RETURNED FOR CREDIT.
NO RETURNS AFTER 30 DAYS.

A CHARGE HAS BEEN ADDED WHERE APPROPRIATE FOR THE DISPOSAL OF HAZARDOUS WASTES SUCH AS ENGINE OIL, ANTIFREEZE, SOLVENTS, ATF, ETC.

*Thank
You*

Attachment *C*

The MB Service Manager recommended I have the car taken to Metro Auto Rebuild South and have them repair the sub-frame. They verified the cracks and indicated they could not repair my existing sub-frame but would replace it with a used Mercedes Benz up dated unit. Attached is the repair invoice.



Repair

Tacoma, WA 98409-
 (253) 474-0736 -
 Fax: (253) 474-1077

A # WAD 027 535 434

R #

Name: [REDACTED] Phone - Home: [REDACTED]
 Phone - Work: () -

Order Nbr: 28719 Estimate: Auto ADP 001303 Hat:
 Year: 1985 Make: MERCEDES-B Model: 280SL Style: Color:
 N: 1977 License: Odometer: 0
 Customer Pay: Yes Miles Out: 0

Serv Writer: Allison, Keith
 RO Create: 11/25/08
 Act Out: / / 0 days

Oper	Description	Labor Units	Labor Type	Paint	Tax	Misc	Type Qty	Each	Total
move&Replace	ARM,LOWER CONTROL R/F	1.1	Mechanical				LKQ 1	165.00	165.00
move&Replace	CRSMBR,FRONT SUSP	9.3	Mechanical				LKQ 1	300.00	300.00
move&Replace	BUSHING KIT		Included				AFM 1	128.00	128.00
move&Replace	RF LOWER CONTROL ARM BOLT		Included				OEM 1	31.65	31.65
	4-WAY SUSPENSION ALIGNMENT				Yes	\$79.95	SUB 1		

otals	Units	Rate	Units	Rate	Additional	
Parts						Parts \$624.65
Mechanical Units	10.4	\$56.00				Mech \$582.40
Sublet					\$79.95	Sublet \$79.95
Tax						Tax \$113.26
						Total \$1,400.26

Supplement	Totals
Original	\$1,400.26
1	\$-18.61

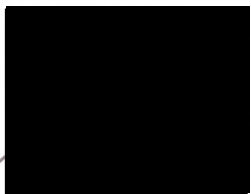
Customer Pays	Insurance Pays
Repair Work \$1,400.26	Repair Work \$0.00
Deductible \$0.00	
Total \$1,400.26	Total \$0.00

Note:

I have included a copy of one of the repair invoice provided to me by an other R107 (280SL (Euro) gray market car owner. Mercedes Benz MBUSA has authorized the repair of several of these cars in October 2008. You will note the VIN # WDB107042??????? is a 280SL (Euro) grey market car just like mine. I do not know why the dealer indicated on the work order it was a 500SL, they surly knew better. Will also note the mileage is approximately the same. Mine has 131,655 and his has 156,406 miles.

I have hidden the owners personal information at his request however I spoke with the Service Manager at the dealer listed and he verified the work was accomplished at no cost to the customer.

Question: Why is MBUSA discriminating against me and my car when they have openly recognized the problem on other cars such as the 280SL listed in the work order.



*other 280SL repair
by MBUSA*

CUSTOMER #: [REDACTED]

7 5 4 6 2



INVOICE

OF ALBUQUERQUE

8920 PAN AMERICAN FRWY. NE
ALBUQUERQUE, NM 87113

PAGE 1

FARMINGTON, NM

HOME

CONT:N/A

BUS:

CELL:

SERVICE ADVISOR: 5185 LELAND HAUN

COLOR	YEAR	MAKE/MODEL		VIN	LICENSE	MILEAGE IN/OUT	TAG
RED	81	MERCEDES BENZ	SL500	WDB107042120		156403/156406	T3968
DEL DATE	PROD DATE	WARR EXP	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
01JAN81 DD			17:30 03OCT08		0.00	CASH	13OCT08

11:50 03OCT08 11:16 13OCT08

LINE OPCODE TECH TYPE HOURS

LIST

NET

TOTAL

A REPLACE SUBFRAME PER MERCEDES BENZ AND ROBERT FLETCHER

CAUSE:

331050 FRONT SUSPENSION REMOVE/ INSTALL

445WM935 4.40

(N/C)

9041WM935 0.00

(N/C)

4.40

(N/C)

331860 FRONT SUBFRAME REPLACE (FRONT AXLE
REMOVED)

445WM935 3.00

(N/C)

406560 WHEEL ALIGNMENT - FRONT & REAR, CHECK AND
ADJUST (SEE ALSO 40- 6716/6717) - ADDL. WORK
WHEN REQ. - ADDL. WORK WHEN

9041WM935 1.40

(N/C)

330000 NON TIME TO REMOVE FROZEN BOLTS

445WM935 1.00

(N/C)

1 107-330-09-42 SUBFRAME, FRO

(N/C)

1 115-330-18-75 SUBFRAME MOUNT

(N/C)

2 107-241-25-13 ENGINE MOUNT

(N/C)

1 115-330-16-75 CONTROL ARM

(N/C)

1 107-330-13-07 CONTROL ARM

(N/C)

1 115-320-00-47 BUSHING KIT

(N/C)

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE A: 0.00

156406 REPLACE SUBFRAME PER MERCEDES BENZ AND ROBERT FLETCHER. REMOVE
FRONT SUSPENSION, FOUND BOLTS RUSTED AND FROZEN IN CONTROL ARMS. FOUND
SWAY BAR MOUNTS RUSTED AND FROZEN IN CONTROL ARMS, HEAT AND SOAK WITH
10.00 PENETRATING OIL, RIGHT BOLT WILL NOT COME OUT OF RIGHT LOWER
CONTROL ARM, REPLACE RIGHT CONTROL ARM. REPLACE SWAY BAR BUSHINGS,
REPLACE COLLAPSED MOTOR AND SUBFRAME MOUNTS. 33-1050 4.40 33-1860 3.0
33-0000 1.0 (33-1433 1.60 TECH 9041)

B ADVISE COST TO REPLACE MOUNTS

CAUSE:

RRR SEE LINE B

ON BEHALF OF SERVICING DEALER, I HEREBY CERTIFY THAT THE
INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE
SHOWN. SERVICES DESCRIBED WERE PERFORMED AT NO CHARGE TO
OWNER. THERE WAS NO INDICATION FROM THE APPEARANCE OF THE
VEHICLE OR OTHERWISE, THAT ANY PART REPAIRED OR REPLACED
UNDER THIS CLAIM HAD BEEN CONNECTED IN ANY WAY WITH ANY
ACCIDENT, NEGLIGENCE OR MISUSE. RECORDS SUPPORTING THIS
CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT
NOTIFICATION AT THE SERVICING DEALER FOR INSPECTION BY
MANUFACTURER'S REPRESENTATIVE.

STATEMENT OF DISCLAIMER

The factory warranty constitutes all
of the warranties with respect to
the sale of this item/items. The
Seller hereby expressly disclaims all
warranties, either express or
implied, including any implied
warranty of merchantability or
fitness for a particular purpose.
Seller neither assumes nor
authorizes any other person to
assume for it any liability in
connection with the sale of this
item/items.

DESCRIPTION

TOTALS

LABOR AMOUNT

PARTS AMOUNT

GAS, OIL, LUBE

SUBLET AMOUNT

MISC. CHARGES

TOTAL CHARGES

LESS INSURANCE

SALES TAX

PLEASE PAY
THIS AMOUNT

(SIGNED) DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (DATE)

CUSTOMER SIGNATURE

CUSTOMER COPY

CUSTOMER #: **2444**

7 5 4 6 2



Mercedes-Benz



INVOICE

OF ALBUQUERQUE

8920 PAN AMERICAN FRWY. NE
ALBUQUERQUE, NM 87113

FARMINGTON, NM

HOME: [REDACTED] CONT: N/A

BUS: [REDACTED] CELL: [REDACTED]

PAGE 2

SERVICE ADVISOR: 5185 LELAND HAUN

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
RED	81	MERCEDES BENZ SL500	WDB107042120		156403/156406	T3968	
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
01JAN81 DD			17:30 03OCT08		0.00	CASH	13OCT08
R.O. OPENED	READY	OPTIONS:					

11:50 03OCT08 11:16 13OCT08

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
		445	CEM	0.00		0.00	0.00
PARTS:	0.00	LABOR:	0.00	OTHER:	0.00	TOTAL LINE B:	0.00

156406 REPLACE MOTOR MOUNTS AND SUBFRAME MOUNTS OK PER ROBERT FLETECHER
0.00

C VEHICLE BEING TOWED IN
CAUSE: .

TOW VEHICLE BEING TOWED IN

445WM935 0.00

SUBL ACME TOWING 281037

PO#25809

WM935

FC:

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE C: 0.00

ON BEHALF OF SERVING DEALER, I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. SERVICES DESCRIBED WERE PERFORMED AT NO CHARGE TO OWNER. THERE WAS NO INDICATION FROM THE APPEARANCE OF THE VEHICLE OR OTHERWISE, THAT ANY PART REPAIRED OR REPLACED UNDER THIS CLAIM HAD BEEN CONNECTED IN ANY WAY WITH ANY ACCIDENT, NEGLIGENCE OR MISUSE. RECORDS SUPPORTING THIS CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT NOTIFICATION AT THE SERVING DEALER FOR INSPECTION BY MANUFACTURER'S REPRESENTATIVE.

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The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

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LABOR AMOUNT	0.00
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	0.00
LESS INSURANCE	0.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

(SIGNED) DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (DATE)

CUSTOMER SIGNATURE

CUSTOMER COPY

Note:

*These are copies of letters I sent to Mercedes-Benz
attempting to negotiate a fare settlement for the
identified condition as recognized by Mercedes Benz.*

They referred it to MBUSA.



*Letters to Mercedes
managers*

Original letter

TO: Dr. Zetsche
Mercedes-Benz – Chairman of the Board

January 20, 2009

FROM: [REDACTED]
Edgewood, Washington [REDACTED]
United States of America

SUBJECT: Sub-frame recall campaign #191185120001

Dear Sir:

I am a proud owner of a 1977 280SL Mercedes-Benz show car. When in my Mercedes-Benz dealer on November 25, 2008 it was brought to my attention that the front sub-frame had developed serious cracks (See attachment #1). It was suggested I have the sub-frame replaced immediately and not to drive the car do to the possibility of a serious accident or crash.

Mercedes-Benz of Tacoma recommended a repair shop, Metro Auto Rebuild South in Tacoma, Washington that could perform the repair. We transported our 280SL there and had the work completed (See invoice #2).

The cost of replacing the sub-frame was \$ 1,400.26 (US).

I have read S/L Recall campaign # 191185120001 and realize Mercedes-Benz does not normally include the 280SL, however this was a recognized defect in the Mercedes-Benz R107 chaise, there fore I feel very strongly that Mercedes-Benz Corporate should reimburse this amount to me. I have been an active Mercedes Club member for many years and have included documentation of other members who have had their 280SL (107042 chaise number) repaired by your corporation at your expense (See attachment 3).

Please review this claim plus the attachments. I do expect Mercedes-Benz of Germany to authorize the reimbursement to me for \$ 1,400.26 US, the replacement cost of a reconditioned sub-frame plus the labor to install. I have mitigated the cost by obtaining reconditioned Mercedes parts in lieu of all new parts.

I look forward to hearing from you and the receipt of the reimbursement of \$ 1,400.26 US.

Sincerely,

[REDACTED]
CC: Dave Reichert – Congressmen in the United States of America

TO: Prof. Dr. Heinrich Flegel
Director Research Materials & Manufacturing

March 4, 2009

FROM:

[REDACTED]
Edgewood, Washington [REDACTED]
United States of America

SUBJECT: Sub-frame replacement on R107 SL's

Dear Sir:

I am in receipt of a letter (copy attached) from Robert M. of Mercedes-Benz USA, LLC dated February 24, 2009 in which he states he will not re-consider his position of not providing the repair cost of the sub-frame failure on my MB 280SL. I included copies of dealer work orders with my original letter where Mercedes-Benz of Germany has paid for several other 280SL's sub-frame replacement on grey market cars; therefore I do not understand why Robert M. has chosen to discriminate against my 280SL and refuse payment.

The Mercedes-Benz dealer in Fife Washington strongly recommended I have it replaced immediately upon their inspection on 11/25/2008 (copy attached), and I did so.

I strongly feel the Model 107R front sub-frame contained a serious design flaw that could result in a major failure and a life threatening crash and Mercedes-Benz should accept the responsibility of that parts replacement, regardless where the car was purchased and/or delivered. This car was built at Mercedes-Benz in Germany just like all the rest of the SL models, no different. This would be the responsible thing to do!

Sir, I will not drop this issue with Mercedes-Benz because I feel strongly, as do other owners of SL's, that Mercedes-Benz should accept responsibility for this replacement and reimburse me the \$1,400.26 (US).

Look forward to hearing from you.

Thank you,

CC: Dave Reichert – Congressmen in the United States of America

Attachment

These are R107 Mercedes Benz owners in the United States who have had the same problem with the sub-frame failure and in some cases MBUSA has authorized the repaired of the automobile.

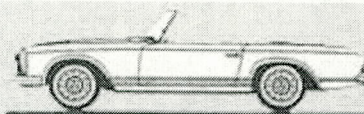
This sure indicates discrimination and selective response to a common defect and condition.



other 280SL owners.

OURSL

230SL 250SL 280SL
Restoration Services
 Weekend Driver to Full Concours

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Mercedes-Benz SL Discussion Group and SL Forum from OurSL.com | 1971-1989
 280SL/300SL/350SL/380SL/420SL/450SL/500SL/560SL/SLC | UPDATE TO
 SUBFRAME RECALL

[New Topic](#)[New Poll](#)[Edit](#)[Print Email](#) [Subscribe H](#) **UPDATE TO SUBFRAME RECALL****Author**

Anovak

Member

Post

UPDATE TO SUBFRAME RECALL

5:04 AM 11/7/2008 [Reply](#) [E](#)

Offline

129 posts [100%]
Farmington NM

Mercedes Benz USA, after considerable deliberation and consultation with Mercedes Benz in Fellbach, Germany, concluded to replace the subframe in my 1981 280SL in the context of the campaign to assure integrity and safety given incidence of failure of this component in other 107's. Although it took considerable time to get this done, I must compliment MB on their commitment to the customer. As you might know, the 280SL is considered a "gray market" car as there were questions regarding whether or not MBUSA would perform this work given such status. Those questions were happily answered, and I would suggest to others who own such vehicles to look into having them inspected for possible safety issues regarding the subframe. MB covered the entire expense of this service and MB of Albuquerque, NM did the work.

Nobby

Member

Re: UPDATE TO SUBFRAME RECALL (Anovak) »

4:53 AM 11/9/2008 [Reply](#) [E](#)

Offline

690 posts [100%]
Barrie Ontario

Thanks for the update, Andreas.

JDR280SL

Jerry Reichert

Re: UPDATE TO SUBFRAME RECALL (Anovak) »

9:42 PM 11/28/2008 [Reply](#) [E](#)

Offline

24 posts [100%]

I looked at my 1977 280SL (Euro) and found cracks in the driver side rear mounting. I contacted MBUSA (Robert), sent them everything and they said "NO". I took the car to my local MB dealer, they verified the cracks, contacted MBUSA and now I have 2 "NO'S". I'll just have the car repaired and contact MB in Germany, Dr. Dieter Zetsche, and if I receive another

Edgewood Washington



""NO"" take them to court. If anyone that has been seccessful in obtaining a ""YES"" would provide me with the dealer they used and the VIN number of the car they had repaired I think I could use that as an example and convince MBUSA to repair my car, otherwise I'll pay the \$1500 so the car is safe. My car's number is 107042 and that car is not in the recall group. Please help if you can! e-mail j.d-reichert633BMW@att.net ☺☺

foxbenz
H Fox



Offline

99 posts [100%]
Portland Oregon



Re: UPDATE TO SUBFRAME RECALL (JDR280SL) »

11:29 PM 11/28/2008Reply E

I just registered (2) 1978 450 SLC's with MBUSA. The numbers are 107024.....They informed me about an open recall for one car (Throttle Linkage Component), and two open recalls for the other; (Throttle Linkage Component and Inspection of Front Axle Carrier.) These recall numbers are 1984010001 (Linkage) & 1985120001 (Carrier).

As far as I know, the recall was for American market cars only. That is why you are getting "no" for an answer. I don't know how a Euro model got fixed. Must have been real lucky.

I have a 1981 380 SL that has had the subframe replaced. However the previous owner of this car paid for it because it was not on the recall list.

Please keep in mind that the recall only calls for an inspection. If there are no defects, they will weld in a couple of new components that support the suspension.

If there is more damage, They will replace the entire carrier (subframe). But only for the cars on the recall list.

They suggested The Dealer in Portland, Oregon. 503-273-8035. I called them and they conformed that they would do the work.

Nobby
Member



Offline

690 posts [100%]
Barrie Ontario



Re: UPDATE TO SUBFRAME RECALL (foxbenz) »

7:46 PM 11/29/2008Reply E

Please refer to the first post. Andy has a 280 as well and had the whole job, including towing to the shop covered by MB.

JDR280SL
Jerry Reichert

Offline

24 posts [100%]
Edgewood Washington



Re: UPDATE TO SUBFRAME RECALL (Nobby) »

5:51 PM 11/30/2008Reply E

FROM Jerry with 1977 280SL (Euro).

Is there anyone who has been successful in having the sub-frame repaired or replaced by MBUSA on a car that has the number 107042 in the VIN? The VIN number appears to be the secret to the recall. ☺☺☺

dlacrosse
Member



Offline

926 posts [100%]
Hansville WA



Re: UPDATE TO SUBFRAME RECALL (JDR280SL) »

6:01 PM 11/30/2008Reply E

The "042" indicates that this is a 280SL, as is the vehicle in the first post.

JDR280SL
Jerry Reichert

Re: UPDATE TO SUBFRAME RECALL (dlacrosse) »

8:31 PM 11/30/2008Reply E

Offline

24 posts [100%]
Edgewood Washington



I'm looking for additional information on any grey market, 280SL's, that have been repaired and paid for by MBUSA because if I am able to show MBUSA they have performed this repair before then they will authorize mine for repair, therefore I'm in need the date, where, dealer name, and the VIN of the car that was serviced. 😊😊

SouthBaySLC
Member

Re: UPDATE TO SUBFRAME RECALL (JDR280SL) »

10:39 AM 12/1/2008Reply E



Look at the first post in this thread (and then search the forum for additional posts regarding that member). You'll see how MB USA footed the bill to do the repair on a gray-market 280. I was extremely surprised they (MB USA) did given the precedence it sets but of course pleased for the guy who got his car fixed.

Offline

529 posts [100%]
San Jose CA



Anovak
Member

»

5:47 AM 12/2/2008Reply E



JD, check your email for a message with "MB Subframe" in the subject line.

Yes, MBUSA did indeed authorize the work under warranty and yes, I do have a "Euro grey market" version 107.

MB must again be complimented for their commitment to the customer but I wish I hadn't had to spend a few months writing and calling in order to get it done! 😊 There seems to be a bit of confusion between MBUSA and the head office in Germany at times about what will and won't be covered with the models that were not purchased through MBUSA.

In my case, I found this car in Germany and liked it 😊 so much I was hesitant to sell it...soooo, I paid the \$1,000 bucks to have it shipped, another \$900 to have it converted to DOT and EPA standards to make it perfectly legal (so, I don't get where the "grey" comes into play) and registered it in my home state, at the time Colorado. I wrote to MB in Fellbach and explained this entire scenario. They in turn contacted MBUSA and authorized the repairs.....so, there you have it!

Modified by Anovak at 9:39 AM 12/2/2008

Re: UPDATE TO SUBFRAME RECALL (JDR280SL) »

8:25 PM 12/5/2008Reply E

JDR280SL
Jerry Reichert

Offline

24 posts [100%]
Edgewood Washington



Well I took my 280SL to a frame shop recommended by Mercedes. They use this shop for all major repairs. The shop has obtained the sub-frame and will install the kit from MB. The manager indicated it would require about 9 hours of labor plus parts. I will keep you informed of the results and cost. I intend to pursue MB in Germany for the recovery of at least the cost of the parts. Time will tell how convincing I can be, but I'm very good at getting my way. 😊

SouthBaySLC
Member

Re: UPDATE TO SUBFRAME RECALL (JDR280SL) »

9:29 PM 12/5/2008Reply E



I think it will be much more difficult for you to recover anything you pay out of pocket and then try to get reimbursed than getting MB to foot the bill up front. Just my 2 cents.

Offline

529 posts [100%]

San Jose CA



Nobby
Member

Re: UPDATE TO SUBFRAME RECALL (SouthBaySLC) »

8:40 PM 12/6/2008Reply E



Quote, originally posted by SouthBaySLC »

I think it will be much more difficult for you to recover anything you pay out of pocket and then try to get reimbursed than getting MB to foot the bill up front. Just my 2 cents.

Agreed. I doubt you will see a cent if you go around the system. I think you will succeed with MB only if you play by their rules which, unfortunately, will require patience.

Offline

690 posts [100%]
Barrie Ontario



JDR280SL
Jerry Reichert

Re: UPDATE TO SUBFRAME RECALL (Nobby) »

8:30 PM 12/16/2008Reply E

Offline

24 posts [100%]
Edgewood Washington



Final up-date on the sub-frame replacement on my 1977 280SL. Received the car back today and it sure drives great. The frame shop that did the work, Metro Auto Rebuild South in Tacoma, Washington, did a great job. It required 2 weeks to obtain the parts from MB classics. They obtained the upgraded version of the sub-frame from a donor car and installed it along with the complete new bushing and bolt kit. They also replaced the right front control arm and provided 4-way suspension alignment. The total cost was \$1,400.26 including taxes. I feel they threaded me more than fairly on the entire project. I know it took more than the 10.4 hours to complete and they only charged me \$56.00 an hour labor. All parts were thoroughly cleaned, carefully inspected and then painted before installing. If you have any questions, I will attempt to answer them. Glad to have our car home again. 😊😊😊

BenzBoi_77_450SL
BenzBoi_77_450SL

Re: UPDATE TO SUBFRAME RECALL (JDR280SL) »

11:19 AM 1/10/2009Reply E

Offline

1 posts [100%]
Redwood City ca



Hello,
I have had a successful replacement of my sub-frame in 2001, from Mercedes San Francisco, but only after complete failure. Fortunately I was only backing out of a parking space at the time 😊

Forum Jump 1971-1989 280SL/300SL/350SL/380SL/420SL/450SL/500SL/560SL/SLC Quick Reply

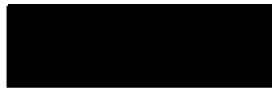
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Attachment

This is a printout from the Mercedes Benz parts manual showing the SAME part that is defective in a 350/450 resides in all R107 automobiles therefore the same RECALL should apply to ALL Mercedes Benz R107's.



*Same Part on all
R107's*



Parts for Mercedes-Benz cars

190SL (R121)

230-280SL (R113)

280-500SL/C (R/C107)

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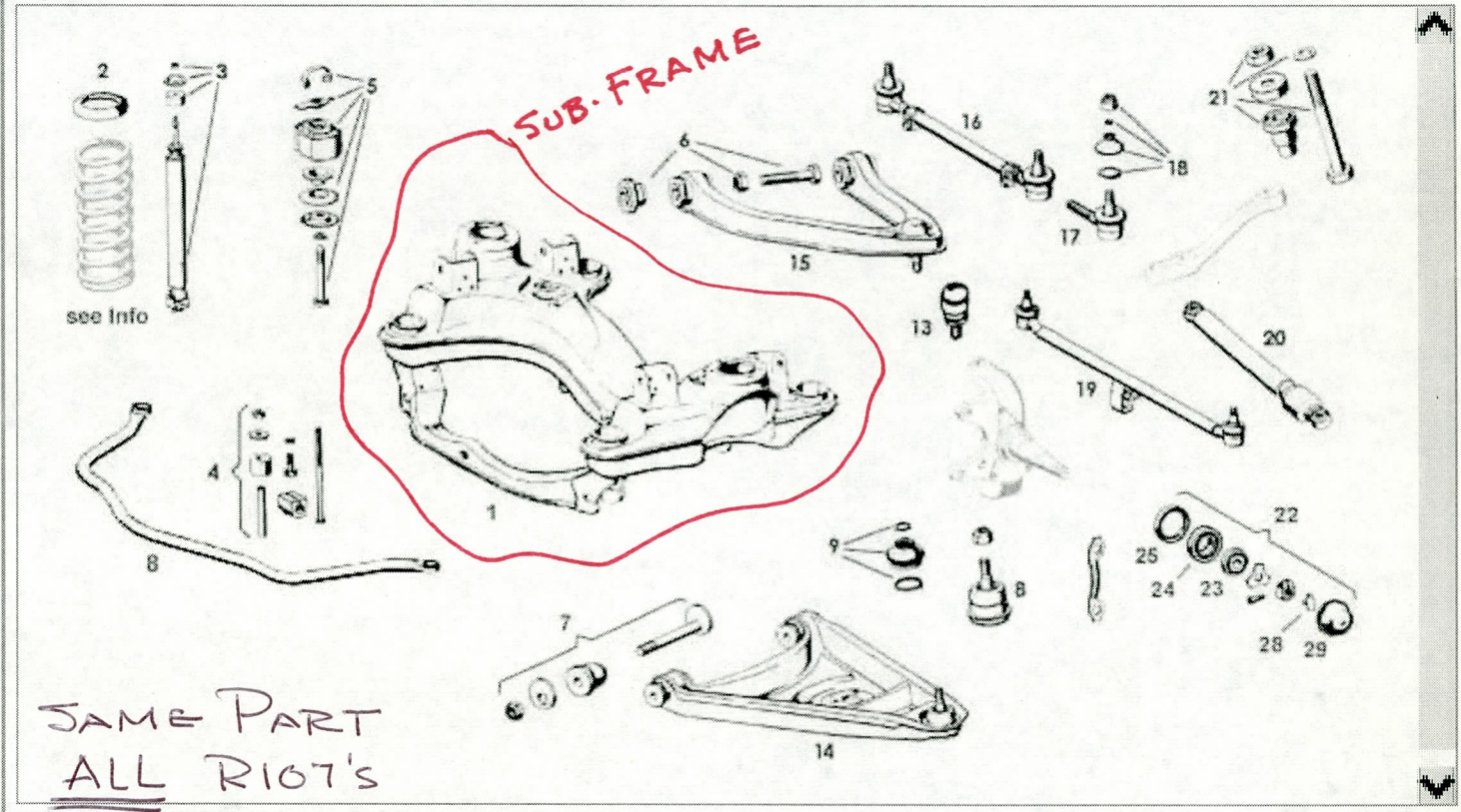
Mercedes-Benz 280-500SL/C (R/C107)

parts overview

Mercedes-Benz 280-500SL/C (R/C107)

- 00.a Infos + Catalogue Inscription
- 01.a, 03, 05 Motor M110
- 01.b, 03, 05 Motor M116/M117
- 01.c, 03, 05 Motor M103
- 01.c, 05 Cylinder heads 3.5 and 4.!
- 07.a D-Jet EFI components 280SL/
- 07.b D-Jet EFI components 350/45
- 15.a, 18, 20 Engine+Maintenance
- 15.b Generator + Starter

Main page » Catalogue » Mercedes-Benz 280-500SL/C (R/C107) » 33 Front suspension



Attachment

These are copies of the letters I received from MBUSA in response to the letters I sent to them and MB of Germany. As you can see, they are very polite but with little concern with the possible danger of the defect. I furnished Robert M of MBUSA and the individuals in Stuttgart, Germany with all the documentation contained in this package, but to no avail.



*Responses from
MBUSA.*



Mercedes-Benz

Mercedes-Benz USA, LLC
Customer Assistance Center

February 24, 2009

[REDACTED]
Edgewood, WA [REDACTED]

Subject: Model: 1981 280 SL
Serial No: 10704212002632

Dear Mr. [REDACTED]

Thank you for your additional contact with Mercedes-Benz.

At your initial request for reimbursement, you were contacted and advised that the above-listed 1981 280 SL is not a vehicle included in the recall campaign that you have listed.

Please be assured that the position previously communicated to you remains unchanged and that Mercedes-Benz will not be providing financial assistance towards the costs of repair.

Sincerely,

Robert M.
Case Manager

RM/mw



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Mercedes-Benz USA, LLC
Three Mercedes Drive
Montvale, NJ 07645-0350
Phone 1-800-FOR MERCEDES
(1-800-367-6372)
Fax (201) 476-6213
www.MBUSA.com



Mercedes-Benz

Mercedes-Benz USA, LLC
Customer Assistance Center

March 23, 2009

[REDACTED]
Edgewood, WA [REDACTED]

Subject: Model: 1981 280 SL
VIN: 10704212002632

Dear [REDACTED]

Thank you for your additional letter.

Please accept our apologies as the MBUSA position with regards to this matter remains unchanged.

The opportunity to respond is appreciated.

Sincerely,

Donald Zinda
Service and Parts Operations Manager

DZ/rm/jla

Mercedes-Benz USA, LLC
Three Mercedes Drive
Montvale, NJ 07645-0350
Phone 1-800-FOR MERCEDES
(1-800-367-6372)
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