



CL-10313255-8338

SEP 17 2010

ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

September 7, 2010

[REDACTED]
Florissant, MO [REDACTED]

RE: Complaint No. CF-2010-09209

General Motors

Dear [REDACTED]

Thank you for contacting The Missouri Attorney General's Consumer Complaint Unit. I reviewed your complaint carefully and determined that it does not generally fall within the scope of matters handled by the Complaint Unit.

I have forwarded your complaint to the National Highway Traffic Safety Administration, 400 7th Street, SW, Room 2318, Washington, DC 20590.

Should you require assistance in the future, please contact the Consumer Protection Hotline at 1-800-392-8222 or visit our web site at www.ago.mo.gov.

Sincerely,

CHRIS KOSTER
Attorney General

Kelly Maddox

Kelly Maddox
Complaint Investigator
Consumer Protection Division



KC
100410
TW

Senator Claire McCaskill
4141 Pennsylvania Avenue
Suite 101
Kansas City, MO. 64111

January 29, 2010

Dear Senator McCaskill:

In February 2008, I purchased a 2001 Chevrolet Silverado Pickup Truck. The vehicle had 99798 miles on it (attachment A). My truck is an LS 3500 heavy duty (one ton) with dual wheels. It has an 8.1liter engine (attachment B). It needed some work, but the price was right. I put on new brakes, shocks, belts, hoses, 2 new batteries (it has a dual battery system) and tires. I added a tonneau cover, running boards and tinted the windows. In short, I spent a lot of money on it. But I like my truck.

Sometime in the summer of 2008, while I was driving on a city street, the vehicle quit – just as if someone had turned off the ignition. Now, since all vehicles nowadays are power-assisted, when the engine quits, so do the power steering and power brakes. I wrestled my truck to the curb, and after about a minute, it started again.

I had no more problems, until sometime in April 2009. I was driving home from work in rush hour traffic on Interstate 270, when it just quit again. So there I am, blocking traffic, with the KMOX traffic helicopter whirring above, announcing that there was a stall in the left lane (me). Finally, after about a minute, it started.

Within a day or so, I took my truck to AAMCO, near where I work. They had done some repair work for me in the past, and I trusted them. I told the mechanic what had happened, and he said he would put my truck on the engine analyzer, to see if they could find out what was wrong with it.

Within the hour, he called me back, and said I needed to take my truck to a Chevy dealer. He said when they put the engine analyzer on, a code popped up, which directed them to a safety recall notice. He said the notice (attachment C – pardon all the writing on it; most of this was my note taking) indicated that the crankshaft position sensor could operate intermittently, or fail completely. That the recall notice said that Chevrolet would fix the problem **regardless of mileage**. I picked up my truck, got a copy of the recall notice, and made an appointment with Johnny Londoff Chevrolet in Florissant, where I live.

I told the service advisor (Darryl Green) what had happened, and showed him a copy of the recall notice. He said it should be no problem to get Chevy to pay for the repairs. He said to call him back in about an hour.

When I called him back, he said he had some bad news. He said that it was, indeed, a defective crankshaft position sensor, but that Chevy would not pay for the repair. They told him that my VIN was not included in the recall. I asked him what I should do. He said “Well, we have your engine apart already. We could put it back together without fixing the problem, but we would have to

charge you \$91.00 for the work done so far. Or, for about \$300, we could fix it." I told him to go ahead and fix it.

I immediately called Chevrolet (1-800-630-2483). I ended up talking with a Mr. Gary Dean, who said he was a supervisor. He said he was sorry, but my vehicle was not included in the recall, and they could not authorize the repairs. I pointed out to him that the recall notice indicated that the Potential Number of Units Affected was 11,974; that they obviously had missed one (mine), and that it should have been 11,975. I re-iterated that my vehicle was *exactly* the year and engine size included in the recall, and that the problem I had was *exactly* the kind of problem that the recall covered. He would not relent. I asked him who his supervisor was, and he said I could write a letter to a Mr. Edward Peper, PO Box 33170, Detroit, Michigan 48232-5170. I asked who he was, and he said the General Manager. I asked for Mr. Peper's phone number, and he told me that he doesn't have one.

I then called The National Highway Traffic and Safety Administration's Vehicle Safety Hotline, at the phone number listed on the recall notice (1-888-327-4236). I spoke with Courtney. She listened to my complaint, and said they would open a file. She said that she was going to record my statement, so would I please tell it again? I did. She then gave me a file number of 10265304. She advised me that I would be receiving a copy of my statement in the mail in about a week; that I should read it over, sign it and send it back to them. When they got it back, they would refer it to an investigator. This was on April 13th.

That afternoon, I picked up my truck from Johnny Londoff. The repair bill came to \$323.22 (attachment D).

By June 2nd, I had received nothing from the NHTSA, so I called them and spoke to Cora. She said she could not understand why I had not received my statement, but that she would “put in another request” for one to be sent to me. I asked her whom she was putting in the request to. She said “the computer”. We had a spirited conversation about why the computer ran things, and then terminated our conversation.

By July 17th, I still had not received anything. I called them again, and spoke with Mr. Lewis, a supervisor. He apologized for the delay, but said they had my address wrong (he said they had it listed as Saddlebur, instead of Saddlespur). I asked him why – if they had sent me out my statement to be signed, and it had come back to them – they didn’t just call me on the phone...they had my phone number! He had no response. Instead, he told me that, in any event, the statement they were sending me was for my records, and that I didn’t need to sign it and send it back in order to get a file started. He said a file had already been opened, and had been referred to an investigator. I told him what Courtney had said. He said she was mistaken. I then asked him if he would give me the phone number of the investigator who had been assigned to my case, as I would like to talk to him. He said they don’t talk to the public.

Sometime during the first week of November, I sent an email to your office. I still had never received anything from NHTSA.

On November 19, Mr. Lewis called me back. He was very unclear on my case. I reminded him of our conversation in July, and told him that I still had not received anything from his office. He said that they were very busy. I told him that was exactly the wrong thing to say. We had a spirited conversation. He ended up giving me his direct line (301-575-1264), and told me I should call him in a couple months.

Sometime thereafter, I called Chevrolet again. I gave them the file number that they had assigned to my complaint (71-715468503). The young man I spoke with was very helpful, and said he would "see if we can't find a way to resolve" the situation. He said he would have someone contact me.

Sometime thereafter (probably in January, but it still might have been in December) I spoke with Brittany Crany. My case had a new file number (71-790991202). Ms. Crany said she was sorry, but reiterated that my VIN was not included in the recall, and therefore Chevrolet wouldn't pay for it. I asked her how Chevrolet could be so sure that they hadn't just missed my vehicle; after all, my problem was identical to the problem stated in the recall. Here's where it got interesting.

She told me that – in 2001 – Chevrolet determined that certain vehicles being manufactured in a specific plant, had defective crankshaft position sensors; that upon discovery, they immediately stopped using the defective part, and started using good ones; that my vehicle was not manufactured in the same plant as the ones with the defective part and/or my vehicle was manufactured using the good part, even if it was manufactured in the same plant; that they had made a record of all the VIN's of the vehicles which had been manufactured using the defective part; that since my VIN was not on the list, it could not have been manufactured using the defective part; that, therefore, I lose.

In the recall notice, there is a one-line entry:

“MFR’S REPORT DATE: November 07, 2007”

Then, later on, under “REMEDY”, it is stated:

“...(T) he recall is expected to begin during December 2007...”

I asked Ms. Crany why – if Chevrolet was aware in 2001 that the parts were defective, and if the production line was halted at that time to correct the problem – the notice did not go out until November 2007? Why didn't they notify the owners of the vehicles with the defective parts in 2001 or 2002, that they had a defective crankshaft position sensor? After all, they had their VIN's? Were they trying to conceal the defect? Were they hoping that the

purchasers wouldn't find out? Or (more likely), wasn't it true that Chevrolet didn't find out themselves until later on? And if Chevrolet didn't find out until later on, then how could they have halted the production line and stopped using the defective parts in 2001? I'm afraid that I told her that she was being disingenuous. I'm afraid that I told her that either Chevrolet was being dishonest with their purchasers by trying to cover up the defective part for 6 years, or that she was being dishonest with me by alleging that my crankshaft position sensor was not one of the defective ones.

She then switched gears and told me that – in any event – my vehicle was out of warranty, as it had over 100,000 miles, and the repair wouldn't be covered for that reason. I reminded her that A) I purchased the vehicle in February 2008, a scant 2 months after the recall notice went out, and B) When I purchased my vehicle, it had less than 100,000 miles on it. Her response was that I hadn't reported the defect until after the 100,000 mile barrier had been breached. So I lose.

Senator, my wife and I live modestly. I am 62, and she is 60. I work 40 hours a week, and earn \$17.50 an hour. My wife is on disability from the Federal Government (Treasury Department), and has been since 2000. We are not rich, but neither are we reduced to eating cat food. The easy thing would be to just forget about it, and move on. After all, the money's long gone from my bank account. But that's not the point. I believe that Chevrolet is fibbing

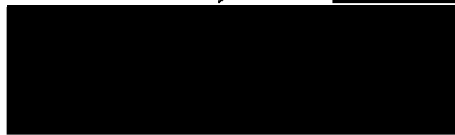
to me. I believe that I have been treated shabbily by the NHTSA.

I would like to recover my \$323.22, without having to hire a lawyer and go to court. I am not asking anyone to feel sorry for me, or to pay my account because I can't afford it; the bill's already paid. I am not looking for mercy, only justice.

Thank You for taking the time to consider this matter.



Florissant, MO.



203731

3 2 1 6 7 3

Johnny Londoff

INVOICE

1375 DUNN ROAD
1-270 AT WASHINGTON AVE.
FLORISSANT, MISSOURI 63031
(314) 837-1800

RISSANT, MO

PAGE 1

E:

BUS:

L:

SERVICE ADVISOR: 343 DARRYL GREEN

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
NZE	01	CHEVROLET SILVERADO	1GCJK39G71E		108292/108294	T807	
PL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
UG01 DD			11:42 10APR09		120.00	CASH	13APR09
R.O. OPENED		READY	OPTIONS: DLR:03509 ENG:8.1 V8 Gas MFI				

02 10APR09 10:30 13APR09

E OPCODE TECH TYPE HOURS

LIST

NET

TOTAL

CUSTOMER STATES THAT VEHICLE DIED WHILE DRIVING ON HIGHWAY -- WAS TOLD

THERES A RECALL FOR THIS CONCERN BUT THIS VEHICLE DOESN'T APPLY

CHECK AND ADVISE IF RELATED C ATTACH LETTER

SE: P0335

113 ENGINE REPAIR

865 STEINKUEHLER, RONALD LIC#: Y

C 2.70

216.00 216.00

1 12575172 SENSOR

99.90 99.90 99.90

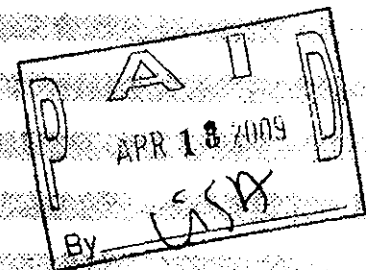
TS: 99.90 LABOR: 216.00 OTHER: 0.00 TOTAL LINE A: 315.90

294 P0335 REPLACE CRANK SENSOR. SENSOR WAS STUCK IN BLOCK, HAD TO
K WITH IT. CLEAR CODE AND TEST DROVE.

TELEPHONE NO. (314) 8371800

SERVICE HOURS 7:00-6:00 MON-FRI

ALL NEW PARTS AND LABOR ARE WARRANTIED FOR 12
MONTHS OR 12,000 MILES WHICHEVER EVENT FIRST
OCCURS



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.

Attachment D

DESCRIPTION	TOTALS
LABOR AMOUNT	216.00
PARTS AMOUNT	99.90
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	315.90
LESS	0.00
SALES TAX	7.32
PLEASE PAY THIS AMOUNT	323.22

Thank You!
allowing us to service
your vehicle

CUSTOMER COPY



July 26, 2010

State of Missouri
Office of the Attorney General
Consumer Protection Division
Attention: Kelly Maddox

Customer: [REDACTED]
Reference number: CF-2010-09209
Service request: 71-828874402
Customer Relationship Specialist: Sonia

Dear Consumer Protection Division Maddox:

Thank you for your recent correspondence regarding [REDACTED]. We are sorry he was dissatisfied with his 2001 Chevrolet Silverado. General Motors' continued success depends upon the satisfaction our customers receive from their vehicles. We apologize for any inconvenience [REDACTED] may have experienced.

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.

Please also note that [REDACTED] refers to a Campaign on vehicles that have a condition in which the crankshaft position sensor can fail intermittently or permanently in his correspondence. A review of this campaign shows that [REDACTED] vehicle is not included within the Vehicle Identification Numbers on this campaign. The campaign on Crankshaft Position Sensor Engine Stall is for 2001 Chevrolet Silverado between the VIN break point at 1E100004 to 1E200999, 1F100006 to 1F116767, 1M100002 to 1M103668, and 1Z100010 to 1Z100042. [REDACTED] vehicle is not included due to the specific parameters of the campaign. GM offered [REDACTED] a one thousand dollar Owner's Loyalty Certificate that can be applied to the purchase of a new GM vehicle, but customer denied the offer.

If you have further questions, please contact our Chevrolet Customer Assistance Center at 1-800-222-1020 Monday through Friday between 8:00 a.m. and 5:00 p.m., Eastern Time. Please refer to your service request number above and any of our Customer Relationship Specialists will be happy to assist you.

Thank you again for your correspondence. We appreciate the opportunity to review this matter.

Sincerely,

General Motors

2458 Old Dorset Rd, Suite #300
Maryland Heights, MO 63043

www.cb Gundaker.com

Owned And Operated By NRT Incorporated.



SENATOR CLAIRE MCCASKILL
Y ACT RELEASE FORM

The provisions of Public Law 95-579 (Privacy Act of 1974) prohibit the disclosure of information of a personal nature from the files of an individual without their consent.

Accordingly, I authorize the staff of Senator Claire McCaskill to access any and all of my records that relate to the problem stated below.

Signature

Date:

2-1-10

To begin processing your case, please complete the following information:

Name: See Attached Date of Birth: [REDACTED]

Address: _____

City: _____ State: _____ Zip: _____

Home Phone: _____ Home Email: [REDACTED]

Place of Work: Goldwell Banker / Gundaker Real Estate Co.

Address: [REDACTED]

City: Maryland Hgts State: MO Zip: [REDACTED]

Work Phone: [REDACTED] Work Email: [REDACTED]

Federal Agency you need help with: NHTSA / Chevrolet

Social Security #: [REDACTED] Section 8 #: N/A

Alien Registration #: N/A FEIN #: N/A

Rank and Military Branch Service: US Navy E-4 Service #: B63-68-76

Do you currently have a case pending before a local, state, or federal court pertaining to this matter? YES: _____ or NO: X (mark one)

Briefly explain your problem or the information desired: _____

SEE Attached

PLEASE RETURN YOUR COMPLETED FORM AND COPIES RELEVANT DOCUMENTS TO:
OFFICE OF SENATOR CLAIRE MCCASKILL

4141 Pennsylvania Ave. Suite 101
Kansas City, MO 64111

Office of Senator Claire McCaskill
Privacy Act Release Form 2/15/2007

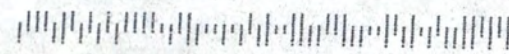
FOR OFFICE USE ONLY

DATE RECEIVED: _____ RECEIVED BY: _____

ASSIGNED CASEWORKER: _____

CHRIS K
ATTORNEY GENERAL OF MISSOURI
PO BOX 899
JEFFERSON CITY MO 65102

MO 282-0024 (2-09)



NATL HIGHWAY TRAFFIC SAFETY ADMIN
400 7TH ST, SW
ROOM 2318
WASHINGTON, DC 20590

RECEIVED
SEP 14 2010