

1 **INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)**

MAY 17 2010

[REDACTED]
Fremont, California

CL-10334868-7128

To

Bank of America Visa fax 888 672 6262

Cc:

National Highway Transportation Safety Administration
Office of Defects Investigations/CRD
NVS-216
1200 New Jersey Ave SE
Washington, DC 20590

5/5/2010

In regards to the repair of ABS light / brake light problem on my father's 1999 Audi Q4 (Audi of America Case No.: 100162393)

My father [REDACTED] and I have Bank of America credit card #**** * [REDACTED]

On or about 3/5/2010 I brought my father [REDACTED] 1999 Audi Q4, VIN WAUED28D7XA [REDACTED] to John Bartlett at Livermore Audi (Livermore, Calif.) service for diagnosis and repair after I noticed a solid orange ABS dashboard warning light and blinking red brake light appearing intermittently on the dashboard. I visually demonstrated the brake light warning problems, exactly as described above, to John at the time I dropped off the Audi. I paid for the work using Bank of America Visa on 3/12/2010 in two separate installments, \$1585.40 (Visa ref. no. ending in [REDACTED] for dutch work) and \$2930.41 (Visa ref. no. [REDACTED] for everything else including the ABS and brake light problem and fix).

I recall John telling me that the ABS light and brake light problem was due to the brakes that needed repair. I recall telling John about the problems I had experienced with my 1997 Volvo 960 transmission which ultimately took about 6 months to fix at an independent repair garage in Fremont, and John telling me that Livermore Audi performed a complete safety inspection at the outset and reporting all problems to the customer to avoid such situations from occurring at Livermore Audi. Over the next 40 or so days, John and I discussed several other problems that Livermore Audi eventually found and claimed to have repaired for a total of \$4516.81 which I paid on 3/12/2010 in two Visa payments. On 4/20/2010 I arrived at Livermore Audi with my father and took possession of the Audi from Johnnie Huang who had by then replaced John Bartlett. We were charged about \$589.54 (please see below for details) for the brake portion of the repair.

After picking up the Audi, my father and I drove it immediately from Livermore to San Jose. On Vallecitos Road in Pleasanton, about 15 miles away from Livermore Audi, and about 20 minutes after we took the Audi, we noticed that the ABS and brake dashboard lights were lighting up again. At the time, I needed to get my physically and mentally ailing father (age 87) back to his RCFE in San Jose, so I elected to continue to drive the car towards San Jose. In San Jose, at the Interstate 280 and Interstate 680 interchange, about 40 miles from Livermore Audi, and about 1 hour after we took the Audi, the Audi lost power, requiring a tow. We received help from Roberto of the Freeway Service Patrol (Driver 07-082, Beat 009) who called AAA on our behalf and stayed with us until an AAA tow truck arrived.

Since we were 40 miles away from Livermore Audi, I called Johnnie Huang at Livermore Audi and asked if they would cover any fixes that they had inadequately addressed. Johnnie Huang transferred me to Matthew, who told me that Livermore Audi would cover the cost of any fixes that they had inadequately addressed at Audi of Stevens Creek, San Jose (Calif.), which was only about 5 miles from our location. We therefore had AAA tow the Audi to Stevens Creek Audi on the afternoon of 4/20/2010, where we asked Dave Hofkins at the Service Department to fix the loss of power issue and the brake light issue. I asked for and received a free loaner vehicle from Stevens Creek Audi Service that same day. On 4/21/2010, Dave informed me that the loss of power issue was due to a bad fuel pump that would cost about \$953 to repair. I authorized the \$953 fuel pump repair over the telephone. Dave also told me that they confirmed the existence of the ABS and brake light problem in the "CAN bus memory." Dave told me that ABS actually caused a car to take longer and farther to stop, and so a malfunctioning ABS was not necessarily bad. I called Johnnie Huang at Livermore Audi Service to ask whether Livermore Audi would stand by their repair of that problem. Johnnie Huang referred me to Matthew Coon, who told me over the telephone that Livermore Audi would pay for the fix presuming it was a problem that Livermore Audi had worked on. I immediately relayed this information back to Dave at Stevens Creek Audi and suggested that he verify Livermore Audi's commitment to me to be responsible for the ABS light / brake light fix directly.

On 4/29/2010 I received a call from Dave at Stevens Creek Audi who told me that he had spoken with Matthew at Livermore Audi, and that Matthew had declined to pay for the brake light repair. Dave then asked me if I would like to authorize the repair. I also called Audi of America at 800-822-2834, and spoke to Nick there, but Nick ultimately told me that they only handled warranty problems and did not handle safety or other service quality problems, and since my father's Audi warranty was expired, were unable to help us further. Nick said that only

NM
060310
TGW

quality problems, and since my father's Audi warranty was expired, were unable to help us further. Nick said that only the respective Service departments had the information and that the information and paperwork was not shared between dealerships or between dealerships and Audi of America.

On 4/30/2010 I faxed a concise statement of the ABS light / brake light problem and request for fix to Livermore Audi and Audi of America.

I called Bank of America Visa (800-732-9194) on 4/30/2010 and asked them for help. Faith at Bank of America Visa called Service Manager Mr. Mike Hoffman at Livermore Audi. Mr. Hoffman stated that he had a copy of the Livermore Audi tech notes for my father's Audi and that it showed that there might be a problem with the ABS and so I should not regard the fix as fixing the ABS light problem. Mr. Hoffman stated to Faith and me that he had a 2000 Audi Q4 and his ABS and brake light came on regularly, but that he ignored it. I said that I would defer to the Livermore Audi invoice and wanted to see the copy of the invoice that Livermore Audi gave me, but Mr. Hoffman hung up before I could ask him for a copy.

I then called Livermore Audi and asked the Service receptionist to fax the Livermore Audi invoice to Stevens Creek Audi at 408 244 5698, attention Sandy, where I could view it and review the Stevens Creek information on my father's Audi.

I arrived at Stevens Creek Audi on 4/30/2010 and discussed the situation with Service Manager Ms. Sandy Jacobs. Sandy gave me the Stevens Creek Audi invoice which included the problem reported ("ABS and brake lights have been coming on"), a comment ("inspection done as goodwill SC due to Livermore issue"), the problem ("found ABS control module is faulty it will not communicate. Recommend replacing the ABS control module then re-evaluate"), along with technical detail ("fault codes P0300, P0301, P0303, P0304, and P1130 were in engine computer memory"). Sandy gave me the fax of the Livermore Audi invoice, and we reviewed it together. The Livermore Audi invoice documented the original problem ("ABS and brake light are on") and detailed brake pad replacement but did not mention anything about the ABS module either being checked or possibly faulty. The brake pad replacement was as follows:

labor	
983 CA (note: apparently Livermore Audi internal code for labor)	\$270.00
total labor	
parts	
2 8B0-615-301-O brake disc	227.50
1 4B0-698-151-J brk lining	102.38
total parts	\$329.88
tax @ 9.75%	32.16
total parts including tax	\$362.04
total labor, parts, and parts tax	\$589.54

I paid Stevens Creek Audi for the new fuel pump (\$953) using Bank of America Visa and took possession of my father's Audi.

My father's Audi continued to exhibit the ABS light and flashing brake light problem, which continued to occur with consistency within a few miles and/or minutes after turning on and beginning to drive the Audi.

At this point it seemed to me that Livermore Audi had the opportunity but had failed to fix the original ABS light problem that I had reported, but had charged me, and I had paid for the fix in good faith. In addition the lack of repair in the form of the recurring ABS and brake light indicator problem I believe caused additional inconvenience and even ***danger for both myself, my father, and the general public***. I wrote a request to Mr. Mike Hoffman of Livermore Audi to stand behind their failed fix attempt. At this point my preference was that in view of the inconvenience to me and my father due to Livermore Audi's failed attempt to fix the ABS light and brake light problem, that Livermore Audi pay Stevens Creek Audi for the cost of the ABS light and brake light repair in good faith as documented by Stevens Creek Audi along with a courtesy loaner vehicle for the full time that my father's Audi is undergoing repair. Failing that, the minimum response in my view was that Livermore Audi should fix the ABS light and brake light problem starting with the manner indicated by Stevens Creek Audi (beginning with "recommend replacing the ABS module then re-evaluate the concern.") and provide me with a courtesy loan vehicle for the full time that my father's Audi is undergoing repair.

Failing either of these alternatives, I requested from Livermore Audi a full refund of the money I paid for their attempt on the brake light fix (ie the brake pad replacement) from Livermore Audi.

I further requested of Livermore Audi an immediate written response upon the presentation of my father's Audi and of this letter. I also requested from Livermore Audi a copy of the contemporaneous internal "tech notes" that as Mr. Hoffman described to me and Nick at Bank of America Visa on 4/29/2010 mentioned the possibility of an ABS module failure.

I personally delivered the letter containing these requests plus the invoices as attachments to Mr. Mike Hoffman at Livermore Audi on 5/3/2010 along with my father's Audi. Mr. Hoffman showed me a document that I had not seen before stating that the brakes were the "cause" of the ABS / brake light problem. I did not see or get a copy of this document prior to 5/3/2010, and the information did not show up on the invoice copy faxed by Mr.

Hoffman to Stevens Creek Audi for me on 4/29/2010. **Mr. Hoffman conceded to me that someone should have written this additional information about the ABS module down on the invoice and presented it to me, but that it was not done, and therefore I did not see it, and that it was their mistake.** Mr. Hoffman gave me a copy of the document. Mr. Hoffman declined my request to Livermore Audi to fix the ABS / brake light problem as covered by the invoice, without additional cost to me.

Later on 5/3/2010, I took my father's Audi to Stevens Creek Audi to repair the ABS module for additional cost since Livermore Audi declined responsibility. I was charged \$1081.61 for that work, which was completed on 5/4/2010. My father and I picked up the car and test drove it 20 miles, and the ABS and brake light problem finally seemed to be fixed since those lights did not come on during that time.

The documents together indicate that Livermore Audi initially committed to fixing the ABS / brake light problem, giving the impression that the brake pads were the problem. This was backed up by the internal document that Mr. Hoffman gave me on 5/3/2010. Livermore Audi attempted a fix by replacing the brake pad and eventually after performing other work and repairing damage that either was not noticed or done at Livermore Audi, they returned it to me and charged me \$589.54 to fix the ABS light / brake light problem claiming that it was fixed via the invoice. However, internally Livermore Audi evidently knew that the brake pad replacement would **not** address the problem. After the repair work, Livermore Audi returned the Audi to me. However, at this time the Audi was not fixed and not safe because the ABS module was still faulty with Livermore Audi's knowledge, but Livermore Audi did not fix it though they apparently knew about it.

Thus the documentation indicates that Livermore Audi returned to me an unsafe and unfixed vehicle that I had paid them to fix.

I consider the documentation to constitute the best evidence of the agreement between myself and Livermore Audi to repair my father's Audi. and supercedes any oral presentation that Livermore Audi might claim somehow overrides the documentation. Although the Stevens Creek ABS module repair cost \$1081.61, I would settle for a refund from Livermore Audi of \$589.54 since that is the portion of the money I paid to Livermore Audi to address the ABS light / brake light problem.

Livermore Audi should have presented the entire diagnostic to me including the information in the document Mr. Hoffman showed me on 5/3/2010 so I could make a more informed decision prior to paying for the repair. At least that would have alerted me in writing to an unambiguous manner to the potential presence of additional and potentially dangerous but unresolved problems prior to paying for and taking delivery of the Audi. Additionally, Livermore Audi should have re-tested the car to see if the brakes fixed the ABS light / brake light problem prior to charging me and returning the car to me. This they utterly failed to do. Instead, they knowingly "kicked the can down the street," and let my father and me deal with the consequences later. By contrast, Stevens Creek Audi re-tested the vehicle and put the successful re-test results on the invoice, presented to me before asking for my money. This is a more responsible way to help the customer.

I subsequently researched the ABS light / brake light problem, and discovered that this problem is evidently very well known on the world wide web (google Audi "ABS light on"), and due to a faulty Bosch 5.3 ABS system module; from the web, evidently the Volkswagen Passat B5 had the same Bosch ABS module, but Volkswagen responsibly chose to issue a recall rather than kick the can down the street and let customers and dealers deal with the problem in a scattershot and corporately irresponsible manner.

Therefore since Livermore Audi charged me \$589.54 to fix the ABS light / brake light problem on my father's Audi that I paid for, but failed to fix the problem, I request that Livermore Audi and/or Bank of America Visa please refund the amount of \$589.54 I paid Livermore Audi for this inadequate fix of the ABS light / brake light problem to my Visa account.

Note: the Audi was purchased new by my brother [REDACTED] in 1998 and subsequently sold to my father a few years later. Also note that Livermore Audi kept the Audi for two extra weeks to replace a rear tail light that was evidently broken while at Livermore Audi free of charge, but which they did not notice upon initial delivery attempt to me. I discovered the taillight in a visual inspection prior to taking delivery of the car. The tail light is further evidence of Livermore Audi negligence, but it is consistent with their negligence in their handling of the ABS light / brake light problem.

Sincerely,

[REDACTED]
[REDACTED] (on behalf of my father [REDACTED])

Attachments:

Livermore Audi tail light replacement invoice, 4/16/2010
Letter to Mr. Mike Hoffman, Service Manager, Livermore Audi, 4/29/2010

Livermore Audi ABS light / brake light problem repair invoice of 3/12/2010 (evidently redated 4/30/2010 by Livermore Audi) as faxed by Livermore Audi to Service Manager Sandy Jacobs of Stevens Creek Audi on 4/30/2010

Stevens Creek Audi diagnosis of 4/29/2010

Letter to Mr. Mike Hoffman, Service Manager, Livermore Audi, 5/3/2010

Copy of undated Livermore Audi Tech Note presented to me by Mr. Hoffman on 5/3/2010

Copy of Stevens Creek Audi ABS light / brake light problem repair invoice of 5/4/2010

CUSTOMER #: XA [REDACTED]

339442



INVOICE

www.livermoreaudi.com

3400 LAS POSITAS ROAD · LIVERMORE, CA 94551

(925) 447-1100 · FAX: (925) 245-1752

BAR # AE233935 EPA # CAL000282353

FREMONT, CA [REDACTED]

PAGE 1

HOME:

CONT: N/A

BUS:

CELL: [REDACTED]

SERVICE ADVISOR: 969 JOHN BARTLETT

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/OUT	TAG
	99	AUDI A4	WAUED28D7XA [REDACTED]		79994/79994	
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	PAYMENT	INV. DATE
27MAR99 DD					CASH	16APR10
R.O. OPENED	READY	OPTIONS: ENG:2.8_Liter				
15APR10	16APR10					

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A					PLEASE INSTALL PASSENGER TAILLIGHT ASSEMBLY - DAMAGED WHILE ON LOT		
		MISC	N				
		99	ISP				(N/C)
		1	8D0-945-112-E	TAILLIGHT			(N/C)

YOUR COMPLETE SATISFACTION IS OUR GOAL! YOU MAY RECEIVE A MANUFACTURERS SURVEY BY MAIL OR PHONE, AND IT IS IMPORTANT THAT WE MAINTAIN YOUR COMPLETE SATISFACTION! IF FOR ANY REASON YOU FEEL YOU CANNOT GIVE US AN "EXCELLENT" RATING, PLEASE CONTACT OUR SERVICE TEAM TO CORRECT THINGS TO YOUR COMPLETE SATISFACTION.

ORIGINAL ESTIMATE: \$			FINAL REVISED ESTIMATE: \$			DESCRIPTION	TOTALS
DATE	TIME	PHONE #	AUTHORIZED	ADDITIONAL AMOUNT	REVISED TOTAL	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
						ADJUSTMENTS	0.00
						SALES TAX	0.00
I ACKNOWLEDGE NOTICE AND ORAL APPROVAL OF AN INCREASE IN THE ORIGINAL ESTIMATE PRICE.			I ACKNOWLEDGE RECEIPT OF VEHICLE AND I HAVE RECEIVED A COPY OF THIS INVOICE.			PLEASE PAY THIS AMOUNT	0.00

WARNING Motor vehicles contain chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. These chemicals are contained in many vehicle components and replacement parts, vehicle fluids, and paints and materials used to maintain vehicles, including, but not limited to, fuel, oil, batteries, brakes, and wheel balancing weights. When you service, clean or maintain your car, you will be exposed to listed chemicals contained in used oil, waste and replacement fluids, fumes, grease, grime, touch-up paint, certain replacement parts, and particulates from component wear. When we service your car, we will return used components to you upon request. Used parts and components contain chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. To minimize your exposure when servicing, maintaining or cleaning your vehicle: 1) work in a well ventilated area; 2) do not smoke, drink or eat while working; 3) wash your hands when finished or when taking a break; and 4) follow all manufacturer instructions pertaining to proper use and maintenance of motor vehicles and vehicle components. (Posted in accordance with Proposition 65 in Cal. Health & Safety Code §25249.5 et seq.) For further information about Proposition 65: <http://www.oehha.org/prop65.html>

CUSTOMER

[REDACTED]
Fremont, California

To: Livermore Audi
3400 Las Positas Road
Livermore, CA 94551
Attention: Mr. Mike Hoffman, Service Manager
Tel 925 447 1100 Fax 925 245 1752

Cc:

Audi of America, Inc.
Client Relations
3800 Hamlin Road
Auburn Hills, MI 48326
Toll free: 1-800-822-2834 Fax: 248-340-5140

4/29/2010

In regards to the repair of my father's 1999 Audi Q4 (Audi of America Case No.: 100162393)

On or about 3/5/2010 I brought my father [REDACTED] 1999 Audi Q4, VIN WAUED28D7XA [REDACTED] to John Bartlett at Livermore Audi (Livermore, Calif.) service for diagnosis and repair after I noticed a solid orange ABS dashboard warning light and blinking red brake light appearing intermittently on the dashboard. I visually demonstrated the brake light warning problems, exactly as described above to John at the time I dropped off the Audi.

Over the next 40 or so days, Mr. Bartlett and I discussed several other problems that Livermore Audi eventually claimed to have repaired. On 4/20/2010 I arrived at Livermore Audi with my father, paid for the repairs with a credit card (Bank of America VISA), and took possession of the Audi from Johnnie Huang who had by then replaced John Bartlett. We were charged about \$2000 for the brake portion of the repair (paperwork is currently with the auto, not me, and Audi of USA could not give me those details this evening when they called me).

My father and I drove the Audi to San Jose, where we noticed that the ABS and brake dashboard lights were lighting up again. In addition, the Audi lost power on the freeway, requiring a tow.

We towed the Audi to Stevens Creek Audi in San Jose (Calif.) on the afternoon of 4/20/2010, where we asked Dave Hofkins at the Service Department to fix the loss of power issue and the brake light issue. I asked for and received a free loaner vehicle from Stevens Creek Audi Service that same day. On 4/21/2010, David informed me that the loss of power issue was due to a bad fuel pump which would cost about \$950 to repair. I authorized the \$950 fuel pump repair over the telephone. David also told me that they confirmed the brake light problem in the CAN bus memory. I called Johnnie at Livermore Audi Service to ask whether Livermore Audi would stand by their repair of that problem. Johnnie referred me to Matthew who told me over the telephone that Livermore Audi would pay for the fix.

Today (4/29/2010) I received a call from David at Stevens Creek Audi who told me that he had spoken with Matthew at Livermore Audi and that Matthew had declined to pay for the brake light repair. He then asked me if I would like to authorize the repair.

At this point it seems to me that Livermore Audi had failed to fix the problem (in 40 days) but had charged me and I had paid for the fix in good faith. The problem then recurred and I asked Livermore Audi to stand behind the fix in good faith. Matt at Livermore Audi declined to stand behind the fix in bad faith.

I request a full refund of the money I paid for the brake light fix (ie the brake pad replacement) from Livermore Audi. Livermore Audi is irresponsibly refusing to back their repair of the problem indicated by the brake/abs lights and they have lost my trust and forfeited their goodwill with me. Ditto for Audi of USA.

Please advise immediately since Stevens Creek Audi has asked me for an immediate resolution and currently I am driving their loaner vehicle.

Note: the Audi was purchased new by my brother [REDACTED] in 1998 and subsequently sold to my father a few years later. Also note that Livermore Audi kept the Audi for two extra weeks to replace a rear tail light that was evidently broken while at Livermore Audi free of charge, but which they did not notice upon initial delivery to me.

Sincerely,

[REDACTED]
[REDACTED] (on behalf of my father [REDACTED])

CUSTOMER #: XA [REDACTED]

338514

LIVERMORE AUDI

3400 LAS POSITAS ROAD
LIVERMORE, CA 94551
(925) 447-1100
FAX: (925) 245-1752
www.livermoreaudi.com

INVOICE

PAGE 1

FREMONT, CA [REDACTED]

HOME:

CONT: N/A

BUS:

CELL: [REDACTED]

SERVICE ADVISOR: 969 JOHN BARTLETT

BAR # AE233935 EPA # CAL000282353

COLOR	YEAR	MAKE	MODEL	VIN	LICENSE	MILEAGE (IN. OUT)	TAG
	99	AUDI	A4	WAUED28D7XA [REDACTED]		79994/79994	T315
DEL DATE	PROD DATE	WAHR EXP	PROMISED	PG NO	PAYMENT	INV DATE	
27MAR99 DD			12MAR10		VISA	30APR10	
R.O. OPENED	READY	OPTIONS: ENG:2.8_Liter					
05MAR10	16MAR10						

LINE OPCODE TECH TYPE HOURS

A CLIENT STATES THAT THE ABS LIGHT AND BRAKE LIGHT ARE ON - PLEASE CHECK AND ADVISE

LINE OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
MISC *MISCELLANEOUS REPAIRS						
983	CA					
1	078-115-561-J	OIL FILTER		202.50	202.50	202.50
1	N-013-849-2	WASHER		16.80	16.80	16.80
1	G-052-167-S0	SYN ENGINE OIL		0.82	0.82	0.82
2	N-013-848-7	WASHER		5.19	5.19	36.33
1	08732-9001-W	CLEANER BRAKE		1.35	1.35	2.70
DURING DIAG FOUND FRONT BRAKE PADS AT 3MM ROTORS AT 19.79 - NEED TO REPLACE ASAP - TBELT NEEDS REPLACING, LEAK AT P/S HOSE, VALVE COVER LEAKING AND CLUTCH RELEASE IS AT VERY TOP -						

B** *REPLACE TIMING BELT

LINE OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
T/BELT *REPLACE TIMING BELT						
983	CA					
1	078-109-119-J	TOOTH BELT		607.50	607.50	607.50
1	078-109-244-H	ROLLER		83.40	83.40	83.40
1	078-109-243-S	TENSIONER		88.20	88.20	88.20
1	078-109-487-C	LEVER		136.80	136.80	136.80
1	078-109-479-E	BELT DAMPER		75.60	75.60	75.60
1	078-121-006-X	WATER PUMP		189.00	189.00	189.00
1	078-121-113-F	THERMOSTAT		89.25	89.25	89.25
1	N-901-368-02	SEAL		48.70	48.70	48.70
1	078-069-137-AC	RIBBED BELT		4.95	4.95	4.95
1	G-012-A8G-1G	COOLANT AD		50.96	50.96	50.96
PERFORMED TBELT PACKAGE - REPLACED WATER PUMP, TBELT, DRIVE BELTS, TENSIONER AND ROLLER - ALL OK NOW						

C** DISCOVERY REPAIR - FOUND FRONT PADS AND ROTORS BELOW MIN SPEC

LINE OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
BRAKES *BRAKES AND RELATED REPAIRS						
983	CA					
2	9B0-615-301-Q	BRAKE DISC		270.00	270.00	270.00
1	4B0-698-151-J	BRK LINING		113.75	113.75	227.50
				102.38	102.38	102.38

SIGNATURE
COPY

ORIGINAL ESTIMATE: \$	FINAL REVISED ESTIMATE: \$	DESCRIPTION	TOTALS
DATE	TIME	PHONE #	
AUTHORIZED	ADDITIONAL AMOUNT	REVISED TOTAL	
I ACKNOWLEDGE NOTICE AND ORAL APPROVAL OF AN INCREASE IN THE ORIGINAL ESTIMATE PRICE.		I ACKNOWLEDGE RECEIPT OF VEHICLE AND HAVE RECEIVED A COPY OF THIS INVOICE.	
		LABOR AMOUNT	
		PARTS AMOUNT	
		GAS, OIL, LUBE	
		SUBLET AMOUNT	
		MISC. CHARGES	
		TOTAL CHARGES	
		ADJUSTMENTS	
		SALES TAX	
		PLEASE PAY THIS AMOUNT	

WARNING: Motor vehicles contain chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. These chemicals are contained in many vehicle components and replacement parts, vehicle fluids, and paints and materials used to maintain vehicles, including, but not limited to, fuel, oil, batteries, brakes, and wheel balancing weights. When you service, clean or maintain your car, you will be exposed to listed chemicals contained in used oil, waste and replacement fluids, fumes, gases, grime, touch-up paint, certain replacement parts, and adhesives from contact with them. When we service your car, we will follow good practices to you upon request. Used parts and components contain chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. To minimize your exposure when servicing, maintaining or cleaning your vehicle: 1) work in a well ventilated area; 2) do not smoke, drink or eat while working; 3) wash your hands when finished or when taking a break; and 4) follow all manufacturer instructions pertaining to proper use and maintenance of motor vehicles and vehicle components. (Printed in accordance with Proposition 65 in Cal. Health & Safety Code §26269.5 et seq.) For further information about Proposition 65: <http://www.p65.org/prop65.html>.

SIGNATURE

CUSTOMER #: XA [REDACTED]

338514

LIVERMORE AUDI

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FAX: (925) 245-1752
www.livermoreaudi.com

FREMONT, CA [REDACTED]

INVOICE

HOME:

CONT: N/A

PAGE 2

BUS:

CELL: [REDACTED]

SERVICE ADVISOR: 969 JOHN BARTLETT

BAR # AE233935 EPA # CAL000282353

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/OUT	TAG
	99	AUDI A4	WAUED28D7XA [REDACTED]		79994/79994	T315
DEL DATE	PROD DATE	WARR EXP	PROMISED	PO NO	PAYMENT	INV DATE
27MAR99	DD		12MAR10		VISA	30APR10
H.O. OPENED	READY	OPTIONS: ENG:2.8_Liter				
05MAR10	16MAR10					

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

D** DISCOVERY REPAIR FOUND P/S HOSE LEAKING PLEASE REPAIR							
MISC *MISCELLANEOUS REPAIRS							
983 CA							
1	4B0-422-893-G	FLEX. HOSE			270.00	270.00	270.00
REPLACED LEAKING P/S HOSE LEAK IS GONE							
					246.75	246.75	246.75

E** DISCOVERY REPAIR FOUND CLUTCH 95% WORN PLEASE REPLACE							
MISC *MISCELLANEOUS REPAIRS							
983 CA							
1	23760	CLUTCH			1012.50	1012.50	1012.50
1	23760	PRESSURE PLATE			210.00	210.00	210.00
1	23760	BEARING			226.80	226.80	226.80
					85.20	85.20	85.20

EST: 140.00 05MAR10 11:32 SA: 969

EST: 2,725.10 09MAR10 11:36 SA: 969

CONTACT: OWNER

YOUR COMPLETE SATISFACTION IS OUR GOAL! YOU MAY RECEIVE A MANUFACTURERS SURVEY BY MAIL OR PHONE, AND IT IS IMPORTANT THAT WE MAINTAIN YOUR COMPLETE SATISFACTION! IF FOR ANY REASON YOU FEEL YOU CANNOT GIVE US AN "EXCELLENT" RATING, PLEASE CONTACT OUR SERVICE TEAM TO CORRECT THINGS TO YOUR COMPLETE SATISFACTION.

SIGNATURE COPY

ORIGINAL ESTIMATE: \$			FINAL REVISED ESTIMATE: \$			DESCRIPTION	TOTALS
DATE	TIME	PHONE #	AUTHORIZED	ADDITIONAL AMOUNT	REVISED TOTAL	LABOR AMOUNT	2362.50
						PARTS AMOUNT	1962.01
						GAS, OIL, LUBE	0.00
						SUBLET AMOUNT	0.00
						MISC. CHARGES	0.00
						TOTAL CHARGES	4324.51
						ADJUSTMENTS	0.00
						SALES TAX	191.30
PLEASE PAY THIS AMOUNT							4515.81

ALL PARTS ARE NEW UNLESS SPECIFIED OTHERWISE.

WARNING Motor vehicles contain chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. These chemicals are contained in many vehicle components and replacement parts, vehicle fluids and parts and materials used to maintain vehicles, including, but not limited to, fuel, oil, batteries, brakes, and wheel balancing weights. When you service, clean or maintain your car, you will be exposed to listed chemicals containing in used oil, waste and replacement fluids, tires, greases, gums, lubricants, certain replacement parts, and particulates from component wear. When we service your car, we will return used components to you upon request. Used parts and components contain chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. To minimize your exposure when servicing, maintaining or repairing your vehicle: 1) work in a well ventilated area; 2) do not eat, drink or eat while working; 3) wash your hands when finished or when taking a break; and 4) follow all manufacturer instructions pertaining to proper use and maintenance of motor vehicles and vehicle components. (Printed in accordance with Proposition 65 in Cal. Health & Safety Code 25249.6 et seq.) For further information about Proposition 65: <http://www.ca/ha.org/prop65.html>.

SIGNATURE

[REDACTED]
Fremont, California

To: Livermore Audi
3400 Las Positas Road
Livermore, CA 94551
Attention: Mr. Mike Hoffman, Service Manager
Tel 925 447 1100 Fax 925 245 1752

Cc:

Audi of America, Inc.
Client Relations
3800 Hamlin Road
Auburn Hills, MI 48326
Toll free: 1-800-822-2834 Fax: 248-340-5140

Bank of America Visa fax 888 672 6262

5/3/2010

In regards to the repair of ABS light / brake light problem on my father's 1999 Audi Q4 (Audi of America Case No.: 100162393)

On or about 3/5/2010 I brought my father [REDACTED] 1999 Audi Q4, VIN WAUED28D7XA [REDACTED] to John Bartlett at Livermore Audi (Livermore, Calif.) service for diagnosis and repair after I noticed a solid orange ABS dashboard warning light and blinking red brake light appearing intermittently on the dashboard. I visually demonstrated the brake light warning problems, exactly as described above to John at the time I dropped off the Audi. I paid for the work using Bank of America Visa on 3/12/2010 in two separate installments, \$1585.40 (Visa ref. no. ending in [REDACTED] for clutch work) and \$2930.41 (Visa ref. no. [REDACTED] for everything else including the ABS and brake light problem and fix).

I recall Mr. Bartlett telling me that the ABS light and brake light problem was due to the brakes that needed repair. Over the next 40 or so days, Mr. Bartlett and I discussed several other problems that Livermore Audi eventually found and claimed to have repaired for a total of \$4516.81 which I paid on 3/12/2010 in two Visa payments. On 4/20/2010 I arrived at Livermore Audi with my father, paid for the repairs with a credit card (Bank of America VISA), and took possession of the Audi from Johnnie Huang who had by then replaced John Bartlett. We were charged about \$589.54 (please see below for details) for the brake portion of the repair.

After picking up the Audi, my father and I drove it immediately from Livermore to San Jose. After about 20 miles we noticed that the ABS and brake dashboard lights were lighting up again. Additionally, in San Jose (intersection of Interstate 280 and Interstate 680), the Audi lost power, requiring a tow. We received help from Roberto of the Freeway Service Patrol (Driver 07-082, Beat 009) who called AAA on our behalf.

Since we were 40 miles away from Livermore Audi, I called Johnnie Huang at Livermore Audi and asked if they would cover any fixes that they had inadequately addressed. Johnnie Huang transferred me to Matthew, who told me that Livermore Audi would cover the cost of any fixes that they had inadequately addressed at Audi of Stevens Creek, San Jose (Calif.), which was only about 5 miles from our location. We therefore had AAA tow the Audi to Stevens Creek Audi on the afternoon of 4/20/2010, where we asked Dave Hofkins at the Service Department to fix the loss of power issue and the brake light issue. I asked for and received a free loaner vehicle from Stevens Creek Audi Service that same day. On 4/21/2010, Dave informed me that the loss of power issue was due to a bad fuel pump that would cost about \$953 to repair. I authorized the \$953 fuel pump repair over the telephone. Dave also told me that they confirmed the ABS and brake light problem in the "CAN bus memory." Dave told me that ABS actually caused a car to take longer and farther to stop, and so a malfunctioning ABS was not necessarily bad. I called Johnnie Huang at Livermore Audi Service to ask whether Livermore Audi would stand by their repair of that problem. Johnnie Huang referred me to Matthew Coon, who told me over the telephone that Livermore Audi would pay for the fix presuming it was a problem that Livermore Audi had worked on. I immediately relayed this information back to Dave at Stevens Creek Audi and suggested that he verify Livermore Audi's commitment to me to be responsible for the ABS light / brake light fix directly.

On 4/29/2010 I received a call from Dave at Stevens Creek Audi who told me that he had spoken with Matthew at Livermore Audi, and that Matthew had declined to pay for the brake light repair. Dave then asked me if I would like to authorize the repair. I also called Audi of USA at 800-822-2834 but they ultimately told me that they only handled warranty problems and did not handle safety or other service quality problems, and were unable to help me regarding my father's Audi since the Audi warranty was expired.

On 4/30/2010 I faxed a concise statement of the ABS light / brake light problem and request for fix to Livermore Audi and Audi of America.

I called Bank of America Visa (800-732-9194) on 4/30/2010 and asked them for help. Nick at Bank of America Visa called Mr. Mike Hoffman at Livermore Audi. Mr. Hoffman stated that he had a copy of the Livermore Audi tech notes for my father's Audi and that it showed that there might be a problem with the ABS and so I should not regard the fix as fixing the ABS light problem. Mr. Hoffman stated to Nick and me that he had a 2000 Audi Q4 and his ABS and brake light came on regularly and that he ignored it. I said that I wanted to see the copy of the invoice that Livermore Audi gave me and Mr. Hoffman hung up before I could ask him for a copy.

I then called Livermore Audi and asked the Service receptionist to fax the Livermore Audi invoice to Stevens Creek Audi at 408 244 5698, attention Sandy, where I could view it and review the Stevens Creek information on my father's Audi.

I arrived at Stevens Creek Audi on 4/30/2010 and discussed the situation with Ms. Sandy Jacobs, the Service Manager. Sandy gave me the Stevens Creek Audi invoice which included the problem reported ("ABS and brake lights have been coming on"), a comment ("inspection done as goodwill SC due to Livermore issue"), the problem ("found ABS control module is faulty it will not communicate. Recommend replacing the ABS control module then re-evaluate"), along with technical detail ("fault codes P0300, P0301, P0303, P0304, and P1130 were in engine computer memory"). Sandy gave me the fax of the Livermore Audi invoice and we reviewed it together. The Livermore Audi invoice documented the original problem ("ABS and brake light are on") and detailed brake pad replacement but did not mention anything about the ABS module either being checked or possibly faulty. The brake pad replacement was as follows:

labor	
983 CA (note: apparently Livermore Audi internal code for labor)	\$270.00
total labor	
parts	
2 8B0-615-301-O brake disc	227.50
1 4B0-698-151-J brk lining	102.38
total parts	\$329.88
tax @ 9.75%	32.16
total parts including tax	\$362.04
total labor, parts, and parts tax	\$589.54

I paid Stevens Creek Audi for the new fuel pump (\$953) using Bank of America Visa and took my father's Audi.

My father's Audi continues to exhibit the ABS light and flashing brake light problem, which continues to happen a few miles and/or minutes after turning on and beginning to drive the Audi.

At this point it seems to me that Livermore Audi had the opportunity but had failed to fix the original ABS light problem that I had reported, but had charged me, and I had paid for the fix in good faith. In addition the lack of repair in the form of the recurring ABS and brake light indicator problem I believe caused additional inconvenience and possibly even danger for both myself, my father, and the general public. I request Livermore Audi to stand behind their failed fix attempt. At this point my preference is that in view of the inconvenience to me and my father due to Livermore Audi's failed attempt to fix the ABS light and brake light problem, that Livermore Audi pay Stevens Creek Audi for the cost of the ABS light and brake light repair in good faith as documented by Stevens Creek Audi along with a courtesy loaner vehicle for the full time that my father's Audi is undergoing repair. Failing that, the minimum response in my view is that Livermore Audi should fix the ABS light and brake light problem starting with the manner indicated by Stevens Creek Audi (beginning with "recommend replacing the ABS module then re-evaluate the concern.") and provide me with a courtesy loan vehicle for the full time that my father's Audi is undergoing repair.

Failing either of these alternatives, I request from Livermore Audi a full refund of the money I paid for their attempt on the brake light fix (ie the brake pad replacement) from Livermore Audi.

I request of Livermore Audi an immediate written response upon the presentation of my father's Audi and of this letter. I also request from Livermore Audi a copy of the contemporaneous "tech notes" that as Mr. Hoffman described to me and Nick at Bank of America Visa on 4/29/2010 mentioned the possibility of an ABS module failure.

Note: the Audi was purchased new by my brother Andrew Head in 1998 and subsequently sold to my father a few years later. Also note that Livermore Audi kept the Audi for two extra weeks to replace a rear tail light that was evidently broken while at Livermore Audi free of charge, but which they did not notice upon initial delivery attempt to me.

Sincerely,

[REDACTED]

[REDACTED] (on behalf of my father [REDACTED])

Attachments:

Livermore Audi invoice of 3/12/2010 (redated 4/30/2010 by Livermore Audi?) as sent by Livermore Audi to Stevens Creek Audi on 4/30/2010
Stevens Creek Audi invoice of 4/29/2010

COMPLAINT:

CAUSE:

Verified Customer Complaint. Recommend replacement of ABS control module.

LABOR RECORD

FLAG SHEET

CORRECTION:

During inspection found front brake pads at 3mm Rotors 19.79L 19.63R mm

R.O. OR W.O. NO.	EMPL. NO.	MECH. PAY \$	FLAT RATE TIME	W - TIME	REPAIR ORDER TIME
33 8514	983		1.0		.8

OFF	10
ON	15.1
ON	14.3

COMPLAINT:

200.1 T-belt needs replacing, PS hose

CAUSE:

on Bank 1 Valve cover leaking and clutch release is at the very top. Recommend

CORRECTION:

repair and adjustment.

R.O. OR W.O. NO.	EMPL. NO.	MECH. PAY \$	FLAT RATE TIME	W - TIME	REPAIR ORDER TIME
33 8514	983		.5		.2

OFF	2.4
ON	9.2

COMPLAINT:

Replaced water pump and timing belt, PS hose over Bank 1 Valve

CAUSE:

Cover front hub and rotors.

CORRECTION:

test drive. greaser water and specs.

R.O. OR W.O. NO.	EMPL. NO.	MECH. PAY \$	FLAT RATE TIME	W - TIME	REPAIR ORDER TIME
33 8514	983		2.0		.9

OFF	4
ON	11.3
ON	10.4

R.O. OR W.O. NO.	EMPL. NO.	MECH. PAY \$	FLAT RATE TIME	W - TIME	REPAIR ORDER TIME
33 8514	983		2.0		.6

OFF	8
ON	14.6
ON	14.0

C

R.O. OR W.O. NO.	EMPL. NO.	MECH. PAY \$	FLAT RATE TIME	W - TIME	REPAIR ORDER TIME
33 8514	983		4.5		1.9

OFF	12.1
ON	10.6

COMPLAINT:

CAUSE:

ENGINE: CID
 4 CYL 6 CYL V/6 V/8 DIESEL
 TRANSMISSION:
 3 SPEED 4 SPD 5 SPD AUTO TY
 ACCESSORIES:
 P/S P/B A/C AIR OTHER

CORRECTION:

R.O. OR W.O. NO.	EMPL. NO.	MECH. PAY \$	FLAT RATE TIME	W - TIME	REPAIR ORDER TIME
33 8514	983		3.5		2.6

OFF	12.5
ON	10.4

D

COMPLAINT:

CAUSE:

TIRE CONDITION
 LF _____ RF _____
 LR _____ RR _____

CORRECTION:

BRAKE CONDITION
 LF _____ % RF _____ %
 LR _____ % RR _____ %

E

FUEL GAUGE
 1/4 _____ 1/2 _____ FULL _____

QUALITY _____ TECH _____
 CONTROL _____ ASM _____

FOREMAN'S SIG. X _____

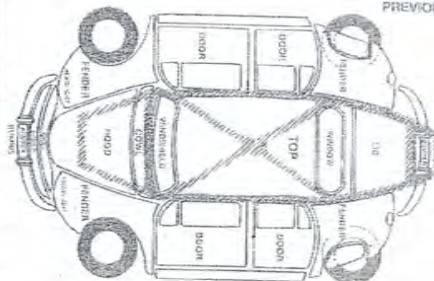
R.O. OR W.O. NO.	EMPL. NO.	MECH. PAY \$	FLAT RATE TIME	W - TIME	REPAIR ORDER TIME
33 8514	983		4.0		1.0

OFF	15.6
ON	15.6

R.O. OR W.O. NO.	EMPL. NO.	MECH. PAY \$	FLAT RATE TIME	W - TIME	REPAIR ORDER TIME
33 8514	983		1.5		1.3

OFF	12.2
ON	10.9

INDICATE ANY DAMAGE CUSTOMER HAS ON VEHICLE PREVIOUS TO MAKING REPAIRS.

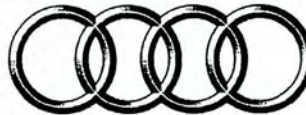


PRIOR DAMAGE

RF RR
 F R
 LF LR

SERVICE (408) 244-5400
 PARTS (408) 249-5840
 WHOLESALE (800) 235-8123

STEVENS CREEK



Audi

3350 Stevens Creek Blvd.
 San Jose, Calif. 95117

FAX (408) 244-5698

CUSTOMER NO. 66998	ADVISOR DAVID HOFKINS	469	TAG NO. 665	INVOICE DATE 05/04/10	INVOICE NO. AUCS133572
	LICENSE NO.		MILEAGE 80,231	COLOR SILVER/	STOCK NO.
FREMONT, CA	YEAR / MAKE / MODEL 99/AUDI/A4/2.8Q 5SPD			DELIVERY DATE	DELIVERY MILES
	VEHICLE I.D. NO. W A U E D 2 8 D 7 X A			SELLING DEALER NO.	PRODUCTION DATE
	F.T.E. NO.		P.O. NO.	R.O. DATE 05/03/10	
RESIDENCE PHONE	COMMENTS				MO: 80235

JOB# 1 CHARGES

LABOR
 J# 1 45AUZ-ABS REPL ABS CONTROL UNT TECH(S):519 400.00
 CUSTOMER STATES THAT ABS WARNING LITE IS ON. CK AND REPORT
 OK TO REPLACE ABS UNIT AS PER LAST DIAG LAST WEEK
 TECH INSPECTED AND FOUND ABS CONTROL MODULE DEFECTIVE
 RECOMONDS REPLACEMENT
 TECH REPLACED CONTROL MODULE AND BLED BRAKE SYSTEM
 ROAD TESTED OK. CLEARED CODES AND RESET LITE

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	PRICE
	1	8E0-998-375	REPAIR KIT	601.37	601.37
	4	N-104-372-01	BATTERY	5.61	22.44
TOTAL - PARTS					623.81

JOB# 1 TOTALS

LABOR 400.00
 PARTS 623.81
JOB# 1 JOURNAL PREFIX AUCS JOB# 1 TOTAL 1023.81

BAR ARD241327
EPA CAD981060970

JOB# 2 CHARGES

LABOR
 J# 2+57AUZ5 PROGRAM KEYS TECH(S):519 INTERNAL
 CUSTOMRE STATES THAT THE REMOTES ARE INOP
 FOR THE IMMOBILIZER
 ONE HAS LOST IT'S MEMORY
 BATTERIES ARE DEAD (0.06 VOLT). BATTERIES IN WORKING REMOTE
 ARE ALSO WEAK (2.9 VOLTS)
 REPLACED FOUR BATTERIES IN TWO REMOTE TRANSMITTERS.
 PERFORMED TWO REMOTE TRANSMITTER CODING. OK NOW.

JOB# 2 TOTALS

JOB# 2 JOURNAL PREFIX AUCS JOB# 2 TOTAL 0.00

ESTIMATE
 CUSTOMER HEREBY ACKNOWLEDGES RECEIVING
 ORIGINAL ESTIMATE OF \$895.00 (+TAX)
 APPROVED REVISED ESTIMATE (# 1) OF \$1080.00 (+TAX) ON 05/04/10 AT 12:21pm
 BY STEPHEN HEAD COMMENTS OLD BATTERY AND ABS UNIT

SERVICE (408) 244-5400
 PARTS (408) 249-5840
 WHOLESALE (800) 235-8123

STEVENS CREEK



Audi

3350 Stevens Creek Blvd.
 San Jose, Calif. 95117

FAX (408) 244-5698

CUSTOMER NO. 66998	ADVISOR DAVID HOFKINS	469	TAG NO. 665	INVOICE DATE 05/04/10	INVOICE NO. AUCS133572
[REDACTED]	LICENSE NO.	MILEAGE 80,231	COLOR SILVER/	STOCK NO.	
FREMONT, CA [REDACTED]	YEAR / MAKE / MODEL 99/AUDI/A4/2.8Q 5SPD			DELIVERY DATE	DELIVERY MILES
[REDACTED]	VEHICLE I.D. NO. WAUED28D7XA [REDACTED]			SELLING DEALER NO.	PRODUCTION DATE
[REDACTED]	F.T.E. NO.	P.O. NO.	R.O. DATE 05/03/10		
RESIDENCE PHONE [REDACTED]	COMMENTS				MO: 80235

TOTALS

*****	TOTAL LABOR.....	400.00
* [] CASH [] CHECK CK NO. [] *	TOTAL PARTS.....	623.81
* [] VISA [] MASTERCARD [] CHARGE *	TOTAL SUBLET...	0.00
*****	TOTAL G.O.G....	0.00
	TOTAL MISC CHG.	0.00
	TOTAL MISC DISC	0.00
	TOTAL TAX.....	57.70

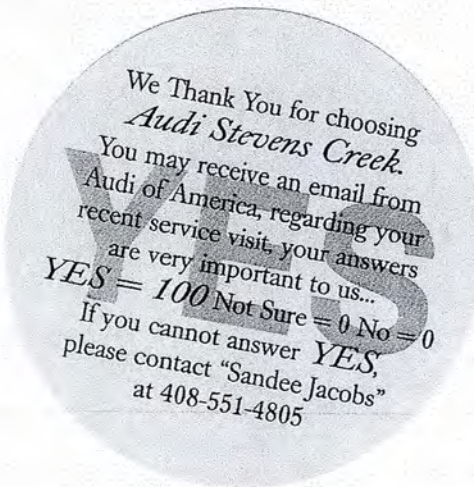
***** WELCOME TO STEVENS CREEK *****

TOTAL INVOICE \$ 1081.51

SERVICE DEPT. OPEN MONDAY THRU FRIDAY
 7:30AM TO 6:00PM
 PARTS DEPT. OPEN MONDAY THRU FRIDAY
 8:00AM TO 5:30PM

CUSTOMER SIGNATURE _____

**BAR ARD241327
 EPA CAD981060970**



12/25
 PAID
 MAY 4 2010
 J. W. S.

U.S. POSTAGE
PAID
FREMONT, CA
94538
MAY 10, 10
AMOUNT
\$6.49
00052583-05



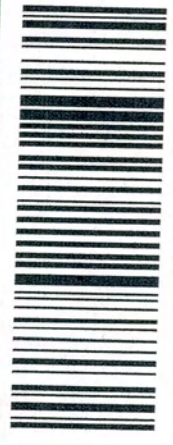
20590



1000

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™



7010 0780 0002 0831 8988

**RETURN RECEIPT
REQUESTED**

FREMONT, CALIFORNIA

NATIONAL HIGHWAY TRANSPORTATION SAFETY ADMINISTRATION

OFFICE OF DEFECTS INVESTIGATION

NUS-216

1200 NEW JERSEY AVE SE

WASHINGTON, DC 20590

WV18-226

