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



JUL 26 2010

CL - 10336395 - 1104

Attorney General of New Mexico

GARY K. KING

Attorney General

July 19, 2010

ALBERT J. LAMA

Chief Deputy Attorney General

National Highway Traffic Safety Administration
Office of Defects & Investigation (NVS216)
1200 New Jersey Ave. SE
West Building
Washington, DC 20590

RE: Consumer Complaint of [REDACTED]

Dear Office of Defects & Investigation:

Enclosed is a complaint that appears to fall within the jurisdiction and authority of your agency. We would appreciate your review of this complaint to determine whether there has been a violation of any of the laws that you administer or enforce.

Please advise [REDACTED] in writing of any action taken on this matter as well as its final disposition.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Casey Carr".

Casey Carr
Consumer Advocate
Consumer Protection Division
505-222-9037

Enclosures

cc:

[REDACTED]
Rocky Ford, Colorado [REDACTED]

AG CODE

KEY CODE

FOR OFFICIAL USE ONLY

ATTORNEY GENERAL GARY K. KING
Procurador General del Estado Gary K. King
Consumer Protection Division/ *División de Protección al Consumidor*
P.O. Drawer 1508, Santa Fe, NM 87504
1-800-678-1508 / (505) 827-6060

If you are an individual with a disability requiring assistance with this form, please see last page for options.

Si usted es un individuo con alguna incapacidad que requiere ayuda para completar esta forma, favor de referirse a la última página para mas opciones.

Please indicate how you were referred to this office to file this complaint:

Por favor indique cómo y quien lo refirió a archivar esta queja en esta oficina:

I am filing this complaint to notify the Attorney General's Consumer Protection Division of a dispute with the company referenced below and to request its assistance in resolving this matter. I understand that the Division cannot serve as a private attorney for individuals and that any legal action taken by the Division would be on behalf of the public and not to represent only my interests.

Archivo esta queja para notificarle a la División de Protección al Consumidor de la Oficina de la Procuradora del Estado de la disputa con el negocio mencionado en la información que sigue y para pedir asistencia en resolver este asunto. Entiendo que la División no puede servir como abogado privado de individuos y que cualquier acción legal que tome sería de parte del público en general y no representando solo mis intereses.

PLEASE TELL US ABOUT YOURSELF

[Información del consumidor]

Name

[Nombre del Consumidor]

Address/Dirección

[Dirección del Consumidor]

City Rocky Ford

[Ciudad, Estado y Zona Postal]

State CO

Zip

Phone

Work/ Trabajo

Home/ Casa

Cell/ Celular

COMPLAINT IS AGAINST:

[Queja en contra de que negocio]

Business Name

GENERAL MOTORS

[Nombre del Negocio]

Address/Dirección

[Dirección del Negocio]

City

[Ciudad, Estado y Zona Postal]

State

Zip

Contact Person

[Dueño o representante del negocio]

Telephones

[Teléfonos del negocio]

1. First contact between you and the business:
[Primer contacto entre usted y el negocio]

- ☐ Person came to my home
[Representante vino a mi casa]
- ☒ I went to company's place of business
[Fui al lugar del negocio]
- ☐ I received a telephone call from business
[Recibí una llamada por teléfono del negocio]
- ☐ I telephoned the business
[Llamé por teléfono al negocio]
- ☐ I received information in the mail
[Recibí información en el correo]
- ☐ I responded to radio/television ad
[Respondí a un anuncio de radio o TV]
- ☐ I responded to printed advertisement
[Respondí a un anuncio por escrito]
- ☐ Other/otro _____

2. Where did the transaction take place?
[¿Dónde se llevó a cabo la transacción?]

- ☐ At home/en casa
- ☒ At business/en el negocio
- ☐ By mail/por correo
- ☐ Over the phone/por teléfono
- ☐ Other/otro _____

3. Date(s) of Transaction(s) 1998
[Fecha (s) de transacción]

4. Did you sign a contract?
[¿Firmó usted un contrato?]
☒ Yes - enclose a copy
[Si-incluya una copia]
☐ No

5. Amount of payment [Cantidad y forma de pago]: \$ _____ ☐ Cash/efectivo ☐ Credit Card/tarjeta de crédito ☒ Loan/préstamo ☐ Lay-a-way/apartado, ☐ Check/cheque

Date check was cashed (from bank statement): _____
[Fecha en que cambió su cheque: (del estado de cuenta del banco)]

Have you contacted the credit card company to request credit to your account? ☐ Yes/Si ☐ No
[¿Se ha comunicado con la compañía de la tarjeta de crédito para pedir que le acrediten su cuenta?]

6. Have you complained to the business? ☒ Yes/Si ☐ No If yes, when CONSTANTLY
[¿Se ha quejado usted con el negocio? Si contestó que sí, cuando?]

What was the business' response? EXPLAINED IN LETTER or E.I.L.
[¿Cual fue la respuesta del negocio?]

7. Have you filed a complaint with another agency? YES If so, which agency? E.I.L.
[¿Ha puesto una queja con otra agencia? Si así es, ¿con cual agencia?]

What action was taken? NOTHING, BUT THEY STOLE MY EVIDENCE.
[¿Se tomó alguna acción?]

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Has a lawsuit been filed? ☐ Yes/Si ☒ No
[¿Se ha archivado alguna demanda legal y formal?]

PLEASE FILL OUT THIS SECTION IF YOUR COMPLAINT INVOLVES A MOTOR VEHICLE
FAVOR DE LLENAR ESTA SECCIÓN SI SU QUEJA SE TRATE DE UN VEHICULO

Date of purchase/ Fecha de compra: 1990
Vehicle Identification Number/ Número de Identificación de Vehículo: 1GTDK148L 
License Number/ Número de Licencia: 
Make of Vehicle/ Fabricante G.M.C. Model/ Modelo: SLE K-1500 TRUCK
State of Registration/ Registración de Cual Estado: N.M. ^{1ST}
Model Year/ Año de Modelo: 1990
☒ New/ Nuevo ☐ Used Mileage/ Usado-Kilometraje _____

If your complaint involves vehicle repairs, how many times has it been repaired for the same problem?
Si su queja se trata de reparación de vehículos, ¿cuántas veces lo ha llevado por el mismo problema?
What is the problem?/ ¿Cuál es el problema? _____

How many days has it been in the shop?/ ¿Cuántos días ha estado en el taller? _____

I have read the preceding information and it is true to the best to my knowledge and belief. I understand that a copy of this complaint will be sent to the person or company against whom I am filing this complaint. I understand that if I have knowingly filed false or misleading information, this complaint may be closed by the Attorney General's Office. I further understand that my complaint is a public record and is subject to inspection by members of the public.

[Yo he leído la información en esta forma y toda la información es cierta según mi conocimiento y creencia. Entiendo que esta copia de esta queja será enviada a la persona o negocio de la cual me quejo. Entiendo que si archivo información falsa, esta queja será retirada y cerrada por la oficina de la Procuradora General. Entiendo que mi queja es un documento público y que está sujeta a la inspección de cualquier miembro del público.]

Signature
[Firma]



Date 6, 18, 2010
[Fecha]

If you are an individual with a disability who needs a reader, amplifier, sign language interpreter, or any other form of auxiliary aid or service to complete this form, please contact the Consumer Protection Division at 1-800-678-1508 or (505) 827-6060 and/or 1-800-597-4327 TTY. This complaint form can be provided in various accessible formats.

[Si usted es un individuo con alguna incapacidad que requiere alguna forma auxiliar o servicio para completar esta forma, incluyendo lector, amplificador, intérprete de lenguaje de señas, por favor comuníquese con la División de Protección al Consumidor al número gratis de 1-800-678-1508 o al (505) 827-6060 o al 1-800-597-4327 TTY. Esta forma puede ser reproducida y disponible en varios formatos mayores accesibles.]

What type of sign language interpreter? ¿Que tipo de intérprete de lenguaje de señas requiere?
☐ ASL ☐ PSE ☐ English/Ingles ☐ Oral

What type of assistive listening device to you require? ¿Que tipo de aparato para ayudarle a oír requiere?
☐ Pocket Talker/Aparato de Bolsillo ☐ FM System/Sistema de FM
☐ Personal Loop/Lazo personal ☐ CART

**STATEMENT PERTAINING TO: SUNSHINE BUICK GMC/ GMAC FINANCING/ GMC
CUSTOMER CARE CENTER/ TRI-COUNTY GM/ AND AN UNMARKED TOW VEHICLE WHICH ALSO TRIED TO
HOOK UP TO MY 1969 CLASSIC CAR**

To Whom It May Concern:

Reference Numbers:

- 1) Recall reference #26187721
- 2) Federal reference # 26709550
- 3) Federal reference # 26709576
- 4) GM- 71-838052161
- 5) GM- 71-75067545
- 6)
- 7)

I first reported problems on my new 1990 SLE GMC K1500 Truck VIN # 1GTDK148 [REDACTED] which was purchased through Sunshine Buick GMC in Albuquerque, NM. I paid it off early that included an extended service plan which costs \$2400 for 5 years or 75,000 miles bumper to bumper.

Report of Problems were:

- 1) Radio not working properly
- 2) 1 left rear shock absorber fell off (\$400 plus)
- 3) Magnet on cover plate of differential came off and got in the gears ruining the rear end. Twice this has happened costing (\$1700-\$2700) each time.
- 4) Transmission overheated and caused oil to go all over and quit shifting correctly eventually going out completely. Other problems arose like the composite radiator couldn't take the heat and literally blew up. T-seals between the transmission and the transfer case went out causing the transfer case to fill completely to the top causing the drive line yoke to act as a hydraulic cylinder ram damaging seals, bearing and eventually blowing a pressed in plug on the yoke out leaking oil completely under the truck from the transferred case rear ward and the exhaust started smoking burning oil! My boats and other trailers were ruined after leaking oil went all over them. I was left without transportation!
- 5) Front differential outer seals went out and lost all fluid.
- 6) Catalytic converter went out, engine did not run.
- 7) Clutch fan broke sending fan through Shroud.
- 8) Air conditioner compressor high pressure safety valve failed causing compressor to explode and all Freon escaped into the cab of the truck through the air vents!
- 9) Odometer quit registering miles off hand until it completely stopped at 58,885 miles.
- 10) Power steering would not turn to the left as easy as to the right and I mean no power to the left.
- 11) Seat belts never worked properly.
- 12) Valve guides went out on engine around 10,000 miles.
- 13) ABS never worked properly.
- 14) Windshield wiper component comes on when water gets on the unit and wipers will not go off until the unit dries out.
- 15) Torsion bar support fatigues at stress points and breaks!
- 16) Rear brakes do not self adjust properly.
- 17) When speedometer quits so does the cruise control!

To this day I've been consistently trying to get GM to do something and they say they'll fix my problems and even the recalls but at my expenses. I have always requested everything in writing but they will not do that. Recent phone calls made to the attorney general's office made me aware of something I did not know. The FBI should have been contacted on the 1998 truck and the Lemon Laws should have been enforced on both trucks.

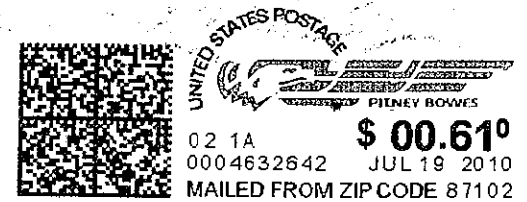
SECOND VEHICLE PURCHASED: 1998 GMC SLE K-2500 EXT. CAB/ EXTENDED WARRANTY AND SOON

To sum this up the first week and shortly thereafter I had put this truck in the service center at Sunshinc GMC four or more times. For the brake failure they tried to convince me the truck was safe so I put this truck out of town for evidence after reporting the problem to FDOT/FTC/CPA/SDOT/GM customer service and informed GMAC no more money unless you address my problems. After three months, I heard nothing back. Truck still parked as not operable. An unmarked tow truck took it. I called GM and their reply was screw you, pay almost \$7,000 for the time I had the truck. I lost my evidence and never to this day will they acknowledge VIN #, my payment to them, problems reported, hanging up on me, my attorney disappeared, and the reports of safety problems disappeared.

- 1) Went 4x4ing on a hill and didn't make it to the top of the hill when the brakes were applied pedal went to the floor and the truck went backwards out of control getting faster until I went across a busy street and running into an embankment hard and cause whiplash in my neck.
- 2) Brakes went to floor at an intersection of a major highway right between cars traveling at 55mph. I had 3-4 children and 2 adults in the truck. It scared all of us and the children were crying and wanted out of the truck so I called a friend to pick up my passengers. I called GM and told them to stick this truck that was supposedly safe to drive. Got it back from the service center and again they insisted nothing was wrong. I said bullshit and then you drive it and I don't care how long it takes for the brakes to fail on you and when they fail if it does not kill you, park it, tow it, and fix it. The service manager replied we are not authorized to do that there is nothing wrong with the truck!
- 3) I ran another stop sign due to the brakes failing.
- 4) Pulling my new boat, my brakes wouldn't stop. So I left the truck and boat right there and walked home from the lake.

I MUST ADD THAT THE SAME TOW TRUCK WAS CAUGHT @ MY HOUSE 180 MILES AWAY TRYING TO HOOK UP TO MY 1969 CLASSIC CAR! MY NEIGHBOR APPROACHED THE PERSON W/ HIS SHOTGUN AND TOLD HIM TO PRODUCE SOME KIND OF I.D. @ THAT INSTANCE HE FLED THE SCENE. WHEN I RETURNED HOME AND MY NEIGHBOR SHOWED ME THE DUALY TRUCK TIRE TRACKS LEADING RIGHT UP TO THE CAR BUMPER AND EXITING AT A HIGH RATE OF SPEED I KNEW SOMETHING WAS VERY WRONG BUT DID NOT PUT 2-2 TOGETHER UNTIL LATER. WE KNOW IT WAS THE SAME TOW TRUCK AS THE ONE THAT PICKED UP THE 1998 GMC TRUCK.

Attorney General of New Mexico
P. O. Drawer 1508
Santa Fe, New Mexico 87504



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