

THOMAS J. MILLER
ATTORNEY GENERAL

CONSUMER PROTECTION DIVISION



Department of Justice

January 5, 2011

[REDACTED]
Anamosa, IA [REDACTED]

RE: Nissan Corporation - General

File # 2011-120867

(Please refer to the above file number when communicating with our office.)

Dear [REDACTED]

We have received and reviewed your letter about the above referenced matter. From the information you provided, it appears your inquiry may be more appropriately reviewed for possible action by the agency listed below. Therefore, by copy of this letter, your information was forwarded to that agency for review. We anticipate the agency may respond to you after reviewing the information.

The agency may or may not take action based on your complaint. If the agency decides not to take action, you may wish to consult with a private attorney of your choice or consider filing a small claims court lawsuit without the assistance of a private attorney if your claim is within the monetary limit for small claims court jurisdiction. In Iowa that limit is \$5,000.00. If your small claims lawsuit is to be filed in another state, you may wish to consult the appropriate clerk of court in that state.

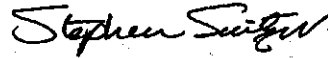
If your search for an attorney is difficult, you may wish to ask friends for recommendations. In addition, the Iowa State Bar Association operates a Lawyer Referral Service. You may call that service at 800-532-1108 (Iowa only) or 515-280-7429 for more information. As another option, telephone directories typically have listings for lawyers in the yellow pages section under "Attorneys."

In addition to filing a complaint with our office for possible assistance, you may be able to use a new state law, effective July 1, 2009, that gives consumer fraud victims the right to file lawsuits against the companies or individuals who allegedly defrauded them. This new law is known as the Private Right of Action for Consumer Frauds Act. You may wish to consult a private attorney about whether you have a right to pursue a lawsuit based on the facts in your case. One of the key features of this new law is that the defendant will have to pay your attorney fees if you win. Please understand that you may contact a private attorney at anytime, even while your complaint is pending with our office. If you do not know the names of any attorneys, you might wish to look in your local Yellow Pages telephone directory under "attorneys" or contact the Lawyer Referral Service of the Iowa State Bar Association at www.iowabar.org. For more information about the new Iowa law, go to our website: www.IowaAttorneyGeneral.gov.

MC
1-19-11
TJW

Thank you for contacting us regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stephen Switzer".

STEPHEN SWITZER
Investigator

cc: National Highway Traffic Safety Administration
Department of Transportation
400 7th Street, SW, Room 2318
Washington, DC 20590

AG CONSUMER

From: [REDACTED]
Sent: Monday, December 27, 2010 11:53 AM
To: AG CONSUMER
Subject: AG Office Consumer Complaint Form

Below is the result of your feedback form. It was submitted by
[REDACTED] on Monday, December 27, 2010 at 11:52:36

name: [REDACTED]
address: [REDACTED]
city: Anamosa
state: IA
zipcode: [REDACTED]
homephone: [REDACTED]
workphone: [REDACTED]
age: 49
respname: Jim Miller Nissan - Subaru / Nissan North America
respaddr: 1900 51st Street N.E.
respcity: Cedar Rapids
respstate: IA
respzip: 52402
respphone: 319 393-0640
vin: JN8AZ08W03W [REDACTED]
product: 2003 Nissan Murano - Defective transmission
newused: Used
datepurch: 2/2/2009
amtpurch: \$4,736.62
amtpaid: \$4,736.62
howpay: Check
contbus: Yes
contatty: No

resolvefair: Nissan (corporate or dealer that performed original replacement) should have replaced again at no cost - Nissan knew this was a defective and unsafe transmission.

comments: Nissan knew the new type of transmission in the 2003 Murano was defective (admitted and extended owners warrenty) but said the problem was corrected. I was outside of the warrenty extension by approximately 20,000 miles so was forced to pay \$4,736.62 to replace the transmission. This replacement could only 1) be purchased from Nissan Motors

and 2) be installed by a Nissan dealer service department. When I asked the service departemnt about the replacement I was told the problems had been corrected and I should have no problems moving forward. When I asked about the replacement transmission warrenty I was told it was only 12 month / 12,000 miles, but again, not to worry - the problem has been corrected. within 21 months, and less than 50,000 miles the \$4,736.62 transmission failed.

I contacted the dealership and they saidf it was out of warrenty and I needed to contact Nissan North America to see if anything could be done. I contacted Nissan North America (Sarah Hamond / 866 799-1690 ext.7104) on 12/22/10 and explained what was happeneing. She said the transmission was out of warrenty and nothing could be done but spend an additional \$4,736.60 and replace it.

Murano owners that have this problem have no option but to purchase defentive transmissions from Nissan and have them installed by Nissan dealers. After researching this issue on the internet I found hundreds of Americans that are having this same problem. Nissan is forcing Murano owners to purchase / install inferior and unsafe rebuilt transmissions at costs three times that of a typical rebuilt transmission.

submit: Send in the complaint

HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 8.0; Windows NT 6.0; Trident/4.0; SLCC1;
.NET CLR 2.0.50727; .NET CLR 3.5.30729; .NET CLR 3.0.30729; .NET4.0C)

STATE OF IOWA
DEPARTMENT OF JUSTICE
CONSUMER PROTECTION DIVISION
HOOVER BUILDING
DES MOINES, IOWA 50319

Address Service Requested

PRESORTED
FIRST CLASS



Hessler

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Mailed From 50319
US POSTAGE

National Highway Traffic Safety Administration
Department of Transportation
400 7th Street, SW, Room 2318
Washington, DC 20590

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