

CL-10303814-4317

FEB 14 2011

[REDACTED]
Stony Brook, NY [REDACTED]
[REDACTED]

February 8, 2011

Office of the President
BMW of North America, LLC
300 Chestnut Ridge Road
Woodcliff Lake, NJ 07677-7731

Dear Madam or Sir:

I would like to bring the following matter to your attention for your kind consideration:

We are the owner of 2 BMW automobiles, a 1997 328i sedan and a 2004 525i sedan. We purchased these vehicles new because we know BMW stands for quality and safety.

On January 17, 2011 while exiting the front passenger seat the airbag warning light was illuminated and a message "Pass. Airbag System Failure" appeared (as on several previous occasions). After several weeks the warning light and message did not disappear (as on previous occasions). On January 21, 2011 while researching online BMW recalls I found a report by **National Highway Traffic Safety Administration** identifying faulty front passenger seat sensor mats in BMW model years 2004 through 2006. It also states BMW is extending the warranty to 10 years without any mileage limit to several model years including our 2004 525i. Under this extended warranty program the passenger seat sensor mat will be replaced at no charge to the customer. Within the next few days we contacted our BMW dealer Habberstad in Huntington, NY to arrange for an appointment to repair the problem. On February 1, 2011 I brought the car to Habberstad and made the advisor aware that this is an extended warranty issue. He stated that he would check out this particular matter with BMW headquarter in NJ. On February 2, 2011 the car was repaired and we were told that our sensor mat was an updated seat mat and, therefore, did not qualify for the extended warranty extension and we had to pay \$ 1242,78.

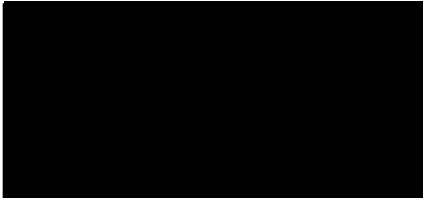
We feel that the updated seat sensor mat was just as faulty as the non-updated mat and failed after 6 years under normal usage and qualify for your 10 years extended warranty program.

16
2/21/11
PW

We hope that BMW will correct this injustice, as this is a serious safety issue and include our vehicle for reimbursement in the amount of 1242.78. I am including a copy of the repair invoice from Habberstad BMW and also a copy of the recall report of the National Highway Traffic Safety Administration.

We hope you will consider all the above stated facts as we are loyal BMW owners and plan to purchase a new BMW in the near future.

Yours truly,



Enclosure:
Repair Invoice Habberstad BMW
Recall Notice NHTSA

Cc: ✓
NHTSA Headquarters
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590



BMW

Habberstad

MINI

SALES • SERVICE • PARTS

945 E. Jericho Turnpike / Huntington Station, New York 11746 / 631 271-7177
SERVICE DEPT. HOURS: MON.-FRI. 7:00 A.M.-5:30 PM. OPEN THRU LUNCH
PLEASE CALL FOR AN APPOINTMENT

CELL: [REDACTED]

CUSTOMER NO 25793	CONTROR FELIPE PAPANO	71641	TAG NO L231	INVOICE DATE 02/02/11	INVOICE NO BMCS426002
[REDACTED]	LABOR RATE 135.00	[REDACTED]	MILEAGE 109,505	COLOR TITANIUM SI	STOCK NO
STONYBROOK, NY	YEAR/MAKE/MODEL 04/BMW/525/4 DOOR	DELIVERY DATE 05/12/04		DELIVERY MILES 10	
[REDACTED]	VEHICLE ID NO W B A N A 5 3 5 1 4 B	SELLING DEALER NO 11		PRODUCTION DATE 03/01/04	
[REDACTED]	ET / EN	P.O. NO		W.O. DATE 02/01/11	
RESIDENCE PHONE	BUSINESS PHONE	COMMENTS			

MO: 109506

JOB# 1 CHARGES

LABOR
J# 1 57BMZABL AIR BAG LIGHT HOURS: 5.60 TECH(S):72190 756.00
CUSTOMER STATES: PASSENGER RESTRAINT SYSTEM FAILURE DISPLAYED ON DASH. OK DIAGNOSIS \$135.00+ATX.
PERFORMED SHORT TEST AND HOOK UP BATTERY CHARGER.
FC STORED FOR PASS SEAT MAT FC 9588 PERFORMED TEST PLAN AS PER TEST PLAN SEAT MAT DEFECTIVE. REPLACED SEAT MAT.
CLEARED FAULTS AND INITIALIZED UPDATE TO SYSTEM. RECHECK OK.
BMW WARRANTY DOES NOT SHOW WARRANTY EXTENSION ON SET MAT FOR THIS VEHICLE. CONTACTED BMW REP FOR CLARIFICATION ON WARRANTY. BMW REP RESEARCHED VEHICLE BACK TO FACTORY IN GERMANY. VEHICLE WAS MANUFACTURED WITH UPDATED SEAT MAT AND DOES NOT QUALIFY FOR WARRANTY EXTENSION. UNABLE TO ASSIST WITH WARRANTY COVERAGE FOR REPAIRS.

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT	PRICE
	1	52-10-9-142-348	BASIC SEAT UPHOLSTE		388.10
TOTAL - PARTS					388.10

JOB# 1 TOTALS
LABOR 756.00
PARTS 388.10
JOB# 1 JOURNAL PREFIX BMCS JOB# 1 TOTAL 1144.10

JOB# 2 CHARGES

LABOR
J# 2 01BMMP1 MPI VEHICLE INSP HOURS: TECH(S):72190 0.00
CUSTOMER STATES: PERFORM MPI VEHICLE INSPECTION. COMPLETED

JOB# 2 TOTALS
JOB# 2 JOURNAL PREFIX BMCS JOB# 2 TOTAL 0.00

JOB# 3 CHARGES

LABOR
J# 3+82BMZCARWASH CAR WASH HOURS: TECH(S):999
SUPPLY CUSTOMER WITH COMPLIMENTARY CAR WASH.
DIX HILLS CAR WASH. GOOD FOR 1 WEEK FROM INVOICE DATE.

JOB# 3 TOTALS
JOB# 3 JOURNAL PREFIX BMCS JOB# 3 TOTAL 0.00

ESTIMATE
CUSTOMER HEREBY ACKNOWLEDGES RECEIVING ORIGINAL ESTIMATE OF \$0.00 (+TAX)
APPROVED REVISED ESTIMATE (# 1) OF \$1245.00 (+TAX) ON 02/01/11 AT 10:51am
BY [REDACTED] COMMENTS OK SEAT MAT AND PROGRAMMING
COMMENTS
CUSTOMER REQUESTED A LOANER

ANY WARRANTIES ON THE FACT OF SALE 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 NOTHING HEREIN NOR AUTHORIZES ANY OTHER PERSON TO ASSUME THE SAME. LIABILITY IN CONNECTION WITH THE SALE OF SAID PRODUCT SHALL BE LIMITED TO THE WARRANTY OF MERCHANTABILITY AND FITNESS FOR PURPOSE ONLY. THE SELLER SHALL NOT BE LIABLE FOR CONSEQUENTIAL DAMAGES. THE SELLER SHALL NOT BE LIABLE FOR DAMAGES OF ANY KIND OR NATURE, INCLUDING BUT NOT LIMITED TO, SPECIAL, INCIDENTAL, OR PUNITIVE DAMAGES. THE SELLER SHALL NOT BE LIABLE FOR DAMAGES OF ANY KIND OR NATURE, INCLUDING BUT NOT LIMITED TO, SPECIAL, INCIDENTAL, OR PUNITIVE DAMAGES. THE SELLER SHALL NOT BE LIABLE FOR DAMAGES OF ANY KIND OR NATURE, INCLUDING BUT NOT LIMITED TO, SPECIAL, INCIDENTAL, OR PUNITIVE DAMAGES.

CUSTOMER ACKNOWLEDGES RECEIPT OF COPY
DATE: 02/02/11 BY: [REDACTED]

Thank you for this opportunity to serve you. It is our aim to perform the best service possible. We request that you give us your feedback on this service. We are always looking for ways to improve our service. We are always looking for ways to improve our service. We are always looking for ways to improve our service.

BMW

Habberstad

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SALES • SERVICE • PARTS

945 E. Jericho Turnpike / Huntington Station, New York 11746 / 631 271-7177
 SERVICE DEPT. HOURS: MON.-FRI. 7:00 A.M.-5:30 P.M. **OPENTHRU LUNCH**
 PLEASE CALL FOR AN APPOINTMENT

CELL: [REDACTED]

CUSTOMER NO 25793	ADVISOR FELIPE PAPANO	71641	TAG NO. L231	INVOICE DATE 02/02/11	INVOICE NO. BMCS426002
[REDACTED]	LABOR RATE 135.00	LICENSE NO. [REDACTED]	MILEAGE 109,505	COLOR TITANIUM SI	STOCK NO.
STONYBROOK, NY [REDACTED]	YEAR/MAKE/MODEL 04/BMW/525/4 DOOR			DELIVERY DATE 05/12/04	DELIVERY MILES 10
[REDACTED]	VEHICLE ID NO. W B A N A 5 3 5 1 4 B			SELLING DEALER NO. 11	PRODUCTION DATE 03/01/04
[REDACTED]	RESIDENCE PHONE [REDACTED]	BUSINESS PHONE [REDACTED]	COMMENTS	R.O. DATE 02/01/11	
				MO: 109506	

TOTALS

HERE AT HABBERSTAD BMW & MINI WE VALUE THE OPINION OF ALL OF OUR CLIENTS & WE WANT EVERYONE TO FEEL LIKE THEY ARE PART OF THE HABBERSTAD FAMILY. IF THERE IS ANY REASON THAT YOU CAN NOT ANSWER ALL SURVEY QUESTIONS WITH A (10) PLEASE!! CONTACT YOUR SERVICE MANAGER TONY PALMIERI @ 631-418-3277 OR TPALMIERI@HABBERSTADBMW.COM

*** ** JOIN US ON FACEBOOK: FACEBOOK.COM/HABBERSTADAUTO ***

*** ** JOIN US ON FACEBOOK:FACEBOOK.COM/HABBERSTADMINI ***

UNFORTUNATELY, INCLEMENT WEATHER (E.G. RAIN/SNOW/ICE) WILL PREVENT YOUR VEHICLE FROM BEING WASHED

*** ** **

TOTAL LABOR....	756.00
TOTAL PARTS....	388.10
TOTAL SUBLET...	0.00
TOTAL G.O.G....	0.00
TOTAL MISC CHG.	0.00
TOTAL MISC DISC	0.00
TOTAL TAX.....	98.68
TOTAL INVOICE \$	1242.78

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 NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF SAID PRODUCT.

LABOR AND PARTS ARE SEPARATEDLY PRICED AND SHOWN ON THE INVOICE.

ALL SALES ARE FINAL.

PLEASE PRINT NAME OF BUYER AND ADDRESS HEREON.

X CUSTOMER ACKNOWLEDGES RECEIPT OF COPY

Thank you for your purchase. We are sure it is our best. We appreciate your business and we are committed to your satisfaction. If you have any questions, please call us at 631-271-7177.

THANK YOU

CUSTOMER SIGNATURE

HABBERSTAD BMW
 945 E. JERICHO TPKE.
 LONG ISLAND, NY 11746
 631-271-7177

BATCH: 0006
 S-A-L-E-S D-E-P-T
 75637849
 396300014548

REF: 0027
 CD TYPE: MASTERCARD
 TR TYPE: PURCHASE
 DATE: FEB 02, 11 16:40:02

TOTAL \$1242.78

ACCT: *****
 AP: 00215P
 NAME: [REDACTED]
 TRANS: 0202MCMJHY151

CARDMEMBER ACKNOWLEDGES RECEIPT OF GOOD AND/OR SERVICES IN THE AMOUNT OF THE TOTAL SHOWN HEREON AND AGREES TO PERFORM THE OBLIGATIONS SET FORTH BY THE CARDMEMBER'S AGREEMENT WITH THE ISSUER.

CUSTOMER COPY

The RepairPal logo, featuring the word "RepairPal" in a stylized font with a small car icon above the "P".

BMW 525i Recall 08V384000

Original Recall from the NHTSA

Model Year(s): 2004, 2005, 2006

NHTSA CAMPAIGN ID Number: 08V384000

Component: AIR BAGS:FRONTAL

Potential Number of Units Affected: 200000

Mfr's Report Date: N/A

NHTSA Action Number: EA08001

Summary: BMW IS RECALLING 200,000 MY 2006 3 SERIES SPORT SEAT, MY 2004-2006 5 SERIES STANDARD AND SPORT SEAT, AND MY 2004-2006 X2 PASSENGER VEHICLES. DEPENDING ON THE MANNER AND FREQUENCY OF THE FRONT PASSENGER'S ENTRY AND EXIT, SMALL CRACKS HAVE DEVELOPED IN THE MAT. IF THIS OCCURS, THE FRONT PASSENGER AIR BAGS, WITH THE EXCEPTION OF THE HEAD PROTECTION SYSTEM, WILL BE DEACTIVATED AND THE AIR BAG WARNING LAMP AS WELL AS THE PASSENGER AIR BAG "ON-OFF" LAMP WILL BE ILLUMINATED.

Consequence: IN THIS SITUATION THE FRONT PASSENGER AIR BAGS WILL NOT DEPLOY EVEN IF A SUFFICIENTLY SEVERE ACCIDENT WOULD OCCUR AND OCCUPANT PROTECTION PROVIDED BY THE SYSTEM WOULD NOT BE POSSIBLE.

Remedy: DEALERS WILL REWORK THE FRONT PASSENGER SEAT SENSOR MAT SO THAT EXTERNAL FORCE APPLICATION TO THE SEAT DOES NOT CAUSE A CRACK TO THE MAT. THE RECALL IS EXPECTED TO BEGIN DURING LATE SEPTEMBER 2008. BMW WILL ALSO EXTEND THE WARRANTY ON THESE VEHICLES TO 10 YEARS FROM FIRST REGISTRATION WITHOUT ANY MILEAGE LIMIT. OWNERS MAY CONTACT BMW AT 1-800-525-7417.

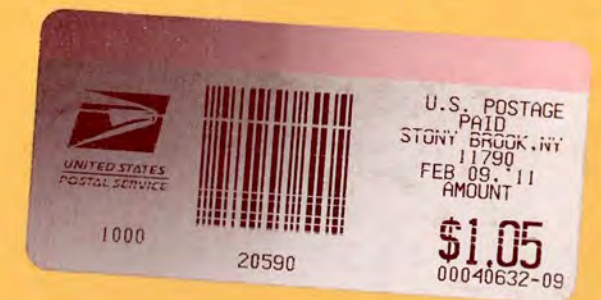
Notes: BMW IS EXTENDING THE WARRANTY TO 10 YEARS FROM FIRST REGISTRATION WITHOUT ANY MILEAGE LIMIT TO THE FOLLOWING VEHICLES: MY 2006 6-SERIES, 3-SERIES (STANDARD SEAT), MY 2004-2005 Z4, MY 2004-2006 7-SERIES, MY 2006 X5, AND MY 2004-2006 5-SERIES (COMFORT SEAT). UNDER THE EXTENDED WARRANTY PROGRAM, THE OCCUPANT DETECTION MAT IN A VEHICLE THAT EXPERIENCES THIS SPECIFIC ISSUE WILL BE REPLACED AT NO CHARGE TO THE CUSTOMER. CUSTOMERS MAY ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY 1-800-424-9153), OR GO TO [HTTP://WWW.SAFERCAR.GOV](http://www.safercar.gov).



Recall data provided by the National Highway Traffic Safety Administration

Add your experience with this recall

Stony Brook, NY
USA



NHTSA Headquarters
1200 New Jersey Ave., SE
West Building
Washington, DC 20590
Attn. Vehicle Safety Dept.

