



U.S. Department of Transportation  
National Highway Traffic Safety Administration

**DOT Auto Safety Hotline**  
**Vehicle Owner's Questionnaire**  
To Report Vehicle Safety Defects  
1-888-DASH-2-DOT  
(1-888-327-4236)  
INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received  
JUN 09 2011  
69-MAY-2011

Repository   
Reference No.  
10399548

**OWNER INFORMATION (Type or Print)**

Name [Redacted]  
Address [Redacted]  
City CUBA State MO Zip Code [Redacted]

Daytime Telephone Number [Redacted]  
Evening Telephone Number *Same*  
E-mail Address [Redacted]

The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).

**VEHICLE INFORMATION**

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side  
1G1PF5S98B7 [Redacted] Make CHEVROLET Model CRUZE Model Year 2011  
Date Purchased 3-30-11 Dealer's Name and Telephone Number West Bros. 573-468-4100 Engine: No: Cylinders 4 Fuel Type: Regular  
Original Owner  Dealer's City Sullivan State MO Zip Code 63080  
Transmission Type Automatic Antilock Brakes  Cruise Control  Powertrain Multiple Failure: 4-Times Incident Date(s) 31-MAR-2011

**FAILED COMPONENT(S)/PART(S) INFORMATION**

Vehicle Component Code: 030000 SERVICE BRAKES, HYDRAULIC Failure Mileage 50 Failure Speed 3

**ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE**

Tire Make Tire Model (Name or Number) Tire Size (Example P215/65R15)  
DOT No. (Example: DOTM19ABC036)  Original Equipment  Prior Repair Failure Location:  
Tire Component Code Tire Failure Type:

**ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE**

Make: Date Manufactured: Model No./Name:  
Seat Type: Installation System:  
Child Seat Component Code: Failed Part:

**APPLICABLE INCIDENT INFORMATION**

(Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)

Crash  Yes  No Fire  Yes  No  
Number of Persons Injured Number of Deaths Reported to Police N

Narrative Description of Incident(s), Crash(es), and Injury(ies).  
Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).

TL\*THE CONTACT OWNS A 2011 CHEVROLET CRUZE. WHILE DRIVING APPROXIMATELY 3 MPH THE CONTACT APPLIED PRESSURE TO THE BRAKE PEDAL. THE PEDAL DROPPED BELOW THE ACCELERATOR PEDAL AND EXTREMELY CLOSE TO THE FLOOR BOARD. THE VEHICLE ALSO JERKED FORWARD. THE VEHICLE WAS TAKEN TO THE DEALER WHERE THEY WERE UNABLE TO DIAGNOSE OR DUPLICATE THE FAILURE. THE FAILURE RECURRED INTERMITTENTLY ON FOUR DIFFERENT OCCASIONS. THE CONTACT TAPED A BLOCK OF WOOD UNDER THE BRAKE PEDAL TO PREVENT IT FROM FALLING BELOW THE ACCELERATOR PEDAL. THE MANUFACTURER WAS MADE AWARE OF THE FAILURE. THE VEHICLE WAS NOT REPAIRED. THE APPROXIMATE FAILURE MILEAGE WAS 50.

*ON Top to raise brake pedal 1 1/2 inches*

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice. ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

MOTOR VEHICLE BUREAU  
DEALER LICENSING SECTION  
P O BOX 43  
JEFFERSON CITY MO 65105-0043



*Missouri*  
DEPARTMENT OF REVENUE

Telephone: (573) 526-3669  
E-mail: dealerlic@dor.mo.gov

[REDACTED]  
CUBA MO [REDACTED]

April 25, 2011

RE: WEST BROTHERS

Dear [REDACTED]

This letter is to confirm that the Motor Vehicle Bureau, Dealer Licensing Section, received your complaint on the dealer referenced above.

Your complaint will be forwarded to the appropriate personnel for any action deemed necessary.

Please be advised that once a complaint has been filed, the complaint and any related investigative activity is strictly confidential until such time as formal proceedings are filed with the Director, or the Director disposes of the complaint in accordance with Section 301.562, RSMo.

If you require additional information or assistance, please contact the Motor Vehicle Bureau at Post Office Box 100, Jefferson City, Missouri 65105-0100 or by telephone at (573) 526-3669 between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday.

MOTOR VEHICLE BUREAU

DU0528:JENNIFER

MVB208  
201111500300755



April 15, 2011

[REDACTED]  
Cuba, MO [REDACTED]

Service Request Number: 71-935545591

Dear [REDACTED]

Thank you for contacting us recently regarding the dissatisfaction you have experienced with your 2011 Chevrolet Cruze. We apologize for any inconvenience you may have experienced.

If you have any concerns with your vehicle at this time, we recommend that you contact the service manager at West Brothers Ford, Inc. who will determine the most appropriate action to take. Chevrolet dealerships have the authority to handle most situations and will contact our Customer Assistance Center if additional assistance is required.

Although we would like you to be completely satisfied with your ownership experience, we do not feel a repurchase or trade is appropriate at this time.

If you have any future questions, please feel free to contact our Chevrolet Customer Assistance Center at 1-800-222-1020. Please refer to your service request number above and any of our Customer Relationship Specialists will be happy to assist you.

Sincerely,

Chevrolet Customer Assistance Center

*Ext 1-866-790-5600*

*11159*

*Debrah - Will call us back Wed 4/20*

*She will contact Area mgr who will handle West Brothers complaint*



Customer Assistance Center

Chevrolet Division  
P.O. Box 33170  
Detroit, MI 48232-5170



# WEST BROTHERS FORD

CVCS111329

CVCS111329

47 North Service Road West • P.O. Box 579  
Sullivan, MO 63080  
Phone (573) 468-4100 • 866-468-9100  
www.westbrothers.com

CUSTOMER NO. <b>27126</b>		ADVISOR <b>DAVID</b>	94342	TAG NO.	INVOICE DATE <b>04/04/11</b>	INVOICE NO. <b>CVCS111329</b>
[REDACTED]		LABOR RATE	LICENSE NO.	MILEAGE <b>308</b>	COLOR <b>CRYSTAL RED</b>	STOCK NO. <b>71212623</b>
CUBA, MO [REDACTED]		YEAR / MAKE / MODEL <b>11/CHEVROLET/CRUZE/4DR SDN LT</b>			DELIVERY DATE <b>03/29/11</b>	DELIVERY MILES <b>13</b>
[REDACTED]		VEHICLE I.D. NO. <b>1 G 1 P F 5 S 9 8 B 7 [REDACTED]</b>			SELLING DEALER NO.	PRODUCTION DATE
[REDACTED]		F. T. E. NO.			P. O. NO.	R. O. DATE <b>04/04/11</b>
RESIDENCE PHONE	BUSINESS PHONE	COMMENTS				

MO: 308

JOB# 1 CHARGES-----

LABOR-----

JOB# 1 08F0Z004 PEDAL GOES TO FLOOR TECH(S) 99591 WARRANTY

C/S BRAKE PEDAL FEELS REALY SOFT SEEMS LIKE IT GOES TO FAR TO FLOOR.  
ROAD TEST VEHICLE NOTHING ABNORMAL FELT ABOUT BRAKE PEDAL  
RACK CHECK FOUND NOTHING BRAKE FLUID FULL SEARCH FOR BULLETI  
FOUND NONE COULD NOT REPRODUCE CUSTOMER COMPLANT AT THIS  
TIME ALL WORKING TO FACTORY SPEC..

**DISCLAIMER OF WARRANTIES**  
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 THE VEHICLE.

JOB# 1 TOTALS-----

JOB# 1 JOURNAL PREFIX CVCS JOB# 1 TOTAL 0.00

TOTALS-----

TOTAL LABOR....	0.00
TOTAL PARTS....	0.00
TOTAL SUBLET...	0.00
TOTAL G.O.G....	0.00
TOTAL MISC CHG.	0.00
TOTAL MISC DISC	0.00
TOTAL TAX.....	0.00
<b>TOTAL INVOICE \$</b>	<b>0.00</b>

CUSTOMER SIGNATURE

**WARRANTY**

**WOW!!! WE MADE A DECISION TO BUY A NEW CAR SO THAT  
WAY WE KNOW ALL MAINTENANCE IS GOING TO BE DONE  
RIGHT AND THE VEHICLE WILL HOPEFULLY LAST US A LONG  
TIME.**

**LET'S BUY AN AMERICAN MADE MODEL - AFTER BAILING  
THEM OUT - WE THOUGHT WE SHOULD HELP TO STIMULATE  
THE ECONOMY IN THE UNITED STATES**

**WE ARE SO SORRY NOW THAT WE MADE THIS DECISION!!!**

My husband, [REDACTED] went by West Brothers Dealership in Sullivan, Missouri and looked at a new Chevrolet Cruze and was impressed with the looks and styling of the car.

Tuesday, March 29th, 2011

We spent five hours with Sales Consultant, Wes Gallegos, trying to get us to sign for a new car. The only way we were able to leave the dealership, was that my husband and I had nothing to eat and were getting shaky. But the main reason was that he was experiencing chest pains and needed his medications. Wes even offered to go home with us, eat, get his medications and return back to the dealership with us to finish the deal. We finally escaped after telling them they would have to pay for the ambulance ride and hospital bill, if I did not get him home NOW!!!

Wednesday, March 30th, 2011

After arranging our affairs for insurance, finances and budget, we returned to the dealership, signed the papers and took possession of our new 2011 Chevrolet Cruze.

Thursday, March 31st, 2011

[REDACTED] ran some errands and went to pull in a parking spot directly in front of the doors of Bridget's Print Shop. When he applied the brakes, the car lunged forward coming within inches of going through the store front because the brake pedal went pass the gas pedal. Needless to say, the girl inside was scared to death as well as my husband that somebody was going to get injured or killed.

Friday, April 1st, 2011

We were together in town and came to a stop sign, the next thing I knew we were more than halfway thru the intersection before being able to stop. Once again, gas pedal engaged with brake. Thank goodness there were no other cars coming our way on the roadway.

Saturday, April 2nd, 2011

I, [REDACTED] drove the car for the first time to take some friends to an luncheon in our community. While coming home, I had to pull over prior to

crossing a one lane bridge to give the oncoming driver the right of way. Thankfully I was going very slow but when I depressed the brake, the gas pedal also depressed lunging the car forward. I knew to pull up on the emergency brake and throw the car in to park. This prevented three women from going into a deep lake at Indian Hills. **I HAVE NEVER DRIVEN THIS VEHICLE SINCE THAT DAY!!!**

Monday, April 4th, 2011

We returned the car to West Brothers in Sullivan and they refused to take it back. We asked for our trade in back and to cancel the entire deal as we did not want any more of these incidents happening. We were told that was not possible unless we upgraded to a more expensive model or purchased a USED VEHICLE at a higher price. These choices were totally out of the question. While there, I tried three other Chevrolet Cruzes and they all had the same braking problem. West Brothers kept the car to check out the brakes but stated that there was no adjustment that could be made to solve the problem. They advised us "To adapt our driving skills to be able to drive this particular car.

Monday, April 11th, 2011

We tried to return the car again to no avail. We left and went to the DOR and was informed about the rescinded sale clause. They were even nice enough to give us the paper work and notarize Form 768 to rescinde sale and a second form to return our trade in vehicle along with cash down payment.

Wednesday, April 13th, 2011

As husband was going back to DOR, he missed the brake completely, "Trying to adapt his driving skills". He just missed a utility pole. He was so badly shaken up mentally this time, it took quite awhile for him to calm down to get home. We contacted West Brothers immediately and asked to talk to Lawrence A. West, Sr., we were told that he was unavailable at that time but would return our call shortly. (no return call).

We tried calling again later that afternoon and was told Lawrence A. West, Sr. was at the Rolla Kia location. We were referred to Nick Polinowski (not sure of the spelling as he refused to give it to us). He told us rudely that he was the only Pollock there named Nick and Sales Manager. As we tried calmly to explain the whole situation, he became extremely loud, rude and very vulgar (actually telling us to !@#\$ %ff). That he did not care who we talked to or what we did, they would not work with us to correct anything and they did not need our business and !@#\$ %ny referrals. As far as our complain forms or any other paperwork we presented them, his action would be to "Tear them up and throw them in the !@#\$ % bucket!"

We called back again and got a opportunity to talk to Lawrence West, Jr. He started the conversation very ifate but was able to calm down enough so we could explain our complete problem. Then he said the brake pedal may be able to be modified in order to be higher than the gas pedal. So we took the car back again. I feel that this is an admission that he is aware of the problem that exists and needs to be investigated by proper authorities

Friday, April 15th, 2011

Car is still in shop at 5 pm and there has been no offer of a loaner for the weekend.

Saturday, April 16th, 2011

I called to check on car, only got voice mail, left a message. No return call and now they are gone for the rest of the weekend.

Sunday, April 17th, 2011

█ drove down to West Brothers to see if the Cruze was in the shop. It was on the back lot. He then drove over to the used car section and LO & BEHOLD, there sat our 2000 GMC Van for sale. The same one they claimed was sold the day after we traded it in. They are asking \$6,475.00 for what we got \$2,000.00 trade in for. This is the same vehicle that they could of returned to us and rescinded the sale of the Cruze.

Monday, April 18th, 2011

We have tried repeatedly to contact Dave, Service Mgr., at West Brothers only to continually get his voice mail box and leave messages each time. It seems he will not return any of our calls and is totally avoiding talking to us. We are both getting very upset and do not want to go to West Brothers in person to see anyone, as we are now afraid of loosing our tempers.

With my husband's serious heart condition, this whole ongoing stressful situation is taking a hard toll on him. He has suffered four heart attacks and under went open heart surgery for bypasses and stents in May, 2010. This surgery had to be followed up with a pacemaker implant in his chest to keep heart rhythm steady as he continued to have three incidents of his heart stopping and his collapsing unconscious.

As far as myself, my nerves are shot and constantly upset. I am trying to keep █ calm but I am so furious that we have to be put through this whole mess of a situation. I have also had to have stents placed in my heart after a heart attack in 2005 and am suppose to avoid stress.

Tuesday, April 19th, 2011

Seen Kent Howald, Atty. He said this case was not in his expertise to handle and recommended another lawyer but said it would be expensive to pursue the case. We live on Social Security so lawyer's fees are not within our budget.

Thrusday, April 21st, 2011

Debrah, Chevrolet Customer Assistance Center, finally called to say we could pick up the car. After six days in West Brothers shop, with no loaner car to use, they came to the descision that nothing was wrong with the brake pedal and no adjustment could be made, so we are back to square one again.

We gave in and went to pick the car up. When I asked for paper work showing that they had the car for six days and what had been done as far as service, they said there was no paperwork available and would not produce any. Which tells us that nothing was done, the car was not looked at or checked out. Also, without paperwork it will be harder to prove that this car qualitties for the Lemon

Law Procudure we plan on undertaking.

took the car home and I went shopping and out to eat dinner with a friend, when I got a call from that he was having chest pains, shortness of breath and dizziness. I left the restaurant immediately and sped home to try to beat the ambulance to my husband. Upon arrival at home, had already taken Nitro and aspirin. The pain was letting up and his blood pressure & heart rate were dropping so he did not want to go thru the ordeal of being taken to our local inept hospital at Sullivan, Missouri.

Friday, April 22nd, 2011

was able to get through the nite and he took a phone check system on his pacemaker. Dr. Sonn, Cardiologist, called back and advised him to call him back and get to St. John's Mercy Hospital immediately if there were any other occurances like he had the nite before. Most imporant he was advised to avoid any stress and try to relax.

So as far as the car goes, we can not let it upset us anymore. My letter writing and contacts will still be done without knowledge.

Saturday, April 23rd, 2011

Went to the DMV and ordered new personalized plates for the Chevy Cruze. A-LEMON.....very appropriate we feel. This hopefully will bring the facts to many others that the Cruze is a dangerous vechile to drive as we will be more than glad to inform them of anyone of our experience with the car and especially trying to deal with West Brothers Dealership.

On top of everything else, luckily heard something hitting the road from the tire. We pulled over and found a 1-1/2" hex head screw with the washer still attached screwed directly into the left front tire of the drivers side. This seems pecular that this could of been placed there when we picked up the car from the dealership. We were able to get to My Place Tires immediately and have the screw removed and tire patched on the inside properly.

Thrusday, April 28th, 2011

Someone (name unknown) called today from General Motors for a Customer Satisfaction Survey. We told him how dissatisfied we were with the Chevy Cruze's brake and transmission problems. He claimed he would contact General Motors Engineering Department immediately and report that this is a very dangerous problem

Also talked to a friend today, who just bought a new Cruze. He has had the same problem with the braking system. He nearly hit another car when he pushed on the brake and brake pedal went lower than the the gas pedal causing him to accelerate instead of stopping.

Friday, April 29th, 2011

**I HAVE JUST BECOME A ENGINEER AND SOLVED THE BRAKING PROBLEM!!!!!!**

**I cut a piece of 2 x 4 wood block and attached it to the brake pedal so it can not sink down and hit the accelerator. Much Safer!!**

After much pleading my wife actually got in and took the car for a test drive after

swearing she would not ever drive the vechile again. She was really impressed in the difference is now looking forward to be able to drive our new car.

**IF I CAN FIX THIS PROBLEM, WHY DOESN'T GM ADMIT THERE IS A PROBLEM AND FIX THE DEFECT BEFORE LIVES ARE LOST AND PEOPLE ARE INJURED??????**

**I SHOULD HAVE MY "A-LEMON" PLATES SHORTLY AND HAVE HAD FLYERS PRINTED UP TO HAND OUT TO ANYONE INTERESTED IN PURCHASING A NEW CHEVY CRUZE!!!!!!**



MISSOURI DEPARTMENT OF REVENUE  
 MOTOR VEHICLE BUREAU  
 PO BOX 100, JEFFERSON CITY MO 65105  
 (573) 751-4509 www.dor.mo.gov/mvdl  
**GENERAL AFFIDAVIT**

FORM  
**768**  
 (REV. 2-2008)

**WARNING: ANY FALSE STATEMENT IN THIS AFFIDAVIT IS A VIOLATION OF LAW, AND MAY BE PUNISHED BY FINE OR IMPRISONMENT, OR BOTH. QUESTIONS SHOULD BE REFERRED TO (573) 751-4509.**

**COMPLETE INFORMATION AS REQUIRED**

I, the undersigned, do hereby certify that . . . .

- 1. NON-USE (Notarization required). . . . the motor vehicle described on the attached application has not been operated on public roads or the highways of Missouri by myself, or my agent during the period of \_\_\_\_\_ to \_\_\_\_\_.
- 2. GIFT . . . . I am giving this motor vehicle to \_\_\_\_\_ and there is no money or other valuable consideration involved in the transaction.
- 3. VEHICLE OUT OF STATE . . . . the vehicle described below has not been in the state of Missouri for the 60 day period immediately preceding the date of this application for registration and will be submitted for inspection at an official inspection station within 10 days after entering the state by myself, or my agent.
- 4. ABANDONED VEHICLE ON REAL PROPERTY . . . . the vehicle described below was abandoned on real estate owned or purchased by me located at (address, city, state): \_\_\_\_\_, and has an approximate retail/fair market value of \$ \_\_\_\_\_. List circumstances by which the real property owner came into possession of the abandoned vehicle: \_\_\_\_\_
- 5. REPOSSESSION CERTIFICATION (Notarization required). . . . I certify under penalties of perjury that I have written consent from all owners and/or lienholders of record to repossess this motor vehicle, trailer, all-terrain vehicle, manufactured home, boat/vessel, or outboard motor, or I have provided all owners/lienholders with a 10-day written notice by first class mail or as outlined in the Uniform Commercial Code, of the repossession and that an application for repossessed title will be made and the notice has now expired. Debtor's name and location/address of repossessed unit: \_\_\_\_\_
- 6. Other We have no interest in this vehicle. Returning to dealer. Rescinded sale. CAR HAS MAJOR defect with BRAKE AND ACCELERATOR.
- 7. I certify that I am seventy five years old or older and am no longer required to present a physician's statement at the time of renewal for disabled person placards or license plates.

OWNER (LIENHOLDER IF BOX 5 IS CHECKED) (TYPE OR PRINT)	YEAR	MAKE	MODEL
[REDACTED]	2011	Chevrolet	Cruze

VEHICLE IDENTIFICATION NUMBER	ORIGINAL TITLE NUMBER	CURRENT LICENSE NUMBER
1G1PF5S98B7 [REDACTED]	Dealer Has	[REDACTED]

SIGNATURE OF OWNER	DATE
[REDACTED]	04/12/2011

**NOTARY PUBLIC — (REQUIRED ON ITEMS 1 AND 5, MAY BE REQUIRED ON ITEM 6)**

NOTARY PUBLIC EMBOSSE OR BLACK INK RUBBER STAMP SEAL	STATE OF Missouri	COUNTY (OR CITY OF ST. LOUIS) Crawford
	SUBSCRIBED AND SWORN BEFORE ME, THIS 12th DAY OF April 2011	USE RUBBER STAMP IN CLEAR AREA BELOW.
NOTARY PUBLIC SIGNATURE <i>D. Summers</i>	MY COMMISSION EXPIRES 9-30-2013	<b>D. SUMMERS</b> Notary Public - Notary Seal State of Missouri Commissioned for Crawford County My Commission Expires: September 30, 2013 Commission Number: 09706349
NOTARY PUBLIC NAME (TYPED OR PRINTED) D. Summers		