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CL-10427328-5306

NVS-280

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Administrator

AUG 31 2011

National Highway Traffic Safety Administration

1200 New Jersey Avenue SE,

Washington, DC 20590

Dear August 19, 2011

Safety Administrator,

I recently had recall work that was done on my 98' Buick Regal. I am not satisfied with the verdict that Buick gave me. I am seeking reimbursement for cost related to the recall. They repairs come to a little over 400.00, which these were direct cost due to the recall.

I called Detroit, according to the recall (**Exhibit A**), if I paid these cost out of pocket, I was to send in a form that was supposed to be included in the recall, and it was not. I called to request the form, they said **NO need for that, since there was a fire**, it would be handled through product litigation. I would be called within 7 days. I was called, but it was from a different department. They said it had to be moved to another department, since the file was sent to the wrong department. **I never received a call.** In the next 7 to 10 days, **I received a letter (Exhibit B) that denied me the reimbursement cost, due to Buick, that that the statue of limitations were expired.** I then appealed to Buick, (**Exhibit C**) that has been over five weeks now, and still no response. I appealed the verdict, not **Under Breach of Contract, but STRICT LIABILITY law.** They are liable for the cost of the repairs, due to it being a safety issue, as **THEY** acknowledged in the recalls. They were claiming that the recall repairs fell under the Warranty and time limits applied. With the recall, the statue of limitations started when I got the recall notice in May 2011. **Secondly, I am not claiming Breach of Warranty, I am claiming Strict Liability. I am acknowledging the start of the statue of limitations, not from the date purchased of the car, but from the notification of recall in May 2011. I feel, even more certain, if really pressed, there is NO statue of limitations, due to this being a Safety Recall.**

As we both know, liability cannot be signed away, and some problems don't arise in a SET period of time.

In tort law, strict liability is the imposition of liability on a party without a finding of fault (such as negligence or tortuous intent). The plaintiff need only prove that the tort occurred and that the defendant was responsible. The law imputes strict liability to situations it considers to be inherently dangerous.

I have attached a copy of all correspondence and the repairs I paid out of pocket.

Each letter is marked exhibits in order of occurrence.

I look forward to you making Buick do what it is liable to due. They are trying to wiggle out from making proper compensation for an issue that totally belongs to them, under some smokescreen, such as statute of limitations, which is not what we claimed anyways. Breach of Warranty does not apply here, STRICT LIABILITY does.

My mailing information and contact number are included.

[REDACTED] Dunn, North Carolina, [REDACTED]

I look forward to hearing from Buick and you. I think it is unfair for Buick to not to do what is expected of them. I, also, believe they are liable for these repairs, legally.

Sincerely,

[REDACTED]



SAFETY RECALL NOTICE

THE UNIVERSITY OF CHICAGO

07035 2G4WF5211W1

11 0021214

DUNN, NC



Recall A
3062

910 800 8074

132078

May 2011

Dear General Motors Customer:

General Motors is very interested in your safety and continued satisfaction with your vehicle. Our records show that although your 1998 model year Buick Regal vehicle is subject to an important safety recall, the necessary repairs have not been made. Therefore, we are sending an additional notification of this important safety recall. Please follow the instructions below to address this important matter.

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act.

General Motors has decided that a defect, which relates to motor vehicle safety, exists in certain 1998 model year Buick Regal model vehicles, equipped with a 3.8L V6 Supercharged engine. As a result, GM is conducting a safety recall. We apologize for this inconvenience. However, we are concerned about your safety and continued satisfaction with our products.

IMPORTANT

- Your vehicle is involved in safety recall 07035.
- Schedule an appointment with your GM dealer.
- This service will be performed for you at **no charge**.

Why is your vehicle being recalled?

These vehicles have higher front rocker cover gasket temperatures, creating the potential for earlier degradation of the front rocker cover gasket and eventual oil seepage. Certain underhood fires may be caused by drops of engine oil, from seepage or spillage, being deposited on the exhaust manifold through hard braking. If the manifold is hot enough and the oil runs below the heat shield, it may ignite into a small flame and, in some instances, the fire may spread to the plastic spark plug wire channel and beyond. If this occurs, there could be a fire in your vehicle and nearby property.

What will we do?

Your GM dealer will install a new front rocker cover gasket with an improved design over the original gasket and replace the spark plug wire channel with new retainers. This service will be performed for you at **no charge**. Because of service scheduling requirements, it is likely that your dealer will need your vehicle longer than the actual service correction time of approximately 55 minutes.





What should you do?

You should contact your GM dealer to arrange a service appointment as soon as possible.

There are two very important precautions you should take before your vehicle is serviced:

- We strongly recommend you not park your vehicle in a garage, car port, or other structure.
- If you notice a burning odor, you should have your GM dealer inspect your vehicle immediately. The dealer will inspect your vehicle without charge.

For your continued satisfaction with your vehicle, you should know:

- Your vehicle requires premium fuel (91 octane or higher), as stated in your vehicle owner's manual. Exhaust manifold temperatures are higher if regular fuel is used.
- Gaskets, including the new front rocker cover gasket that will be installed in your vehicle, eventually may need replacement. If oil seepage is observed, see your dealer for this regular maintenance.

Did you already pay for this repair?

Enclosed with the original notification was a form which explained what reimbursement was available and how to request reimbursement if you had paid for repairs for the recall condition prior to receiving the original notification.

Do you have questions?

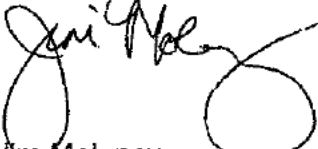
If you have questions or concerns that your dealer is unable to resolve, please contact the appropriate Customer Assistance Center at the number listed below. More information about this recall can be found at the Owner Center at MyGMLink, <http://www.gm.com/recall>.

Division	Number	Text Telephones (TTY)
Buick	1-866-608-8080	1-800-832-8425
Chevrolet	1-800-630-2438	1-800-833-2438
Oldsmobile	1-800-630-6537	1-800-833-6537
Pontiac	1-800-620-7668	1-800-833-7668
Guam	1-671-648-8450	
Puerto Rico – English	1-800-496-9992	
Puerto Rico – Español	1-800-496-9993	
Virgin Islands	1-800-496-9994	

If after contacting your dealer and the Customer Assistance Center, you are still not satisfied we have done our best to remedy this condition without charge and within a reasonable time, you may wish to write the Administrator, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE, Washington DC 20590, or call the toll-free Vehicle Safety Hotline at 1.888.327.4236 (TTY 1.800.424.9153), or go to <http://www.safercar.gov>.

Federal regulation requires that any vehicle lessor receiving this recall notice must forward a copy of this notice to the lessee within ten days.

Supervisor


Jim Moloney

BLEECKER CHEVROLET / PONTIAC / BUICK

PO BOX 1838 DUNN, NC 28335

1200 EAST CUMBERLAND STREET EXIT 73 OFF HWY I95

(910) 891-1001

www.bleecker.com

93186

*Repaired
Recall*

DUNN		NC		VEHICLE IDENTIFICATION		MILEAGE OUT	DATE OUT	INVOICE NO.
				2G4WF5211W1		132078	06/29/11	93186 PART-CLOSE
				YEAR	MAKE	MODEL	COLOR	TAG NO.
				98	BUICK	REGAL GS	WHITE	00707
CUST. NO.	LICENSE	HOME PHONE	WORK PHONE	STOCK NO.	PROD. DATE	SERV. ADV.	TERMS	
			-		00/00/00	88	CASH	
CUST. LABOR RATE	DELIV. DATE	DELIV. MILES	MILEAGE IN	DATE IN	IN-SERV DATE			
	00/00/00		132078	06/28/11	00/00/00			

You may be receiving a survey in the mail soon asking you to rate today's service visit... **IF** you CANNOT rate as COMPLETELY SATISFIED PLEASE CALL OUR SERVICE DEPARTMENT

Thank you for giving Bleecker the opportunity to serve you today. We appreciate your business & the confidence you have placed in US!

LINE	OP. CODE	FAIL-CD	TECH.	HOURS/QTY	TYPE	AMOUNT
A +	Com Customer states check for open recalls					
	A31					
Line Total.....						

B
Com RECALL 07035 ENGINE COMPARTMENT FIRE
REPLACE FRONT VALVE COVER GASKET, AND 1 3 5 SPARK PLUG RETAINERS
V1806 .8
Cau replaced gasket per recall instructions
Cor recall complete
V1806

	A31		W
X	24503937	GASKETVL	1 W
	25534749	GROMMET-V	6 W
	88891792	RETAINER	1 W
	12132229	RETAINER	1 W
	12345382	COMPOUND	1 W

Line Total.....

CUSTOMER COPY - PAGE 01

STATEMENT OF DISCLAIMER

The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

CUSTOMER SIGNATURE

On behalf of servicing dealer, I hereby certify that the information contained hereon is accurate unless otherwise shown. Warranty services described were performed at no charge to owner. There was no indication from the appearance of the vehicle or otherwise, that any part repaired or replaced under this claim had been connected in any way with any accident, negligence or misuse. Records supporting this claim are available for (1) year from the date of payment notification at the servicing dealer for inspection by manufacturer's representative.

(SIGNED) DEALER; GENERAL MANAGER OR AUTHORIZED PERSON (DATE)



esis

ESIS/GM Central Claims Unit
P.O. Box 300
Mail Code 482 C19 B61
Detroit, MI 48265-3000

800.888.0164 *tel*
313.665.0911 *fax*



Sasha Henson
Claims Administrator

July 14, 2011

[REDACTED]
Dunn, NC [REDACTED]

RE: Claimant: [REDACTED]
Our File No.: 730444
Our Client: General Motors LLC
Date/Event: 6/21/11
Subject vehicle: 1998 Buick Regal
VIN: 2G4WF5211W1 [REDACTED]

Dear [REDACTED]

I am responding to your demand in which you requested compensation, as a result of damage to the subject vehicle. It is our understanding that the controlling theory of liability against General Motors LLC (GM) would be Breach of Warranty. The Breach of Warranty Statute of Limitations in North Carolina is 4 years from the date of the original purchase. Our records show that the vehicle was purchased by the original owner on October 15, 1997, and this statute would have expired on October 15, 2002. As such, this claim is time barred and, GM must respectfully deny this claim.

Sincerely,

Sasha Henson

Sasha Henson
Claims Administrator

July 18, 2011

Sasha Henson

ESIS/GM Central Claims Unit

P.O. BOX 300

Mail Code 482 C19 B61

Detroit, MI 48265-3000

RE: Claimant: [REDACTED]

- File : 730444
- Client: General Motors LLC
- Date/Event: 6/21/2011
- Subject: 1998 Buick Regal
- VIN: 2G4WF5211W1 [REDACTED]

Dear Sasha,

I am responding to your denial letter dated July 14, 2011. I am appealing your finding.

I have several issues with the denial of this claim. Firstly, this claim was to be sent to product allegation, in which someone was to call back and ask for information regarding this claim, which has not taken place. I waited seven days, no call. I called back on July 15, and was told the file was sent to the wrong department. The person who I spoke with said someone would call in 24-48 hours, NO call yet.

Secondly, I am not claiming Breach of Warranty, I am claiming **Strict Liability**.

- 1 In tort law, strict liability is the imposition of liability on a party without a finding of fault (such as negligence or tortuous intent). The plaintiff need only prove that the tort occurred and that the defendant was responsible. The law imputes strict liability to situations it considers to be inherently dangerous.

My car had a fire due to an oil leak, which resulted in a faulty gasket. It in turn shorted out my battery and starter. The gasket leaked, blowing oil in the starter, which in turn shorted out the

C

battery, which started a fire under the hood. This could have burnt me, a bystander, or damaged my bushes and home. It also could have caused me bodily harm, in the process.

The mechanic that came to tow my car, informed me of a recall for this very issue. I then called my local Buick dealer and found there was a recall for this reason. I took the car in and had the gasket work done under the recall. I found a recall notice that Buick had sent me two weeks earlier. It was dated May 2011. It was for this reason.

In this recall GM acknowledge the recall, problem, and potential caution of fire. In such, they acknowledged liability.

As of the date of the notice, **May 2011**, I am acknowledging the start of the statute of limitations, not from the date purchased of the car. As we both know, liability can not be signed away, and some problems don't arise in a SET period of time. We are in our statute of limitations on this, since May 2011, was the first time of being aware of this. Also, GM is very well responsible in providing safe cars for their customers. They have acknowledged in May 2011, they still have liability in fixing this car for safe travel. In this recall they acknowledge that this is **Inherently dangerous**.

I am only asking for the Cost of the repairs to fix the repairs that were directly related to the recall, which are just a bit over 400.00, which I have documentation for. I have proved **tortuous Intent. IN THE RECALL, THEY ACKNOWLEDGE THERE MAY BE OTHER COST TO BE REIMBURSED FOR DUE TO THIS RECALL.**

I look forward to seeing that GM/Buick do the right thing, morally, ethically, and legally by paying this repair.





Repair Bill Paid out of pocket



OFFICE P.O. BOX 1156, SPRINGFIELD, MO. 65801
PHONE (417) 862-3333



STONE PHONE # 210 212-1404
PENNY #1 PD BOX 720396
ST LOUIS MO 63179-6

BILL TO

SHIP TO

***** DISTRICTAL RECORD *****

INVOICE
NUMBERINVOICE
TYPEINVOICE
DATE

DEB DEB
MONITOR PLEASE
FOR ENTERING SIGNAL
NO. 100-1786

623

[illegible]

COUNTER
NO.

SPECIAL INSTRUCTIONS

SHIP VIA

**CUSTOMER
ORDER NO.**

TIME OF ORDER

TAX	R C	QTY.	LINE	ITEM NUMBER	UNIT MEAS.	CD.	DESCRIPTION	LIST PRICE	NET PRICE	DISC %	CO PR
		50	1000	50			ITEM PROTECT	2.00	1.00		
		50	75-35	50			ROTTEN	161.00	95.00		
				12 MONTHS OR MORE OR FREE REPLACEMENT							

: TOTALS

Call 866-836-4391 for Super Start National Warranty Information
"We appreciate your business"

-CUSTOMER COPY

CASH TEND. 100.00

SUB-1

MISC.

TAX:

TOTA

CUSTOMER SIGNATURE

CHANGE 01.04

ALL MERCHANDISE RETURNED MUST BE ACCOMPANIED BY THIS INVOICE

Visit Us At: www.orei.org

1015 New York Rd.

INVOICE Dunning N.C. 28334

5613!

18 Buick Regal

ZIP

TERMS

F.O.B.

DATE

ORDERED	SHIPPED	DESCRIPTION	PRICE	UNIT	A
		Tow vehicle to shop			
		Ck "No Start Condition"			
		Replace starter			
		"Starter shorted out" due			
		to excessive oil leak			
		starter			
		Tow & labor			16
		Total paid in cash			10
		Thanks : Rennie Gregory R.C.			26

281 ndams 5848

Repair Bill
Paid Bill
Out of pocket



[Redacted]
Dunn, NC [Redacted]

Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590



1000



20590

U.S. POSTAGE
PAID
DUNN, NC
28334
AUG 24, 11
AMOUNT

\$0.84
00046703-07



1000



20590

U.S. POSTAGE
PAID
DUNN, NC
28334
AUG 24, 11
AMOUNT

\$0.44
00046703-07