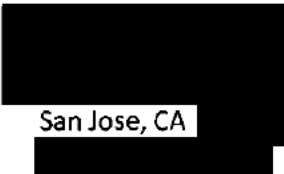


CL-10435735-1659

NOV 3 2011

  
San Jose, CA

October 27, 2011

Administrator  
National Highway Traffic Safety Administration  
400 Seventh Street, SW  
Washington, DC 20590

Re: 2001 Acura 3.2CLs, VIN # 19UYA2681A 

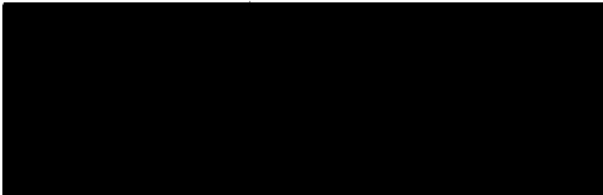
Dear Sir or Madam:

I am writing regarding the above-referenced vehicle, which has recently developed transmission difficulties. I had the vehicle towed to the mechanic who regularly services it for repair. He informed me that this vehicle had been the subject of a Safety Recall Campaign in the summer of 2005 and that I needed to contact Acura.

Over the course of the last month, I have spent several hours on the phone with Acura Client Services and Nalley Acura, both of whom tell me that the complete transmission was replaced on or about April 12, 2004. However, my wife's files do not show any record of this service; nor does she ever recall this work having been performed. Instead, she does recall, and has the service record in her file (copy attached), that on March 29, 2004, she took the vehicle to Nalley Acura, complaining of a transmission problem. The Nalley service report reads "No problem found".

We find it extremely intuitively illogical that 2 weeks after checking the car out as "No problem found" that Nalley would have replaced the transmission without my wife's knowledge. We believe that Acura is misrepresenting the fact that the transmission was replaced. Therefore, I requested that Acura provide satisfactory documentary evidence that the transmission was replaced. I am including a copy of their response. You will see that the document is not signed by my wife.

The safety recall letter (copy attached) indicates that if we believe American Honda has failed to remedy the defect, that I may submit a complaint to the National Highway Traffic Safety Administration. Please consider this letter to be such complaint. We hereby respectfully request that the NHTSA investigate this situation.

NH  
110711  
DW



1355 Cobb Parkway South  
Marietta, Georgia 30060  
Phone (770) 422-4441

|                                      |       |                     |                 |                    |         |                 |              |           |             |            |
|--------------------------------------|-------|---------------------|-----------------|--------------------|---------|-----------------|--------------|-----------|-------------|------------|
| CUSTOMER NO.                         | 28358 | ADVISOR             | DARRELL A DAVIS | 8018               | TAG NO. | 767             | INVOICE DATE | 03/29/04  | INVOICE NO. | ACCS191081 |
| [REDACTED]<br>ATLANTA, GA [REDACTED] |       | LABOR RATE          | LICENSE NO.     |                    | MILEAGE |                 | COLOR        | STOCK NO. |             |            |
|                                      |       |                     |                 | 30,261             |         | 7               | 3083         |           |             |            |
|                                      |       | YEAR / MAKE / MODEL |                 | DELIVERY DATE      |         | DELIVERY MILES  |              |           |             |            |
|                                      |       | 01/ACURA/CL/2DR     |                 | 04/12/01           |         | 11              |              |           |             |            |
|                                      |       | VEHICLE I.D. NO.    |                 | SELLING DEALER NO. |         | PRODUCTION DATE |              |           |             |            |
|                                      |       | 19UYA42681A         |                 |                    |         |                 |              |           |             |            |
|                                      |       | F.T.E. NO.          |                 | P.O. NO.           |         | R.O. DATE       |              |           |             |            |
|                                      |       |                     |                 |                    |         | 03/29/04        |              |           |             |            |
|                                      |       | COMMENTS            |                 |                    |         |                 |              | MO: 30261 |             |            |

JOB# 1 CHARGES

LABOR-----  
J# 1 00ACZ22 22 POINT INSPECTION TECH(S): 8071 INTERNAL  
22 POINT COURTESY INSPECTION  
COMPLETED INSPECTION...SEE NOTES

JOB# 1 TOTALS

JOB# 1 JOURNAL PREFIX ACCS JOB# 1 TOTAL 0.00

JOB# 2 CHARGES

LABOR-----  
J# 2 30ACZ AUTO TRANSMISSION TECH(S): 8071 0.00  
CHECK TRANSMISSION SHIFT QUALITY...CUSTOMER STATES IT REVS  
BETWEEN SHIFTS AT TIMES  
NO PROBLEM FOUND...CHECKED ECU FOR CODES, CHECKED FLUID  
CONDITION, AND ROAD TESTED VEHICLE

JOB# 2 TOTALS

JOB# 2 JOURNAL PREFIX ACCS JOB# 2 TOTAL 0.00

COMMENTS-----  
CUSTOMER IS WAITING

RECOMMENDATIONS-----  
30,000 MILE SERVICE IS DUE, A/C FILTER RECOMMENDED. EVAPORATOR  
SERVICE RECOMMENDED. FRONT BRAKE ROTORS ARE CAUSING VIBRATION  
WHEN BRAKING, TIRES AND ALIGNMENT NEEDED SOON

TOTALS

|                                          |  |                         |             |
|------------------------------------------|--|-------------------------|-------------|
| *****                                    |  | TOTAL LABOR....         | 0.00        |
| * [ ] CASH [ ] CHECK CK NO. [ ] *        |  | TOTAL PARTS....         | 0.00        |
| * [ ] VISA [ ] MASTERCARD [ ] DISCOVER * |  | TOTAL SUBLET...         | 0.00        |
| * [ ] AMER XPRESS [ ] OTHER [ ] CHARGE * |  | 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> |

THANK YOU FOR YOUR BUSINESS!!  
\*\*\*WE ALSO SERVICE HONDAS\*\*\*

\*\*\* PLEASE RETURN ALL SURVEYS SENT TO YOU FROM THE FACTORY\*\*  
IT IS VERY IMPORTANT TO YOUR SERVICE ADVISOR

CUSTOMER SIGNATURE

"I authorize the following repair work to be done along with necessary parts and material and grant permission to operate the vehicle herein described for purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on the vehicle to secure the amount of repairs thereto and I further agree that storage charges of \$10.00 per day will accrue, beginning five (5) days after I am notified that the repairs have been completed. I agree that you are not responsible for loss or damage to vehicles or articles left in vehicle in case of fire, theft, an act of God or any other cause beyond your control or for delays caused by unavailability of parts or delays in parts shipments by the supplier or transporter." In consideration of Nalley Acura extending credit to me for labor or to purchases authorized by me, I agree to pay in full within ten (10) days after receipt of my statement. I further agree to pay a monthly service charge of 1 1/2% on any overdue balances. And all costs of collection including reasonable attorney's fees. In exchange for Nalley Acura agreeing to make repairs, I hereby assign to Nalley Acura, all rights, title, and interest in any insurance proceeds. Nalley Acura is hereby appointed by true and lawful attorney in fact to demand and receive payments, to endorse any negotiable instrument in my name, and otherwise enforce the provisions of any insurance contract.

"As Is" The only warranties applying to this part(s) are those which may be offered by the manufacturer. The selling dealer hereby expressly disclaims all warranties, other express or implied, including any implied warranties 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 this part(s) and/or service. Buyer shall NOT be entitled to recover from the selling dealer any consequential damages, damages to property, damages for loss of use, loss of time, loss of profit, or income, or any other incidental damages. Manufacturer's parts and labor guaranteed 12 months or 12,000 miles whichever occurs first.



Acura Client Services  
American Honda  
1919 Torrance Blvd.  
Torrance, CA 90501  
1-800-382-2238

# Fax

To:

From:

Karla Osorio

Fax:

Pages:

2

Phone:

Date:

9/30/2011

Re:

CC:

☐ Urgent☐ For Review☐ Please Comment☐ Please Reply☐ Please Recycle

• Notes:

Halley Acura Ro.

09/29/2011 11:34 7705904156

NALLEY

PAGE 02/02

09/29/11 11:33AM

NALLEY ACURA

Page 1

History Report for Vehicle: 1

Customer#: 28358

Customer Name:

RO Number: 192120

Open Date: 04/12/04

Mileage: 30510

Service Logon: A00101-S

Close Date: 04/17/04

SA Number: 8018

Cashier:

Comments: CUSTOMER IS WAITING

Line Code: A

Comeback: N

Booker ID:

Complaint: 30ACZ01 CUSTOMER STATES THE TRANSMISSION SLIPS AT TIMES WHILE DRIVING CAUSING THE ENGINE TO FLARE UP

Cause: SLIPPING INTO 4TH

Labor Type: W

Technician Number: 20110

Op Code: 30ACZ01

Comeback RO Number:

Description: AUTO TRANS CONCERN

Labor: 527.00

Parts: 2147.65

Miscellaneous: 0.00

Story for Line A, Version Number 1  
REPLACED TRANSMISSION.



**ACURA**

1919 Torrance Blvd.  
P.O. Box 2215  
Torrance, CA 90509-9870

Summer 2004

**Safety Recall Campaign: CL and TL Automatic Transmission Second Gear Inspection**

Dear Acura Owner:

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

**What is the reason for this notice?**

Honda Motor Co., Ltd., has decided that a defect relating to motor vehicle safety exists in certain 2001-03 3.2CLs, 2000-03 3.2TLs, and 2004 TLs.

Certain operating conditions can result in heat buildup in the transmission second gear set and may lead to gear tooth chipping. In very rare cases, gear breakage can occur. Gear failure could result in transmission lock-up, and a crash could occur without warning.

**What should you do?**

Call any authorized Acura dealer and make an appointment to have your vehicle repaired. For vehicles with less than 15,000 miles, the dealer will install an oil jet kit to provide additional lubrication to the gears. For vehicles with more than 15,000 miles, the dealer will inspect the affected gear for heat discoloration, which indicates possible damage. If heat discoloration exists, the dealer will replace the transmission. If heat discoloration is not found, the dealer will install an oil jet kit. This work will be done *free of charge*. Please plan to leave your vehicle all day to allow the dealer flexibility in scheduling the inspection and installing the oil jet kit. If transmission replacement is needed, the work will take more than one day.

**Who to contact if you experience problems.**

If you are not satisfied with the service you receive from your Acura dealer, you may write to:

American Honda Motor Co., Inc.  
Acura Client Services  
Mail Stop 500-2N-7E  
1919 Torrance Blvd.  
Torrance, CA 90501-2746

If you believe that American Honda or the dealer has failed or is unable to remedy the defect in your vehicle, without charge, within a reasonable period of time (60 days from the date you first contact the dealer for a repair appointment), you may submit a complaint to:

Administrator  
National Highway Traffic Safety Administration  
400 Seventh Street, SW  
Washington, DC 20590

Or call the toll-free Safety Hotline at (888) 327-4236.

**What to do if you feel this notice is in error.**

Our records show that you are the current owner or lessee of a 2001-03 3.2CL, 2000-03 3.2TL, or 2004 TL involved in this campaign. If this is not the case, or the name/ address information is not correct, please fill out and return the enclosed, postage-paid *Information Change Card*. We will then update our records.

If you paid to have the transmission replaced, you may be eligible for reimbursement. Refer to the attached instructions for eligibility requirements and the reimbursement procedure.

**Lessor Information.**

Federal law requires that any vehicle lessor receiving this recall notice must forward a copy of this notice to the lessee within 10 days.

**If you have questions.**

If you have any questions about this notice, or need assistance with contacting an Acura dealer, please call Acura Client Services at (800) 382-2238, and select menu option #2.

We apologize for any inconvenience this campaign may cause you.

Sincerely,

American Honda Motor Co., Inc.  
Acura Automobile Division

CERTIFIED MAIL™



11/1/2011 12:37:43 PM 1150 0001 3180 4917



DOT Mailroom

TO: W40- 304

Building: DOT

Mailstop: 4 West

Route Sym: NOA-010

external carrier: Certified

Sender:

Manufacturer:

Purchase Order:

Item 1 of 1



7011115000131804917

W40304  
Administrator  
National Highway Traffic Safety Administration  
100 Seventh Street, SW  
Washington DC 20590

11/1/2011 12:37:43 PM