 <p>U.S. Department of Transportation National Highway Traffic Safety Administration</p>		<p>INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6) DOT Auto Safety Hotline</p> <p>Vehicle Owner's Questionnaire To Report Vehicle Safety Defects 1-888-DASH-2-DOT (1-888-327-4236) INTERNET: www.nhtsa.dot.gov/hotline</p>		<p>FOR AGENCY USE ONLY 100148</p>	
		<p>Date Received MAR 14 2012 30-JAN-2012</p>	<p>Repository <input type="checkbox"/></p>		
			<p>Reference No. 10445900</p>		
<p>OWNER INFORMATION (Type or Print)</p>					
Name		Daytime Telephone Number		E-mail Address	
Address		Evening Telephone Number			
City	State	Zip Code			
BEAUMONT	CA				
<p><i>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).</i></p>					
<p>VEHICLE INFORMATION</p>					
17 digit Vehicle Identification Number located at bottom of windshield on driver's side		Make	Model	Model Year	
WMWMF7C55AT		MINI	COOPER	2010	
Date Purchased	Dealer's Name and Telephone Number		Engine:	Fuel Type:	
			No: Cylinders		
Original Owner	Dealer's City	State	Zip Code		
<input type="checkbox"/>					
Transmission Type	<input type="checkbox"/> Antilock Brakes	Powertrain	Multiple Failure:	Incident Date(s)	
	<input type="checkbox"/> Cruise Control			05-NOV-2011	
<p>FAILED COMPONENT(S)/PART(S) INFORMATION</p>					
Vehicle Component Code: 060000 ENGINE AND ENGINE COOLING			Failure Mileage	Failure Speed	
			16000		
<p>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE</p>					
Tire Make	Tire Model (Name or Number)		Tire Size (Example P215/65R15)		
DOT No. (Example: DOTM19ABC036)	<input type="checkbox"/> Original Equipment	Failure Location:			
	<input type="checkbox"/> Prior Repair				
Tire Component Code	Tire Failure Type:				
<p>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE</p>					
Make:	Date Manufactured:	Model No./Name:			
Seat Type:	Installation System:				
Child Seat Component Code:	Failed Part:				
<p>APPLICABLE INCIDENT INFORMATION <i>(Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies).)</i></p>					
Crash	Fire	Number of Persons Injured	Number of Deaths	Reported to Police	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			N	
<p>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).</p>					
<p>TL* THE CONTACT OWNS A 2010 MINI COOPER S HATCH BACK. THE CONTACT STATED THAT THE VEHICLE WOULD STALL SPORADICALLY WHILE DRIVING AT VARIOUS SPEEDS AND WOULD OFTEN RESIST STARTING ATTEMPTS. THE CONTACT WAS ABLE TO RESTART THE VEHICLE EVERY TIME THE STALLING FAILURE OCCURRED WITH THE ILLUMINATION OF THE INSTRUMENT CHECK ENGINE LIGHT. THE DEALER WAS CONTACTED AND THE VEHICLE WAS TAKEN TO HAVE THE FAILURE DIAGNOSED WHERE THE FAILURE WAS CONTRIBUTED TO EXCESSIVE CARBON BUILDUP. THE VEHICLE WAS REPAIRED. THE FAILURE MILEAGE WAS 16,000 AND THE CURRENT MILEAGE WAS 18,000.</p>					
Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.			ATTACH ADDITIONAL SHEETS IF NECESSARY		
<p>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 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.</p>					

Narrative Description of Incident(s), Failure(s), Crash(es), and Injury(ies)

See ADDITIONAL SHEETS PLEASE —

ATTACH ADDITIONAL SHEETS IF NECESSARY

U.S. Department of Transportation

National Highway Traffic Safety Administration

1200 New Jersey Avenue SE. Washington, D.C. 20077-9382

Official Business Penalty for Private Use \$300



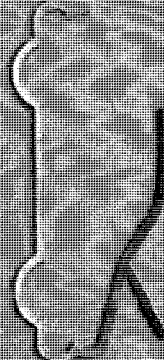
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US Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NVS-210
1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382




Think your vehicle has a safety defect?



If so:
Use the enclosed form to file a report.

or visit:
www.safercar.gov

or call:
Vehicle Safety Hotline
888-327-4236



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CUSTOMER #: T [REDACTED]

19676



MINI OF ONTARIO

1251 AUTO CENTER DRIVE
ONTARIO, CA 91761-2209
(909) 390-1818

INVOICE

PAGE 1

BAR# ARD

EPA# CAL000312418

BEAUMONT, CA [REDACTED]
HOME: [REDACTED] CONT [REDACTED]
BUS: [REDACTED] CELL [REDACTED]

CLIENT ADVISOR: 348 PAUL SURFACE

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
850PEPPERW	10	MINI COOPERS	WMWFM7C55AT [REDACTED]	[REDACTED]	18148/18153	T4920	
DEL DATE	PROD DATE	WARR EXP	CALL BACK TIME	PO	RATE	PAYMENT	INV. DATE
27AUG10	DD01JUL10	27AUG2014	17:00 26JAN12		130.00	CASH	27JAN12
R.O. OPENED		READY	OPTIONS:				
10:15 26JAN12		10:28 27JAN12					

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A CUSTOMER STATES: CHECK ENGINE LIGHT IS; PLEASE CK AND ADVISE
 CAUSE: FC(2777) DIAGCODE D1110 B0000000 20 306 GWCODE 200582212. SWAP
 COILS & PLUGS, PERF CARBON CLEAN
 0000556 PERF VEH TEST (N/C)
 102 W (N/C)
 4 11-61-7-528-340 PROFILE-GASKET:118523
 1 82-14-2-186-158 MINI FUEL SYSTEM CLEANER (N/C)
 PLU:832516
 1331529 CHECKING DELIVERY PRESSURE OF FUEL PUMP (N/C)
 102 W
 1199000 ENGINE DIAGNOSIS TIME (N/C)
 102 W
 1161550 REMOVE AND INSTALL INTAKE MANIFOLD (N/C)
 102 W
 6100720 PROGRAMMING/ENCODING CONTROL UNITS
 INCLUDING CAS (N/C)
 102 W
 FC: 1137007600
 PART#: _____
 COUNT: _____
 CLAIM TYPE: _____
 AUTH CODE: _____

.....18153 CARBON BUILD UP WARR PERFORMED SHORT TEST. FOUND FC 2777
COMBUSTION MISFIRE CYL 3, 277B COMBUSTION MISFIRE CYL 4, 2783
COMBUSTION MISFIRE, SEVERAL CYL. PERFORMED TEST PLAN. HOOKED UP FUEL
GAUGE AND PERFORMED FUEL DELIVERY CHECK CHECK OK. R+I COILS, INSPECTED
AND SWAPED. NO CHANGE TO SMOOTH RUNNING VALUES. R+I SPARK PLUGS,
INSPECTED AND SWAPED. NO CHANGE TO SMOOTH RUNNING VALUES. R+I INTAKE
MANIFOLD FOUND CABON BUILD UP GREATER THAN 5. PERFORMED CARBON VALVE
CLEANING. HOOKED UP AND PERFORMED SHORT TEST 2ND TIME AND RECHECKED.
STATED TO PERFORM PROGRAMING. PROGRAMED COMPLETE VEHICLE INCLUDING CAS.
DIAGCODE D1110 B0000000 20 306. GWCODE:200582212

At MINI of ONTARIO, we pride ourselves in our dedication of keeping our customers completely satisfied. Soon you will be contacted by MINI USA regarding this service. If you cannot answer all the questions with all "YES" (excellent) rating, please let me know. Call your service advisor or myself. Yours Truly, ERIC HALL Service Mgr.		DESCRIPTION	TOTALS
ORIGINAL ESTIMATE	REVISED ESTIMATE	LABOR AMOUNT	
I ACKNOWLEDGE NOTICE AND ORAL APPROVAL OF AN INCREASE IN THE ORIGINAL ESTIMATED PRICE		PARTS AMOUNT	
X _____ CUSTOMER SIGNATURE		GAS, OIL, LUBE	
		SUBLET AMOUNT	
		MISC. CHARGES	
		TOTAL CHARGES	
		DISCOUNTS/DEDUCTIONS	
		SALES TAX	
		PLEASE PAY THIS AMOUNT	

TERMS: CASH OR THE FOLLOWING:
MASTER CARD * VISA * AMERICAN EXPRESS

CUSTOMER COPY

CUSTOMER #: T [REDACTED]

19676



MINI OF ONTARIO

1251 AUTO CENTER DRIVE
ONTARIO, CA 91761-2209
(909) 390-1818

INVOICE

PAGE 2

BAR# ARD

EPA# CAL000312418

CLIENT ADVISOR: 348 PAUL SURFACE

BEAUMONT, CA [REDACTED]

HOME: [REDACTED] CONT: [REDACTED]

BUS: [REDACTED] CELL: [REDACTED]

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/OUT	TAG	
850PEPPERW	10	MINI COOPERS	WMWMP7C55AT [REDACTED]	[REDACTED]	18148/18153	T4920	
DEL DATE	PROD. DATE	WARR. EXP.	CALL BACK TIME	PO NO.	RATE	PAYMENT	INV. DATE
27AUG10	DD01JUL10	27AUG2014	17:00	26JAN12	130.00	CASH	27JAN12
R.O. OPENED	READY	OPTIONS:					
10:15	26JAN12	10:28	27JAN12				

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
B	STANDARD	SCOPE					
CAUSE: PERF STANDARD SCOPE							(N/C)
0000105 STANDARD SCOPE							
102 WM94							
FC: 85990501MP							
PART#:							
COUNT:							
CLAIM TYPE:							
AUTH CODE:							

18153 DUE WARR PERFORMED STNADARD SCOPE

C	ENGINE OIL SERVICE						
CAUSE: PERF OIL SERVICE							
0000610 ENGINE OIL SERVICE							(N/C)
102 WM94							
1 11-42-7-622-446 SET OIL-FILTER							(N/C)
ELEMENT:114010							
5 07-51-0-017-954 MOTOR OIL SAE 5W-30							(N/C)
LONGLIFE:832511							
FC: 85990089MP							
PART#:							
COUNT:							
CLAIM TYPE:							
AUTH CODE:							

18153 DUE WARR PERFORMED ENGINE OIL SERVICE

D	"PITSTOP" COMPLIMENTARY UNDER BONNET FLUID INSPECTION/TOPOFF	\$19.95					
VALUE.							
PITSTOP PITSTOP							0.00
102 C							0.00

E COMPLIMENTARY CAR WASH, INTERIOR VACUUM AND TIRE DRESSING (\$29.95)

DESCRIPTION	TOTALS
LABOR AMOUNT	
PARTS AMOUNT	
GAS, OIL, LUBE	
SUBLET AMOUNT	
MISC. CHARGES	
TOTAL CHARGES	
DISCOUNTS/DEDUCTIONS	
SALES TAX	
PLEASE PAY THIS AMOUNT	

At MINI of ONTARIO, we pride ourselves in our dedication of keeping our customers completely satisfied. Soon you will be contacted by MINI USA regarding this service. If you cannot answer all the questions with all "YES" (excellent) rating, please let me know. Call your service advisor or myself.

Yours Truly,
ERIC HALL
Service Mgr.

ORIGINAL ESTIMATE: [REDACTED] REVISED ESTIMATE: [REDACTED]

I ACKNOWLEDGE NOTICE AND ORAL APPROVAL OF AN INCREASE IN THE ORIGINAL ESTIMATED PRICE.

X _____
CUSTOMER SIGNATURE

TERMS: CASH OR THE FOLLOWING:
MASTER CARD * VISA * AMERICAN EXPRESS

CUSTOMER COPY

CUSTOMER #: T [REDACTED]

19676



MINI OF ONTARIO

1251 AUTO CENTER DRIVE
ONTARIO, CA 91761-2209
(909) 390-1818

INVOICE

PAGE 3

BAR# ARD

EPA# CAL000312418

BEAUMONT, CA [REDACTED]
HOME: [REDACTED] CONT: [REDACTED]
BUS: [REDACTED] CELL: [REDACTED]

CLIENT ADVISOR: 348 PAUL SURFACE

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
850PEPPERW	10	MINI COOPERS	WMWMP7C55AT	[REDACTED]	18148/18153	T4920	
DEL DATE	PROD DATE	WARR EXP	CALL BACK TIME	PO N	RATE	PAYMENT	INV. DATE
27AUG10	DD01JUL10	27AUG2014	17:00 26JAN12		130.00	CASH	27JAN12
R.O. OPENED	READY	OPTIONS:					
10:15 26JAN12	10:28 27JAN12						

LINE	OPCODE	TECH	TYPE	HOURS	VALUE	LIST	NET	TOTAL
------	--------	------	------	-------	-------	------	-----	-------

WASH COMPLIMENTARY CAR WASH, INTERIOR VACUUM AND
TIRE DRESSING (\$29.95 VALUE)

102 C

0.00 0.00

F CHECK IN TIME SET BY KIMBERLY.
265 CHECK IN TIME SET BY KIMBERLY.

102 C

0.00 0.00

G TIRES INFLATED TO (PSI)---L/F____, R/F____, L/R____, R/R____
PSI TIRES INFLATED TO
(PSI)---L/F____, R/F____, L/R____, R/R____

102 C

0.00 0.00

18153 SET TIRES TO 38 PSI

H** FOUND TIMING CHAIN TENSIONER LEAKING
CAUSE: REPL LEAKING SEAL RING PER SIM 11031
1131590 R&I OR REPL TIMING CHAIN TENSIONER

102 W

(N/C)
(N/C)

1 11-31-7-507-432 GASKET RING:118526
1199000 ENGINE DIAGNOSIS TIME

102 W

(N/C)

FC: 1131044800
PART#:
COUNT:
CLAIM TYPE:
AUTH CODE:

18153 SEAL RING LEAKING WARR. INSPECTED OIL LEAK. R+I TIMING CHAIN
TENSIONER. REPLACED SEAL RING. SIM 11031 DC 1131044800 LO 1131090 R+I
TENSIONER. LO 1199000 1FRU INSPECTING LEAK

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Yours Truly,
ERIC HALL
Service Mgr.

ORIGINAL ESTIMATE

REVISED ESTIMATE

I ACKNOWLEDGE NOTICE AND ORAL APPROVAL OF AN INCREASE IN THE ORIGINAL ESTIMATED PRICE.

X
CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	0.00
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	0.00
DISCOUNTS/DEDUCTIONS	0.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

TERMS: CASH OR THE FOLLOWING:
MASTER CARD * VISA * AMERICAN EXPRESS

CUSTOMER COPY

2/29/12

Beaumont, CA

NHTSA

Washington, DC 20777-9392

RE: 2010 Mini Cooper S
Vin #WMWMF7C55ATZ
Ref #10445900
Summary of Complaint

We purchased our Mini in August of 2010. By January 2011, the car had about 18,000 miles. It had begun to run rough, with a tendency to stall, and the check engine light came on. We took it to Mini of Ontario for service January 27, 2012.

The service department scoped the vehicle and noted several misfires. Our service adviser, Paul Surface, informed us that the engine had severe carbon build-up. He informed us that the technician would have to remove the intake manifold and blow the inside of the engine out using crushed walnut shells and a blower. The timing chain tensioner was leaking and had to be repaired. All the repairs were completed on warranty. The service department needed over a day to complete the repairs.

Paul informed us that the carbon build-up was caused by the design of the direct injection fuel injection system and "bad gas." He recommended that we use Chevron Premium with Techron. I let him know that probably 95% of the fuel used in our Mini was in fact the Chevron product. He informed us that there was really nothing else we could do to prevent the problem, other than possibly use a fuel additive every 3000 miles or so. But he also stated that even the additive would not be able to prevent all build-up in every part of the engine, and that the carbon build-up issue would no doubt happen again.

He told us that out-of-warranty, the repair would have been over \$600.00. I did some research on the Internet and found that the carbon issue is a common problem, and has been around since at least the 2007 model year, when Mini introduced the redesign.

I contacted Mini/BMW by telephone and requested that they repurchase my vehicle. They declined. I have attached correspondence with Mini/BMW on that issue.

It seems to me that the carbon build-up issue should be a subject of recall. BMW needs to come up with a redesign/repair that will permanently fix the problem. Consumers deserve an automobile that will not begin stalling out every 18K miles

for no reason other than the engine's inability to burn gasoline effectively. Engine stalling constitutes a serious safety issue.

Also of concern is the timing chain failure. Paul, the service writer, gave us the impression that the loosening of the timing chain tensioner is a systemic problem. If the timing chain were to come loose, there would be a catastrophic engine failure.

I believe that the NHTSA should investigate both the carbon build-up and timing chain issues. Mini/BMW should be required to issue recalls on both issues and solve the problems, so the consumers who have purchased their products can drive the vehicles and not worry about unexpected and expensive failures.

By the way, we traded-in our Mini on a Honda about a week after we became aware of the problems. We had been loyal Mini owners, beginning in 2002, but require vehicles we can depend on.

Sincerely,
[Redacted Signature]

RE: MINI Response to [REDACTED] - T [REDACTED]

[REDACTED]
 Thu 2/09/12 12:28 PM
 sophy.mak@miniusa.com
 [REDACTED]

Dear Sophy:

Thank you for your prompt response to my request. However, your response to decline my request for repurchase was the response I expected. I have experience as a Lemon Law arbitrator in California, and am aware of the requirements under the law for a repurchase. Apparently, doing what is right, is not something that is a part of the BMW/Mini culture.

We have already traded our Mini for a new, 2012 Honda Fit. We expect the Honda to provide the reliable type of service that we had expected from our Mini Cooper S.

The 2010 Mini with the carbon build-up and timing chain tensioner failure was our third Mini. We had previously owned a 2002 Base and a 2007 S hatchback with manual transmission. Both cars were driven low miles. We really loved those cars, as well as the 2010. We had supported the Mini brand for some ten years and several Mini purchases by others were a direct result of our input. However, the engine problems we experienced with our 2010 has put us off both the Mini brand, and BMW.

We find it very disturbing that the carbon build-up problem, which has been around since at least 2007, has not been addressed in an effective way by BMW. Based on my research and the comments by the Mini service personnel, it is clear to me that rather than redesign the fuel injection system immediately, BMW chose to repair the problem on warranty with the walnut shell blowers, and after warranty, let the owners fend for themselves and pay the bill. Undoubtedly, some sort of cost/benefit analysis was involved.

I find it incredulous that a vehicle with only 18,000 miles would require such a major and costly repair. Further, we used Chevron Premium, with Techron, the highest rated, so called "top tier" fuel, in our Mini. Your Mini service representative stated that Chevron was the best fuel available. The rep further stated that the 2012 model had been "fixed", but he could not say for sure, or what had been changed.

My final comment is that the most effective advertising is "word-of-mouth." Just as our past comments about the Mini brand resulted in Mini purchases, so will our future comments prevent and stop future Mini purchases. Unfortunately, the short-sighted approach is the path that BMW/Mini has chosen.

Sincerely,

[REDACTED]

From: sophy.mak@miniusa.com

To: [REDACTED]
 Date: Thu, 9 Feb 2012 20:41:00 +0100

Subject: MINI Response to [REDACTED] - T [REDACTED]

2010 MINI Cooper S. VIN# [REDACTED]

Dear [REDACTED]

This is in response to your request on 2/1/12 proposing that MINI Division of BMW of North America, LLC ("MINI") reacquire the above-referenced vehicle.

After an investigation of the complaints presented, MINI has concluded that the vehicle does not qualify for repurchase, and MINI is not in violation of California or Federal law.

Given this evaluation, MINI will not reacquire the vehicle at this time.

MINI proudly supports our products, our service, and our commitment to you. Although we are closing our file on this matter, we remain available to address your needs.

Kind regards,

Sophy Mak
MINI USA Team Lead
Customer Relations and Services

Telephone

(800) 831-1117 ext. 8211

Fax

(866) 572-4919

E-mail

Sophy.Mak@miniusa.com

Postal Address

P.O. Box 1227

Westwood, NJ 07675-1227

Website

www.miniusa.com

