

APR 01 2013

To Whom It May Concern:

I contacted your office on Jan 22, 2013
and was given case # 10493744. My
complaint is with Nissan North America
& Infiniti. Please see the attached
letters I have written to Infiniti and
paperwork supporting my claim.

Basically, my car had an air bag
problem that Infiniti tells me they
put a new part into my car that
will permanently correct the air
bag problem. It corrected it for
a short period of time, because my
air bag light has come back on.

This is a serious safety issue
that should not be taken lightly.

I appreciate your time & attention
to this matter. I can be reached at
the following #'s if you have any
questions.

Cell:

Home:

NAM
4213
SMD

Dear Mr. Harris,

I previously contacted you on 2/14/13, and I put that letter below. I wanted to keep you informed as to what is going on currently with my 2013 JX 35. Around the 3rd week in January, Douglas Infiniti had me pick up my car after they installed a new passenger air bag control unit since my was faulty. I was informed that Infiniti realized that the control units were not properly made and that the unit they were putting in my vehicle was "the fix to the problem". I have to admit, I was very skeptical on this "fix" and was still very weary driving this car. As each day passed since picking it up my confidence increased in the car. On March 14, 2013 I heard a report on the news that Nissan/Infiniti was announcing a recall on air bags for certain cars. I quickly researched this recall and found out that my car was part of the recall. Honestly, it made me feel better knowing that Infiniti was finally taking this matter seriously since it is a huge safety issue. All of the reports that I read stated that when the air bag light comes on once and stays on for a period of time that it "permanently disables" the air bag. This frightens me to think I drove around for over a month like this. Anyway, my confidence increased knowing that I had the problem fixed and the problem had not repeated itself.

This past Tuesday, March 19, 2013, I was sitting in the car parked and running waiting for my kids to get out of school. Out of nowhere the light randomly turned on and then it went out after about 20 seconds. A minute or two passed and the light came on again for at least another 20 seconds and then went out. Naturally you can understand my concern at this point. I have the part that is supposed to "fix" this problem and yet the problem just occurred in my car.

At this point I immediately contacted Douglas Infiniti and spoke to Gary the Service Manager and explained the problem to him. He informed me they wouldn't have a loaner car for me until Thursday and I could bring the car in then. I also contacted Brad Renick and went over the situation with him. My feelings regarding this car have not changed, I am still a firm believer that this car is a LEMON. And I have said this before but I am investing way too much time and energy into the problems that this car keeps giving me. It is a HUGE inconvenience that is wearing thin. When I last contacted you, you put me in contact with Brad Renick to assist me with the \$3,000/liability form issue. Brad was very helpful with that situation and I greatly appreciate his assistance. In my conversations with Brad I expressed my concerns about the reliability and safety of the car and that I didn't trust that it was fixed. He repeatedly assured me that Infiniti figured out the problem and that the part they put in my car would definitely fix the problem. He was certain that I would not experience the problem again. Since I am always thinking ahead and skeptical at this point I ask "what if the light does come on?" He assured me that Infiniti would get me out of the car without a problem. I made sure to have that statement explained. I was told my options would be: another JX, another Infiniti or my money back.

I just want to let you know that I do understand the Lemon Laws and my reasons for not following the Lemon Law protocol. First of all, I was told by Brad that if the problem occurred again that Infiniti would "get me out of the car" and I trusted that. Also, if I follow the Lemon Law guidelines I would have to send a certified letter to the Department of Consumer Affairs. Then I would have to wait at least 10 days for them to contact me. I refuse to put my passengers in danger by continuing to drive this car knowing that it has a major safety issue going on with it. I believe that the airbag is permanently disabled at this point.

It seems that Infiniti has done all they can do for me at this point by replacing the recalled part. But, that obviously didn't work because my car is still experiencing the problem. Giving me a new JX is not an option I am willing to consider because there is not guarantee that I won't have this problem again. I am not willing to take that chance. I feel I have been inconvenienced way too much at this point and would just like to get my money back for this LEMON and be done.

I am hoping that since you are the Regional Vice President of the East coast Region of Infiniti that you will be able to help me resolve this matter quickly. I encourage you to call me so we can discuss this further. I can be reached at cell [REDACTED] or home [REDACTED]. Thank you for your time and attention to this matter.

Thank you,

[REDACTED]

~~Below is a copy of the letter I sent to you on February 14, 2013~~

Dear Mr. Harris,

I am contacting you in regard to my recent purchase of a 2013 Infiniti JX35. I thought it was important for you to know that I am NOT a satisfied Infiniti customer. I am a mother of two children who is constantly in my car with my children as well as the children of my friends, carpooling to activities. Because I do spend a lot of my time in my car, I am truly hoping you can help me.

I purchased the JX35 on November 16th because of the safety features it offers. On November 17th I was driving with my family when a number of dashboard lights lit up. I only had the car for 24 hours and something was already wrong with

it. The ABS light was on, FCW light and the dash said SLIP. I was driving locally and the weather was dry when this occurred. I was inconvenienced for two days while the car was fixed and a faulty ABS sensor was replaced.

A few weeks later, around December 19th, an adult was sitting in the front passenger seat and the air bag light was illuminated for approximately 5 minutes while driving. Because the light went out I didn't think to call the dealer. The next day the front passenger seat warmer failed. Again, I had to bring the car back in for service. I was told a part needed to be ordered and it would be in next week and I would be able to bring the car in for service by the end of that week. A week passed and nobody contacted me. I contacted the dealer to find out the part was not available. Because of my persistence they decided to take the part out of another car and install it into mine. When my husband went to pick up the car he was greeted by a lit passenger airbag light on his way home. He then needed to turn around and have the issue addressed. He was told that the technician needed to put in a code and the car was fine.

On January 2nd, again an adult was sitting in the front passenger seat and the air bag light was illuminated for over 5 minutes before turning off. Again, I am inconvenienced with having to drive to the dealer yet again. After looking at my car they informed me that there was nothing wrong with the car and that the computer showed no codes. I was also advised that if a passenger does not weigh 120 lbs that the light will illuminate. They also told me that the light would turn on if a passenger were not seated properly. However, each time the light illuminated an adult weighing over 120lbs was sitting properly in the seat.

On January 13th, my husband who weighs 225 lbs was sitting in the passenger seat. When I started the car the air bag light was illuminated and it remained on for over 5 minutes. Again, another inconvenient trip back to the dealer. At this point I was extremely annoyed and frustrated with this new car I had purchased. I quickly realized I had purchased a LEMON. In less than 2 months I spent more time at the dealership than I did with my 5-year-old car that I traded in for this LEMON.

It was January 13th that I started to do my research on the air bag problem that the JX35 has. I quickly realized that I am not the only person with this problem and that Infiniti seems to have the same standard answer for everyone that you must sit straight in the seat and be over 120lbs. I also found out that this problem has been going on for months without a resolution.

On February 12th, 2013, I had another issue with my car. It turns out my antenna assembly was extremely loose on the back of the car. I brought it to the dealer was informed that they would not be able to secure it and that they needed to order a new assembly. The car was left overnight and the repair was made on 13th. This further proves my point that I do not feel I received a quality product from Infiniti and that I am driving around waiting for the next problem to occur.

I have been in contact with Infiniti Consumer Affairs in regard to the issues I have had with my car. They have reviewed my case and determined that they can't repurchase my vehicle at this time. They have made me an offer of \$3,000, which they state is a good will offer. If indeed this is a good will offer, I do not understand why Infiniti is requiring me to sign a legal document giving away my rights in regard to the air bag issue in order to claim this money. With that said, Infiniti made me a second offer. This is for \$1,450.00 and an Elite Maintenance Plan for 72 months/90,000 miles. With this offer I am not required to sign any release form. I have been informed that this maintenance plan has a value of \$1,789.00. I do not understand why I have to sign a release to receive \$3,000.00 in cash but not sign anything for a package that is worth over \$3,000.00? I would just like Infiniti to compensate me for all the inconveniences that I have dealt with over the past 3 months.

I feel that Infiniti should do away with having me sign the release form and allow me to claim the \$3,000.00 and be done. I feel way too much time and energy has gone into this car both fighting for my rights and bringing it to the shop to get fixed. I honestly feel like I have been sold a LEMON. I am willing to accept the cash settlement at this time, but if I continue to have problems with this vehicle I expect that Infiniti stand behind their product and reconsider repurchasing the vehicle or providing me with a brand new one. As I stated above, I purchased the car for its safety features. Since these problems have occurred, not only have they caused me great frustration, but also have caused me to lose all faith and trust in my vehicle. The reason I purchased a new car was to have the confidence that I would not be stuck on the side of the road with a problem. I no longer have that sense of security that one should have when purchasing a new car. I do not trust that the passenger airbag will deploy if the car is involved in an accident. As a mother, my family and their safety mean everything to me. I have a very bad feeling about this air bag situation and I do not want to put my family at risk. I would like to think that Infiniti does not want that liability. At this point I feel like I am driving around waiting for the next problem to occur. I would greatly appreciate a response to this letter and look forward to hearing from you soon. I can be reached at [REDACTED] cell, or [REDACTED] home.

Thank you,

[REDACTED]

Douglas Infiniti
 430 Morris Avenue
 Summit, NJ 07901
 Phone: 908-522-7300
 Fax: 908-522-0334
 www.douglasautogroup.com

INVOICE - CUSTOMER COPY

This form is an itemized list of repairs and is part of the original Repair Order. This Repair Order Continuation is subject to all of the terms and conditions of the original Repair Order.

Page 1 Last Page

Work Order No.
 00924

Customer Information					**THANK YOU** FOR SERVICING WITH DOUGLAS I HOPE YOUR EXPERIENCE TODAY WAS TRULY EXCEPTIONAL. YOU MAY BE RECEIVING AN ONLINE SURVEY FROM INFINITI. THIS IS OUR REPORT CARD. PLEASE TAKE THE TIME TO FILL IT OUT.					
CHATHAM NJ Cell#: Email:										
Make	Model	Year	Odometer	License No.	State	Color	Trim	Vehicle No.	In-Serv. Date	Stock No.
IN	JX35	13	1,820			Grey	G	5N1AL0MM4DC	10/31/12	23382X
Cust. No.	Contact		Day Phone No.		Extension		Evening Phone No.		Extension	
Service Consultant		Labor Rate		Payment Type						
GARY M DARLING		\$120.00		☐ Visa / MC ☐ AmEx ☐ Cash ☐ Check						
Tag	Wait	Wash	Estimate No.	Open Date	Promise Date	Time	Work Completed Date		Close Date	
080	No	Yes		1/02/13	1/02/13	19:00	1/02/13			

01 C/S THAT THE PASS SIDE AIR BAG LIGHT IS STAYS ON FOR AN EXTENDED PERIOD OF TIME 5-7 MIN.
 TESTED OCCUPANT CLASSIFICATION SYSTEM TESTED OK STARTED
 VEHICLE LIGHT WENT OFF WITHIN 10 SECONDS NO TROUBLE CODES

Misc-Body-I0001

Add-On? Tech Hours Labor
 No BALA16 No Charge Customer

02 COMPLIMENTARY CAR WASH

COMPLIMENTARY CAR WASH-CAR W

Add-On? Tech Hours Labor
 No BALA16 No Charge Customer

ROAD TESTED WITH GARY D LIGHT WENT OFF WHEN SEAT IS USED
 WHEN PUTTING LIGHT PRESSURE ON SEAT LIGHT WOULD GO ON
 WHEN LIGHT PRESSURE REMOVED LIGHT WOULD GO OFF
 SEE ATTACHED

 * Totals Amount *
 * Total.....: No Charge Customer*

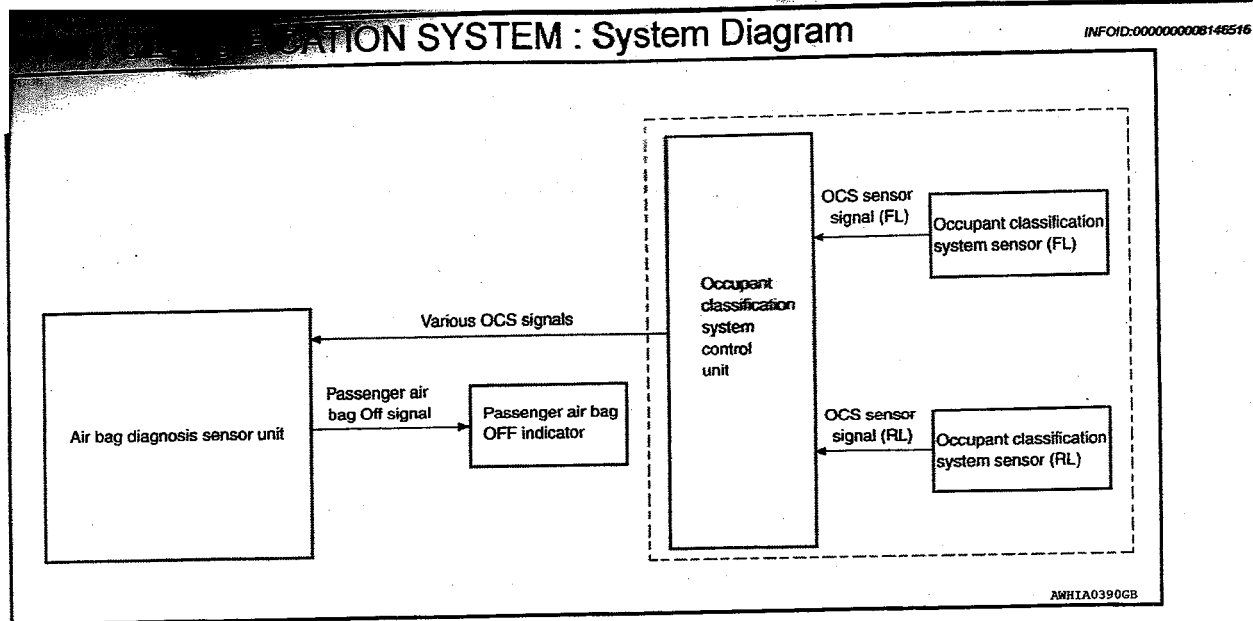
Page 1 Last Page

Prior to this visit for the airbag light, the light had come on in my car once for about 3-5 mins. I didn't think anything of it at the time. On 12/11 my car was brought in for them to replace the front passenger seat warmer. Upon picking up the car the air bag light came on but Infiniti didn't document it.

No vehicles released after service department hours. Please return your loan car promptly after your vehicle is ready, or a rental charge of \$35 per day will be applied to your bill. We accept cash or VISA, MasterCard and American Express credit cards. Thank you!

Customer acknowledges receipt thereof.

CUSTOMER SIGNATURE X



OCCUPANT CLASSIFICATION SYSTEM : System Description

INFOID:0000000008145517

The occupant classification system (OCS) identifies different size occupants, out of position occupants, and detects if a child seat is present in the front passenger seat. The OCS control unit (2) receives inputs from the occupant classification sensors (1) (located inside the passenger seat cushion assembly). Depending on classification of the passenger, the OCS sends a signal to the air bag diagnosis sensor unit. The air bag diagnosis sensor unit uses this signal and the seat belt buckle switch (passenger seat) signal to determine deployment or non deployment of the passenger front air bag in the event of a collision. Depending on the signals received, the air bag diagnosis sensor unit can disable the passenger front air bag completely. The OCS (weight sensors) must be set to zero point using CONSULT after servicing the OCS system.

NOTE:

- **CONSULT** can be used to confirm when "zero point reset" for OCS is complete.
- **Always** perform zero point reset after the removal and installation of the seat or when disconnecting the OCS control unit harness connector even if zero point reset has been completed in the past.
- If zero point reset is incomplete, the passenger air bag will be disabled and the passenger air bag off indicator will be ON.
- In case of customer concern, CONSULT can be used to confirm the passenger air bag status (readiness).

Passenger Air Bag Status Conditions

Front Passenger Seat (Condition)	PASS AIR BAG OFF Indicator (Status)	Passenger Air Bag Status (Readiness)	CONSULT Display
Seat occupied	OFF	Active (enabled)	ON
Seat occupied NOTE	ON	Deactivated (disabled)	OFF
Seat empty	OFF	Deactivated (disabled)	OFF

NOTE:

Infiniti gave me this paper as an explanation for why the light would be on.

Douglas Infiniti
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 Summit, NJ 07901
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Page 1 Last Page

Work Order No.
 01375 Reprint

Customer Information									
CHATHAM NJ Cell#: Email:									
Make	Model	Year	Odometer	License No.	State	Color	Trim	Vehicle No.	Stock No.
IN	JX35	13	1,991			Grey	G	5N1ALOMM4DC	23382X
Cust. No.	Contact		Day Phone No.		Extension		Evening Phone No.		Extension
Service Consultant			Labor Rate		Payment Type				
MR MARIO DELGADO			\$120.00		☐ Visa / MC ☐ AmEx ☐ Cash ☐ Check				
Tag	Wait	Wash	Estimate No.	Open Date	Promise Date	Time	Work Completed Date	Open Date	
354	No	Yes		1/16/13	1/18/13	19:00	1/24/13	1/31/13	

****THANK YOU** FOR SERVICING WITH DOUGLAS**
 I HOPE YOUR EXPERIENCE TODAY WAS
 TRULY EXCEPTIONAL.
 YOU MAY BE RECEIVING AN ONLINE SURVEY
 FROM INFINITI. THIS IS OUR REPORT CARD.
 PLEASE TAKE THE TIME TO FILL IT OUT.

01 C/S THAT THE PASS AIR BAG LIGHT COMES WITH AN ADULT SIZED PERSON IN SEAT WHEN CAR IS STARTED STAYS ON 5 MINUTES
 FAULTY OCS CONTROL UNIT
 INSTALLED NEW CONTROL UNIT AND DID "O" CAL TO RESOLVE

Misc-Body-I0001

Add-On? Tech Hours Labor
 No BALA16 2.2 ***** Factory

Parts

CONTROLLER ASSY-OCU-98856-3J61B

Qty Each Parts
 1 ***** Factory

Expenses

VOR/CSC HANDLING-600
 VOR/CSC HANDLING-600
 VOR/CSC HANDLING-600

Expense
 ***** Factory
 ***** Factory
 ***** Factory

02 COMPLIMENTARY CAR WASH

COMPLIMENTARY CAR WASH-CAR W

Includes:Service wash 19.95 Value-B1234

Add-On? Tech Hours Labor
 No BALA16 No Charge Customer

 * Totals Amount *
 * Total.....: No Charge Customer*

Page 1 Last Page

Infiniti replaced the faulty sensor with a brand new part that is different from the faulty one. It is their "fix" to the problem. A recall was announced 3/13. But I got the new part before that...

No vehicles released after service department hours. Please return your loan car promptly after your vehicle is ready, or a rental charge of \$35 per day will be applied to your bill. We accept cash or VISA, MasterCard and American Express credit cards. Thank you!

Customer acknowledges receipt thereof.

CUSTOMER SIGNATURE X

YAHOO! NEWS

Nissan recalls five 2013 models on air bags concernsReuters - ~~Wed, Mar 13, 2013~~

(Reuters) - Nissan Motor Co is recalling five 2013 model year vehicles, including top sellers Altima and Sentra, because the front passenger airbag may not deploy in a crash, the automaker told U.S. regulators.

The models in the recall are Nissan's Altima, Sentra, Pathfinder and Leaf as well as Infiniti JX35, it said on Wednesday.

Nissan did not supply the number of vehicles involved in the recall, or when they were manufactured. The reported recall affects only models sold in the United States. Nissan did not say whether vehicles in other countries will be recalled.

~~Sensors that determine if a passenger is sitting in a seat may not have met specifications and do not detect a rider, the National Highway Traffic Safety Administration (NHTSA) said. If a crash occurs and no passenger is detected, the air bag may not deploy.~~

The recall is expected to begin next month.

Dan Passe, a Nissan spokesman at its U.S. headquarters in Nashville, Tennessee, said there have been no reports of injuries or crashes related to this problem.

Nissan determined a recall should be conducted on February 21, two months after the automaker noticed an increasing number of warranty claims from owners who said their airbag detection dashboard warning was lit, according to documents filed with the NHTSA.

Nissan is also recalling 482 Sentras in the United States ~~between~~ ^{Welcome to a new **Yahoo.com**. Smart, fast and} 11 to October 4 last year because fuel tanks were not properly sealed. This may lead to a small leak of gasoline when the tanks are filled, Nissan told the NHTSA.

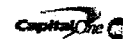
Passe said no injuries or crashes have resulted from the fuel tank issue.

(Reporting by Bernie Woodall; Editing by Jeffrey Benkoe)

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The new part was put in my car before the recall was announced.

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Nissan recalls 5 models for air bag problem

March 13, 2013

AP

By The Associated Press, Associated Press

DETROIT (AP) — Nissan is recalling five of its 2013 models in the U.S. because a faulty sensor can permanently turn off the front-seat passenger air bag.

The recall covers the Altima midsize car, as well as the Leaf electric car, Pathfinder SUV and the Sentra compact. Also covered is the Infiniti JX35 SUV.

The Altima is Nissan's top-selling car with 49,000 sold this year.

Nissan says in documents filed with safety regulators that it hasn't determined the number of vehicles affected by the recall.

Front passenger seats have sensors that determine the passenger's weight and turn off air bags off if a child is on board. The malfunctioning sensors can turn the air bags off permanently.

Nissan says its dealers will inspect the sensors in April and replace them free of charge if necessary.

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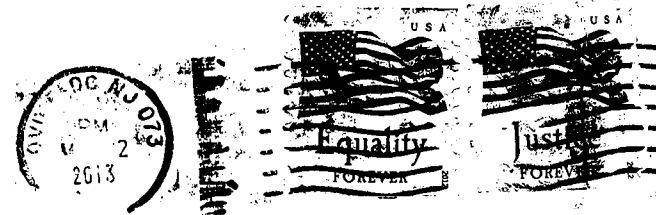


Gun Control Cartoons

Tags:business, Associated Press

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Chatham, NJ



U.S. D.O.T.
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1200 NJ Avenue SE
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