

INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

FOR AGENCY USE ONLY 100148

 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		Date Received APR 25 2013 07-FEB-2013		Repository ☐ Reference No. 10496780	
OWNER INFORMATION (Type or Print)							
Name		[REDACTED]		Daytime Telephone Number		E-mail Address	
Address		[REDACTED]		[REDACTED]		[REDACTED]	
City		BELLVILLE		State		IL	
Zip Code		[REDACTED]		Evening Telephone Number		[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				Make		Model	
5N1AA08A85N [REDACTED]				NISSAN		ARMADA	
Model Year		2005		Engine:		Fuel Type:	
Date Purchased		Dealer's Name and Telephone Number		No: Cylinders		[REDACTED]	
Original Owner		Dealer's City		State		Zip Code	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Transmission Type		☐ Antilock Brakes ☐ Cruise Control		Powertrain		Multiple Failure:	
[REDACTED]		[REDACTED]		[REDACTED]		Incident Date(s) 03-FEB-2013	
FAILED COMPONENT(S)/PART(S) INFORMATION							
Vehicle Component Code: 100000 POWER TRAIN						Failure Mileage 127500	
						Failure Speed 60	
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: DOTM49ABC036)		☐ 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		Fire		Number of Persons Injured		Number of Deaths	
☐ Yes ☒ No		☐ Yes ☒ No		0		0	
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 2005 NISSAN ARMADA. THE CONTACT STATED THAT WHILE DRIVING 60 MPH, THE TRANSMISSION FAILED TO SHIFT OUT OF THIRD GEAR. THE VEHICLE WAS TAKEN TO A DEALER FOR DIAGNOSTICS. THE DEALER NOTICED RADIATOR FLUID MIXING WITH TRANSMISSION FLUID WHICH CAUSED THE TRANSMISSION TO STALL. THE VEHICLE WAS NOT REPAIRED. THE FAILURE MILEAGE WAS 127,500.							
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.							

March 11, 2013

Affidavit and Formal Complaint Pursuant to Applicable relevant provisions set forth in Consumer Credit Protection Act against Nissan Motors, Inc.....

Re: Nissan's Failure to recall faulty and dangerous automobile(s):

I, [REDACTED] swear and attest to under the penalties of perjury, that, on or about February 3, 2013 my spouse noticed while driving home from work that our 2005 Nissan Armada wasn't gears properly, shortly after the check engine indicate light came on.

On February 4, 2013 the very next day we took the vehicle to AAMCO (Transmission). They run a diagnostic test and stated that the valve body was bad and the radiator was leaking fluid into the transmission. This meant I need a new radiator and valve body which is the computer in the transmission.

I called Nissan dealership to ask if there was any recall on the radiator and transmission intermixing of fluids. Nissan dealership said no and there were no extended warrants. I went out on the internet to see if there were any other complaints about the same issues and I found hundreds of complaints for 2005 Nissan Armada from brake failure, airbags failure, transmission (valve Body) failure, and radiator and so on. After checking with the dealership about the recall I then ask for the corporate number. Which was giving's (1-800-nissan-1) my husband call corporate on February 4, 2013 and spoke with Lansie, she took the report and gave us case #10558066 and stated she will get back with us as soon as she investigate this matter.

On February 5, 2013 I spoke with Michelle from corporate, she insist I had to take the vehicle to Nissan Dealership in order for them to consider paying for the cost of the transmission and radiator, if there was any finding of intermixing of fluids. I told Michelle that AAMCO has the vehicle and already replaced the radiator part; Labor for the radiator was \$ 741.21. She said that was okay just make sure they send all of the original part off the vehicle. I call AAMCO and ask them to stop working on the vehicle because Nissan will have to do their own diagnostic test to assure the finding of the fluids intermixing.

I had to have the vehicle towed to Nissan dealership at my expense alone with paying for the diagnostic test at Nissan. AAMCO put the transmission back together and placed the original radiator in the back of the vehicle. Once Nissan received the vehicle they told me I will be responsible for the cost of the diagnostic test which was \$ 135.00 if there was no finding. I sign the agreement to pay for the test to be done. Kenny Ladd was the service person to attend the vehicle. After leaving the vehicle I received a call from Kenny an hour and a half later stating he did not find any finding of intermixing of fluids and my original radiation was perfectly good and I did not need a new radiator. He stated a need a new transmission I asked him what made the transmission go bad he quoted (He didn't know maybe it was a bad part). I told him I will be there to have my vehicle towed.

On February 6, 2013 I went to Nissan Dealership waiting on the Tow Service to pick up my vehicle and to pay for the diagnostic test. I was giving the invoice with half of the information on it; I asked Kenny why he didn't state all what he had told me over the phone what was wrong with my vehicle. He said he will write it on the invoice, I insisted he put it in the computer. I asked him did he place my original radiator back in my vehicle he stated no, he disassembled it and trash it. I asked why when he stated that it was nothing wrong with it and I just paid \$ 741.21 for a new one when nothing was wrong with the original one. I was going to return the new one back to AAMCO. He then walks away from me. I told him I need my original radiator to balance the cost of the transmission that he stated I need to replace since there was no need for a new radiator.

I had my vehicle towed to Nissan Dealership to be test and I end up with a radiator totally destroyed. He went in the back in brought me out a demolished radiator and told me I have a new one on there anyway. I was devastated. I call the corporate office back and spoke with Jackie. I explained to Jackie from corporate the finding from Nissan Dealership, she told me that she will be sending my complaint to a Regional Specialist and someone will call me in 24 hour. *I received a call on February 7, 2013 from phone number 800-343-6913 approximately 10:30am. I do not recall the female agent's name. She stated she had read over my case and have spoken with the dealership and the dealership said they didn't find any intermixing of fluids corporate could not assist me with the cost for the radiator nor the transmission.*

I explained to her (Region Specialist) what happen to a perfectly workable radiator that Nissan dealership stated that I didn't need a new radiator and AAMCO shouldn't have replaced the original one but yet Nissan totally destroyed the original radiator as if they were destroying the evidence of intermixing of fluids, when so many people having the same complaints and Nissan refuse to address this problem. The Region Specialist stated she didn't have any knowledge of them destroying my radiator and can she call me back once she contacts the dealership again. She calls back 10 to 15 minute later only to say the dealership said they had to disassemble the radiator to test the fluids. I explain to her I have had many diagnostic test performed and just had one done by AAMCO and my radiator was not destroyed.

I am not only out of pocket for a new radiator that Nissan stated I didn't need that they totally destroy. Now I am also facing the cost of a new transmission that fail and Nissan cannot explain why, after paying \$135.00 for a diagnostic test nor are they willing to admit any finding of intermixing of fluids that may have cause the transmission to fail. I have contacted corporate in no avail. I am now forwarding this letter to Senior Vice President Brian Carolin. I am asking for your help to solve this matter.

Thank you,

You may contact me via email or by phone

[REDACTED] [REDACTED]



Belleville, IL

SAINT LOUIS MO 631

11 MAR 2013 PM 9 L



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