

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



U.S. Department of Transportation
National Highway Traffic Safety Administration

Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received
EX-107 NOV 5 2013
NOV 5 2013
20-SEP-2013
2013 NOV -4 P 4: 07
Repository
Reference No.
10544599

OWNER INFORMATION (Type or Print)

Name [REDACTED] Daytime Telephone Number [REDACTED] E-mail Address [REDACTED]
Address [REDACTED]
City EASTON State CT 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
4JGBB86E27A [REDACTED] Make MERCEDES BENZ Model ML350 Model Year 2007
Date Purchased [REDACTED] Dealer's Name and Telephone Number MB OF FAIRFIELD Engine: No: Cylinders Fuel Type: GAS
Original Owner Dealer's City FAIRFIELD State CT Zip Code 06430
Transmission Type Antilock Brakes Powertrain Multiple Failure: Incident Date(s) 20-SEP-2013
 Cruise Control

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Codes: 110000 ELECTRICAL SYSTEM, 220000 SEATS
(SEE ATTACHED) Failure Mileage 63000 Failure Speed

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: DOTM19ABC036) Original Equipment Failure Location:
 Prior Repair
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 Yes No Fire Yes No
Number of Persons Injured 0 Number of Deaths 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 2007 MERCEDES BENZ ML350. THE CONTACT STATED THAT THE DRIVER'S SIDE SEAT WARMER WAS ACTIVATED AND THERE WAS A BURNING SMELL EMITTED AS THE TEMPERATURE BECAME EXTREMELY HOT. THE DEFECT RESULTED IN A BURNED HOLE IN THE SEAT CUSHION AND THROUGH THE CONTACT'S CLOTHING. THE VEHICLE WAS TAKEN TO A DEALER WHERE IT WAS ADVISED TO THE CONTACT THAT THE SEAT BACK WARMER WAS FAULTY AND THEY WOULD NEED TO PERFORM FURTHER INVESTIGATIONS TO DETERMINE THE CAUSE OF THE FAILURE. THE MANUFACTURER WAS NOT NOTIFIED OF THE FAILURE. THE VEHICLE WAS NOT REPAIRED. THE APPROXIMATE FAILURE AND CURRENT MILEAGE WAS 63,000. (SEE ATTACHED FOR RECEIPT FOR REPAIR FROM DEALER, ALSO NOTE THE RELEASE AGREEMENT REQUIRED TO RELEASE CAR BACK TO ME)

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.

RELEASE AGREEMENT

This Release is entered into this 24th day of September 2013 between [redacted] whose address is [redacted] Easton CT [redacted] (hereinafter referred to as "Releasor") and Mercedes-Benz USA, LLC ("MBUSA"), Daimler Aktiengesellschaft, Mercedes-Benz of Fairfield (hereinafter collectively referred to as "Releasees").

1. In consideration of the undertaking by Releasees under this Release, the Releasor, being of lawful age, does hereby release, settle, acquit and forever discharge Releasees and all of their agents, servants or employees, from any and all actions, causes of actions, claims, demands, damages, costs, expenses, compensation or obligations, which the Releasor may have against Releasees on account of or in any way growing out of any alleged damages of any kind, including property damage and personal injury, which allegedly resulted or may result from a recent incident during which the seat heater overheated and damaged the seat cover (the "Incident") on Releasor's 2007 Mercedes-Benz ML 350 vehicle, vehicle identification number 4JGBB86E27A [redacted] (hereinafter "2007 Vehicle") and in full and complete discharge of any asserted claims, and claims that could be asserted in the future by Releasor, his heirs, representatives, successors and assigns arising out of the Incident through the date of the execution of this Agreement, as a result of the alleged actions or omissions of Releasees, all of which are expressly denied, Releasor will receive the compensation specified herein. This Release Agreement applies to all claims, whether known or unknown, on the part of Releasor and shall be a full, binding and complete settlement between Releasor and Releasees.

2. In consideration of a full and complete Release as stated above and other undertakings stated herein, Releasees shall provide to Releasor, at no cost to Releasor, repair to the heater and the seat cover involved in the Incident as stated above.

3. The Releasor states that he has carefully read the foregoing Release, knows its contents, and has consulted with or has chosen not to consult with an attorney regarding its meaning and effect and has signed it as his own free act and deed.

Dated: 9-24-2013

STATE OF _____)
) ss
COUNTY OF _____)

BEFORE ME, The undersigned authority, on this day personally appeared to me [redacted] the person whose name is subscribed to the foregoing instrument and acknowledged to be that he executed same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this _____ day of _____, 2013.

NOTARY PUBLIC, STATE OF _____



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

Dear Consumer:

NVS-216rr

As a follow-up to your report to the Vehicle Safety Hotline (VSH), we have recorded your information on the enclosed Vehicle Owner's Questionnaire (VOQ) form. Please review the form and make changes, additions and corrections as necessary. Additionally, please provide a more detailed description of the failures(s) you reported that you believe relevant to safety. Also, if available, include copies of repair invoices, letters to the manufacturer, or any other document related to the problem(s) you reported. If a crash or fire occurred, include a copy of the police or fire department report.

It is helpful to be as thorough as possible in your report so that our ability to use your report will be maximized. If you do not have the information, it is not necessary to complete all the boxes. However, it is very difficult to identify the scope of a vehicle problem unless the vehicle identification number (VIN) is known. The VIN is located inside the vehicle on the dashboard adjacent to the left (driver's side) of the windshield pillar and on the drivers' door or the driver's door jam. It may also be listed on a dealer repair invoice or your insurance or registration cards. When reporting a tire problem, the brand name, tire line and complete tire size should be included. Be certain to provide the DOT tire identification number. It is usually located near the rim flange of the tire on either side of the tire.

We do not make your personal information (name, address, phone numbers, etc.) available to the general public. However, if we open an investigation that involves your vehicle, we will provide the manufacturer of your vehicle with a complete copy of your report. The information you provide may assist the manufacturer and NHTSA in determining if a safety-related defect exists.

Any information provided is entirely voluntary. There is no consequence or penalty of any kind if you do not wish to provide it. We seek this information to develop both statistical and investigative evidence that will help identify potential safety related problems in vehicles or vehicle equipment, e.g., tires, child safety seats, jacks, etc.

When completed, please fold and staple or tape the form so that the pre-addressed portion of the form is on the outside. If a larger envelope is used, tape the VOQ form to the larger envelope so that the pre-addressed portion of the form is showing.

If further assistance is needed, please contact the VSH at their toll-free number, 1-888-327-4236.

Thank you for your cooperation.

Sincerely,

Randy Reid Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement

Enclosure: VOQ



Mercedes-Benz

Mercedes-Benz of Fairfield
450 Scofield Ave
Fairfield, CT 06825-5501
Local 203-367-7486
CT Toll Free 800-882-9014
Fax 203-366-1533

CELL: [REDACTED]

Customer information form including fields for CUSTOMER NO. (701179), ADVISOR (JASON J COGONI), TAG NO. (758), INVOICE DATE (09/24/13), INVOICE NO. (MBCS161961), LABOR RATE, LICENSE NO., MILEAGE (63,234), COLOR (PEWTER/), STOCK NO., YEAR / MAKE / MODEL (07/MERCEDES LIGHT TRUCK/ML350/4DR AW), DELIVERY DATE (03/30/07), DELIVERY MILES (13), VEHICLE I.D. NO. (4 J G B B 8 6 E 2 7 A), SELLING DEALER NO. (100), PRODUCTION DATE, F.T.E. NO., P.O. NO., R.O. DATE (09/20/13), RESIDENCE PHONE, BUSINESS PHONE, COMMENTS, and MO: 63235.

LABOR & PARTS table with columns: #, QTY, FP-NUMBER, DESCRIPTION, LIST PRICE, UNIT PRICE, WARRANTY. Includes job # 1 details for upholstery and lever, and a summary row for JOB # 1 TOTAL PARTS and LABOR & PARTS.

COMMENTS: [REDACTED]

TOTALS section with a list of items and their prices, including TOTAL LABOR, TOTAL PARTS, TOTAL SUBLET, TOTAL G.O.G., TOTAL MISC CHG, TOTAL MISC DISC, TOTAL TAX, and TOTAL INVOICE \$ 0.00.

Ask your service representative about our NEW Paintless Dent Removal - Our most popular service! Combined with a Mercedes Benz of Fairfield Detail, we can make your vehicle look like new! www.mercedesbenzoffairfield.com

CLIENT SIGNATURE _____

ANY WARRANTIES ON THE PRODUCTS SOLD HEREBY ARE THOSE MADE BY THE MANUFACTURER. THE SELLER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESSED OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE...

CLIENT AUTHORIZATION x _____

SERVICE HOURS: 7:30 AM - 5:30 PM MONDAY - FRIDAY, 8:00 AM - 12:00 PM SATURDAY. LOANER CARS AVAILABLE BY APPOINTMENT. SALES: (203) 368-6725, PARTS: (203) 367-7030.

ON BEHALF OF THE SERVICING DEALER, I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. 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...

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

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...

Easton, CT



U.S. Dept of Transportation
National Highway Traffic Safety Admin
1200 New Jersey Avenue SE
Washington, DC
20590

20590

