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SEP 20 2013

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CL-10544761-1091

EXECUTIVE
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September 13, 2013

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Josh Wegener, Repurchase Manager
Nissan Recall Program
2717 Schust Road
Saginaw, MI 48603

Delivered via TeleFax 877-276-2445
Delivered Via Certified Mail
Delivered via e-mail to Josh.Wegener@morleynet.com

Re: Case 204313

Dear Mr. Wegener,

I spoke with your Agent, Karen, on 9/11/13. I have made notes of our conversation and would like to confirm her information regarding my recall issue here. She stated that Nissan would use Kelley Blue Book values to estimate that market value of my 2002 Nissan Pathfinder SE. After we discussed my vehicle options/package on the car, she stated the value that Nissan is willing to buy my car back is \$3114.00 and that she would not reimburse me the cost of the tax and license I had to pay in May of this year when I purchased the car.

As I stated to Karen, I paid \$4300 for the car in May of this year. In addition, I had to pay tax and license for this vehicle of approx \$500. I have done repair work on the vehicle of around \$800, but since the work has nothing to do with suspension her comment to me was, "those are on my dime and not reimbursed by Nissan".

Karen stated I should have done my "due diligence" in buying the vehicle, which I did, in my opinion, however, since this offer, I am now doing my "due diligence" in with regards to the offer on Nissan's recall.

I contacted my local credit union to get a loan value on a similar vehicle as my 2002 Nissan Pathfinder SE. Even for a "rough trade in" the value is \$4863.00. Karen stated to me that Nissan deemed my vehicle in **good condition**, that would translate to a clean value and the amounts are trade-in \$6363, loan \$5988, retail \$8738. My credit union uses N.A.D.A. not Kelley. Kelley is notoriously off on their values and no lending institution I work with uses them.

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Page 2

In addition, I have done online research to see what the value of a 2002 Pathfinder like mine is within a 200-mile radius of my home. I checked vehicle availability and cost to replace it. All of the numbers are significantly higher than \$3114. I also went to Edmunds.com and the dealer retail on this car is yet another number much higher than \$3114.00. Finally, I went to Craig's list for all local listings for a car like mine in my area, again, all higher than \$3114.

As I told Karen in our conversation, I had my 2002 Pathfinder SE listed for \$5900 and had a buyer ready to purchase it from me. As a part of my intent to sell the car, I ran a Car Fax on the vehicle and found the recall. In trying to do the responsible thing I brought the Nissan Pathfinder SE to the dealership ensure its safety prior to selling it to another individual and giving a stranger a dangerous and unsafe vehicle. Honestly, I shudder to think of the danger my 18 year old was in driving this vehicle. The thought of what could have happened to her is terrifying to me. No amount of money would have compensated the consequence of her being hurt or hurting someone else due to the danger of this vehicle that Nissan produced.

Ultimately, the \$3114 price you have offered is not acceptable to me. The mere thought that you would not also reimburse me for tax and license is offensive, even an insurance company would do that for a total loss on a car, which this is. I would also like to reiterate, that this is a **Nissan** recall of one of **their** vehicles. It is not my fault that the car is not repairable and it is not fair to put me in a financial hardship by offering me much less than I paid for my 2002 Nissan Pathfinder SE and expect me to replace the car for the amount of your offer, when clearly one is not available for the price of your offer of \$3114.

In doing further "due diligence" according to the National Highway Traffic Safety Administration, here are my legal and proper remedies for this situation:

"What Are the Ways in Which a Recalled Vehicle or Item of Equipment May Be Remedied? Once a defect determination is made, the law gives the manufacturer three options for correcting the defect: repair, replacement, or refund. The manufacturer may choose to repair the vehicle; replace the vehicle with an identical or similar vehicle; or refund the purchase price in full, minus a reasonable allowance for depreciation. In the case of equipment, including tires and child safety seats, the manufacturer can either repair or replace"

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Page 3

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Based on my legal remedies available to me above, I will not accept your offer of \$3114. Instead, I would request:

- Nissan find a car like mine for the \$3114 price you are offering plus tax and license to replace my car
- Nissan increase their offer to compensate me for the price I paid plus tax and license which I will settle for \$5,900.00, the price I could have sold it for or
- Nissan fix my 2002 Nissan Pathfinder SE to the safety standards applicable.

I do not want to have to take this further with legal action, but I find it only fair and honest to advise you that I work in the Knox County District Attorney General's office and I am about 90 feet away from Sessions Court, where I will gladly file a suit and we can battle this in court and you can pay an attorney to fight it. My guess is, even on retainer, you will pay the attorney more than settling with me will cost. I also would like to inform you that I have spoken with a Product's Liability Attorney here in Knoxville who will gladly assist me in this matter, should legal action need to be taken. But, I honestly do not want to file a suit or deal with a legal battle, I seriously would like to have a civil and fair resolution to this issue.

Please, Mr. Wegener, I am asking you as professionally and honestly as I know how, to please do the right thing here and resolve this quickly and fairly. I look forward to your response, and am in great hopes we can resolve this quickly to both our satisfaction.

Sincerely,
[REDACTED]

Cc: Nissan Consumer Affairs, P.O. Box 685003. Franklin, TN 37068-5003

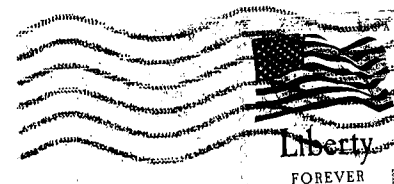
Department of Commerce and Insurance, 500 James Robertson Pkwy,
Nashville, TN 37243-0565

National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE,
West Building, Washington, DC 20590

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