

NHTSA ccmMercury Routing Slip

S10 Priority
EL-10577655-7623

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
Printed: 4/11/2014 INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

NHTSA #: ES14-001373	Rec'd Date: 4/11/2014	Referred By: NPO-011
XREF #:	Doc Type: CMB	Doc Date: 3/24/2014
Delivery: S10 E-MAIL	Address To:	Due Date: 4/17/2014
S10 #:	DOT/I #:	RMP #:
Subject: S10 DIRECT REPLY REQUEST ASSISTANCE WITH A POSSIBLE VEHICLE DEFECT OF A 2006 BMW 750LI 4-DR SEDAN DUE TO A MASSIVE OIL LEAK		
Ack Date:	Ack By:	Signed For:
Sign Office: ENFORCEMENT	Signature: NANCY L. LEWIS	Cleared For:
Cleared Date:	Cleared By:	Closed Date:
File Loc:	XREF File:	
Added By: SHARRIS x62534	Modified By: SANDRA.HARRIS	
Most Recent Comment:		

Author:

[Redacted]
OXON HILL, MD [Redacted]

Tel: Fax: E-mail:

APR 14 2014

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	REPLY	4/11/2014	4/17/2014	
NVS-010	INFORMATION	4/11/2014		4/11/2014

EXECUTIVE SECRETARIAT

2014 APR 11 A 10 24

RECEIVED

NM
41414
SMD

14-036075

[REDACTED]

[REDACTED] Oxon Hill MD [REDACTED]

March 24, 2014

U.S. Department of Commerce/Consumer Protection Section

1401 Constitution Ave., N.W.

ODOMETER FRAUD

Washington, DC 20230

APR 11 2014
10:12 AM

RE: 2006 BMW 750LI VIN:WBAHN83516D [REDACTED] SEDAN 4DR 4.8L V8 FI DOHC 32V REAR WHEEL DRIVE

Dear Sir/Madam

On August 15, 2012, Plaintiff [REDACTED] purchased a motor vehicle from (PRIME AUTO GROUP, 3217 10TH N ST., ARLINGTON, VA 22201) 2006 BMW 750LI VIN: WBAHN83516D [REDACTED]. This vehicle was advertised to Plaintiff [REDACTED] as having 108,303 miles, this mileage was also reported on the bill of sale Plaintiff [REDACTED] signed and the title paperwork filed with the state of Virginia.

Unfortunately, the vehicle has not been satisfactory because it is leaking oil from the engine. Three days after the purchase, Plaintiff [REDACTED] started having major mechanical problems with the car and took it to your mechanic for an inspection. Your mechanic agreed to fix the oil leak, however, when Plaintiff [REDACTED] collected the vehicle and started using it again, the problem was still there.

On March 08, 2014, Plaintiff [REDACTED] had serviced her car at BMW of Arlington-Alexandria Dealership due to a massive oil leak. After, visually inspecting the car, the BMW mechanic told Plaintiff [REDACTED] the car had multiple leaks (Alternator Mount Bracket Seal Leaking, Valve Guide Seals, Upper Timing Case Cover Seals Leaking, Valley Pan Leaking Coolant and Vacuum Pump Leaking) and appeared to him to have substantially more miles on it than indicated on the odometer.

The mechanic deposed that, although the car had a good appearance, he observe sign of wear on visible engine parts and road grime and stains on other engine parts that indicated there was substantially more than 137,890 miles on the car.

Further investigating the matter discovered that the Carfax Vehicle History Report on WBAHN83516D [REDACTED] had indicated that the odometer reading on August 15, 2011 was 178,423 miles on the vehicle. So in retrospect, the vehicle has accrued 216,313 miles as of date. That is flagrant false advertising!

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2014 APR 11 A 10:12
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ES14-001373

The Plaintiff [REDACTED] would appreciate it if you could organize to give her a full refund. She is also rejecting the car as it is unsatisfactory.

Prime Auto Group knowingly sold Plaintiff [REDACTED] the car with the altered odometer, all with the intent to defraud her in violation of 49 U.S.C. § 32705(a)(2). Knowingly tampered with and set back the odometer with and set back to reflect lower than actual mileage.

Plaintiff [REDACTED] now has to face the prospect of shorter longevity and increased maintenance costs due to a false mileage on her vehicle.

Plaintiff [REDACTED] looks forward to settling this matter amicably. If, however the matter is not satisfactorily resolved Plaintiff [REDACTED] will consider taking further action to resolve the complaint either through the Department of Commerce or pursue legal action against your company Prime Auto Group in Arlington County, where your business is registered.

Plaintiff [REDACTED] will be available to discuss this at your convenience or via email.

Daytime: Monday - Friday	Home	[REDACTED]
Anytime	Cell	[REDACTED]
Anytime	Email	[REDACTED]

Sincerely,
[REDACTED]

NOTE:

This letter is to put you on notice that NONE of the documents, materials, emails, faxes, photographs, computer entries or logs, or any other item of any nature whatsoever relevant to this incident are altered, changed, destroyed, or disappear. It is our hope that you will comply, as you are aware of the civil and criminal penalties that can be assessed/imposed for the spoliation of evidence.



April 2, 2014

MEMORANDUM FOR: Ms. Carol Darr
Executive Director
Department of Transportation
Executive Secretariat

SUBJECT: Transfer of Correspondence

After reviewing the attached correspondence, it has been determined that they contain a matter that may be under the jurisdiction of your agency.

Please give prompt attention to the letters.

Thank you,

A handwritten signature in cursive script, appearing to read "Sarah E. Jones", followed by a horizontal line.

Sarah E. Jones
Office of the Executive Secretariat

cc: [REDACTED]
DOC/OSES

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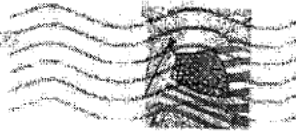


Oxon Hill, MD



CAPITAL DISTRICT 24/34

24 MAR 2014 PM 4 L



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Department of Commerce
1401 Constitution Ave., N.W.
Washington, DC 20230
Consumer Protection Section

S10-140410-022

Convey
U.S. DEPARTMENT OF TRANSPORTATION
Office of the Secretary
Washington, D.C. 20590
OFFICIAL BUSINESS



POSTNET EMPLOYER



Ms. Carol Darr
Director, Executive Secretariat
Department of Transportation
1200 New Jersey Avenue, SE
Room W930-414
Washington, DC 20590

S10-140410-022



**Office of the Secretary of Transportation
Executive Secretariat**

Control number: S10-140410-022	Action office: NHTSA
Document date: 3/24/2014	Due date: 4/17/2014
Author(s): [REDACTED]	
Subject:	Request For Assistance With Possible Vehicle Defect (re 2006 BMW 75LI VIN: WBAHN83516D [REDACTED] Sedan 4DR; 4.8L V8 FI DOHC 32V Rear Wheel Drive)
Action:	Direct Reply

Comments:

Date	Action	Action by
4/10/2014	Folder Sent for Draft to Action Office: NHTSA for 'Direct Reply'	LINDA.MILLER
4/10/2014	Uploaded Exec Sec Tracking documentation as attachment, per J.Swann.	LINDA.MILLER
4/10/2014	Attachment Uploaded.	LINDA.MILLER
4/10/2014	Folder Sent for Draft to Action Office: NHTSA for 'Direct Reply'.	LINDA.MILLER
4/10/2014	DIST: P1,C1,S3,I1	LINDA.MILLER
4/10/2014	Updated Folder Information.	LINDA.MILLER
4/10/2014	File Replaced for Incoming.	LINDA.MILLER
4/10/2014	Work Folder Assigned to NHTSA.	RASHAWN.MAYWEATHER
4/10/2014	Incoming File Uploaded.	RASHAWN.MAYWEATHER
4/10/2014	Control Number Created.	RASHAWN.MAYWEATHER

Date	Note	Note by
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