



CL-10644210-1990

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DIVISION OF ECONOMIC JUSTICE
CONSUMER FRAUDS & PROTECTION BUREAU

December 3, 2014

[REDACTED]

Williamsville, NY [REDACTED]

DEC 11 2014

Our File Number: [REDACTED]
Company: Nissan North America Inc.

Dear [REDACTED]

On behalf of Attorney General Eric T. Schneiderman, I am writing to notify you that we have received your correspondence.

We appreciate your alerting us to this matter. We believe the organization shown below may be able to assist you and we are forwarding your correspondence there.

If you do not receive a response in the near future, please follow up directly with that organization. I suggest you attach a copy of this letter or, if appropriate, mention that you are adding new information.

Thank you for writing to our office. We will keep your correspondence on file for future reference.

Very truly yours,

Marisol Lugo/cl

Marisol Lugo
Bureau of Consumer Frauds
and Protection

cc: National Highway Traffic Safety Administration
Office of Defects Investigation
1200 New Jersey Avenue SE West Bldg.
Washington, DC 20590

NAM
12/15/14
SMD

**OFFICE OF THE ATTORNEY GENERAL ERIC T. SCHNEIDERMAN
STATE OF NEW YORK DEPARTMENT OF LAW**



Consumer Frauds and Protection Bureau

120 Broadway, 3rd Floor

New York, NY 10271

Phone: (212) 416-8300 Fax: (212) 416-8789

RECEIVED
 OCT 23 2014
 CONSUMER FRAUDS & PROTECTION BUREAU
 NYS OFFICE OF THE ATTORNEY GENERAL
 NEW YORK CITY OFFICE
 Consumer Hotline
 (800) 771-7755
 TDD (800) 788-9898
<http://www.ag.ny.gov>

1. Please be sure to complain to the company or individual *before* filing a complaint.
2. Please type or print clearly in dark ink. Form may also be filled in online using Adobe Acrobat version 5.0 (or later) and printed out for mailing.
3. Complete the *entire* form. Incomplete or unclear forms will be returned to you.
4. Please attach *photocopies*—no originals—of supporting documents.

CONSUMER			
Name [REDACTED]		Home phone [REDACTED]	
Street Address [REDACTED]		Business phone	
		Email address [REDACTED]	
City/Town Williamsville	County Erie	State New York	Zip [REDACTED]
COMPLAINT:			
Name of seller or provider of services Nissan North America, Inc		Phone 615-725-1000	
Street Address One Nissan Way		Email address	
		Website www.nissanusa.com	
City/Town Franklin	County	State Tennessee	Zip 37067
Date of transaction 10/16/2014	Cost of product or service \$735.78	Method of payment CASH/CREDIT	
Did you sign a contract? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>Note: Vehicle purchase contract, not for services</i>			
Date signed: 10/16/2014 Where signed: Dealership			

OPTIONAL: Other seller, provider of services, manufacturer or warrantor		Phone	
AutoPlace Infiniti Dealership		Email address	
Street Address		Website	
City/Town	County	State	Zip
Was the product or service advertised? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Date advertised:		Where/how advertised:	
Date and method of complaint to company or individual: 12/3/09 & 10/13/14		Person contacted (include title): Infiniti Consumer Affairs Representative, Let Henry	
<input type="checkbox"/> Email <input checked="" type="checkbox"/> Telephone <input checked="" type="checkbox"/> In person <input type="checkbox"/> Other: _____			
Date(s) and nature of response(s): NONE			
Has this matter been submitted to another agency or attorney? (If "Yes," please provide name and address.)			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Is court action pending? (If "Yes," please describe.)			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Briefly describe your complaint:

"PLEASE SEE ATTACHED"

The Infiniti AutoPlace Dealership want me to pay for the process of elimination, which involves continued future diagnostic testings.

What form of relief are you seeking? (e.g., refund, credit, exchange, repair, etc.)

PLEASE READ THE FOLLOWING BEFORE SIGNING BELOW

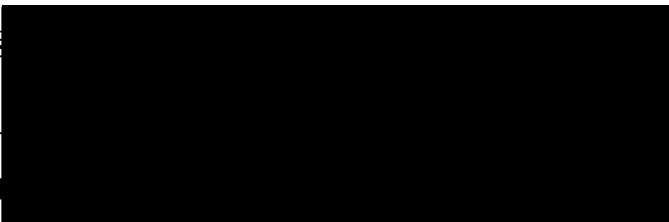
Please attach to this form *photocopies* of any paper involved (web printouts, contracts, warranties, bills, statements, cancelled checks, correspondence including email, etc.) DO NOT SEND ORIGINALS. Due to the volume of complaints we receive, any final resolution of this matter may take some time and your patience is greatly appreciated. In order to protect your privacy, we suggest you remove all confidential information from the complaint and documents you submit to us, such as your Social Security number, financial account numbers, and any medical information.

NOTE: In order to resolve your complaint, we may send a copy of this form to the person or company about whom you are complaining.

In filing this complaint, I understand that:

- The Attorney General is not my private attorney, but represents the public in enforcing laws designed to protect the public from misleading or unlawful business practices. My filing this complaint does not mean that the Attorney General has initiated a lawsuit or proceeding on my behalf or that it will do so.
- The Attorney General cannot give me legal advice or represent me in court. If I have any questions concerning my legal rights or responsibilities, I should contact a private attorney.
- In order to resolve my complaint, the Attorney General may send a copy of my complaint and any documents I provide to the person or business about whom I am complaining and I authorize that person or business to release information concerning my complaint to the Attorney General.
- The Attorney General works with other state, local and federal government agencies to investigate complaints and coordinate law enforcement and may also share my complaint with them. In addition, the Attorney General may use information from my complaint in legal proceedings to establish violations of law.

The above complaint is true and accurate to the best of my knowledge. I also understand that any false statements made in this complaint are punishable as a Class A Misdemeanor under Section 175.30 and/or Section 210.45 of the Penal Law.

	Date
	10 / 17 / 2014

**Office of the Attorney General
Consumer Frauds and Protection Bureau
120 Broadway, 3rd Floor
New York, NY 10271
(212) 416-8300 / 8341
Fax: (212) 416-8787**

October 17, 2014

RE: 2005 Infiniti QX 56
VIN No: 5N3AAO8C85N [REDACTED]

Dear Sir/Madam:

This letter is in reference to a previous complaint filed with Infiniti Consumer Affairs on December 3, 2009, regarding my vehicle **shutting completely down**, not moving in the drive or reverse position at a busy intersection on a rainy stormy evening. This occurrence could have caused a serious accident or worse, a fatality. As a result of police assistance and having my vehicle towed directly to the Autoplace Infiniti Dealership. To date there were never any mechanical issues found or explained by the dealership, related to my vehicle shutting down at a busy intersection. A copy of the aforementioned correspondence is provided for review.

Currently, my complaint contains additional serious vehicle issues regarding my headlights, instrument cluster/panel, and the fuse box under the hood.

-Both headlights on my vehicle suddenly stopped working at the same time. The bulbs were replaced and the headlight fuses were found to be functioning.

-The instrument panel/cluster light blinks constantly as I drive and **the cluster panel gauges are completely not functioning properly.**

-Fuses have been checked under the vehicle's hood and results indicate some of the 10 amp fuses are not functioning at all.

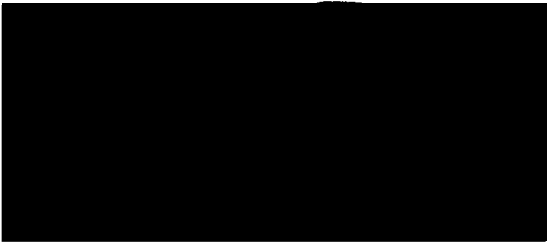
On or about September 25, 2014, I contacted the Infiniti Consumers Affairs Division informing them of my vehicle's issues and safety concerns. At their request, I was instructed to schedule a diagnostic testing at the AutoPlace Infiniti Dealership for my Infiniti. My vehicle was scheduled for October 7, 2014. However, after waiting two hours and receiving an incomplete diagnostic testing, the dealership could not determine why my headlights were not operating. The service department indicated that there could be a possibility of faulty wiring. I was instructed to reschedule the diagnostic testing for October 16, 2014 to complete the process, as a result of the service department ending their work shift.

After the second scheduled diagnostic testing on October 16, the service department indicated to me that my IPDM was faulty and defective. **The Dealership's service department also informed me that replacing the IPDM, priced at \$565.48+TAX was no guarantee that my headlights, cluster panel, or fuse issues would be resolved.** They said that I would probably have to pay for a second diagnostic testing priced at **\$115+TAX** to determine additional internal mechanical failures with my Infiniti. I contacted Infiniti Consumers Affairs to update them on the Dealer's Service Department's findings related to my vehicle's diagnostic testing; however, I currently have not received a response.

I am concerned that there should have been a safety recall regarding the IPDM in my 2005 Infiniti QX 56, which jeopardizes my safety. There continues to be no specific answers or explanations why my vehicle's headlights are not working, the cluster/panel is malfunctioned, and some fuses underneath my vehicle's hood are not powered. I also never received any justified answers to my December 3rd, 2009 complaint in regards to my Infiniti abruptly shutting off while I was driving. A copy of the aforementioned correspondence is provided for review.

As a result of my vehicle's expired warranty and mechanical failures, I have consumed a great deal of out-of-pocket expenses, including a traffic citation related to my headlights. I am limited and inconvenienced with driving my vehicle at night as a result of my inoperable headlights, malfunctioned cluster panel, and inoperable fuses. A copy of the aforementioned correspondence is provided for review.

I have previously been a satisfied loyal Infiniti Consumer for over 15 years. I am requesting that my situation be given serious immediate attention and resolution.





INFINITI

Autoplacé Infiniti/Nissan
 8137 Main Street
 Williamsville, NY 14221
 Phone: 716-633-9900
 Fax: 716-633-4199

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. [REDACTED]

COPY

Repair Shop Reg. No. 7049893

Customer Information											
WILLIAMSVILLE NY [REDACTED]											
Cell#: [REDACTED]											
Email: [REDACTED]											
Make	Model	Year	Odometer	License No.	State	Color	Trim	Vehicle No.	In-Serv. Date	Stock No.	
IN	QX56	05	103,316	[REDACTED]	NY	Pear		5N3AA08C85N	7/29/05		
Cust. No.	Contact			Day Phone No.		Extension	Evening Phone No.		Extension		
[REDACTED]	[REDACTED]			[REDACTED]		[REDACTED]	[REDACTED]		[REDACTED]		
Service Consultant						Labor Rate		Labor charges are based upon: 1. our experience, 2. factory guidelines, and 3. actual time for your work. Our labor charges may therefore be more or less than the actual time worked and/or factory suggested guidelines.			
DANIEL J GREEN											
Tag	Wait	Wash	Estimate No.	Open Date	Promise Date	Time	Work Completed Date	Close Date			
[REDACTED]	No	Yes		10/07/14	10/07/14	21:00	10/16/14				

01 Perform 27 Pt. Inspection
 Perform 27 Pt. Inspection-INSRP

Add-On? Tech Labor
 No GASI10 No Charge Dealer

02 CUST STATES THAT THE HEADLIGHTS ARE OUT TRACED FAILURE TO INTERNAL FAILURE TO IPDM. ESTIMATE OF \$565.48+TAX. WILL NEED TO REPLACE BEFORE FURTHER DIAGNOSIS. MANUFACTURER RECOM SERVIC-BODYM

Add-On? Tech Labor
 No GASI10 115.00 Customer

PAID

 * Totals Amount *
 * Labor.....: 115.00 *
 * Tax.....: 10.06 *
 * Total.....: 125.06 Customer*

Page 1 Last Page

COPY

Original Estimate	Total Revised Estimate	I acknowledge notice and oral approval of an increase in the original estimated price.	Customer acknowledges receipt thereof.
\$	\$		
CUSTOMER SIGNATURE x		x	

TRAFFIC TICKET

POLICE AGENCY

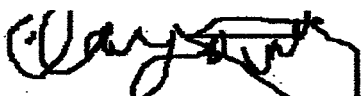
BUFFALO POLICE DEPARTMENT

Local Police Code
BPD

To be completed by Police Officer and given to Motorist

Last Name		First Name		M.I.	
Number and Street				Apt. No.	Photo Lic Shown
City WILLIAMSVILLE		State NY	Zip Code	Owner is Oper.	Lic. Class/ID Type D
Client ID Number			Sex F	Date of Birth	
Lic. State NY	License Expires 06/30/2020	Veh. Type 1	Veh. Year 2005	Veh. Make INFI	Veh. Color WH
Plate Number		Reg. State NY	Registration Expires 06/26/2016		

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

Time (24hour) 9:10 PM	Date of Offense 09/20/2014	IN VIOLATION OF NYS V AND T LAW			
Section 3752A1	Sub Section	Tr Inf	Misd	Felony	MPH
Description of Violation NO/INADEQUATE LIGHTS		US DOT#			
Place of Occurrence 2767 BAILEY AVE		Hwy. No. 1401	Loc. Code 1499		
C/T/V Name TVB - BUFFALO, CITY OF - 1499		County ERIE	Hwy. Type 6	NICKORI 01401	
		Date Affirmed 09/20/2014	Command DE E 44		
		Arrest Type 1 - PATROL		Badge/Shield 000937	
		(Officer's Signature) Affirmed under penalty of perjury			
Officer's Last Name TWITTY		First Name C	M.I.		

Radar Officer's Signature

TRAFFIC VIOLATIONS BUREAU HEARING OFFICES (718) 488-6710

TRAFFIC VIOLATIONS BUREAU IN:

- Bronx - 696 East Fordham Road * Queens, N. - 30-56 Whitestone Expy*
- Brooklyn, S - 2875 W. 8th Street * Queens, S. - 168-35 Rockaway Blvd. *
- Brooklyn, N. - Atlantic Ctr Mall(2nd Floor), 625 Atlantic Ave.*
- Buffalo - 295 Main Street, Room 360 Rochester - 16 East Main Street, 5th Floor
- Manhattan, S. - 19 Rector Street(2nd Floor)* Staten Island - 1775 South Avenue*
- Manhattan, N. - 159 East 125th Street(3rd Floor)*

Business Hours: Monday - Friday 8:30AM - 4:00PM
* Also Thursday 4:00PM - 6:00PM

YOU MUST ANSWER THIS TICKET WITHIN 15 DAYS OF THE DATE OF OFFENSE. TO ANSWER ON-LINE AT WWW.DMV.NY.GOV/EPLEAD.HTM OR BY MAIL, FOLLOW INSTRUCTIONS ON THE OTHER SIDE. FAILURE TO ANSWER WILL RESULT IN THE SUSPENSION OF YOUR LICENSE AND A DEFAULT JUDGEMENT AGAINST YOU.

TO PLEAD GUILTY OR NOT GUILTY ON-LINE

You may plead guilty or not guilty and schedule a hearing online for most violations at www.dmv.ny.gov/plead.htm

TO PLEAD GUILTY OR NOT GUILTY BY MAIL

- Complete and SIGN the Plea Notice below. Mail within 15 days (with your payment if pleading guilty) to: TRAFFIC VIOLATIONS PLEA UNIT, P.O. BOX 2950-ESP, ALBANY, NY 12220-0950.

- Only credit cards, checks or money orders payable to the Department of Motor Vehicles are accepted.
- Tickets for equipment violations may only be dismissed if you mail a receipt for repair, showing that the repair was made within one business day of the violation.

FINE SCHEDULE FOR GUILTY PLEAS BY MAIL

Fines could be higher if you plead NOT GUILTY and are then found GUILTY at hearing, or when appearing before a judge, even to plead guilty. The total amount includes the fine and all applicable surcharges and CANNOT be reduced.

VIOLATIONS

Total		Total	Total
Seatbelt	\$138	Disobeyed Traffic Control Device	\$138
Cell Phone	\$138	Equipment	\$98
Most other violations	\$138	Overweight/Length (Non-Owner)	\$338
Red Light Offenses in 18 Months	Red Light (everywhere else)	Unlicensed or Uninspected 60 Days or Less Over 60 Days	Total \$128 \$183
1st Offense	\$278	Speeding in School Zone	\$208
2nd Offense	\$463	Speeding in Work Zone	\$258
3rd Offense	\$1028	11-20 MPH over limit	\$203
		21-30 MPH over limit	\$318
		If 31 MPH or more over limit, you must appear in person.*	\$368

Included in the total amount for each violation (except equipment) are mandatory surcharges in the amount of \$88. Equipment violations include mandatory surcharges in the amount of \$58.

*A guilty plea or conviction of a speeding violation of 21 MPH or more over the speed limit will add at least 6 points to your license and subject you to a Driver Responsibility Assessment.

NOTE: You will be notified of a balance due if a particular violation requires a higher fine, if you owe additional fees, if the amount of your payment is insufficient or if you are required to appear in person.

PLEA NOTICE

I, THE UNDERSIGNED, PLEAD: GUILTY NOT GUILTY

If you are pleading GUILTY, it is the same as being found guilty by a judge. In either case, you may be required to pay a fine and in addition, your driver license and/or registration, may be suspended or revoked as prescribed by law. If your guilty plea results in your having 6 or more points on your driver record for violations committed during an 18 month period, a Driver Responsibility Assessment will be imposed. For more information, visit our website at WWW.DMV.NY.GOV. For some violations, you are required to appear in person even if you wish to plead guilty.

If you are pleading NOT GUILTY, you will be notified by mail of your hearing date, time and location.

YOUR PLEA WILL NOT BE RETURNED. PLEASE MAKE A COPY FOR YOUR RECORDS.

Print Name _____ Phone# _____
Signature of Person Entering Plea _____ Date 10/2/14

NEW ADDRESS IF DIFFERENT FROM TICKET ADDRESS

Street _____
City _____ State _____ Zip Code _____

TO PAY FINE WITH CREDIT CARD WHEN PLEADING GUILTY - FILL OUT INFORMATION BELOW

Credit Card Number _____ Amount _____
Name As It Appears On Card _____
Cardholder Signature _____ Expiration Date _____

December 3, 2009

██████████
Williamsville, New York ██████████

Infiniti Consumer Affairs
P.O. Box 685003
Franklin TN 37068-5003

File # ██████████

COPY

Dear: Sir/Madam,

I am forwarding this letter as a follow up regarding my complaint. I contacted Infiniti Consumer Affairs on 12/3/2009, to inform them of my brake issues.

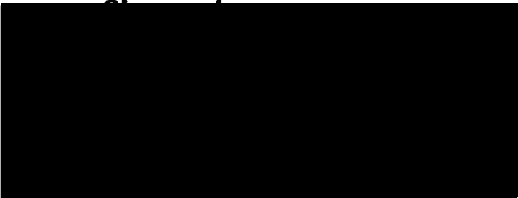
My 2005 Infiniti QX56 was purchased brand new from your showroom floor. I have previously purchased and owned new vehicles from Infiniti. While driving my Infiniti on 12/02/2009, I began hearing noises coming from the passenger side of the vehicle. I completely turned off everything in the vehicle to hear this unfamiliar noise. I continued to hear these noises as I would approach a stop light or stop sign. Continuing on my journey home from work the noises got a little louder. I began to brake, coming to a full stop at a very busy dangerous intersection, in severe bad weather. The vehicle's brakes locked completely up at this I approached the stoplight. The vehicle would not move forward or backwards. At this point, I felt my life was in total danger. I phoned roadside assistance, who then contacted the police. I was at severe risk of being rear ended at that intersection, injured or possibly killed. Traffic was on both sides of me. This made it very difficult for me to get out of my truck. The police arrived dispatching a tow driver to assist me. The police escorted me to a safe location until the tow truck driver arrived. My vehicle was flat bedded to the Auto Place Infiniti Service Department. My vehicle has not been diagnosed or serviced at this time.

I had to inconveniently call off from my place of employment, because I am now without transportation.

My vehicle recently had a recall on the 2005 Infiniti QX56, around the time I purchased my vehicle. I took the vehicle in to the dealership to have the brakes and rotors replaced as requested by Infiniti. Please help me to understand how and why my brakes locked up after the dealership replaced the brakes.

I am seeking your assistance in this matter. I am requesting Nissan Infiniti Corporation to work with me for a mutual solution to this problem. Financially, times for me are extremely difficult. I am requesting much needed assistance in this matter.

Enclosures:



COPY

Buffalo, New York

Received by
CONSUMER FRAUDS & PROTECTION BUREAU
OCT 23 2014
NYS OFFICE OF THE ATTORNEY GENERAL
NEW YORK CITY OFFICE

Office of the Attorney General
Consumer Frauds & Protection Bureau
120 Broadway, 3rd Floor
New York, NY 10271



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