

CL - 10653599-6566

INFORMATION Redacted PURSUANT TO THE FREEDOM OF  
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

  
Hicksville, NY  
December 22, 2014

**NATIONAL HIGHWAY TRANSPORTATION SAFETY BOARD**  
1200 New Jersey Avenue, SE, West Building  
Washington, DC 20590

JAN - 6 2015

**Re: Confirmation ODI Number: 10653599**  
**2006 Nissan Altima**  
**Defective Throttle Positioning Sensor (Potentially Lethal)**

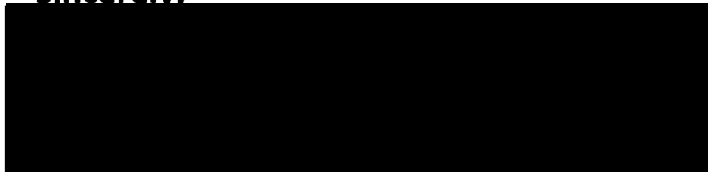
**Dear NHTSB/ODI:**

**Enclosed is a copy of a letter just sent to Nissan North America today, requesting relief, including full admission by Nissan of the above defect that can literally kill other drivers and/or pedestrians.**

**I will appreciate your making every effort to obtain the relief I seek and also full disclosure of this horrific problem that it appears Nissan is literally trying to cover up. One individual with whom I've spoken, quoted in the media regarding traffic safety, after I described the condition, called the vehicle a "killer Nissan."**

**That could easily happen, and may have already happened to others. Please, give this matter the greatest urgency, for me and for other potential victims. Thank you.**

**Sincerely,**



NH  
1/7/15  
SMD

[REDACTED]  
Hicksville, NY [REDACTED]  
December 22, 2014

Vicky Anderson/Michael Lucas  
Nissan North America, Inc.  
One Nissan Way  
Consumer Affairs  
Franklin, TN 37067

Re: 2006 "Killer" Nissan Altima  
VIN#1N4AL11D66N [REDACTED]  
Complaint: Defective Throttle Positioning Sensor  
Nissan Consumer Affairs Case # [REDACTED]  
Response to Your Dec. 18, 2014 FedEx Communication

Dear Ms. Anderson/Mr. Lucas:

In my most recent letter to you, dated December 8, 2014, I requested seven forms of relief, and then added two additional parties who were damaged. I hereby wish to eliminate relief request #6, which requested that you pay [REDACTED] the sum of fifty thousand dollars, for the stress caused when my "killer" Nissan (this was the description provided by someone who is quoted in the media frequently; his words after I described what had happened) severely damaged her vehicle, causing her to say to me: [REDACTED] you know you could have killed someone!" Since [REDACTED] has not responded to my letters, I will assume she will pursue her own remedies, should she so choose. Significantly, however, I am enclosing a copy of a two page letter I sent to her last August 25, 2014. Toward the end of it, I state: "Now, I put my foot on the brake before I turn on the ignition, and have avoided any sudden surges that caused the accident with you. My sincere apologies."

**NOTE: In that letter, I still assumed I WAS AT FAULT! That is because, as I told you in my email to Jamaila Regine, your Consumer Affairs Representative, dated November 18, 2014:**

**“On November 1, 2013, I went to Advantage Nissan service, at 200 Charlotte Avenue, Hicksville, NY. I told them what had happened and asked them to repair the problem so it wouldn’t happen again. Instead, NISSAN SERVICE PUT NOTHING IN THE SERVICE REPORT ABOUT MY CHARGE. THEY THEN TOLD ME, VERBALLY, ‘THERE IS NOTHING WRONG WITH THE CAR.’ They implied that, because I am a Senior Citizen, my slow reaction time is what caused both accidents.”**

**Further in that same email to Ms. Regine, also sent via snail mail to ensure you received it, I stated: “Against my request, Capital One moved the car from J&M Recovery, where it was located in Hempstead, Long Island, New York to Adesa, another vehicle warehouse in New Jersey. I called the Manager of Adesa on her cell phone this afternoon. Her name is: Giovana Rastelli. Her cell phone number is: 908/566-2229.” The main phone number for Adesa is: 908/725-2200.**

**Ms. Anderson, your FedEx letter to me dated December 18, 2014, is at the least disingenuous, more accurately an outright lie! You now ask where the vehicle is located, knowing full well that in my phone conversation with you on December 2, 2014, when I asked Nissan to intervene to ensure the vehicle is not sold at auction, and knew YOU ALREADY HAD ALL OF THE INFORMATION, you stated: “We will not contact Capital One.”**

**Implicitly in your most recent communication, you seek to avoid all responsibility for this truly “killer” vehicle, and also offer me no relief at all, after I was driving at risk to myself and others for one year. The car’s defect: “DEFECTIVE THROTTLE POSITIONING SENSOR”, was diagnosed by an individual, the tow truck driver who “repoed” my car on November 5, 2014, who had me join him in standing outside the vehicle while it was stopped on the street at a low idle: suddenly, the vehicle emitted a tremendous roar and the altimeter leaped from near zero to more than 2000 rpms in an instant! THAT KILLER NISSAN IS WHAT CAUSED BOTH ACCIDENTS. AND ALMOST CAUSED FATALITIES TO ME AND [REDACTED] AND HER TWO SONS A COUPLE OF MONTHS LATER, causing me to add them to the parties entitled to relief.**

**Ms. Anderson: are you going to continue to stall and claim ignorance when your office has already received all of the information you require to remove that vehicle from circulation and have it inspected publicly, hopefully with the National Highway Transportation Safety Board and the NYS Attorney General's Bureau of Consumer Frauds and Protection participating – as well as myself and the tow truck operator, Mr. Fabian Cabezas, an astonishingly brilliant and honest, decent young man whom I hope either or both above agencies will hire to expose literally criminal actions taken by major corporations to protect the "bottom line" rather than the lives of the American people – WHICH IS YOUR FIRST RESPONSIBILITY!**

**Again, I request/demand the relief previously stated, less the inclusion of [REDACTED] YOUR TRANSPARENT EFFORT TO DELAY, PLEAD IGNORANCE AND DO NOTHING IS REPREHENSIBLE. To me, it is truly: "depraved indifference to human life", the definition of a capital offense, since my former vehicle can easily cause death the next time this horrific condition is manifest.**

**I await a substantive response, including the modest and reasonable relief I have requested for me personally, as well as full admission of the danger my former car and others like it are to the driving public and innocent pedestrians.**

**Sincerely,**

**Cc: NYS OFFICE OF THE ATTORNEY GENERAL/BUREAU OF CONSUMER FRAUDS AND PROTECTION: File No.: [REDACTED]  
TENNESSEE DEPARTMENT OF COMMERCE AND INDUSTRY/DIVISION OF CONSUMER AFFAIRS  
NATIONAL HIGHWAY TRANSPORTATION SAFETY BOARD (ODI): Confirmation Number: 10653599 ✓**

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WASHINGTON, DC. 20590

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