

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

CL-10705685-3311

[REDACTED]
Greentown PA
[REDACTED]

US Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NVS-201
1200 New Jersey Ave. SE
Washington, DC 2007-9382

20 June 2016

Dear friends at the NHTSA:

Thank you for your vigilance in keeping vehicles safe. I am writing with a complaint concerning my 2004 Mercedes M-Class, purchased new in August 2003 from Friendly Mercedes at 134 Old Post Road, Wappingers Falls, NY, 12590.

I am generally happy with the vehicle but I have not returned to Friendly Mercedes because of a dispute over a defect that was already known to exist at the time I purchased the new vehicle in August 2003--a defect that the dealer (in many repeat visits while it was under warranty) failed to address. (Copies are enclosed herewith.) The problem of the leaky steering fluid reservoir only got worse: we had to repeatedly refill the cooler fluid (signaled by noise in the steering, or by fluid on the garage floor). The dealer finally made the repair, using the identical fix required by the NHTSA recall. We have had no problem since. But the dealer alleged that our 2004 M-Class is not covered, though it was built in 2003 and has the identical known safety defect appearing in the same model manufactured both before and after our vehicle was built and sold (additional recalls for the identical problem being published by the NHTSA as recently as 9/16/2008). Our VIN is 4JGAB57E64A-[REDACTED]

My request to the dealer for a refund of the \$466.03 have been unfruitful.

My receipt is enclosed herewith. Please note that I have had an address change since the time of purchase and time of repair. Many thanks for your assistance.

Sincerely,

[REDACTED]

[REDACTED] r

cc: Service Department
Friendly Mercedes
134 Old Post Road
Wappingers Falls, NY, 12590

RR
1/1/17
LD

March, 2004

our 2004 M-class was purchased
in 8-2003. We never received
the notice; our vehicle in many
visits never received the repair.
And when it became critical
we were charged \$466.03
for the correction

Dear M-Class Owner:

A few months ago you received a letter from Mercedes-Benz advising owners of a safety recall relating to the power steering system (*Mercedes-Benz Safety Recall Campaign No. 2003-040005*). The purpose of this letter is to advise you of additional benefits that Mercedes is providing to you with respect to your M-Class ownership.

As part of the company's continuing commitment to insure the satisfaction of its customers, Mercedes-Benz will reimburse you for the documented costs of towing, lodging, food and travel expenses, if any, that were reasonably and necessarily incurred as the result of a breakdown of your vehicle due to a power steering failure that is the subject of the above-referenced recall campaign. This would include the cost of a rental vehicle, if needed, while the dealership was performing the repair following a related breakdown.

To further support you, Mercedes-Benz will extend the warranty on the recall repair, i.e. repair of the lower power steering hose connection done pursuant to the subject recall, for the period up to 10 years from the original warranty start date for your vehicle. This extension of the Basic Limited Warranty coverage applies to these vehicles regardless of ownership. Note: Any repairs under this extended warranty should be performed by an authorized Mercedes-Benz dealership. This extended warranty does not cover any other power steering system components and standard warranty terms and exclusions apply, including the exclusions with respect to extra expenses, as identified in the Service and Warranty Information booklet. If failure of any other power steering component causes the power steering system to become inoperative beyond the vehicle's basic warranty of 4 years/50,000 miles, the associated repair will not be covered and will remain your responsibility.

Finally, as noted in the original recall notice we sent to you, we will also reimburse you if you paid for recall repairs performed prior to the issuance of the recall. Reimbursement requires adequate documentation to support the claim, and may be limited to the amount the repair would have cost if completed by an authorized Mercedes-Benz dealer. Please contact your authorized Mercedes-Benz dealership for assistance or additional information. If your dealer is unable to remedy your situation please contact us at 1-(800) FOR-MERCEdes. (1-800-367-6372)

Please keep this letter with your vehicle's other warranty information for future reference if necessary.

We hope you are enjoying your Mercedes and we apologize for any inconvenience you may have experienced.

Sincerely,

Paul Juron
General Manager, Customer Assistance Center

Make: MERCEDES BENZ Model: M CLASS
Model Year: 2002
Manufacturer: MERCEDES-BENZ USA, LLC. Report Receipt Date: SEP 17, 2008
NHTSA CAMPAIGN ID Number: 08V465000 NHTSA Action Number: RQ08002
Component: STEERING:HYDRAULIC POWER ASSIST:HOSE, PIPING, AND CONNECTIONS

Summary:

MERCEDES-BENZ IS RECALLING 125,228 MY 1998-2004 M-CLASS VEHICLES. THE HOSE CLAMP USED TO SECURE THE POWER STEERING FLUID COOLING HOSE TO THE POWER STEERING FLUID COOLER MAY NOT PROVIDE SUFFICIENT CLAMPING FORCE FOR THIS CONNECTION.

Consequence:

THE LOSS OF POWER STEERING FLUID MAY RESULT IN DIMINISHED POWER STEERING OVER TIME AND ULTIMATELY CAN DAMAGE THE POWER STEERING PUMP. THIS COULD RESULT IN A LOSS OF CONTROL AND A CRASH WITHOUT WARNING.

Remedy:

AN EARLIER RECALL REPAIR PERFORMED ON THESE VEHICLES MAY NOT BE SUFFICIENT TO PREVENT A FUTURE LEAKAGE OR FAILURE OF THE POWER STEERING HOSE CONNECTION (PLEASE SEE 03V121). SINCE IT IS NOT POSSIBLE THROUGH INSPECTION TO IDENTIFY SPECIFIC VEHICLES THAT MAY NOT HAVE BEEN PROPERLY REPAIRED, ALL VEHICLES REPAIRED PRIOR TO NOVEMBER 15, 2003, WILL BE REPAIRED AGAIN. THE RECALL IS EXPECTED TO BEGIN DURING NOVEMBER 2008. OWNERS MAY CONTACT MERCEDES-BENZ AT 1-800-367-6372.

Notes:

MERCEDES-BENZ RECALL NO. 2003040005. CUSTOMERS MAY CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY: 1-800-424-9153); OR GO TO [HTTP://WWW.SAFERCAR.GOV](http://www.safercar.gov).

earlier recall

Make: MERCEDES BENZ Model: M CLASS
Model Year: 2002
Manufacturer: MERCEDES-BENZ USA, LLC. Report Receipt Date: MAR 27, 2003
NHTSA CAMPAIGN ID Number: 03V121000 NHTSA Action Number: PE03006
Component: STEERING:HYDRAULIC POWER ASSIST:HOSE, PIPING, AND CONNECTIONS

Summary:

ON CERTAIN PASSENGER VEHICLES, THE HOSE CLAMP USED TO SECURE THE POWER STEERING FLUID COOLING HOSE TO THE POWER STEERING FLUID COOLER MAY NOT PROVIDE SUFFICIENT CLAMPING FORCE FOR THIS CONNECTION.

Consequence:

THE LOSS OF POWER STEERING FLUID MAY RESULT IN DIMINISHED POWER STEERING OVER TIME AND ULTIMATELY CAN DAMAGE THE POWER STEERING PUMP.

Remedy:

DEALERS WILL INSTALL A NEW HOSE CLAMP ON THE POWER STEERING HOSE TO THE POWER STEERING COOLER. DURING CLAMP REPLACEMENT, THE POWER STEERING COOLING HOSE WILL BE INSPECTED AND REPLACED AS NECESSARY. OWNER NOTIFICATION BEGAN JUNE 16, 2003. OWNERS WHO TAKE THEIR VEHICLES TO AN AUTHORIZED DEALER ON AN AGREED UPON SERVICE DATE AND DO NOT RECEIVE THE FREE REMEDY WITHIN A REASONABLE TIME SHOULD CONTACT MERCEDES-BENZ AT 1-800-367-6372.

Notes:

MERCEDES-BENZ RECALL NO. 2003-040005. CUSTOMERS CAN ALSO CONTACT THE

2008-09-
16

(Published by NHTSA on 2008-09-16)

- Recall Summary:** MERCEDES-BENZ IS RECALLING 125,228 MY 1998-2004 M-CLASS VEHICLES. THE HOSE CLAMP USED TO SECURE THE POWER STEERING FLUID COOLING HOSE TO THE POWER STEERING FLUID COOLER MAY NOT PROVIDE SUFFICIENT CLAMPING FORCE FOR THIS CONNECTION.
- Hazard:** THE LOSS OF POWER STEERING FLUID MAY RESULT IN DIMINISHED POWER STEERING OVER TIME AND ULTIMATELY CAN DAMAGE THE POWER STEERING PUMP. THIS COULD RESULT IN A LOSS OF CONTROL AND A CRASH WITHOUT WARNING.
- Remedy:** AN EARLIER RECALL REPAIR PERFORMED ON THESE VEHICLES MAY NOT BE SUFFICIENT TO PREVENT A FUTURE LEAKAGE OR FAILURE OF THE POWER STEERING HOSE CONNECTION (PLEASE SEE 03V121). SINCE IT IS NOT POSSIBLE THROUGH INSPECTION TO IDENTIFY SPECIFIC VEHICLES THAT MAY NOT HAVE BEEN PROPERLY REPAIRED, ALL VEHICLES REPAIRED PRIOR TO NOVEMBER 15, 2003, WILL BE REPAIRED AGAIN. THE RECALL IS EXPECTED TO BEGIN DURING NOVEMBER 2008. OWNERS MAY CONTACT MERCEDES-BENZ AT 1-800-367-6372.
- Additional Info:** MERCEDES-BENZ RECALL NO. 2003040005. CUSTOMERS MAY CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY: 1-800-424-9153); OR GO TO [HTTP://WWW.SAFERCAR.GOV](http://www.safercar.gov).
- NHTSA Source:** http://www-odi.nhtsa.dot.gov/recalls/recallresults.cfm?start=1&SearchType=QuickSearch&rcld_ID=08V465000

2008-07-
09

(Published by NHTSA on 2008-07-09)

- Recall Summary:** MERCEDES-BENZ IS RECALLING MY 2006-2008 M-CLASS, R-CLASS, MY 2005-2009 SLK-CLASS, MY 2005-2008 C-CLASS, MY 2003-2004 AND 2006-2008 CLK-CLASS, MY 2003-2008 E-CLASS, MY 2004 AND 2008 CL-CLASS, MY 2008 CLS-CLASS, MY 2004 AND 2007-2008 S-CLASS, MY 2003 G-CLASS, AND MY 2003-2004, 2006 AND 2009 SL-CLASS VEHICLES. A SOFTWARE CALIBRATION NUMBER (SCN) CODING RECEIVED ON THE AFFECTED VEHICLES DURING A RECENT WORKSHOP VISIT WAS INCORRECT. DEPENDING ON THE MODEL YEAR AND MODEL AFFECTED, THE RESULTS OF AN INCORRECT SCN CODING CAN AFFECT A NUMBER OF VEHICLE SAFETY AND EMISSION FUNCTIONS INCLUDING THE FOLLOWING TYPES OF FUNCTIONS: (1) THE FUEL GAUGE READINGS MAY BE INCORRECT; (2) A STUCK FUEL-LEVEL SENSOR MAY NOT BE DISPLAYED IN THE INSTRUMENT CLUSTER; (3) THE OBD SYSTEM MAY CAUSE THE CHECK ENGINE LIGHT TO ILLUMINATE INCORRECTLY; AND, (4) THE SPEEDOMETER MAY BE OUT OF TOLERANCE.

Hazard: IN THE EVENT OF A VEHICLE CRASH, THE ELECTRICAL FUEL PUMP MAY NOT RECEIVE A CRASH SIGNAL THAT IS REQUIRED FOR THE FUEL PUMP TO DISCONNECT AND PREVENT FUTURE FUEL DELIVERY AS DESIGNED.

Remedy: DEALERS WILL RECODE THE SCN FREE OF CHARGE. THE RECALL BEGAN ON AUGUST 30, 2008. OWNERS MAY CONTACT MERCEDES-BENZ AT 1-800-367-6372.

Additional Info: MERCEDES-BENZ RECALL NO. 2008 070001. CUSTOMERS MAY CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY: 1-800-424-9153); OR GO TO [HTTP://WWW.SAFERCAR.GOV](http://WWW.SAFERCAR.GOV).

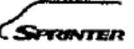
NHTSA Source: http://www-odi.nhtsa.dot.gov/recalls/recallresults.cfm?start=1&SearchType=QuickSearch&rc1_ID=08V303000

CUSTOMER #: [REDACTED]

INVOICE*



Mercedes-Benz
of Wappingers Falls



PAGE 1

134 Old Post Road, Wappingers Falls, NY 12590
(845) 298-0600 (845) 298-0878
NYS SHOP # 7038953

POUGHKEEPSIE, NY

HOME: [REDACTED] CONT: [REDACTED]
BUS: [REDACTED] CELL: [REDACTED]

SERVICE ADVISOR: 811 JEFFREY PRESTI

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
BLACK-OPAL	04	MERCEDES-BENZ TRUCK	4JGAB57E64A [REDACTED]		157978/157981	T4053	
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
21NOV03 IS							
21NOV03 DD			WAIT 21APR15			CASH	21APR15
R.O. OPENED	READY	OPTIONS: ENG: SUR_11/4_ & 7/5					
08:18 21APR15	10:59 21APR15						

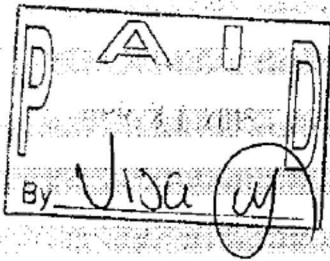
LINE OPCODE TECH TYPE HOURS LIST NET TOTAL

A CLIENT STATES: LEAKING POWER STEERING FLUID--CHECK AND ADVISE.

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
14			STEERING				
			123 CPLT			381.58	381.58
			1 000-460-01-83 OIL TANK		37.21	37.21	37.21
			1 000-466-18-80 GASKET		3.52	3.52	3.52
			1 Q-1-46-0001 POWER STEERING FLUID		8.70	8.70	8.70
PARTS:			49.43	LABOR:	381.58	OTHER:	0.00
					TOTAL LINE A:		431.01

gave est for p/s reserve and o-ring leaking to start. REPL THE P/S RESERVE AND O-RING.

TRANSPORT TYPE: DROP OFF



Small or Large Accident? Flood Damage?
Dings or Dents? Hail Damage?

Our Mercedes-Benz Certified Body Shop can repair your vehicle.
See our Body Shop Consultant for a FREE Estimate.
We handle it all for you, from the Insurance Company,
Adjuster, to the Body Shop, we take care of all the details.

DESCRIPTION	TOTALS
LABOR AMOUNT	381.58
PARTS AMOUNT	49.43
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	431.01
LESS INSURANCE	0.00
SALES TAX	35.02
PLEASE PAY THIS AMOUNT	466.03

ALL PARTS ARE NEW UNLESS OTHERWISE SPECIFIED.
ANY WARRANTIES ON THE PRODUCT SOLD HEREBY ARE THOSE MADE BY THE MANUFACTURERS. THE SELLER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF SAID PRODUCT.
A STORAGE FEE OF \$15.00 PER DAY WILL BE CHARGED 48 HOURS AFTER COMPLETION OF REPAIRS OR ESTIMATE.
ACCEPTABLE CREDIT CARDS OR CASH, PERSONAL CHECKS WITH I.D.

THIS CENTER UTILIZES THE HOURS PUBLISHED IN THE AUTHORIZED LABOR TIME GUIDE, WHICH REFLECTS AN AVERAGE TIME REQUIREMENT FOR THE PERFORMANCE OF SPECIFIC VEHICLE REPAIRS, AND WHICH MAY THEREFORE BE EITHER MORE OR LESS THAN THE ACTUAL CLOCK TIME IN ANY GIVEN INSTANCE. YOU WILL ONLY BE CHARGED THE BOOK TIME EVEN IF THE ACTUAL CLOCK HOURS ARE GREATER.

THANK YOU! FOR BRINGING YOUR CAR TO US FOR SERVICE.

CUSTOMER COPY



U.S. Department of Transportation

National Highway Traffic Safety Administration

DOT Auto Safety Hotline
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

Repository

14-APR-2015

Reference No.

JUN - 6 2017

OWNER INFORMATION (Type or Print)

Name [REDACTED]
 Address [REDACTED]
 City **POUGHKEEPSIE** State **NY** Zip Code [REDACTED]

Daytime Telephone Number [REDACTED] E-mail Address [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: **4JGAB57E61A** [REDACTED]
 Make: **MERCEDES BENZ** Model: **ML350** Model Year: **2004**
 Date Purchased: **8/2003** Dealer's Name and Telephone Number: **FRIENDLY MERCEDES 845-298-0600** Engine: No: Cylinders: **4** Fuel Type: **unleaded premium**
 Original Owner: Dealer's City: **WAPPINGERS FALLS** State: **NY** Zip Code: **12596**
 Transmission Type: **AUTO** Antilock Brakes Cruise Control Powertrain: Multiple Failure: Incident Date(s): **01-AUG-2008**

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Code: **010000 STEERING** Failure Mileage: **100000** 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 Prior Repair Failure Location:
 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 2004 MERCEDES BENZ ML350. WHILE DRIVING AT AN UNKNOWN SPEED, THE CONTACT HEARD A NOISE COMING FROM THE FRONT OF THE VEHICLE. THE VEHICLE WAS TAKEN TO A DEALER. THE TECHNICIAN DIAGNOSED THAT THE HOSE CLAMP NEEDED TO BE REPLACED. THE VEHICLE WAS NOT REPAIRED. THE MANUFACTURER WAS NOT NOTIFIED OF THE FAILURE. THE CONTACT WAS AWARE OF NHTSA CAMPAIGN NUMBER: 08V465000 (STEERING), BUT THE VIN WAS NOT INCLUDED. THE FAILURE MILEAGE WAS 100,000.

Very unclear. The power steering fluid continually leaked (an identified safety defect). Dealer tightened clamp without replacing it until continued failure led to service as required by the NHTSA recall.

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.

██████████
GREENTOWN, PA

LEHIGH VALLEY PA 180

20 JUN 2016 PM 4 L



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1200 New Jersey Ave SE
Washington DC 2007-9382

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20 JUN 2016 PM 4 L



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