NVS-200
CL-10776034-9682

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

[redacted]
Taunton, MA [redacted]
September 18, 2015
Phone [redacted]
Phone

1.) HERB CHAMBERS FORD OF WESTBOROUGH, INC.
310 Turnpike Road
Westborough, MA 01581 **("HC")**

2.) First Ford, INC.
292 William S. Canning BLVD.
Fall River, MA 02721 **("FF")**

3.) Ford Motor Company
Customer Relationship Center
P.O. Box 6248
Dearborn, MI 48121 **("FMC")**
Ref: [redacted] **Case CAS-** [redacted]

SEP 29 2015

Dear Companies (jointly-in-business relationship and individually),
We are writing to you as provided by the Massachusetts General Laws, Chapter 93A Section 9, the Consumer Protection Act. This therefore is a request to relief as outlined in that statute.
On or about: 17SEP13 - ("HC") sold to us an unsafe Ford Focus 2014 with a known to be defective DPS6 Transmission . "Failed to disclose the fact the the PowerShift transmission contains one or more design and/or manufacturing defects that cause problems and unsafe conditions, including, but not limited to, sudden lurches forward, delayed acceleration and sudden loss of forward propulsion"(quote from current class action lawsuit in CA we are not part of, nor intend to be).

Note: Before purchasing the vehicle, we were never told that the **driver(s) had to change their driving habits/style from the way they've driven the entire time they've had their Licenses. After having the vehicle for about 10 months, and numerous car issue appointments, we were told by First Ford Technicians that the issues with the car are a result of our driving habits, and gave us instructions on how to drive differently, and to accelerate differently. Those instructions are not possible to follow, because to quickly accelerate is not even possible in stop and go traffic without hitting the vehicle in front of you. And its also not possible to do that in heavy traffic conditions, or speed bumps. Those instructions, along with the problems/defects of the car, have caused it to become a hazard on the road, and we are often just trying to avoid accidents. It is an unsafe vehicle to drive.**
There were no issues with the vehicle until Jul/Aug14, and yet the first ford Technicians tell us that it is completely NORMAL for this type of Transmission. According to them, it is completely normal for this car to shudder and feel like it's going to stall, and normal to feel like it's in the wrong gear, and feel like it's not accelerating forward. No one would think that is normal.
It's important to state, that the First Ford Service Manager Mitch, handed Paul the instructions given to Service Departments, on How to Handle Customers when they come in with these problems. It is called, "Ford Powershift 6-Speed Automatic Transmission (DPS6) Service Customer Handling Guide". Handling the customer does not solve the problems with the car.

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10115
SMD

PLEASE NOTE; THE FOLLOWING STATEMENTS IN QUOTATION MARKS ARE WRITTEN HOW THE SERVICE PEOPLE WROTE THEM ON REPORTS/RECEIPTS. THE MISPELLINGS AND GRAMMAR ERRORS ARE NOT OURS.

16SEPT14 Failed to repair vehicle:
TSB reprogram performed, but didn't result in reasonable continual fix.
"Customer states the vehicle feels like it is going to stall out Please check and advise Customer states when she's at a stop and presses on the gas the vehicle has a hard time switching gears and hesitates Please check and advise."

01JUL15 - Failed to repair cause of: "Customer states the vehicle feels like it is going to stall out Please check and advise"
The Previous TSB reprogram was performed on 16SEPT14, but didn't result in reasonable continual fix, and the Technician didn't believe, based on the RPM and Non Leaking, that another Reprogram was necessary.

25JUL15 - Failed to repair cause of: "Customer states when puts in drive feels like in wrong gear and revs Please check and advise
13859 road tested veh could not verify any slipping road tested with customer and ids monitored pids found trans is shifting and behaving within spec at this time performed adaptive relearn and released veh to customer veh may exhibit some abnormal characteristics during the relearn process"

21AUG15 - Failed to repair cause of: …."Customer states vehicle is shutters and shutters on highway sometimes as well Please check and advise
Customer states sudden lerches forward please check and advice
Customer states loss of forward propulsion please check and advise
Customer states delayed acceleration please check and advise"
Appt rescheduled by service advisor (after waiting there for over an hour), due to 3 other transmission problems, and another customer ahead of us, and only one technician there that day.

25AUG15 - Failed to repair cause: a continuation of the August 21, 2015 appt. that they rescheduled. Refer to 21AUG15 issues stated.
Tech states in his question to Ford service engineers that our driving habits, and not the vehicle, are the cause. We categorically disagree with him. We believe it to be a unfair attempt by FF and FMC to continue to use our lives as test subjects in an unsafe vehicle, by continuously denying there's a problem, and delay, delay, delay on fixing the defect. Is this a tactic to get owners to buy another vehicle, or wear them down to the point of such frustration that they take another route, thereby, relieving Ford Motor Company the expense of fixing the defect? Ford Motor Company denies that **there is a defect,** even though thousands of owners have had the same problems, and they are documented. Service Advisor "Tracy" told us that they should hear back from Ford within 3 hours. When we called to ask if they've heard from Ford, we were told it could take up to 24 hours. Then I ([redacted]) went into First Ford August 26th at 9:10am and asked (SA) Tracy to speak with the Service Manager (Mitch). After waiting for 15 minutes, because he was busy, Assistant Service Manager Susan approached me, and treated me as though I did not request to speak with the Service Manager, and she now told me it could take up to 24 - 48 hours to hear back from Ford. I then requested to speak with the General Manager, and said I will sit there and wait for him. She came back 10 minutes later, and told him that the General Manager would be in a meeting for 45 Minutes. However, just before the (ASM) "Susan" approached me I saw the GM across the showroom

looking at me and then turned and walked away (clearly he was not in a meeting at that moment). The (ASM) then rudely tried to talk with me again, I walked out.

[redacted] obtained, from Tracy the Service Advisor, a copy of the Technicians communication with Ford Motor Company. In this report it gives instructions to the Service Tech who had dealt with us, and also stated that they would get back to him within one business day to inform, recommend, and assist in the resolution of the customers concern.

NOTE:

Per Ford's comment Aug 25th @12:26:18 to Tech Ricardo's question dated Aug 25th @ 10:13:11

(FF) did not follow (FMC's) instructions but again continued the delay tatics and cavalier attitude towards us concerning the vehicle's need for immediate repair of defect and then never called us back or returned our numerous voice mails and messages we left.

On August 25th

THEY NEVER GOT BACK IN TOUCH WITH US, EVEN AFTER NUMEROUS VOICEMAILS LEFT WITH THE SERVICE ADVISOR, SERVICE MANAGER, AND ALSO ASSISTANT SERVICE MANAGER.

We assert that all three of the above entities have designed ("FMC"), sold ("HC"), and serviced ("FF") to us a defective, unsafe 2014 Ford Focus, and then intended to not fully repair, but continue to profit from additional service appointments or from us trading it in for a new car. They also ensured that three different technicians serviced us at different appointments. Was that on purpose to be able to state that 3 technicians agree?

Instead, they attempt to blame it on our "Driving Habits" (we drove the same for first 9 -10 mos with no shuddering, bucking, jerky acceleration, lack of power etc.) It appears that they (FMC) are dismissing their responsibility to us by not paying to be repaired (providing safe rental)/replace/ buyback and basically **do the right thing.** The fact that Ford Motor Company has extended the DPS6 Transmission Warranty, clearly shows that there are problems/defects, and yet, Ford is stating to us that there is no problem. That does not make any sense.

("FMC") chose not to replace dual-clutch, even as the last technician told us point blank that it would fix the problem, yet he tried to convince us it was safe, but that makes us wonder if we are being used as test subjects while they are hoping they will eventually fix the defect.

The TSB's they reference have failed to address the reality of the dangers of this vehicle.

There have been numerous close calls of accidents, due to improper functioning this vehicle, and not the drivers' habits. **("FF") and ("FMC") have failed to return our latest calls, therefore:**

Per MGL93A:9 This letter serves as our request for the following:

Full monetary restitution of costs:

1. Loss of time/wages due to excessive / unnecessary service appts., with no resolution and having to still drive an unsafe car.
2. Complete buyback of vehicle and maintenance warranties.

[redacted]

cc: NHTSA
Atty Gen of MA
Sec of State (Consumer Affairs) of MA
Better Business Bureau (BBB)

[redacted]

Taunton, MA

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CERTIFIED MAIL

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SE, WEST BUILDING
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RETURN RECEIPT REQUESTED

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REQUES