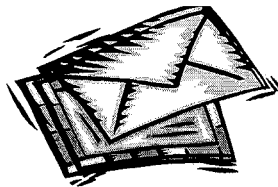


# NHTSA ccmMercury Routing Slip



CL-10805747-9435

Printed: 9/28/2015

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

<b>NHTSA #:</b> ES15-005069	<b>Rec'd Date:</b> 9/28/2015	<b>Referred By:</b> NOA 10
<b>XREF #:</b>	<b>Doc Type:</b> S10	<b>Doc Date:</b> 9/21/2015
<b>Delivery:</b> S10 E-MAIL	<b>Address To:</b> S1	<b>Due Date:</b>
<b>S10 #:</b> S10-150925-015	<b>DOT/I #:</b>	<b>RMP #:</b>
<b>Subject:</b> S10 APPROPRIATE HANDLING- LETTER FROM [REDACTED] RE COPY OF LETTER ADDRESSED TO CARLOS GHOSN, CHAIRMAN AND CHIEF EXECUTIVE OFFICER OF NISSAN MOTOR COMPANY, LTD NOTIFYING THE COMPANY OF A MAJOR AUTOMOTIVE DEFECT WITH NISSAN'S 2013 MAXIMA		
<b>Ack Date:</b>	<b>Ack By:</b>	<b>Signed For:</b>
<b>Sign Office:</b> ENFORCEMENT	<b>Signature:</b> AS APPROPRIATE	<b>Cleared For:</b>
<b>Cleared Date:</b>	<b>Cleared By:</b>	<b>Closed Date:</b> 9/28/2015
<b>File Loc:</b>	<b>XREF File:</b>	
<b>Added By:</b> CBUTLER x60180	<b>Modified By:</b> Chris.Butler	
<b>Most Recent Comment:</b>		

**Author:**



HOUSTON, TX

Tel: [REDACTED] Fax: E-mail:

SEP 29 2015

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	APPROPRIATE	9/28/2015		

RR  
92915  
SMD

EXECUTIVE SECRETARIAT  
RECEIVED-NHTSA

2015 SEP 28 A 10 28

September 21, 2015

Mr. Carlos Ghosn  
Chairman & Chief Executive Officer  
Nissan Motor Company, LTD  
One Nissan Way  
Franklin, TN 37067

By Overnight Mail

RE: **IMPORTANT: Notification of Major Automotive Defect with my 2013 Nissan Maxima**

Dear Mr. Carlos Ghosn:

My name is [REDACTED] and it is important to know that I bought a "brand new" 2013 Nissan Maxima in February 2013. The car had zero miles at purchase. I write this letter to notify you of a major defect with my 2013 Nissan Maxima that is so disturbing that I fear for my life each time I drive the car. I have informed my family members of my concern so if anything happens to me, this letter will serve as my effort to not only save myself but other American's who have purchased a 2013 Nissan Maxima.

On August 25, 2015, I was driving my car on the 610 freeway, which is a busy major Houston, Texas freeway, and the car lost all power and simply turned off in the middle of my drive. I was horrified but was very fortunate and was able to maneuver to an off ramp and coast to a nearby service station. The car had to be towed to Mossy Nissan for repair. Please find attached a copy of the repair bill from Mossy Nissan in Houston. Please understand that I believe, this car is a lemon and has been one since my initial purchase. On the first day that I drove the car off the parking lot, after the initial purchase, the car hesitated upon acceleration. Now the car is only two years old and has a serious defect of losing complete power.

Here is a brief history of the incident:

- August 25, 2015 – 2013 Nissan Maxima loses complete power on 610 Freeway
- August 25, 2015 – Coasted to Shell. Car was diagnosed by Shell mechanic \$89.95
- August 25, 2015 – Car was towed to Mossy Nissan in Houston. Tow cost \$73.00
- August 25, 2015 – Missed the entire day of work – Lost wages: \$150.00
- August 26, 2015 – Picked up car after repair from Mossy Nissan – Repair Cost: 773.36
- August 26, 2015 – Drove car to work – still is not driving correctly. Still hesitates and performs as though it is about to lose power again. I am in complete disbelief because the car still is not driving correctly. I decided driving the car continues to appear to be dangerous so I decided to go back to have the car looked at on September 11, 2015.

[REDACTED] • Houston, Texas [REDACTED]

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ES15-005069

- September 11, 2015 – Car still acts as if it will fall dead at any moment. On September 11, 2015, I took the car back to Mossy Nissan for the same issue. I had to leave work early (half-a-day) to return the car to Mossy Nissan because car constantly appears to be losing power and is going to fall dead. Was informed by Ivan Clovis, Service Manager at Mossy Nissan, that I would have to leave the car and that it would be necessary for me to personally pay for a rental car during the repair. Why should I pay rental expense for the SAME problem that was NOT repaired on August 25, 2015? The service manager informed me that and I quote, “you are hard on a car” because there are so many miles on the car and that the car needs more fluids and other services more than other people with “normal” driving habits. Since, I did not receive a guarantee that I would not have to pay for the same problem, I did not leave the car for repair. I cannot afford to pay again for the same problem and do not have a \$1000.00 to spend for repair and rental car expense. Half day lost wages \$75.00.

The car HAS NOT been repaired and I pray each day that I am driving it that it does not stop running while I am driving. Please know that I have always taken my car to the same dealer, Mossy Nissan, for its scheduled maintenance and repairs. I have been a Nissan consumer for quite some time as this is not my first new car purchase. I previously owned a 2002 Altima. When I told the Ivan that I never had these types of problems with my Altima he told me “the new cars now have different engines and transmissions so you can’t drive it the same way.” Why would I be told this? Toyota, as well as Honda’s, is known for their car endurance. Up until this point, I completely defended Nissan as a car company that could go toe-to-toe with Toyota and Honda; however now my confidence is shaken. Your response to me will determine if I continue to be a valued consumer that supports Nissan.

As of September 22, 2015 the car continues to need repair. I need resolution to this issue as soon as possible, thus is the reason I am sending this correspondence to as many people in your organization as possible. Hopefully, I will hear from you as soon as you read this letter so that I will not become a traffic accident statistic or a statistic of something worse.

My compensation requests are simple. Here are the two compensation requests that will satisfy this complaint:

- (1) I want this car fixed at no cost and I want to be reimbursed for all expenses that I have incurred associated with the repair for this problem. Also, after the car is repaired, I want written assurance that if the car has any problems related to falling dead or serious hesitation, I immediately want to exchange the car for another car with comparable mileage and that I will owe the same amount that is due on my current car. Total compensation: \$1235.36 OR
- (2) I want the car replaced with a NEW 2015 Nissan Maxima in which I would owe the same balance that I currently on my 2013 Maxima.

• Houston, Texas • Phone:

Mr. Ghosn, I have read much about you as Nissan's chairman and I have confidence that you have the power, authority and ability to not only take care of my problem but to act immediately to ensure all American consumers, who have purchased a 2013 Nissan Maxima, are not injured or killed because this major defect. Again, this is a serious situation and I believe Nissan should look into the issue immediately for all 2013 Nissan Maxima's so that no one loses their life or suffers a serious injury.

I look forward to receiving a response from your company about my problem. Please feel free to contact me at [REDACTED] at your earliest convenience. Thank you for your time and attention to this matter.

Sincerely,

[REDACTED]

Enclosure(s): Mossy Nissan Receipt  
Discover Car Receipt  
Copy of Service Managers business card

cc: Anthony Foxx – U.S. Secretary of Transportation  
U.S. Department of Transportation  
1200 New Jersey Ave., SE, Washington, DC 20590

Trevor Mann, Chief Performance Officer  
Nissan Motor Company, LTD  
One Nissan Way  
Franklin, TN 37067

Dave Mazur, Vice President, Customer Quality  
Nissan Motor Company, LTD  
One Nissan Way  
Franklin, TN 37067

Walter Burchfield, Vice President, After Sales, US  
Nissan Motor Company, LTD  
One Nissan Way  
Franklin, TN 37067

Takehiro Terail, Vice President,  
Total Customer Satisfaction  
Nissan Motor Company, LTD  
One Nissan Way  
Franklin, TN 37067

ABC News Affiliate – Houston, Texas  
CBS News Affiliate – Houston, Texas  
NBC News Affiliate – Houston, Texas

[REDACTED] Houston, Texas

\* Phone: [REDACTED]

**MOSSY NISSAN**  
 12150 KATY FREEWAY  
 HOUSTON, TX 77079  
 (281) 496-2200

**SERVICE HOURS**  
 M - F 7 AM - 7 PM  
 SAT 8 AM - 3 PM

**PARTS HOURS**  
 M - F 7 AM - 6 PM  
 SAT 9 AM - 1 PM

**BODY SHOP HOURS**  
 M - F 7 AM - 7 PM  
 SAT 8 AM - 12 PM

**Owner/Driver Information:**

**Billing Information:**

Service Order  
 TAG Number  
 Customer Waiting  
**NO**

HOUSTON, TX  
 Email Address:  
 Home Phone:  
 Work Phone:  
 Alternate Phone:

HOUSTON, TX  
 Reference: HOUSTON, TX  
 Billing: NCP  
 Terms: ARCOD

Date In	Mileage In	Date Out	Mileage Out	License Plate #	Service Advisor
08/25/2015	56,268		56,268		Ivan Clovis
Year, Make, Model	V.I.N./Serial#	Unit Id	Exterior / Interior Color	In Service Date	
2013 NISSAN MAXIMA S	1N4AA5AP9DC		/	12/31/9999	

Description / Item	Qty	Price	Extended
<b>Service Request #1</b> NCP			Completed by
<b>Condition</b> C-S VEHICLE COMPLETELY SHUT OFF WHILE DRIVING ON THE FREEWAY. NOW THE VEHICLE CRANKS BUT SHUTS OFF IMMEDIATELY. NO PRIOR ISSUES OR INDICATOR THAT SOMETHING WAS WRONG PRIOR TO THIS INCIDENT.			1428
<b>Cause</b> THE AIR FLOW METER IS NOT READING CAUSING THE VEHICLE TO STALL AND NOT ACCE AT ALL F			
<b>Correction</b> THE AIR FLOW METER IS NOT READING CAUSING THE VEHICLE TO STALL AND NOT ACCE AT ALL REPLACEMENT IS REQUIRE INSTALLED A NEW AIR FLOW METER ASY AND REPROGRAM IT AND RESET THE MIL			
**MASS AIR FLOW S [071N/22680-7S00A]	1	282.24	282.24
GENERIC REPAIR OPCODE			255.84
<b>Subtotal for Request #1</b>			<b>\$538.08</b>

<b>Service Request #2</b> NCP			Completed by
<b>Condition</b> NISSAN MULTI-POINT SAFETY INSPECTION			1428
<b>Cause</b>			
<b>Correction</b> DONE			0.00
<b>Subtotal for Request #2</b>			<b>\$0.00</b>

08/25/2015  
 MOSSY NISSAN  
 12150 KATY FREEWAY  
 HOUSTON, TX 77079  
 14:38:02

CREDIT CARD  
 DISCR SALE  
 XXXXXXXX






CARD #  
 INVOICE  
 SEQ #:  
 Batch #:  
 Approval Code  
 Emb, Method:  
 Mode:  
 Online Shipped

SALE AMOUNT  
 \$773.36

CUSTOMER COPY



**CONTACT US**

 <p><b>Web</b> Access your account securely [REDACTED]</p>	 <p><b>Mobile</b> Manage your account anytime, anywhere at [REDACTED]</p>	 <p><b>Phone</b> 1-800-347-3085 TDD 1-800-347-7449</p>	 <p><b>Inquiry</b> Discover PO Box 30943 Salt Lake City UT 84130</p>	 <p><b>Mail Payments</b> Discover PO Box 6103 Carol Stream IL 60197-6103</p>
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**Transactions**

	Trans. Date	Post Date		\$	
<b>Payments and Credits</b>	Aug 20	Aug 20	INTERNET PAYMENT - THANK YOU	\$	-50.00
<b>Restaurants</b>	Aug 4	Aug 6	ROSA MEXICANO - DC WASHINGTON DC	\$	38.00
<b>Gasoline</b>	Aug 25	Aug 25	SHELL 57543425219 BELLAIRE TX	\$	89.95
	Aug 26	Aug 26	BREAUX BRIDGE VALERO BREAUX BRIDGELA		38.01
	Aug 31	Aug 31	EXXONMOBIL WINNIE TX		45.00
<b>Automotive</b>	Aug 25	Aug 25	MOSSY NISSAN HOUSTON TX	\$	773.36
	Aug 27	Aug 27	CCM*ROADSIDE SVC CCMC 800-832-1050 MA AL2CC8430B21		73.00
<b>Travel/Entertainment</b>	Aug 4	Aug 6	METRO SMARTRP TDM 202-9625711 DC	\$	10.00
	Aug 5	Aug 6	THE NORMANDY HOTEL WASHINGTON DC		555.81
<b>Services</b>	Aug 6	Aug 6	PREFLIGHT - HOUSTON HOBBS HOUSTON TX	\$	34.00
<b>Fees</b>			<b>TOTAL FEES FOR THIS PERIOD</b>	\$	0.00
<b>Interest Charged</b>			INTEREST CHARGE ON PURCHASES	\$	42.07
			INTEREST CHARGE ON CASH ADVANCES		0.00
			INTEREST CHARGE ON BALANCE TRANSFERS		0.00
			<b>TOTAL INTEREST FOR THIS PERIOD</b>		42.07

**2015 Totals Year-to-Date**

<b>TOTAL FEES CHARGED IN 2015</b>	\$	0.00
<b>TOTAL INTEREST CHARGED IN 2015</b>	\$	125.08

**Interest Charge Calculation**

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Current Billing Period: 31 days

TYPE OF BALANCE	ANNUAL PERCENTAGE RATE (APR)	BALANCE SUBJECT TO INTEREST RATE	INTEREST CHARGE
Purchases	14.99% V	\$3,304.21	\$42.07
Cash Advances	24.99% V	\$0.00	\$0.00

V=Variable Rate

**Information For You**

For more information about how interest charges are calculated see your Cardmember Agreement or go to [www.discover.com/interestcharges](http://www.discover.com/interestcharges)



Ivan Clovis  
Assistant Service Manager

MOSSYNISSAN  
12150 Katy Freeway  
Houston, Texas, 77079-1199  
Direct. 281.589.5332  
Cell. 713.478.8707  
Fax. 281.589.5384  
iclovis@mossynissanhouston.com  
www.mossynissanhouston.com



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EP13F July 2013 OD: 12.5 x 9.5



WRITE FIRMLY TO MAKE ALL COPIES LEGIBLE.

**TO:** [Redacted]  
[Redacted]  
[Redacted]

**PHONE:** ( ) - -

**ZIP + 4® (U.S. ADDRESSES ONLY):** [Redacted]

**PAYMENT BY ACCOUNT** (if applicable)

**DELIVERY OPTIONS** (Customer Use Only)

- SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.
  - No Saturday Delivery (delivered next business day)
  - Sunday/Holiday Delivery Required (additional fee, where available)
  - 10:30 AM Delivery Required (additional fee, where available)
- \*Refer to USPS.com® or local Post Office™ for availability.

**TO: (PLEASE PRINT)** [Redacted]

**PHONE ( ) - -** [Redacted]

**ZIP + 4® (U.S. ADDRESSES ONLY):** [Redacted]

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
\$100.00 insurance included.



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**ORIGIN (POSTAL SERVICE USE ONLY)**

<input type="checkbox"/> 1-Day	<input type="checkbox"/> 2-Day	<input type="checkbox"/> Military	<input type="checkbox"/> gpo
PG ZIP Code <i>97075</i>	Scheduled Delivery Date (MMDDYY) <i>01/29/14</i>	Postage <i>13.70</i>	
Date Accepted (MMDDYY) <i>01/29/14</i>	Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 3:00 PM <input type="checkbox"/> 12 NOON	Insurance Fee \$	ODD Fee \$
Time Accepted <i>11:24</i>	<input type="checkbox"/> AM <input type="checkbox"/> PM	Return Receipt Fee \$	Low Animal Transportation Fee \$
Weight <i>0.12</i>	<input type="checkbox"/> Flat Rate	Sunday/Holiday Premium Fee \$	Total Postage & Fees <i>13.70</i>
Acceptance Employee Initials <i>[Signature]</i>			

**DELIVERY (POSTAL SERVICE USE ONLY)**

Delivery Attempt (MMDDYY)	Time	Employee Signature
	<input type="checkbox"/> AM <input type="checkbox"/> PM	<i>[Signature]</i>
Delivery Attempt (MMDDYY)	Time	Employee Signature
	<input type="checkbox"/> AM <input type="checkbox"/> PM	<i>[Signature]</i>

LABEL 11-B, JANUARY 2014

PSN 7590-02-000-9998

3-ADDRESSEE COPY

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S10-150925-015



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

<b>Control number:</b> S10-150925-015	<b>Action office:</b> NHTSA
<b>Document date:</b> 9/21/2015	<b>Due date:</b>
<b>Author(s):</b> [REDACTED]	
<b>Subject:</b> Copy of Letter Addressed to Carlos Ghosn, Chairman and Chief Executive Officer of Nissan Motor Company, LTD Notifying the Company of a Major Automotive Defect With Nissan's 2013 Maxima	
<b>Action:</b> Appropriate Handling	

**Comments:**

<u>Date</u>	<u>Action</u>	<u>Action by</u>
9/25/2015	Folder Processed for Appropriate Handling.	LINDA.MILLER
9/25/2015	DIST: FHWA,A1,C1,S3	LINDA.MILLER
9/25/2015	Updated Folder Information.	LINDA.MILLER
9/25/2015	Work Folder Assigned to NHTSA.	ANGELICA.GERTEL1
9/25/2015	Incoming File Uploaded.	ANGELICA.GERTEL1
9/25/2015	Control Number Created.	ANGELICA.GERTEL1

<u>Date</u>	<u>Note</u>	<u>Note by</u>
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