

CL-10969429-2380



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)
New Jersey Office of the Attorney General

Division of Consumer Affairs
Consumer Service Center – Complaint Review Unit
124 Halsey Street, 3rd Floor, Newark, NJ 07102
February 8, 2017



CHRISTOPHER S. PORRINO
Attorney General

STEVE C. LEE
Director

National Highway Traffic Safety Administration US Dept of Transportation
1200 New Jersey Ave SE
Washington, DC 20590

Mailing Address:
P.O. Box 45025
Newark, NJ 07101
(973) 504-6200

MAR -7 2017

Re: [REDACTED]
File [REDACTED]

I am writing on behalf of the New Jersey Division of Consumer Affairs - Office of Consumer Protection to bring this matter to your office's attention. While hearing from the public helps the Division in its efforts to protect the health, safety and economic well-being of the public as consumers in the marketplace and to identify the best use of our investigative resources, there are situations, such as this one, in which a referral to another agency may be better able to provide assistance.

We are forwarding the materials we received to your office so that you may assist this consumer. We have advised the consumer of our action and that all future inquiries should be directed to your office. We appreciate the assistance that your office can provide to this consumer and extend our willingness to assist your office when necessary.

If you have any questions regarding this referral, please contact our Consumer Service Center at (973) 504-6200.

Sincerely,

Patricia D. Pate
Supervising Investigator, Consumer Service Center

ET
3.7.17
LD



New Jersey Office of the Attorney General

Division of Consumer Affairs

P.O. Box 45025

Newark, New Jersey 07101

(973) 504-6200

(800)-242-5846

E-Mail: AskConsumerAffairs@lps.state.nj.us

959771 100-82

COMPLAINT REPORTED BY:

COMPLAINT REPORTED AGAINST:

NAME: [REDACTED]

ADDRESS: [REDACTED]

CITY: CAPE MAY COURTHOUSE

STATE: NEW JERSEY ZIP CODE: [REDACTED]

HOME TELEPHONE NUMBER: [REDACTED]

WORK TELEPHONE NUMBER: [REDACTED]

(include area code)

* E-MAIL ADDRESS: _____

* NOTE: BY PROVIDING YOUR E-MAIL ADDRESS, YOU AGREE TO
RECEIVE COMMUNICATIONS FROM THIS OFFICE BY E-MAIL.

BUSINESS: MERCEDES BENZ USA

ADDRESS: 3 MERCEDES DRIVE

CITY: MONTVALE

STATE: NJ

ZIP CODE: 07645

TELEPHONE NUMBER (1): 1-800-367-6372

(include area code)

TELEPHONE NUMBER (2): _____

(include area code)

For statistical and informational purposes only. Your age: ☐ 18-29 ☐ 30-44 ☐ 45-59 ☒ 60 or older

1. Nature of complaint (please check the appropriate box(es)):

☒ Automotive

☐ Automotive Repairs

☐ Banking

☐ Credit Card

☐ Charity

☐ Direct Mail/Sweepstakes

☐ Home Repair

☐ Internet/Cyberspace

☐ Professional Service

☐ Stocks/Securities

☐ Telemarketing

☐ Telecommunications

☐ Bingo/Raffle

☐ Health Club

☐ Warranty

☐ Advertising

☐ Wheelchair Lemon Law

☐ Weighing/Measuring Devices

☐ Used Car Lemon Law

☐ New Car Lemon Law

☐ Furniture

☐ Other (specify) _____

2. If your complaint involves a motor vehicle, please provide the following information:

a. ☐ New

☒ Used

b. ☒ Purchased

☐ Leased

c. Purchase Price _____

Current Mileage _____

d. Date of Purchase _____

☐ With Warranty

☐ With Service Contract

☒ As Is

e. Make MERCEDES

Model ML 320

Year 2000

3. Name of company you dealt with: MERCEDES BENZ USA

4. Name and title of company agents or employees you dealt with: CUSTOMER SERVICE

AND HEAD MANAGER

5. Describe the facts of your complaint in the order in which they happened. Type or print clearly. Use additional sheets of paper, if necessary. Attach readable copies (NO ORIGINALS) of any complaint-related contracts, bills, receipts, cancelled checks, correspondence or any other documents you feel are related to your complaint.

REFUSED TO HONOR RECALL BECAUSE A MECHANIC
VISIBLELY CK'D EXHAUST SYSTEM - WENT IN THEIR
COMPUTERS - AS SATISFIED CAMPAIGN RECALL
OVER. I LATER HAD TO HAVE DEFECTIVE
EXHAUST SYSTEM INCLUDING CATALYTIC CONVERTERS
REPAIRED AT MY OWN EXPENSE.

MERCEDES OF ATLANTIC CITY PH 609-645
7018-20 BLACK HORSE PIKE 8483
PO BOX 1263
WEST ATLANTIC CITY NJ 08232
ALSO REFUSED TO REPAIR.

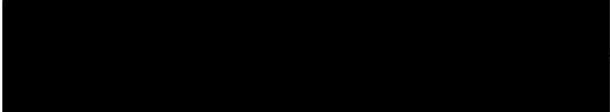
MERCEDES BENZ
1260 WILMINGTON PK.
WEST CHESTER, PA. 19382
PHONE 484-313-1111
MERELY DID A VISUAL CK
NO REPAIRS WERE EVER MADE
BY MERCEDES

THAT COMPUTER PRINT OUTS - SHOW THE CAMPAIGN
CLOSED THE SAME DAY - MECHANIC - AT WEST CHESTER
MERCEDES VISUALLY CK'D. ON AUGUST 2011

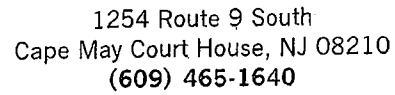
6. The amount of loss involved in this complaint: \$ 749.⁰⁰ Please provide a breakdown of these losses:

REMOVE REPLACE CRACKED CATALYTIC CONVERTER
HAD TO REMOVE AXEL - IN ORDER TO REMOVE
AND WELDED TWO CONVERTERS 9 HRS LABOR
CORRECTED FAULTY WELDING

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. I authorize the New Jersey Division of Consumer Affairs to send this complaint form to the company or to interested parties and to use the information in any way that is necessary.

 _____
* This certification must be signed by the person completing the form.

2003, 2016
Date



THANK YOU

Product SP126

NUMBER #:



Mercedes-Benz of West Chester

1260 Wilmington Pike
WEST CHESTER, PA. 19382

SERVICE: (484) 313-1111 FAX: (484) 313-1003

PARTS: (484) 313-1110 FAX: (484) 313-1002

MAIN PHONE: (484) 313-1100

INVOICE

PAGE 1

GREEN CREEK, NJ

HOME:

BUS:

SERVICE ADVISOR: 310 MICHAEL SMETHURST

BUS: [REDACTED]			SERVICE ADVISOR: [REDACTED]				
COLOR	YEAR	MAKE/MODEL		VIN	LICENSE	MILEAGE IN/ OUT	TAG
149	00	MERCEDES-BENZ ML320/		4JGAB54E1YA [REDACTED]		106261/106261	[REDACTED]
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO. NO.	RATE	PAYMENT	INV. DATE
06MAR00 DD			WAIT 29AUG11			CASH	29AUG11
R.O. OPENED		READY	OPTIONS:	DLR: [REDACTED]	ENG:3.2 Liter		

09:34 29AUG11 11:12 29AUG11

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A CLIENT STATES THAT THE FRONT ENGINE COOLING FAN DOES NOT APPEAR TO BE WORKING. CLIENT BELIEVES VEHICLE MAY BE RUNNING HOT
541286 REPLACED FUSE FOR AUX FAN (30 AMP).

63 CMA 24.00 24.00
PARTS: 0.00 LABOR: 24.00 OTHER: 0.00 TOTAL LINE A: 24.00
106261 REPLACE 30 A FUSE FOR FANS PRESS TEST COOLING SYSTEM NEEDS
COOLANT RESEVOIR NO STOCK

B CHECK FOR OPEN RECALLS OR CAMPAIGNS

CAUSE:

0 LINE D,E,F

63 CMA 0.00 0.00
PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00

C CLIENT REQUEST ESTIMATE TO REPLACE PASSENGER SEAT COMPARTMENT DOOR LOCK. CLIENT DOES NOT HAVE KEY

0 REPALCEMENT OF LOCK \$75.00

63 CMA 0.00 0.00
PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE C: 0.00

D** TECH NOTED RECALL FOR CATALYST

CAUSE: CAMPAIGN

024813 WELD SEAMS - FRONT CATALYSTS, VISUALLY
CHECK FOR CRACKS

63 WM93

(N/C)

024814 GAS LEAK TESTER - CHECK FOR LEAKS

63 WM93

(N/C)

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE D: 0.00
106261 PERFORM RECALL REPAIR 1 NO LEAKS WELDS GOOD

E** TECH NOTED RECALL FOR POWER STEERING PUMP

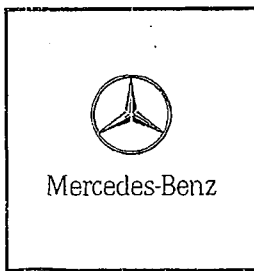
ORDER ORDERED PART(S) TO COMPLETE WORK TO BE
PERFORMED.

63 CMB

0.00 0.00

STATEMENT OF DISCLAIMER
The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

OUR GUIDING PRINCIPLES.....
TO SATISFY THE TRANSPORTATION NEEDS OF OUR CUSTOMERS BY
OFFERING A SERVICE FOR WHICH VALUE EXCEEDS COSTS AND BY
PERFORMING THAT SERVICE BETTER THAN OUR COMPETITION!



DESCRIPTION	TOTALS
LABOR AMOUNT	
PARTS AMOUNT	
GAS, OIL, LUBE	
SUBLET AMOUNT	
MISC. CHARGES	
TOTAL CHARGES	
LESS INSURANCE	
SALES TAX	
PLEASE PAY THIS AMOUNT	

CUSTOMER COPY



Vehicle Master Inquiry (VMI)
FOR INTERNAL USE ONLY

Dealer: 51201

VIN 4JG AB54E1YA [REDACTED] Owner [REDACTED] Engine No [REDACTED]
FIN 4JG 1631541A [REDACTED] Transmission No 72266201790312

Vehicle Info
Model/Year ML 320 2000 Upholstery 268-Ash Leather Paint 149-Polar White

Warranty & Sale
Warranty Start 03/06/2000 Retail Date 03/06/2000 Selling Dealer 51121

Production Info
Radio Code 35162 Serial No [REDACTED] Prod Date 12/13/1999

Status
Status Need Authorization Mileage Warranty < 30 Days Review History
Discrepancies

Option Codes

Option	Description	Option	Description
U48	Injection valves with DBW caps	241	Front seat left, elect.adjust.
242	Front seat right, electr.adjust	245	Compass
280	Leather-covered steering wheel	293	Sidebag in rear left and right
414	Electric sunroof, glass versio	461	Instrument with mileage readin
494	US version	502	3 years of free map updates
522	ICU Alpine radio USA	551	Anti-theft warning system
636	Omission of warning triangle	661	4 light-alloy wheels, tyre siz
723	Luggage cover	731	Wood finish, burr walnut trim
800	Technical modifications	840	Dark-tinted rear windscreen/re
873	Heated front seats	887	Separate boot lid lock

Campaigns/C1 Action

No	Brief Desc	Start Date	Status	Campaign Type
2000100007	163 SEATBELT ANCHOR	11/16/2000	CLOSED	SERVICE
2003040005	W163 P/S HOSE CLAMP	05/16/2003	CLOSED	RECALL
2005020003	HARMONIC BALANCER	04/05/2005	CLOSED	SERVICE
2005060014	163 CATALYST REPL	09/07/2005	CLOSED	SERVICE
2011090001	163 BRAKE SWITCH	09/23/2011	CLOSED	RECALL

Service Packages

Type	Code	Start Date	End Date	Miles Fm	Miles To	DLR or GEN	Contract #	Cust. Name
WTY EXT	STEERING HOSE	03/06/2000	03/05/2010	0	UNLM	N/A		

Vehicle History

Damage Code	Damage Text	Dealer Code	RO No	Line No	Claim No	Repair Date	Miles	Service Type	Seq No
0 54930 37 7	Campaign 51220 2011090001, Repl Brak			C		2012/01/31	113,286	02-KDM (Campaign)	0003
0 03900 22 7	Campaign 200551220 020003, Inspect			B		2012/01/31	113,286	02-KDM (Campaign)	0002
0 46950 27 7	Campaign 200351220 040005, Repl low			A		2012/01/31	113,286	02-KDM (Campaign)	0001
0 14931 06 8	Campaign 20057115 060014, Inspect			D		2011/08/29	106,261	02-KDM (Campaign)	0001

Procedure

A. VISUALLY INSPECT CATALYTIC CONVERTERS

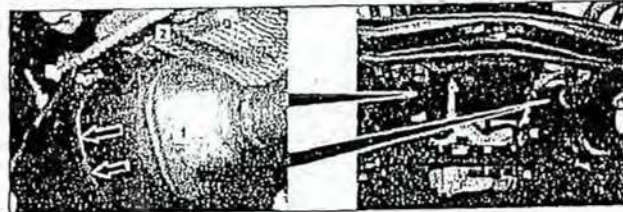


Figure 1

1. Place vehicle on lift (refer to WIS ARD3 00-P-100000).
2. Visually inspect catalytic converter (1, Figure 1) for cracks and/or black exhaust residue at weld seams (arrows).
 Note:
 Use mirror (2) to inspect upper surfaces.
- If cracks (3, Figures 2, 3) and/or black exhaust residue are present at weld seams proceed to subject C: Replace catalytic converter(s) and exhaust system.
 Note:
 • Hairline cracks on top welds of catalytic converters may be very difficult to detect during the visual inspection. Therefore, ensure this area is well illuminated when inspecting with mirror.
 • Black exhaust residue (Figure 4) found on heat shield directly above catalytic converter welds will also indicate a cracked weld.
- If visual inspection is inconclusive (no visual cracks or black exhaust residue found), proceed to subject B: Perform ultrasonic leak detection.

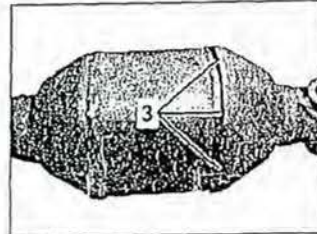
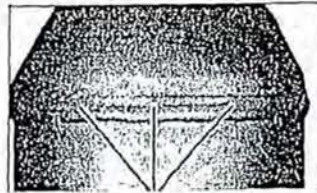


Figure 2



lostream

Wapster

Follow

Mercedes Document explaining procedure in identifying faulty catalytic converters to Mercedes technicians

Note: Identical bad weld to the one on my vehicle. A Manufacturer's fault that Mercedes agrees requires a recall in the USA to put right, but apparently not in the UK? This says alot about the relative importance given by US organisations to customer relations compared to companies in the UK, or is that they don't think consumers in the UK are willing to sue for damages as much? I think I have a good case given the evidence to support a claim has been extensively documented by Mercedes Benz themselves :-)

Mercedes Document Relating to Faulty Catalytic Converters

Once you dig deeper it's quite amazing what you find out! The reason Mercedes-Benz took about these voluntary recalls in the United States of America was because the United States of America took out a civil action against them!

Mercedes-Benz Pays \$1.2 Million for Clean Air Act Violation Also Pays \$59 Million for Voluntary Recall

It appears this agreement was reached in what you could call an out of Court Settlement between the United States Department of Justice and Mercedes-Benz in the USA.

Mercedes-Benz USA, LLC and DaimlerChrysler AG Settlement Factsheet

Can you pay for my next exhaust system which will be custom made? Visit [redacted]

8,001
views

2
faves

1
comment

Taken on August 10, 2007

Some rights reserved

Tags BETA

mercedes ml

mercedes ml

customer relations

customer service recalls

faulty broken catalytic

catalytic converter

dermot kelly

mercedes benz uk

product recall

faulty welding welding

mercedes-benz air

pollution

Additional info

Viewing this photo

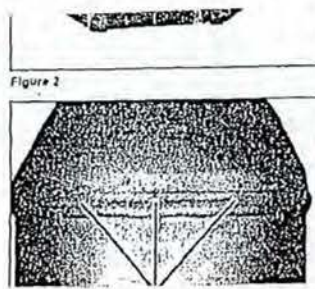
Safety level of this photo

Provide feedback on this photo

proceed to subject C: replace catalytic converter/exhaust system.

Note:

- Hairline cracks on top welds of catalytic converters may be very difficult to detect during the visual inspection. Therefore, ensure this area is well illuminated when inspecting with mirror.
- Black exhaust residue (Figure 4) found on heat shield directly above catalytic converter welds will also indicate a cracked weld.
- If visual inspection is inconclusive (no visual cracks or black exhaust residue found), proceed to subject B: Perform



olostream

Wapster

Follow

8,001
Views

2
faves

1
comment

Taken on August 10, 200

Some rights reserved

Mercedes Document explaining procedure in identifying faulty catalytic converters to Mercedes technicians

Note: Identical bad weld to the one on my vehicle. A Manufacturer's Fault that Mercedes agrees requires a recall in the USA to put right, but apparently not in the UK? This says alot about the relative importance given by US organisations to customer relations compared to companies in the UK, or is that they don't think consumers in the UK are willing to sue for damages as much? I think I have a good case given the evidence to support a claim has been extensively documented by Mercedes Benz themselves! :-)

Mercedes Document Relating to Faulty Catalytic Converters

Once you dig deeper it's quite amazing what you find out! The reason Mercedes-Benz took about these voluntary recalls in the United States of America was because the United States of America took out a civil action against them!

Mercedes-Benz Pays \$1.2 Million for Clean Air Act Violation Also Pays \$59 Million for Voluntary Recall

It appears this agreement was reached in what you could call an out of Court Settlement between the United States Department of Justice and Mercedes-Benz in the USA.

Mercedes-Benz USA, LLC and DaimlerChrysler AG Settlement Factsheet

Can you help me pay for my next exhaust system which will be custom

and vortex exhaust faved this

Wapster PRO 8y

Mercedes had to be sued by the United States Government for polluting the air before they would agree to recall faulty catalytic converters or their vehicles!

European owners are expected to pay for Mercedes's faulty

Tags BETA

mercedes ml

mercedes ml

customer relations

customer service recalls

faulty broken catalytic

catalytic converter

dermot kelly

mercedes benz uk

product recall

faulty welding welding

mercedes-benz air

pollution

Additional info

Viewing this photo

Safety level of this photo

Provide feedback on the new photo page

Service Campaign 2005 060014

September, 2005

Dear Mercedes-Benz Owner,

This notice is sent to you requesting that you bring your vehicle to your Mercedes-Benz dealer as soon as possible.

In our continuing efforts to assure the proper performance of Mercedes-Benz products and to ensure the satisfaction of our customers, Mercedes-Benz USA, LLC has initiated a Service Campaign for certain Model Year 1999, 2000 and 2001 ML 320 and ML 430 vehicles. Our records indicate that your vehicle is included in the population of affected vehicles.

Your vehicle may develop a readily recognizable exhaust/engine noise or rattling originating from either the engine compartment or from under the car. The noise may be the result of a catalytic converter production deficiency.

This Service Campaign will address this noise issue with a catalyst inspection and, where appropriate, a catalyst replacement. Both the inspection and replacement (where required as a result of the inspection) will be performed at no charge. This Service Campaign does not cover any other emissions related components and standard warranty terms and exclusions apply to those components.

Your authorized Mercedes-Benz dealer is available to provide this service, free of charge. The working time required can be as high as four hours if your vehicle needs catalytic converter replacement. As a matter of normal service process, your authorized Mercedes-Benz dealer will also check for other repair measures which might be applicable to your vehicle and this may increase the required working time. Please contact your authorized Mercedes-Benz dealer for additional information and to schedule an appointment at your earliest convenience or as part of your next scheduled maintenance. Please mention Service Campaign #2005 060014.

If you are no longer the vehicle owner, or had a change of address, please complete the reverse side of this letter and return the complete letter in the enclosed envelope. If this is a leased vehicle and the lessor and registered owner receives this notice, please forward this information by first class mail to the lessee.

Please contact your authorized Mercedes-Benz dealer should you have any questions or encounter any difficulty regarding this program. If your dealer is unable to remedy your situation please contact us at 1-(800) FOR-MERcedes. (1-800-367-6372).

If your vehicle has exceeded the warranty's mileage period, and you have already paid to have a portion of your catalytic converter system replaced due to the above described rattling catalyst condition, you may be eligible to receive reimbursement. Reimbursement for your replacement costs can be obtained by presenting adequate documentation of those expenses to your authorized Mercedes-Benz dealer. Please see the reverse side of this notice for details. Contact your Mercedes-Benz dealer for more information on obtaining this reimbursement.

If an authorized Mercedes-Benz dealer or Mercedes-Benz USA, LLC, fails or is unable to perform this service without charge, please call 1-800 FOR-MERcedes (1-800-367-6372).

We hope that you are enjoying your Mercedes-Benz and we apologize for any inconvenience you may experience as a result of this issue.

Sincerely,

Klaus Ulkann
Vice President, Customer Services

① SHIFT MODULE REPLACED
A COUPLE WEEKS AGO

② WON'T MOVE
IN LIMP MODE OR NEUTRAL
JUST DROVE 36 MILES TO
AG

③ OK'D COOLANT LEVEL - WAS LOW
COOLANT LEVEL LIGHT CAME ON.
TRANSMISSION FLUID.



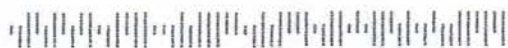
Cape May Ch, NJ



NEW JERSEY OFFICE OF THE ATTORNEY GENERAL
DIVISION OF CONSUMER AFFAIRS
PO BOX 45025
NOWARK, New Jersey
07101

NJ Office

DIVISION OF CONSUMER AFFAIRS
CONSUMER SERVICE CENTER
PO BOX 45025
NEWARK, NJ 07101



U.S. POSTAGE PITNEY BOWES
ZIP 08628 \$ 001.4
02 1W
0001389329 FEB 13

National Highway Traffic Safety Administration
US Dept. of Transportation
1200 New Jersey Ave. SE
Washington, D.C. 20590