



CL-11029823-4949
LAW OFFICES OF TIFFANY J. BROWN, P.A.

2413 Main Street, Suite 151, Miramar, Florida 33025

Phone: (954) 543-0852 • Fax: (954) 416-6663 • E-Mail: tbrown@tjbrownlaw.com

TIFFANY J. BROWN, ESQ.
(ADMITTED FL AND DC)

E-MAIL: TBROWN@TJBROWNLAW.COM

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

August 7, 2017

AUG 17 2017

VIA CERTIFIED MAIL

Hyundai Motor America
P.O. Box 20850
Fountain Valley, California 92728-0850

Re: [REDACTED] 2013 Hyundai Santa Fe
VIN: 5XYZW3LA8DG [REDACTED]

Dear Administration,

My name is Tiffany J. Brown, Esq., and I am retained by [REDACTED] ("Mr. [REDACTED]") to represent his interest in the recall of the 2013 Hyundai Santa Fe sports utility vehicle.

[REDACTED] was the owner of the above-referenced vehicle with a VIN ending in [REDACTED]. On approximately February 12, 2017, [REDACTED] informed Hyundai that his vehicle experienced an extreme mechanical malfunction when the engine cut off while he was driving his family, which included a [REDACTED]-year-old child. The Hyundai dealership informed [REDACTED] that his vehicle required repairs in the amount of almost \$7,000. These repairs included the re-assembly and repair of the engine after metal shavings were found in the oil pan and cylinder head.

[REDACTED] requested assistance from the Hyundai dealership and Hyundai Motor Company with the costs of the repairs, but was denied. [REDACTED] believed that the issue was one that Hyundai was responsible for and contacted the Better Business Bureau to assist with resolving the issue. Hyundai refused to mediate the issue and refused to provide any further communication about the vehicle with [REDACTED]. [REDACTED] took the vehicle to a second repair facility and was given the same diagnosis for the issues. The vehicle was inoperable, unsafe, and created great mental injury for [REDACTED] and his family. He and his wife missed several periods of work and had to rent vehicles and rely on other methods of transportation to maintain their household. [REDACTED] was unable to cover the costs of the repairs and was forced to mitigate his losses.

In mitigating his losses, [REDACTED] sold his vehicle at a loss of over \$10,000. Because of the huge decline in value for the vehicle and the amount owed, [REDACTED] was also forced to relinquish title to other possessions to cover the costs.

AM
9-25-17
WD

A little over a month after Hyundai ceased communications with [REDACTED] and the preservation of losses, [REDACTED] received notification that Hyundai was recalling the 2013 Hyundai Santa Fe for the very same issue that he reported to them a few months earlier. [REDACTED] believes that Hyundai had credible evidence of this impending recall during the time that he first reported that the vehicle was defective. [REDACTED] was without use of the vehicle for approximately three weeks before having to trade it in at a deeply discounted rate so that he could have safe transportation for himself and family.

[REDACTED] is hereby demanding reimbursement in the amount of \$14,674.27 to represent the damages and losses he sustained as a result of Hyundai's negligence, breach of warranty, and deceptive behavior. [REDACTED] incurred significant loss and was deprived of the benefit of the bargain after purchasing and eventually selling his Hyundai vehicle.

Please note that your response and payment is due within thirty (30) days of receipt. [REDACTED] fully intends to pursue legal remedies in the appropriate Broward County district court. You are free to contact me at (954)543-0852 or tbrown@tjbrownlaw.com to discuss additional options.

Sincerely,



Tiffany J. Brown

ENCLOSURES

Cc:

Office of Attorney General
State of Florida
The Capitol PL-01
Tallahassee, FL 32399-1050

National Highway Traffic Safety Administration
1200 New Jersey Avenue S.E.
Washington, DC 20590



Hyundai Motor America
P.O. Box 20839
Fountain Valley, CA 92728-9937

NHTSA Campaign Number: 17V-226

We are currently preparing the remedy. We will notify you again when the remedy is ready.

IMPORTANT SAFETY RECALL (INTERIM NOTICE)

This notice applies to your vehicle, VIN: 5XYZW3LA8DG [REDACTED]

Dear Hyundai Santa Fe Sport Owner:

This notice is sent to you in accordance with the National Traffic and Motor Vehicle Safety Act. Hyundai has decided that a defect which relates to motor vehicle safety exists in certain model year 2013 through 2014 Santa Fe Sport vehicles manufactured through May 31, 2014. Our records indicate that you own or lease the vehicle identified by the VIN on this notice.

The purpose of this letter is to explain what the recall is about and to keep you informed of Hyundai's recall implementation plan. We are currently making preparations to implement the safety recall remedy. We will send you another notification when the remedy is available.

What is the problem?

An investigation by Hyundai has determined that metal debris may have been generated from factory machining operations as part of the manufacturing of the engine. This debris may restrict oil flow to the bearings and increasing the potential of premature bearing wear. A worn connecting rod bearing will produce a metallic, cyclic knocking noise from the engine which increases in frequency as the engine RPM increases. If the vehicle continues to be driven with a worn connecting rod bearing, the bearing can fail, and the vehicle could stall while in motion, increasing the risk of a crash.

What should you do in the interim?

We appreciate your patience while we prepare the remedy. In the meantime, if customers notice an abnormal knocking noise from their engine, they are encouraged to seek service at their local Hyundai dealer as soon as possible.

You will receive a second owner notification letter when the remedy is available. For updated information regarding this Recall Campaign, please visit:

www.HyundaiUSA.com/Campaign168

What if you have other questions?

If you require further assistance, you may contact the Hyundai Customer Care Center at 1-855-371-9460.

If you believe that the dealer or Hyundai has failed or is unable to remedy the defect within a reasonable time, you may submit a complaint to the Administrator, National Highway Traffic Safety Administration, 1200 New Jersey Avenue S.E., Washington, D.C. 20590, or call the toll free Vehicle Safety Hot Line at 1-888-327-4236 (TTY: 1-800-424-9153), or go to <http://www.safercar.gov>.

Reimbursement Notification

Hyundai has a program for reimbursing owners of model year 2013 through 2014 Hyundai Santa Fe Sport

...presence while we prepare the remedy. In the meantime, if customers notice an abnormal knocking noise from their engine, they are encouraged to seek service at their local Hyundai dealer as soon as possible.

You will receive a second owner notification letter when the remedy is available. For updated information regarding this Recall Campaign, please visit:

www.HyundaiUSA.com/Campaign162

What if you have other questions?

If you require further assistance, you may contact the Hyundai Customer Care Center at 1-888-327-4236.

If you believe that the dealer or Hyundai has failed or is unable to remedy the defect within a reasonable time, you may submit a complaint to the Administrator, National Highway Traffic Safety Administration, 1200 New Jersey Avenue S.E., Washington, D.C. 20590, or call the toll-free Vehicle Safety Hot Line at 1-888-327-4236 (TTY: 1-800-424-9153), or go to <http://www.safercar.gov>.

Reimbursement Notification

Hyundai has a program for reimbursing owners of model year 2013 through 2014 Hyundai Santa Fe Sport vehicles equipped with 2.0 liter and 2.4 liter gasoline direct injection engines who paid to have the recall condition remedied prior to receiving this interim recall notification letter. To obtain information about reimbursement from Hyundai, please visit the website referenced above. The website will allow you to submit your request for reimbursement electronically.

If you are a vehicle lessor, federal law requires that any vehicle lessor receiving this recall notice must forward a copy of this notice to the lessee within ten days.

We urge your prompt attention to this important safety matter.

Hyundai Motor America

If you have changes to the information below, please remove and submit this form by inserting into the postage-paid envelope enclosed.

Information Change Card

Name and address has changed (print new information below)

LAST NAME		FIRST NAME		MI
MAILING ADDRESS		STREET	APT. NO.	
CITY	STATE	ZIP		
TELEPHONE NUMBER				

VEHICLE
IDENTIFICATION
NUMBER

5XYZW3LA8DG [REDACTED] 162



SUNRISE, FL [REDACTED]

E-MAIL ADDRESS



I no longer own this automobile as of [REDACTED] DATE

It was:

☐ SOLD (Print name and address of new owner above, if known.)

☐ EXPORTED

☐ STOLEN

☐ DESTROYED

☐ I have NEVER owned this Hyundai

☐ The Vehicle Identification Number on this card is incorrect.
The VIN of my Hyundai is