

NOV 07 2017

BMW of North America, LLC
Customer Care
300 Chestnut Ridge Road
Woodcliff Lake, NJ 07677-7731

CL-11053128-7885 October 23, 2017

Dear Customer Care:

On March 13, 2017, I was in an auto accident in my 2001 BMW 325Ci, VIN J [REDACTED] The other driver ran a flashing red light and was ticketed. My airbag deployed and hit me in the head causing a brain injury. The MRI showed micro-hemorrhages in both frontal lobes, and the neuro-ophthalmologist determined I have traumatic convergence insufficiency as a result of the impact from the airbag. I have also endured a lot of eye irritation possibly from the particles coming out of the airbag, something I did not have before the accident. I was unable to drive for two months and am still under treatment for the injuries.

My mechanic was able to repair the car, including replacing the airbag. Soon after that I started receiving phone calls, e-mails, letters and flyers recalling the driver side airbag. I had received recall notices for the passenger side two or three years ago and called the dealer where I'd purchased my car. I was told they had none in and were not able to get any in and to call back later.

I paid \$933.99 for the new airbag plus \$44.96 for the airbag wiring connector (see attached invoice). I visited the service director at BMW of Sarasota and explained the situation. I gave him copies of the invoice showing what I had paid. He told me he was 98-99% sure I would receive a full refund. The service advisor also told me he was sure I would get a full refund; that it was the policy to issue a full refund when a customer had an accident and paid out-of-pocket for a warranty or recalled part. They removed the driver side airbag, determined it was a good airbag then reinstalled it, and they replaced the passenger side airbag.

The service director said he would submit the documentation to BMW/NA. I called to find out what had happened, and he left a voice mail the next day that you would not reimburse me for the airbag I had paid for out-of-pocket.

Please reimburse me for \$933.99 plus \$44.96. Please remember you would have had to pay for the airbag, but I paid for it instead. Thank you for your help.

Sincerely,

[REDACTED]

Apopka, FL

enc: invoice

→ cc: NHTSA

NAM
12.4.17
WD

German MotorWerks, Inc.

INVOICE

164 Hope Street, Suite 1070

Longwood, FL 32750

407.899.4151

Florida Registration: MV-52630

Date In:	15-Mar-17
Promised:	
Date Out:	13-Jun-17
Time In:	
Time Out:	
Phone: (H)	
Phone: (W)	
Phone: (C)	
Miles In:	268,271
Miles Out:	268,271
Intended Method of Payment	CASH CHECK MC VISA

PLEASE READ CAREFULLY, CHECK ONE OF THE STATEMENTS BELOW AND SIGN:
I UNDERSTAND THAT, UNDER STATE LAW, I AM ENTITLED TO A WRITTEN
ESTIMATE IF MY FINAL BILL WILL EXCEED \$100.

☐ I REQUEST A WRITTEN ESTIMATE.
☐ I DO NOT REQUEST A WRITTEN ESTIMATE AS LONG AS THE REPAIR COSTS DO
NOT EXCEED \$. THE SHOP MAY NOT EXCEED THIS AMOUNT WITHOUT
MY WRITTEN OR ORAL APPROVAL.
☐ I DO NOT REQUEST A WRITTEN ESTIMATE.

SIGNED: DATE:

Name:	
Address:	
City/State:	Apopka, FL
VIN:	WBABN33471
Year/Make:	01 BMW (11/00)
Model:	325cd
Color:	Red
Tag No:	
Other Authorized Person:	
Phone:	

PARTS		
RE-MAIN REPLACED PARTS? ☐ YES ☐ NO (CORE MAY APPLY)		
QTY	DESCRIPTION / PART NO. (all parts new unless otherwise specified)	PRICE
1	OE BMW battery safety terminal repair kit (BST) - (BMW P/N 81 12 8 387 512)	\$650.98
1	OE BMW driver's front seat belt buckle - (BMW P/N 72 11 9 119 551)	\$148.59
1	OE BMW steering wheel airbag - (BMW P/N 32 30 8 880 599)	\$933.99
1	OE BMW airbag wiring connector - (BMW P/N 32 30 1 097 248)	\$44.86
1	OE BMW hood - (BMW P/N 41 81 8 237 725)	\$546.68
1	Hood catches (left & right) - USED	\$10.00
1	Secondary hood catch - USED	\$10.00
2	OE BMW kidney grills (left & right) - (BMW P/N 51 13 8 208 685 & 686)	\$148.10
1	OE BMW hood Roundel emblem (BMW P/N 51 14 8 132 375)	\$37.89
2	Emblem retainers	\$1.18
1	OE BMW front bumper cover - primed (BMW P/N 51 11 8 251 151)	\$588.14
1	Front bumper reinforcement - USED (VIN WBAEV53484KM37402)	\$125.00
1	Center horizontal bumper trim - USED	\$25.00
2	Amber bumper side markers	\$47.46
1	Radiator	\$283.67
1	OE BMW radiator lower sealing bracket - (BMW P/N 17 11 1 436 245)	\$27.58
1	Radiator core support - USED (VIN WBAEV53484KM37402)	\$150.00
2	Radiator bracket mounts	\$15.50
2	Fog light grills - USED	\$30.00
2	Fog light assemblies	\$600.00
PARTS TOTAL:		\$4,442.70

Labor Charge Based On: ☐ FLAT RATE ☐ HOURLY RATE ☐ BOTH	Estimate / Diagnostic Fee: \$ OR hourly at \$100 per hour
Month /	mile warranty on all parts and labor unless otherwise specified
Storage fee of \$	per day may be applied to vehicles which are not claimed within 8 working days of notification of completion.

INSTRUCTIONS		
	Hours	Labor
Car was in front end collision		
Replaced steering wheel airbag, driver's seat belt buckle assembly, battery		
safety terminal repair kit, cleared all faults in all computers.		
Replaced hood, front bumper cover, front bumper reinforcement, radiator core		
support, radiator, expansion tank, condensor, auxiliary fan, headlight assemblies,		
and turn signal assemblies		
Mechanical labor time	8.00	\$800.00
See sub/lot for cost to tow (\$45)		
See sub/lot for cost to paint hood, front bumper cover & repair both front fenders (\$1650)		
Deposit \$3,000 6/13/17 check #		
Deposit \$3,000 5/10/17 check #		

I hereby authorize the above repairs, including sublet work, to be done with necessary materials and give my permission to you and/or your employees to operate the vehicle described above for the purpose of testing, inspection and/or delivery at my risk. An express mechanic's lien is hereby acknowledged on same vehicle to secure the amount of repairs thereto. I further agree that you will not be held responsible for damage or loss to vehicle or articles left in vehicle in the event of fire, theft or any other cause beyond our control. If I cancel repairs prior to their completion for any reason, a tear down and reassembly fee of \$ will be applied.

X DATE:

COMMENTS:	PARTS: \$4,442.70
	LABOR: \$800.00
	SUBLET/OTHER: \$1,604.00
	**SHOP SUPPLIES: \$50.00
	***FEES:
** This charge represents costs and profits to the motor vehicle	SUBTOTAL: \$6,896.70
repair facility for miscellaneous shop supplies or waste disposal.	SALES TAX:
*** FS401 /18 mandates a \$1.00 fee for each new tire sold in	
the State of Florida. *** FS' J.7165 mandates a \$1.50 fee for	
each new or remanufactured battery sold in the State of Florida.	TOTAL: \$6,896.70

Agosha, R

TAMPA FL 335
SAINT PETERSBURG FL
31 OCT 2017 PM 8 L



NHTSA
1200 New Jersey Ave, SE
West Building
Washington, DC 20590

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