State of Wisconsin
Governor Scott Walker

JUL 10 2018

Department of Agriculture, Trade and Consumer Protection
Sheila E. Harsdorf, Secretary

CL-11096613-6820

June 25, 2018

[redacted]
Kenosha WI [redacted]

INFORMATION REDACTED PURSUANT TOTHE FREEDOM OF INFORMATION ACT (FOIA), 5 U.S.C.552(B)(6)

RE: File [redacted] (Refer to this number when contacting our agency)
KIA Motors America Inc
PO Box 52410
Irvine CA 92619-2410

Dear [redacted]

Thank you for submitting your complaint about KIA Motors America Inc.

The laws dealing with this issue are enforced by the agency listed below, so we are forwarding your complaint directly to them:

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
US DEPARTMENT OF TRANSPORTATION
WEST BUILDING
1200 NEW JERSEY AVE SE
WASHINGTON DC.20590

Telephone: 888-327-4236 or 202 366-0123
Website: www.nhtsa.dot.gov

You may contact them directly for information about your complaint.

Sincerely,

COPY

Kathi L. Ashmore
Consumer Protection Investigator
Mediation Unit
Bureau of Consumer Protection
Email: Kathi.ashmore@wisconsin.gov
www.facebook.com/wiconsumer

NAM
7-19-18
ND

STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

BRAD D. SCHIMEL
ATTORNEY GENERAL

Paul W. Connell
Deputy Attorney General

Delanie M. Breuer
Chief of Staff

WDATCP

JUN 21 2018

Division of Trade & Consumer Protection
Madison, WI

17 W. Main Street
P.O. Box 7857
Madison, WI 53707-7857
www.doj.state.wi.us

David Ghilardi
Consumer Protection Unit
608-266-5410
608-266-2250 (FAX)

June 20, 2018

[redacted]
Kenosha, WI [redacted]

Re: TM # [redacted]

Dear [redacted]

Thank you for contacting the Wisconsin Department of Justice concerning your complaint. We are sorry to hear of the difficulties you are having, and we appreciate you taking the time to bring your concerns to our attention.

Under Wisconsin law, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is the state agency with the primary authority to conduct initial reviews and subsequent investigations of consumer complaints like yours. Consequently, your correspondence has been forwarded to DATCP and they will attempt to assist you in resolving your complaint. Should DATCP, after an investigation, determine that an enforcement action in court might be warranted, it can refer the matter back to our office for possible litigation.

If you have other questions or further information that could assist DATCP as it reviews your complaint, please feel free to call DATCP at 1-800-422-7128 (toll-free in Wisconsin) or 1-608-224-4953 (from out-of-state). Make sure to notify DATCP if your address or phone number changes. Correspondence can be mailed to:

Wisconsin Department of Agriculture, Trade and Consumer Protection
2811 Agriculture Drive
P.O. Box 8911
Madison, WI 53708-8911

We hope that your complaint gets resolved to your satisfaction.

Sincerely,

David J. Ghilardi
Consumer Protection and Antitrust Unit
Wisconsin Department of Justice

cc: Wisconsin Department of Agriculture, Trade and Consumer Protection

Burr, Barbara A.

From: DOJ - Webmaster
Sent: Thursday, May 31, 2018 8:13 PM
To: Schimel, Brad (Alternative)
Subject: Contact the Attorney General's Office

Submitted on Thursday, May 31, 2018 - 20:12

Submitted values are:

First Name: [redacted]
Last Name: [redacted]
Street Address: [redacted]
Street Address 2:
City: Kenosha
State: Wisconsin
Zip Code: [redacted]
Country: United States
Daytime Phone: [redacted]
Email Address: [redacted]
Type Your Message:
Hello,

On May 14th I was drinking on I94 when my engine exploded and dark smoke blurred my vision. My Kia 2012 Soul completely stopped working on the highway and I could have been killed. A semi truck was behind and next to me and the highway was under construction with no where to pull off the road to safety.
By the grace of God I safely coasted to the next exit about a mile and half away and got off highway when I braked and my car died there. I was told I had catostrophic engine failure from the dealership. My engine failed me and it is very unsafe. Kia has had some recalls and class action law suits for the same problem happening with other models and years but not mine. Kia corporate has launched an investigation but no one will return my phone calls and I need help. Kia needs to issue a recall to avoid accidents and possible deaths. Please help me keep our roads and citizens safe. Thank you

General Consumer Complaint

Your Information

First Name	[redacted]
Last Name	[redacted]
Address Line 1	[redacted]
City	Kenosha
State	WI
Zip	[redacted]
Cell Phone	[redacted]
Email	[redacted]

Phone me between 8-4 at	Cell
Best time to call	

Information about the person or business your complaint is against:

Business Name	Kia North America- Palmen
Business Phone	(949)430-3321

Name of the person you talked to	Gus
Title of the person you talked to	Escalation Dept.

Your Complaint

I am an owner of a 2012 Kia Soul whose engine exploded on the highway going 60 miles per hour and I almost died. This happened on May 14, 2016. My engine exploded, smoke blurred my vision and my car stopped working going 60 miles per hour on I94 which is under conctruction, down to two lanes with nowhere to pull over and a semi was behind me. If I would have put my foot on the brake my car would have stopped right there and I would have been killed. By the grace of God I safety coasted off the highway to the next exit where I braked and my car stopped. I needed help moving to safety. Called for a tow to Palmen Kia of Kenosha where I purchased and regularly maintained my vehile for them to tell me I had Catostrophic Engine Failure and I was responsible to pay for it. MY engine failed me and it?s my responsibility? I did research to find out that I have Catastrophic Engine Failure like hundreds of thousands of other Kia owners with the same problem. There are recalls and class action law suits out but not for my type of engine yet which is a 1.6L engine. Kia makes an inherit design flaw engine that is blowing up on consumers while they are driving and doing nothing about it to keep people safe. How can they get away with selling hundreds of thousands of cars that are doing this? How many people have been killed or injured because of there negligence? Kia needs to issue a recall to help save people lives. No one from Corp. called me back for over a month. Gus in the Escalation dept. was out of town and left a number for Samuel to call which I did and they offered me 25 percent off the repair costs. I will not spend any money to purchase another engine that could explode. I do not want my car and I need help. I have left multiple messages and requests for a supervisor to call me at Kia Corp for over a month and no one will help me. Palmen Kia wants to take away the courtesy car they have let me use during the investigation and leave me without a car. I am very upset and I know that many other people are affected by this and something need to be done. Kia does not care about

there customers or the safety of anyone. I have much more proof if need be of all the same problems happening with their cars. Please help me and help keep our roads safe. This happened without any warning and I?m suffering post trauma from it.

Information About Your Complaint

Details about the Incident

Which of the following best describes your first contact with the business?*	I Telephoned the Business
If other, describe the other method of contact.	
If printed ad, when was it printed?	
If printed ad, where was it printed?	
When did the first contact occur?	05/14/2018
How old is the person who had contact with the business?	18 - 61
What product or service did you buy?	Car
Was it advertised?	
Date advertised?	
Where advertised?	
Did you sign a contract / agreement?	
Date Contract Signed	
Number on Contract, Policy or Receipt	
Where were you when you signed the contract?	

Payment Information

Amount Paid	
Payment Method	
Description of Payment Method (if "Other")	
Where did you pay the business?	
Description of Payment Location	

Interactions with the Business

Did you contact the business about your complaint?	Yes
When did you contact the business?	05/14/2018
What happened when you contacted the business?	Wanted me to pay for Catastrophic Engine Failure the. I contacted Kia Corp who launched and investigation

Resolution Information

Have you filed this complaint with another agency?	Yes
Agency name	NHTSA, FTC, STATES ATTORNEY
What happened when you contacted the other agency?	Filed a complaint
Have you contacted a private attorney?	Yes
Have you started court action?	No

Ashmore, Kathi L - DATCP

From: [redacted]
Sent: Monday, June 25, 2018 1:31 PM
To: DATCP Hotline
Subject: Case number [redacted]

Hello,

I filed a complaint today and realized that there was a typo in my description text. This happened on May 14, 2018 of this year not in 2016. Please revise Sorry and thank you.

[redacted]

Ashmore, Kathi L - DATCP

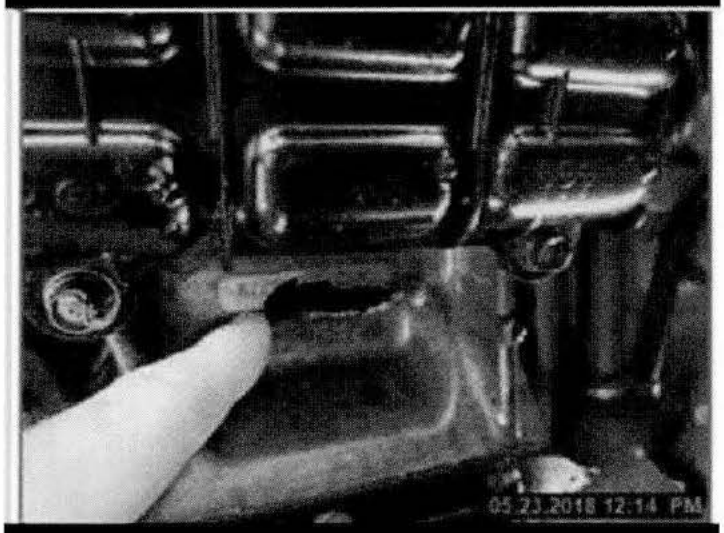
From: [redacted]
Sent: Monday, June 25, 2018 10:20 AM
To: DATCP Hotline
Subject: Case number more info[redacted]
Attachments: IMG_6198.PNG; ATT00001.txt; IMG_6199.PNG; ATT00002.txt; IMG_6200.PNG; ATT00003.txt; IMG_6201.PNG; ATT00004.txt; IMG_6202.PNG; ATT00005.txt; IMG_6203.PNG; ATT00006.txt; IMG_6204.PNG; ATT00007.txt; IMG_6205.PNG; ATT00008.txt; IMG_6206.PNG; ATT00009.txt; IMG_6207.PNG; ATT00010.txt

Below are more proof of my case. The hole in my engine cause while driving 60 miles per hour due to Kias inherit engine design flaw. Pics of where on the highway this happened and how dangerous the situation was. Causation lights on my car. Complaint to NHTSA, my insurance company admitting a mechanical failure after investigating, And info from the prior class action lawsuits with other Kia make and models for same problem that happens with my car. Kia need to issue recall for my engine as well to help save lives and for safety. Kia Engine Failure Facebook page because of how common this problem is with no help form Kia for their consumers.

Please let me know if you need anything else. I have much more more. Please help.

Thank you,
[redacted]

[redacted]



[redacted]

2. Plaintiff's claims arise from Defendants' defective design of 2.0-liter GDI turbo-charged engines and 2.4-liter GDI engines (the "Theta II" engines, defined below) found in certain model year 2011 through 2016 Kia and Hyundai vehicles (the "Class Vehicles" defined below).[1]

3. Each of the Class Vehicles are equipped with a Theta II engine. For the reasons stated below, the Theta II engines are defectively designed (the "Engine Defect" or "Defective Engine") and the Engine Defect is common to all Class Vehicles.

4. Despite their longstanding knowledge, Defendants failed to disclose to Plaintiff and similarly situated consumers that the Engine Defect can result in restricted engine lubrication, including oil flow to connecting rod bearings, as well as to other vital areas of the engine. This defect can cause the Theta II engines to lose power, make noise, develop engine knock, misfire and/or stall.

5. Significantly, restricted oil flow within the engines poses a safety risk to the operator and passengers of the Class Vehicles. The failure to have sufficient engine lubrication can ultimately result in complete and catastrophic engine failure while the Class Vehicles are in operation at any time and under any driving conditions or speed. This exposes the driver and occupants of the Class Vehicles, as well as others who share the road with them, to an increased risk of accident, injury, or death. As discussed further herein, numerous owners and lessees of the Class Vehicles have experienced engine damage and catastrophic failure while operating Class Vehicles, thus placing themselves and those around them in immediate danger.

[1] Class Vehicles are defined to include Kia and Hyundai vehicles incorporating the Theta II engine that have not yet been recalled for the Engine Defect alleged herein based on currently available information. However, Plaintiff reserves the right to amend or add to the vehicle models and model years included in the definition of Class Vehicles after conducting discovery.

Notes 3:20 PM 36%
classaction.org

2. Plaintiff's claims arise from Defendants' defective design of 2.0-liter GDI turbo-charged engines and 2.4-liter GDI engines (the "Theta II" engines, defined below) found in certain model year 2011 through 2016 Kia and Hyundai vehicles (the "Class Vehicles" defined below).[1]

3. Each of the Class Vehicles are equipped with a Theta II engine. For the reasons stated below, the Theta II engines are defectively designed (the "Engine Defect" or "Defective Engine") and the Engine Defect is common to all Class Vehicles.

4. Despite their longstanding knowledge, Defendants failed to disclose to Plaintiff and similarly situated consumers that the Engine Defect can result in restricted engine lubrication, including oil flow to connecting rod bearings, as well as to other vital areas of the engine. This defect can cause the Theta II engines to lose power, make noise, develop engine knock, misfire and/or stall.

5. Significantly, restricted oil flow within the engines poses a safety risk to the operator and passengers of the Class Vehicles. The failure to have sufficient engine lubrication can ultimately result in complete and catastrophic engine failure while the Class Vehicles are in operation at any time and under any driving conditions or speed. This exposes the driver and occupants of the Class Vehicles, as well as others who share the road with them, to an increased risk of accident, injury, or death. As discussed further herein, numerous owners and lessees of the Class Vehicles have experienced engine damage and catastrophic failure while operating Class Vehicles, thus placing themselves and those around them in immediate danger.

[1] Class Vehicles are defined to include Kia and Hyundai vehicles incorporating the Theta II engine that have not yet been recalled for the Engine Defect alleged herein based on currently available information. However, Plaintiff reserves the right to amend or add to the vehicle models and model years included in the definition of Class Vehicles after conducting discovery.

6. Defendants have long been aware of the defect described herein. Yet, Defendants have routinely refused to repair the Class Vehicles without charge when the defect manifests. Indeed, in many cases Defendants have even refused to disclose the existence of the defect when Class Vehicles displaying symptoms consistent with the defect are brought in for service, instead choosing to ignore the defect until it has caused significant mechanical problems necessitating

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Indeed, in many cases Defendants have even refused to disclose the existence of the defect when

3 of 45

'splaying symptoms consistent with the defect are brought in for service, instead e the defect until it has caused significant mechanical problems necessitating costly repairs.

7. Not only did Defendants actively conceal the fact that particular components within the Class Vehicles' engines are prone to failure, they did not reveal that the existence of the defect would diminish the intrinsic and resale value of the Class Vehicles and lead to the safety concerns described herein.

8. Many other owners and lessees of the Class Vehicles have communicated with Defendants and/or their agents to request that Defendants remedy and/or address the Engine Defect and/or resultant damage at Defendants' expense. However, Defendants have routinely failed to do so even within the warranty period, often blaming the owners for failing to properly maintain the vehicle rather than admit that the engine's failure is the result of Defendants' own misconduct.

9. Defendants have also refused to take any action to correct this concealed Engine Defect when it manifests in the Class Vehicles outside of the warranty period. Because the Engine Defect can manifest shortly outside of the warranty period for the Class Vehicles – and given Defendants' knowledge of this concealed, safety related Engine Defect – Defendants' attempt to limit the warranty with respect to the Engine Defect is unconscionable and unenforceable.

10. Despite notice and knowledge of the Engine Defect from the numerous complaints they have received, information received from dealers, National Highway Traffic Safety Administration ("NHTSA") complaints, and their own internal records, including durability testing, Defendants have not recalled the Class Vehicles to repair the Engine Defect, offered their customers suitable repairs or replacements free of charge, offered to reimburse their customers who have incurred out-of-pocket expenses to repair the Engine Defect, or offered to reimburse many customers for the fact that the Engine Defect has diminished the intrinsic value of the Class Vehicles.

Kia Engine Failure
December 15, 2016 · Doylestown, PA ·

This page is for anyone experiencing engine failure in a Kia. There are many cars that Kia makes that have been proven to have faulty equipment including the entire engine. Kia has admitted to these problems but will not admit to the full scale of the problem. Even after a class action suit was dropped by McCune Wright Arevalo Attorneys at Law because Kia had agreed to repair affected cars, they have still denied hundreds or thousands of people help as agreed,

WE ARE NOT LOOKING FOR MONEY, WE WANT THEM TO DO THE RIGHT THING. STAND BEHIND THEIR PRODUCT, KEEP THEIR WORD AND FIX THEIR PRODUCT. THIS IS AN ISSUE OF PEOPLE BEING TAKEN ADVANTAGE OF BY A BIG CORPORATION. IT IS ALSO A SAFETY ISSUE, many of the vehicles have experience sudden complete failure travelling on highways with entire families occupying the car.

PLEASE JOIN THIS PAGE AND SHARE WITH ALL YOUR FRIENDS, SHARE YOUR EXPERIENCE AND HELP US HELP PEOPLE THAT ARE BEING TAKEN

How do you feel this complaint should be resolved?*	My car need to be taken care of by Kia and traded in for a different make and model or paid out the blue book value. A recall need to be put into affect immediately

partment of Agriculture,
ade and Consumer Protection

1 Agriculture Drive
Box 8911
dison WI 53708-8911

[redacted]

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