NHTSA ccmMercury Routing Slip

Printed: 9/20/2018

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

CL-1109060013-9649

NHTSA #: ES18-003462 | Rec'd Date: 9/19/2018 | Referred By: NAD-200
XREF #: | Doc Type: CGA | Doc Date: 9/18/2018
Delivery: S10 E-MAIL | Address To: NOA-02 | **Due Date: 10/18/2018**

S10 #: | DOT/I #: I1-180919-002 | RMP #:

Subject: LETTER FROM SENATOR BALDWIN ON BEHALF OF CONSTITUENT [redacted] IN REGARDS TO SAFETY CONCERNS WITH HER 2012 KIA SOUL.

Ack Date: | Ack By:
Sign Office: DIRECTOR, GOVERNMENTAL AFFAIRS | Signature: BRIAN BARNARD | Signed For:
Cleared Date: | Cleared By: | Cleared For:
File Loc: | XREF File: | **Closed Date:**
Added By: RBRANSOM x63756 | Modified By: Rhonda.Bransom

Most Recent Comment:

Author:

THE HONORABLE TAMMY BALDWIN
UNITED STATES SENATE
30 WEST MIFFLIN STREET SUITE 700
MADISON, WI 53703
Tel: 608-264-5653 Fax: *E-mail:*

Assigned To	Task	Asgn Date	Deadline	Returned Date
NEF-010	REPLY	9/20/2018	10/18/2018	
NGA-010	SIGN	9/20/2018		

RR
9.21.18
LD

TAMMY BALDWIN
WISCONSIN

COMMITTEES:
APPROPRIATIONS
COMMERCE
HEALTH, EDUCATION, LABOR, AND PENSIONS

United States Senate

WASHINGTON, DC 20510

September 18, 2018

Mr. Sean McMaster
Assistant Secretary for Government Affairs
US Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Dear Mr. McMaster:

I am writing on behalf of my constituent, [redacted] owner of Kenosha, Wisconsin regarding her safety concerns with her 2012 Kia Soul, VIN # KNDJT2A58C[redacted]

According to [redacted] she has contacted many state and federal agencies regarding her safety concerns with her vehicle. She states, her make and model had a catastrophic engine failure when she was on the highway, which almost resulted in great injury to herself. Kia has refused to compensate her for a vehicle she no longer can drive. [redacted] requests the U.S. Department of Transportation issue a recall on Kia Souls and assist her with receiving compensation from Kia Motor Corporation.

Thank you in advance for your full and fair consideration o[redacted]ase, consistent with federal laws and agency regulations. Please forward your response to my district office in Madison (30 W. Mifflin St., Suite 700, Madison, Wisconsin 53703). I have enclosed all documents received by [redacted] Feel free to contact Mr. Jon Wachter of my staff at (608) 264-5653 should you have any questions regarding this request.

Sincerely,

Tammy Baldwin
United States Senator

11-180919-002

ES18-003462

SEP 17 REC'D

UNITED STATES SENATOR TAMMY BALDWIN
PRIVACY ACT RELEASE FORM

Name: (circle one) Mr./Ms. (Mrs.) [redacted] Date of Birth: [redacted]

Home address: [redacted]

City: Kenosha State: WI Zip code: [redacted]

Phone Number: (H): [redacted] (C): [redacted]

Email: [redacted] Social Security #: [redacted]

If applicable, please provide me with the following information: VIN # KNDJT2A58C [redacted]

Federal Agency Involved: (DATAP) (Dept. of JUSTICE) (safecar.gov) (FTC) (States attorney)
Alien Registration #: _____ USCIS Case #: _____
OPM CSA #: _____ OWCP claim #: _____
Veteran's Claim #: _____ Rank: _____
Branch of Service: _____

Are you working with another federal elected official on this concern? Yes X No _____
If Yes, who? Robert W. Wirch

You must provide a summary of your problem/concern below. Please feel free to attach copies of relevant supporting documents or a longer statement of your concern. (Documents attached)

my 2012 kia Sou had Catastrophic engine failure while driving 60mph on highway, I almost died. kia has recalled 1.5 million cars for this problem but not my make & model. I have been urging NHTA and others for recall - meanwhile more kia Sedans are blowing up People will get killed if nothing is done. I am still making monthly payments on car that doesn't work. kia Corp won't help - I want to be compensated for price of my car $16,995 and be free from kia & its wories. Need help for me & others safety.

I hereby authorize the Senator and her staff access to any and all of my records that relate to the information stated above.

Signature [redacted] Date: 9-13-18

US Senator Tammy Baldwin
30 W. Mifflin Street, Suite 700
Madison, WI 53703
608-264-5473 fax

US Senator Tammy Baldwin
633 W. Wisconsin Ave., Suite 1920
Milwaukee, WI 53203
414-297-4455 fax

I1-180919-002

State of Wisconsin
Governor Scott Walker

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

June 25, 2018

[redacted]
Kenosha WI [redacted]

RE: File 84164 (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,

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

AT&T 10:04 AM 58%

mydatcp.wi.gov

Wisconsin Department of Agriculture, Trade and Consumer Protection

General Consumer Complaint

Complaint Submitted

Thank you. Your complaint has been successfully submitted.

Please print this page for your records. You may return to the Complaint page to check the Complaint Status using the Complaint PIN below.

General Consumer Complaint

Complaint PIN: [redacted]

Your Information

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

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, 2018. My engine exploded, smoke blurred my vision and my car stopped working going 60 miles per hour on I94 which is under construction, 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 safely 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.

AT&T 10:04 AM 58% mydatcp.wi.gov

Wisconsin Department of Agriculture, Trade and Consumer Protection

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

Your Complaint

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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

STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

BRAD D. SCHIMEL
ATTORNEY GENERAL

Paul W. Connell
Deputy Attorney General

Delanie M. Breuer
Chief of Staff

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

AT&T 6:40 PM 41%

about:blank

safercar.gov

Print page for your Records PRINT

Complaint Number: 11098613

Vehicle Identification Number: KNDJT2A58C7[redacted]

Your Vehicle's Make Model and Model Year: KIA SOUL 2012

note: Your VIN, make, model, and year are all protected under the Privacy Act.

What part of your car was affected? Elec. Stability Control, Electrical, Engine

What happened?
Was driving on the express way behind a semi. When the semi got over in the right lane I accelerated and here a loud bang and dark smoke started coming from my engine. It smelled often and impaired my vision. Several of my coworkers got terminated and I was stuck at 60 mph my car would not accelerate and stopped working. I got over in the right lane safely and coasted for about a mile and a half to the nearest exit. Something told me to not put your foot on the brakes or you will be in serious trouble. As I got of the exit I started to brake and my car stopped and died,all was flashing out and nothing was working. I had to get people to push me off to the side of the road and get a tow to the dealership. They told me I had catastrophic engine failure. So my engine failed me and I could have been killed. I did research and there have been many Kia's with recall and very similar situations as mine but not with my model car. I am sure this is a manufactures error and I pray Kia does a recall to protect people's lives.

When did this happen? 05/14/2018

Was there a Crash? No

Was there a Fire? No

Was there an injury or fatality? No

How fast were you going? (in mph) 60

About how many miles were on your vehicle at the time of the incident? 61000

First Name[redacted]

Last Name[redacted]

Email:[redacted]

Address[redacted]

Address 2:

City: Kenosha

State : WISCONSIN

ZIP Code:[redacted]

Phone[redacted] xt. :

Alt. Phone:

[redacted]

1200 New Jersey Avenue, SE, West Building Washington DC 20590 USA 1.888.327.4236 TTY 1.800.424.9153

autosafety.org Share

Sign the Center for Auto Safety's petition to tell the DOT and NHTSA to regulate unsafe driverless cars. Click here.

The Center for Auto Safety

PETITION FOR SAFE AUTONOMOUS VEHICLES

[redacted] August 22, 2018
Auto Defects 18 Views

Sign the Center for Auto Safety's petition to tell the National Highway Traffic Safety Administration and the Department of Transportation to take action and put rules into place to prevent the deployment of unsafe driverless cars.

Thank you for supporting the petition!

The Center for Auto Safety .....

The Center for Auto Safety

Your Independent Voice for Auto Safety, Quality, & Fuel Economy
1825 Connecticut Ave NW Suite 330 Washington DC 20009
www.autosafety.org

June 11, 2018

Kia Souls need to be added to Recall

Administrator
c/o Deputy Administrator Heidi King
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE, West Building
Washington, D.C. 20590

PETITION FOR DEFECT INVESTIGATION

Deputy Administrator King:

In accordance with 49 U.S.C. 30162 and 49 C.F.R § 552.1, the Center for Auto Safety (Center), on behalf of its members who own and share the road with 2011-2014 Kia Optima, Sorento, and Hyundai Sonata and Santa Fe vehicles, hereby petitions the National Highway Traffic Safety Administration (NHTSA) to initiate a safety defect investigation into the excessi number of non-collision related fires that the owners and operators of these vehicles suffer as compared to similar class and model year vehicles from other manufacturers. If the investigati concludes that these vehicles contain a "defect that relates to motor vehicle safety," because of the deadly potential of car fires, such a defect would be an unreasonable risk to the public and NHTSA should issue a recall order pursuant to 49 U.S.C. §§ 30118(b), 30119, and 30120 for a 2011-2014 Kia Optima, Sorento, and Hyundai Sonata and Santa Fe vehicles.

Complaints submitted to NHTSA via Vehicle Owner Questionnaire (VOQ), and to othe sources, reveal a frighteningly large number of these vehicles manufactured at the same time catching on fire. In NHTSA's VOQ database alone, at least 120 owners have reported that thei 2011-2014 Optima, Sorento, Sonata, or Santa Fe caught fire without a preceding collision.[1] There are also 229 separate complaints regarding melted wires in the engine bay, smoke, and burning odors, indicating potential fires.[2] The vast majority of complaints which discuss the origins of the vehicle fires state that smoke and/or flames are first seen emanating from the engine bay, then the car is quickly engulfed.

[1] See Exhibit A, "2011-14 Hyundai Kia Fire Complaints," containing NHTSA complaint data on these vehicles. Excel spreadsheet available for download via the following link: http://www.autosafety.org/wp-content/uploads/2018/06/2011-14-Hyundai-Kia-Fire-Complaints-FINAL.xlsx

[2] See Exhibit B, "2011-14 Hyundai Kia Fire Concern Complaints," containing NHTSA complaint data on these vehicles. Excel spreadsheet available for download via the following link: http://www.autosafety.org/wp-content/uploads/2018/06/2011-14-Hyundai-Kia-Fire-Concern-Complaints-FINAL.xlsx

Reply all | Delete Junk | ...

Please print 1 copy for [redacted]

[redacted] Reply all |

Today, 11:55 AM

ods06358cpc

My Complete Timeline Summmary

Inbox

This item will expire in 30 days. To keep this item longer, apply a different label.

Label: 30 days Delete CPC mailbox (1 month) Expires: 10/13/2018 11:55 AM

I have a 2012 Kia Soul with 82000 miles on it

5-14-18 Driving on Interstate Highway 94 in Wisconsin going 60 miles per hour and engine explodes. Highway was under construction, down to two lanes and had no where to pull over. Loud noise, dark smoke impaired my vision and car stopped working. Caution lights came on and car would not accelerate. Coasted on highway for about a mile and a half until next exit. Got off highway and stopped car where it died. Oil leaking out everywhere. Construction workers helped me move car to a safer spot off the road. Called and Kia road side assistance picked me and car up and towed to Palmen Kia in Kenosha were I purchased the car 3 years ago. I had to pay $93 for tow.

5-14-18 Scott Hoak at Kia Palmen in Kenosha WI
262-925-5169
Told me I had Catastrophic Engine Failure and I was responsible to pay for it. Gave me a rent a car for a day on Kia but would have to work out something for the rest of the time or $30 per day my responsibility.

5-14-18 Came home did research come to find out Kia has multiple recalls for this same problem but not on my model or year. Many complaints and class action lawsuits filed so this is no doubt a manufactures error and Kia is responsible.
Link below has multiple articles relating this: [redacted]

5-14-18 Spoke to Morgan at Kia Corporate 855-454-2847 explained what happened and she gave me a case number 12723910. Told me someone would contact me in 2-3 business days.

May 15, 2018- Contacted insurance company tYhe General to see what need to be done

May 16, 2018- Gus from the Kia Escalation department called me and I told him what happened. He said that he would call the dealership and launch an investigation and should get back to me in a day or two. Also told me he would speak to the dealership and tell them that while they were doing their investigation they would take care of the car rental for me. I have left him a voicemail on May 20th and May 29th with no response. 949-430-3321

Reply all | Delete Junk | •••

of what happened to me and urging a Kia recall

May 17th-Scott Hoak at Kia Palmen in Kenosha WI 262-925-5169 called me to tell me they had a used engine they could install in my car for a cheaper price than a new one. I said I won't pay for anything and called Corp. which is doing an investigation.

May 20, 2018 left Gus a message

On May 22nd I called Kia Corp. again and spoke to Roxanne At 2:45pm she claims notes say still under investigation and Gus will call when they know something.855-454-2847.

May 29, 2018 Scott Hoak at Kia Palmen in Kenosha WI 262-925-5169 called me to ask what was happening with my car. I told him that Kia Corp. is doing an investigation and I'm waiting to hear from them. He said he knew and sent them pictures and would try to get ahold of them.

May 29th left gus a message 11:37am

May 29, 2018 I called Kia Corp at 1pm and spoke to Jamie who told me it's still under investigation and that they got an alert from highway traffic about my complaint. She said she would send an alert to Gus or management and someone will return my call within 24 hours. No one has contacted me at all.

May 29- Kia story aired on Al Rojo Vivo con talk show host
Maria Celeste review about kias 5pm Florida- Telemundo

May 31, 2018- Spoke to Gaby Capiro at NBC6 and sent Kia story to me. Sasha the Editor called me and got my story. Sending her all my info. Sasha.jones@nbcuni.com
954-329-5436

May 31 2018- The General my insurance company sent me info about the appraisal

June 1, 2018- left Gus a message

June1, 2018 contacted Kia Corp- Spoke to Micah - Gus spoke with William from Kia dealership on the 16th for maintenance records on my car last update. No info fromDealership. Will try to get Gus or supervisor to contact me today

June 5, 2018- Sent Sasha at NBC6 all info will try to help me

June 6, 2018- contacted Kia dealership Scott is off, Spoke to William asked for all car paperwork from purchase date til present

June 6, 2018- contacted McCune Wright LAW 909-557-1250 Spoke to Christine transferred me to Todd left a message

June 6, 2018- Contacted and left message for Attorney General Consumer Protection 608-266-1221

June 6, 2018 10:15 am left message for Gus at Kia Corp.

Reply all | Delete Junk | •••

manager get ahold of Gus manager and someone to call me back within 48 hours

June 6th- District attorney employee Judy called me will send me a link to file a complaint. See what they can do to help and have paper on file as support

June 7th- Spoke to Todd at lawyers office. Case has been transferred to https://www.sauderschelkopf.com Matthew Schelkopf handling case still in litigation being bombarded. Called and left them a message 610-200-0583

June 7th- Left a message for Scott at Kia about paperwork request

June 7th- Scott returned call has service paperwork waiting on finance paperwork. Has not heard from Corp. and emailed his manager requesting update. Will keep me posted- Adam or Grip called from financing dept will get me all paperwork ask if I had extended warranty told them I took the warranty that was offered to me. Guy who sold me the car took a job elsewhere

June 7th- Did Vin recall search with no recalls

June 8th- Scott called gave me all my paperwork for my car and asked I turn in old rental car. No charge per Corp. and Gabe me new rental car. Told me his District rep Elise I believe is her name got an email from Ashley at corp. and said that the investigation is now on a National level. Will be in touch if we hear anything

June 11th- Left Gus a message 1:05pm

June 11th- called Kia corporate spoke to Micha- sent another request for call me back- said Gus is as far as it can go

June 11th- Left message and emailed https://www.sauderschelkopf.com 888-711-9975

June 11th - contacted and left message at Telemundo WI 414-281-1500
414-607-8177
414-777-5800
Fox News 414-214-3696- Marc and left message
WISN- 414-937-1212 pass details gave to Crystal
TMJ- 414-963-4444- Spoke to Sean Oflarity gave my info pass on to Eye team and call of action team

June 13- Lawyer Joe Kenny contacted me and discussed class action lawsuit and my story. SAUDER & Schelkopf Firm 610-200-0583

June 15th Casey Geraldo at WTMJ contacted me wants to interview me and send her all my info. Interview Thursday June21 at 10am casey.geraldo@tmj4.com. 414-254-8115 and 414-967-5333

June 15- Left Gus a message at Kia Corp. answering machine says he's out of town til June 25 and to contact Samuel Kim at 949-468-1194 left Samuel a message

June 15- Samuel called me back asked me questions will look into it and call me back Monday or Tuesday

Reply all | Delete Junk | ...

my car maintenance paperwork. Told him I've been spot on with oil changes and is waiting to see if we get a Goodwill repair or what to do next

June 19th- Samuel from Kia Corp left me a message that is working on it and needs more time and him or dealership will be in touch soon

June 20- Casey cancelled interview due to not hearing from my attorney

June 21- Samuel from Kia corp. called and said my car is not under warranty and will offer 25 percent off maintained fees. I told him to forget it

June 21- Scott from Kia called and left a message that said need to give my rent a car back

June 21-Contact lawyer Carly at 215-592-1500 regarding class action lawsuit- will call me back

June 21-called Kia Corp Spoke to Morgan said still under investigation and leave Gus a message requesting supervisor call me back that they monitor messages and will return my call- no one has called me

June 21- Left Scott a message telling him investigation is still open, lawyer advises not to return car until I talk to Gus

June 22- Got letter from Dept. Of Justice stating case is forwarded to DATCP- Dept. Agriculture, Trade & Consumer Protection

June 25- contacted DATCP Case [redacted] and case manager Kathi Ashmore Kathi.ashmore@wisconsin.gov reviewing case

June 25- Contacted NHTSA spoke to Bo reference [redacted] afercar.gov to add more info told me to contact states attorney and FTC

June 25- Filed Complaint with DATCP [redacted]
This is your PIN that you can use to check the complaint status: [redacted]
On Kia North America- Palmen

June 25- Filed complaint with FTC Spoke to Jo 877-382-4357 reference numbe [redacted]

June 25-Left a message with consumer protection office 800-998-0700

June 25- Left Gus a message at Kia Corp urging a call response

June 25- Called Kia Corp Spoke to Michael told us Case was transferred to Ashley Lewis 520-770-4738 left her a message urging a call

June 26- contacted Attorney James Payne 262-925-1395 waiting for call back

June 26- contacted Robson Forensics 800-813-6736 about Steven Becker expert witness spoke to Blake Preston $2750 with lawyer retainer fee or $5000 individual fee will email me and be in touch

Reply all | Delete Junk | ...

June 27- I left Ashley from Kia Corp a message

June 28- Spoke to attorney James Payne 262-925-1395 willing to help but thinks things are better with class action will reach out to me week of July 9th and I can also if I hear anything.

July 6th-dealership paperwork states check engine light at tone of purchase - was not disclosed to me- purge control may stall engine

July 18- I received this message It's Christie with a K is regional office I'm calling to inform you that I have received your escalated ___ um just wanted to contact you and give you my phone number um so that I can be reached at your earliest convenience my number is 800-333-4542 and I was calling in regards to your case which is 12723910 forward to hearing from you hope you have a great day..."also received an email from her

July 18- Contacted Joe Kenny gave us advice waiting for more info and complaints

July 18- Spoke to Jim 215-592-1500 then to Dan Levine Lawyer no more Carly can help us talk to Kia and get back to him will talk to his co council

July 19- sent Kristi at Kia Corp an email

July 31- tried to reach Kristi at Kia Corp

August 28-tried to reach Kristi would not go to extension sent me to Bill in customer service who said they closed my case after they attempted to reach me with no response- Reopened case because no resolution

August 28- emailed Kristin with return undeliverable email sent back to me

August 28- CONTACTED Kia on Facebook again and they responded rating someone will contact me

August 29-Left message for my senator

August 30- Steve from senators office called me back 608-266-5306 will reach senator Baldwin national level

August 31- Amber from Kia regional office called and left a message

August 31- called Amber her voicemail is full can't leave a message Spoke to Patrice at Kia Corp notated that I called her back

September 7- tried calling Amber message is full

September 8th- Received a letter form Senator Robert W. Wirch- Baldwin will help me

September 10 tried calling Amber message is full

Reply all | Delete Junk | •••

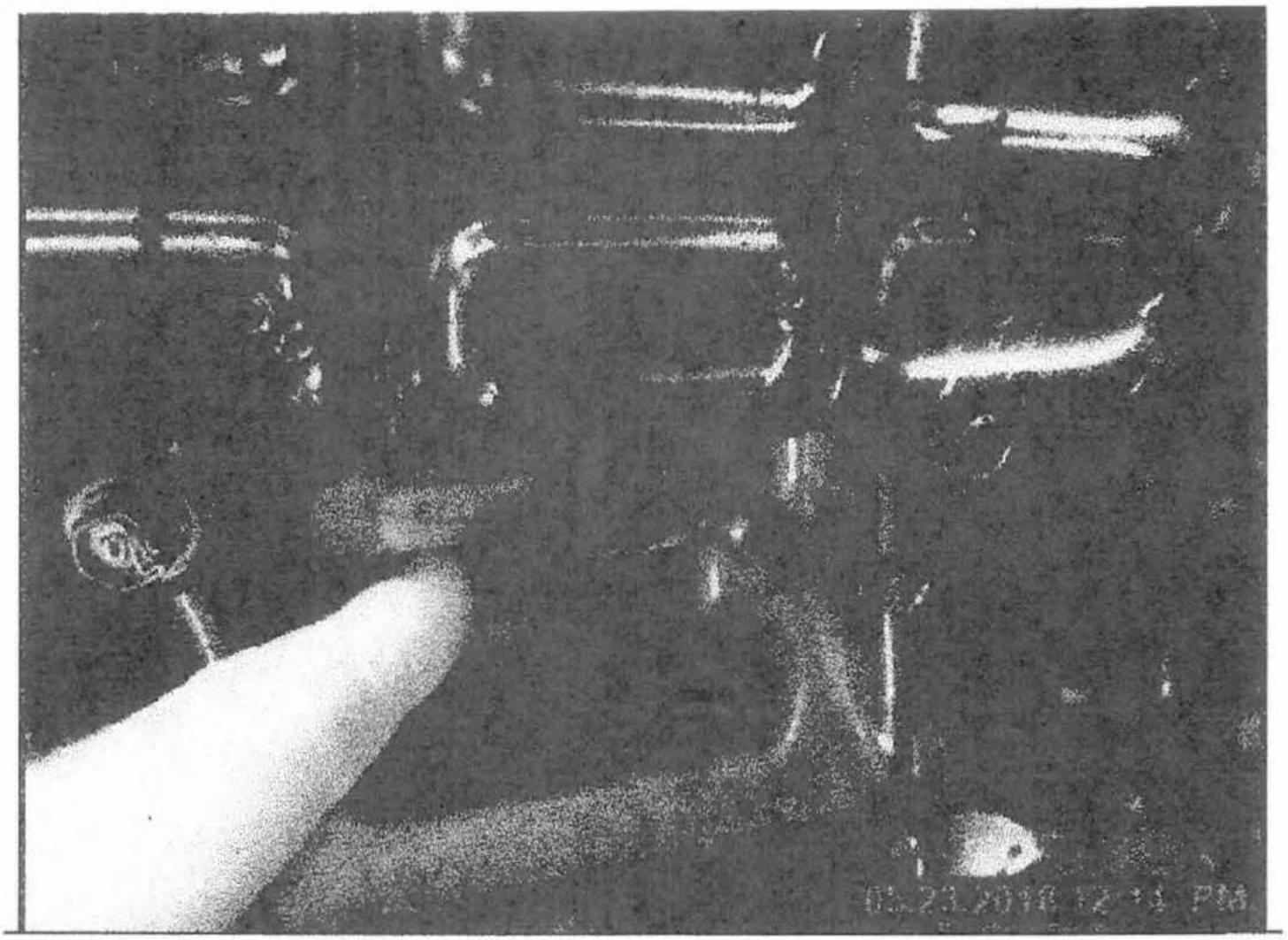
September 12- Received a letter from Senator Tammy Baldwin

September 13- Mail Info back to Senator Baldwin

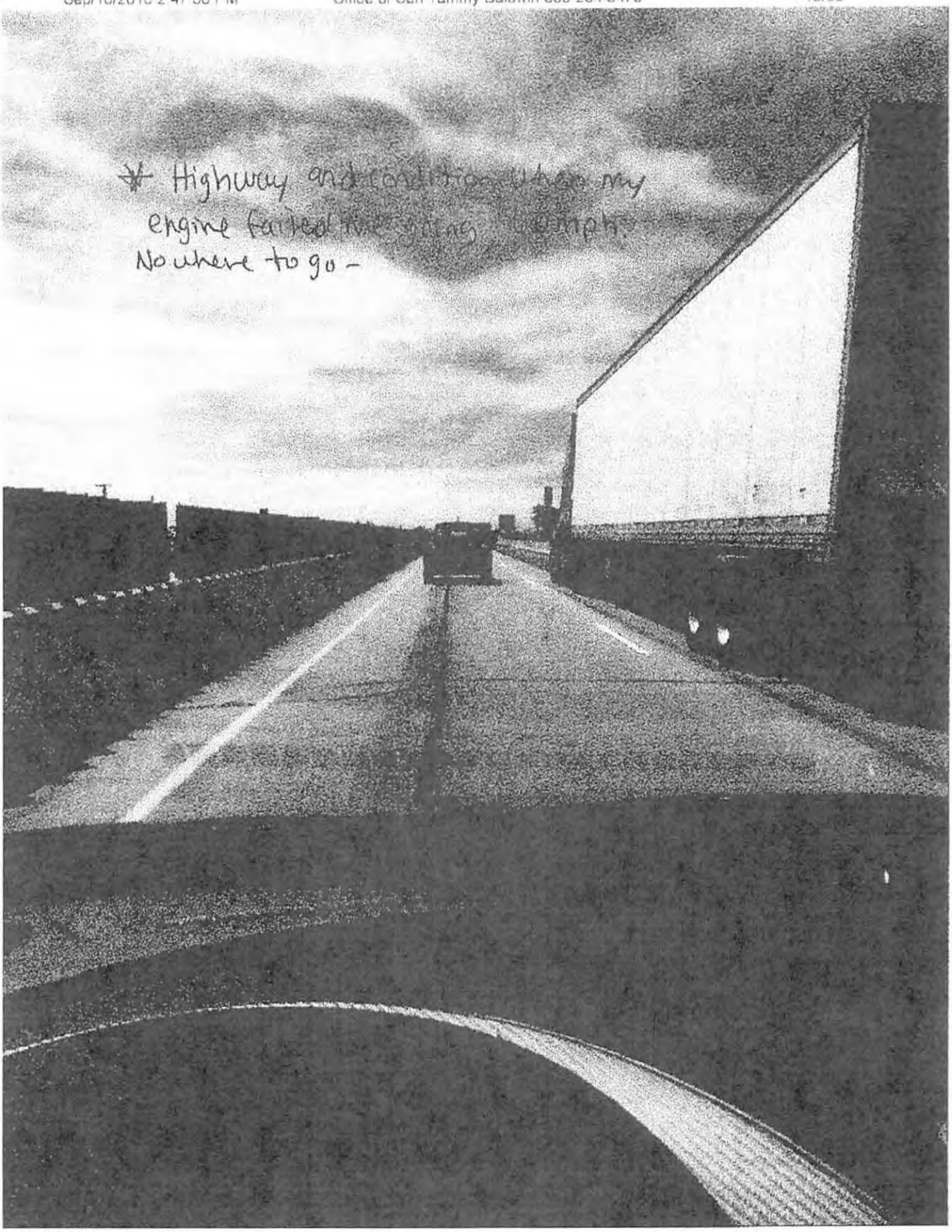
[redacted]

No one is assisting me to help save peoples lives and to get resolution. Kia Corp. does not care about the consumer. I need help and so do many other Kia owners. Thank you

Hole in my engine - picture taken by insurance company.

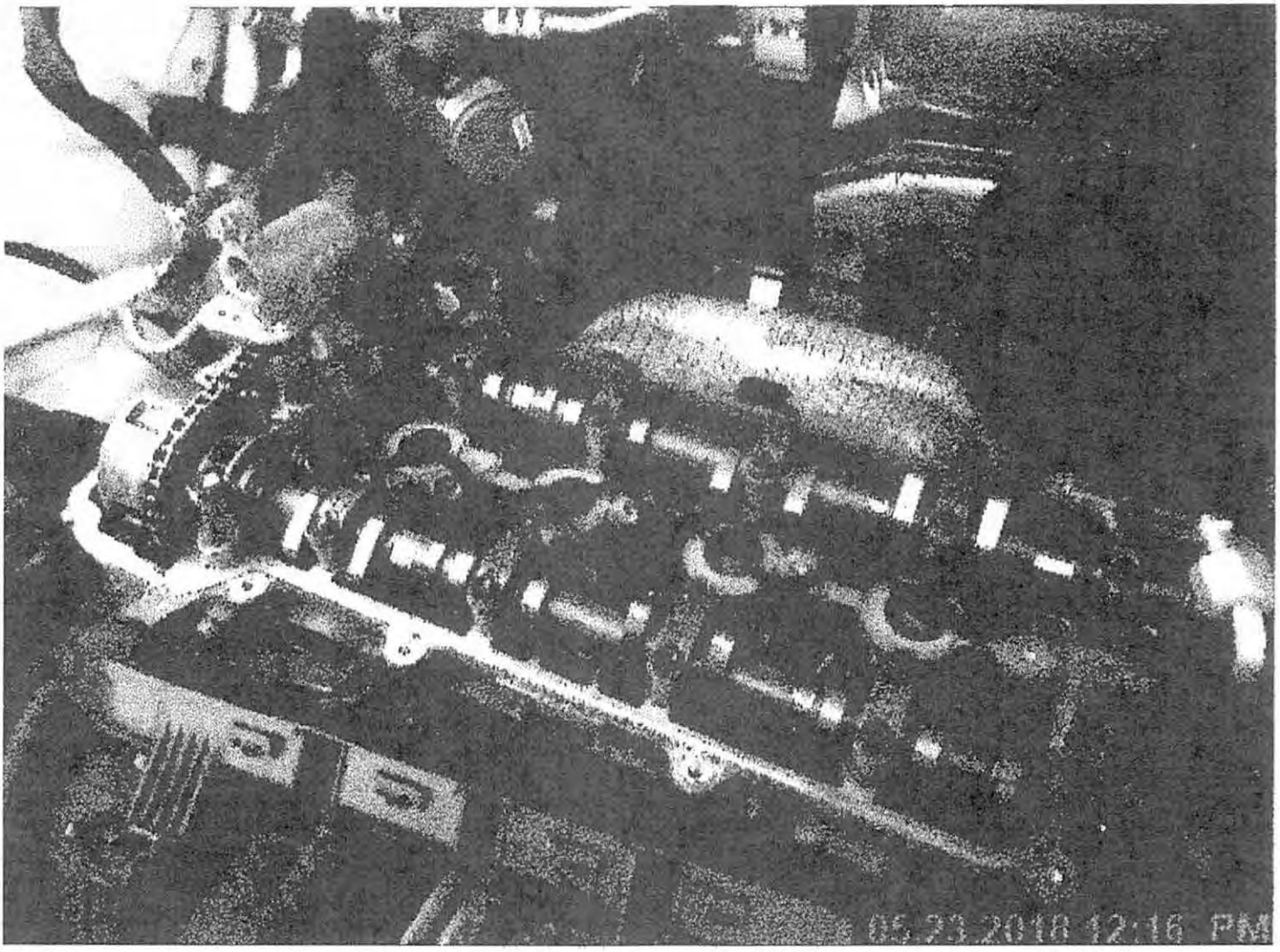


I1-180919-002



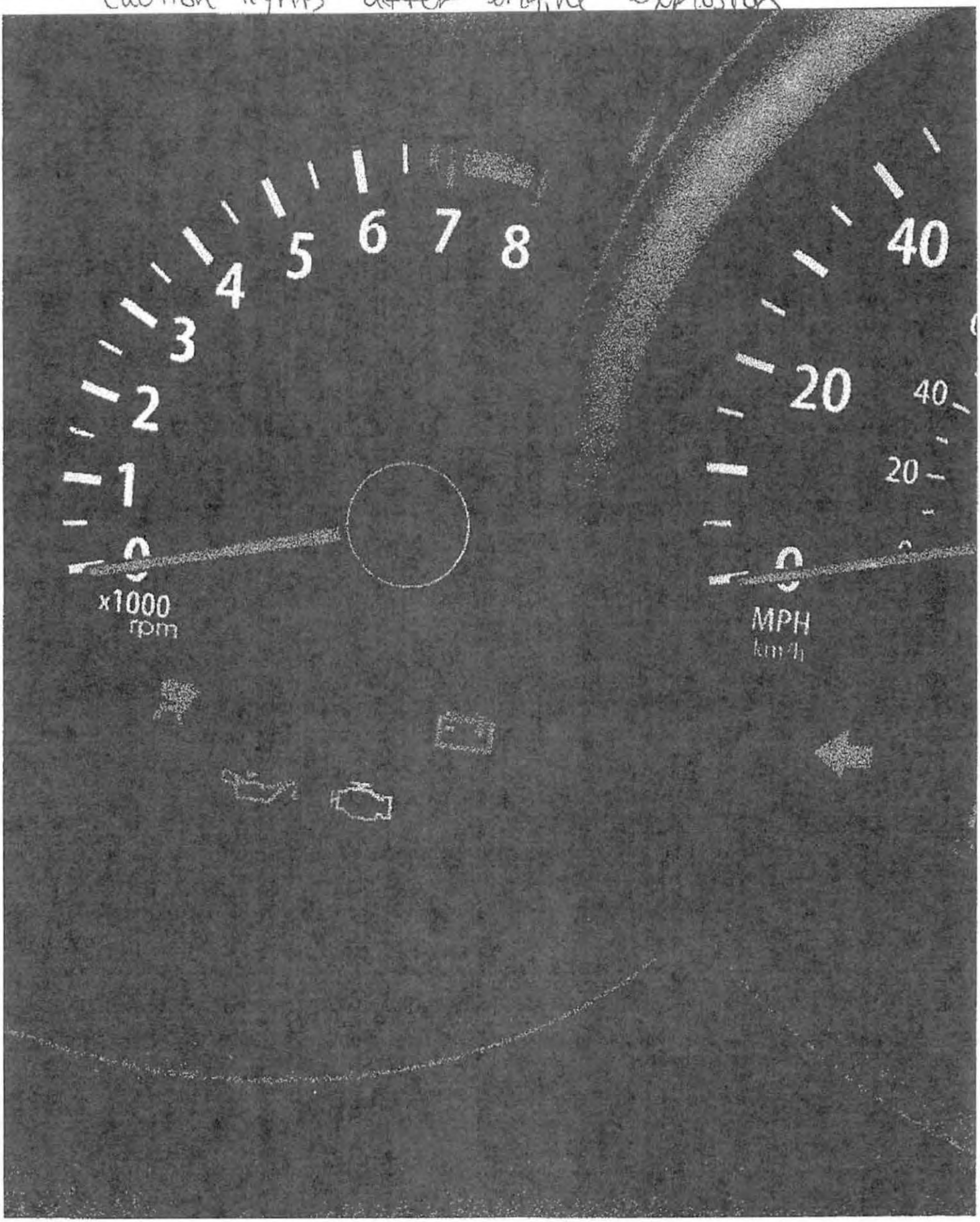
I1-180919-002

I1-180919-002



I1-180919-002

Caution lights after engine explosion



I1-180919-002

[redacted]

THE GENERAL INSURANCE

Permanent General Assurance
Corporation
P.O. Box 305195
Nashville, TN 37230-5195
Phone: 1-800-280-1466
Fax: 1-800-544-9021
Email: claims@thegeneral.com

* Insurance company Claiming damage to my vehicle was caused my mechanical failure

May 30, 2018

Sent Certified and First Class

[redacted]

Kenosha WI [redacted]

RE: Insured [redacted]
Claim Number
Date of Loss May 14, 2018
Policy/Bond Number [redacted]

Dear [redacted]

We have completed our investigation of the above captioned claim. The purpose of this letter is to advise you that coverage for this claim has been denied.

A comprehensive claim has been submitted under policy number [redacted] issued to [redacted]

Our investigation has revealed that the damage done to your vehicle was caused by a mechanical failure that is not covered under your auto policy.

Please refer to your Permanent General Assurance Corporation policy which states the following:

PART IV - PHYSICAL DAMAGE COVERAGE

Insuring Agreement - Comprehensive

Subject to the limits of liability, if you buy Comprehensive Coverage from us on this policy for a covered auto, we will pay for loss to
1. That covered auto, or
2. A temporary substitute auto,
if caused by a comprehensive loss.

Exclusions

We do not provide coverage or other benefits under this Part IV for any loss or damage:
1. Due and confined to any of the following:
   a. Normal wear and tear,
   b. Rust or other corrosion,
   c. Freezing,
   d. Mechanical or electrical breakdown or failure,

[redacted]

AT&T LTE 9:49 AM 71%

June 21
11:34 PM

Edit

[redacted] Write something on the Page

Share Photo

* Contacted Kia motors on Facebook
* Still cannot get help.

[redacted] [redacted] ▸ Kia Motors America ...

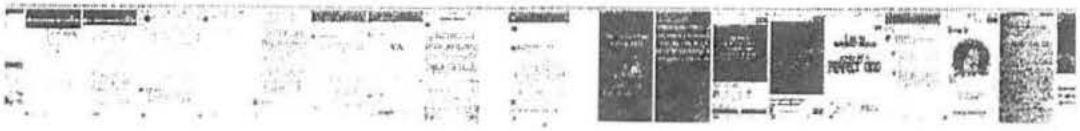
Just now ·

My 2012 Kia Souls engine blew up on the highway going 60 miles per hour. I couldn't see due to the smoke and my car completely stopped working on a two lane highway under construction with no where to pull over for help. I have catastrophic engine failure like the thousands of others with different make and models and can't get Kia Corp to return my calls and fix this inherit design flaw in their engines. You need to issue a recall to help save people lives. How can you get away with selling people cars whose engines blow up on them while driving?

Like Comment Share

[redacted] [redacted] ▸ Kia Motors America ...

2 hrs ·



[redacted] ▶ Kia Motors America

Thursday at 11:34 PM ·

like the thousands of others with different make and models and can't get Kia Corp to return my calls and fix this inherit design flaw in their engines. You need to issue a recall to help save people lives. How can you get away with selling people cars whose engines blow up on them while driving?

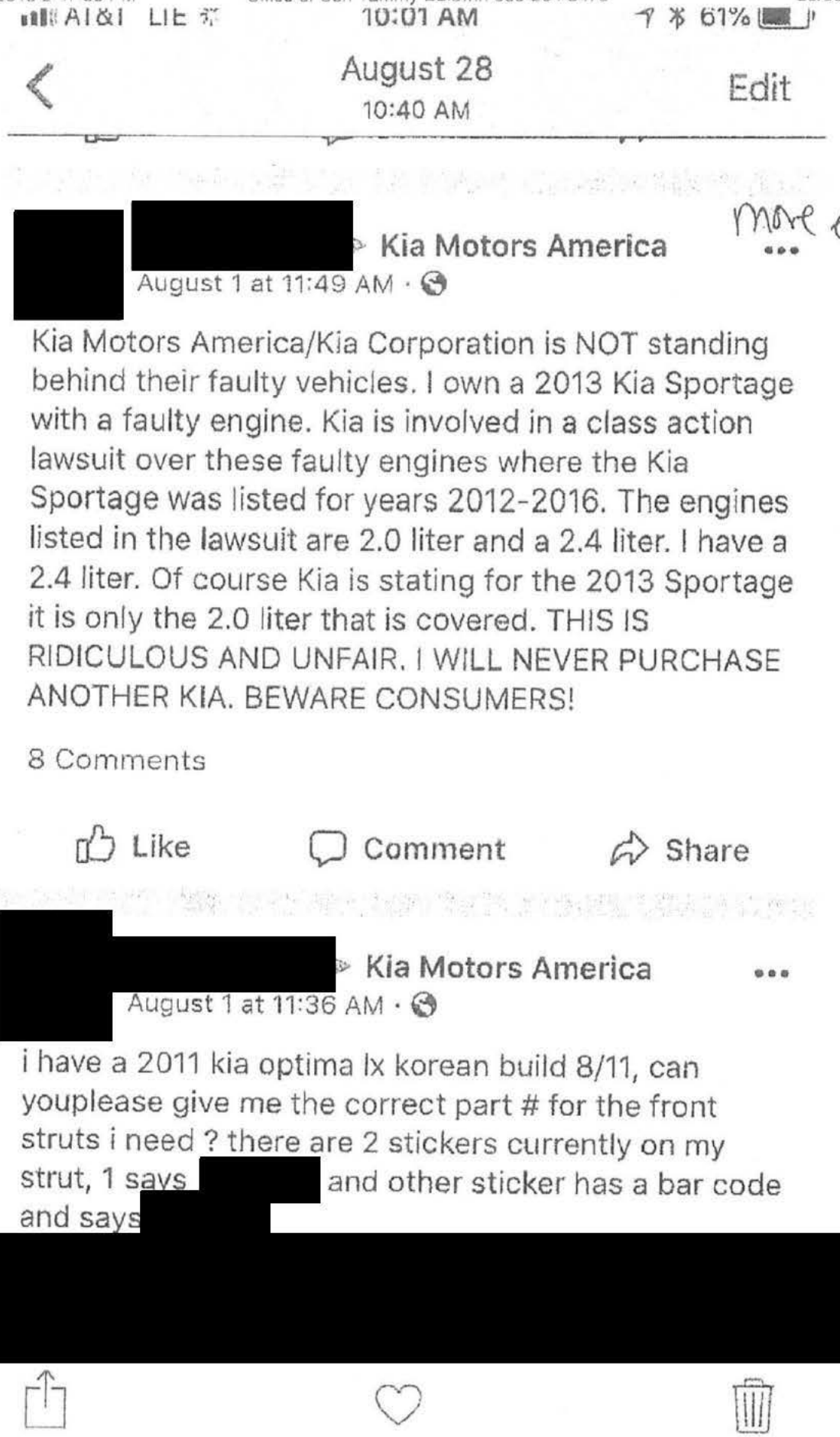
Like Comment Share

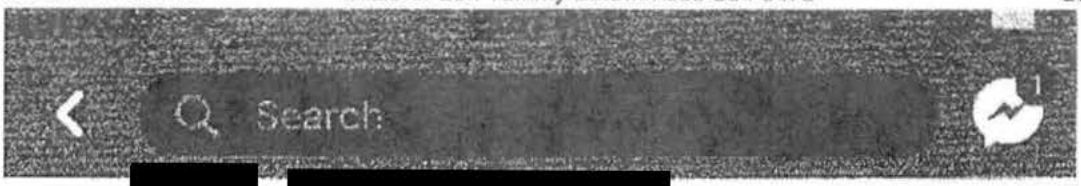
Be the first person to like this.

Kia Motors America
Hello [redacted] We would love to speak with you about this issue, do you mind sending us a private message? Please include your VIN and contact number and one of our team members will be happy to assist you. Note that once you select the 'Get Started' icon off our page, you will be greeted by our new bot, Kian. Please select the 'Current Kia' button followed by the 'VIN and Contact Info' button and then begin typing your message. This will ensure it gets routed to our team for follow up.
^LT

2m Like Reply

Write a comment...


AT&T LTE
10:01 AM
61%
August 28
10:40 AM
Edit
more evidence
[redacted] Kia Motors America
August 1 at 11:49 AM ·
Kia Motors America/Kia Corporation is NOT standing behind their faulty vehicles. I own a 2013 Kia Sportage with a faulty engine. Kia is involved in a class action lawsuit over these faulty engines where the Kia Sportage was listed for years 2012-2016. The engines listed in the lawsuit are 2.0 liter and a 2.4 liter. I have a 2.4 liter. Of course Kia is stating for the 2013 Sportage it is only the 2.0 liter that is covered. THIS IS RIDICULOUS AND UNFAIR. I WILL NEVER PURCHASE ANOTHER KIA. BEWARE CONSUMERS!
8 Comments
Like
Comment
Share
[redacted] Kia Motors America
August 1 at 11:36 AM ·
i have a 2011 kia optima lx korean build 8/11, can youplease give me the correct part # for the front struts i need ? there are 2 stickers currently on my strut, 1 says [redacted] and other sticker has a bar code and says [redacted]



[redacted] [redacted]

So instead of the representative calling me.. they closed my case??? I am beyond upset and irritated with you guys. How can you get away with ripping people off for a living? I need someone who knows what they are doing to call me and compensate me for all the damages that happed to my car and myself. Nothing has happened since May 14!!!! Can anyone at your company do what is right and help the people who invested money in you but then had there car explode?!? **#SOS**

23h Like Reply

No response after this

Kia Motors America

Hello [redacted] We have located your existing case and will forward this information to your Escalated Case Analyst for further review and follow up. ^MC

Just now Like Reply

Write a reply...

27/39
Office of Sen Tammy Baldwin 608-264-5473
Sep/18/2018 2:47:38 PM

WISCONSIN BUYERS GUIDE

Information on this guide is based on what the dealership can find using reasonable care. You may learn more by following the suggestions on the back.

Engine: 6
Drive Type: FWD
Transmission: Automatic
[redacted]

VEHICLE HISTORY

- [X] Fleet use
- [ ] Business use
- [ ] Lease use
- [ ] Rental use
- [ ] Demonstrator use
- [ ] Emergency use
- [ ] Theft recovery (see dealer for insurance)
- [ ] Major collision (see dealer for details)
- [ ] Other

TITLE BRANDS

- [ ] Salvage
- [ ] Rebuilt/Rebuildable
- [ ] Damage/Non-Repairable
- [ ] Flood damage
- [ ] Hail damage
- [ ] Other

Available title: [redacted]

ODOMETER READING

Odometer information: Legal to drive

[X] ODOMETER READS: 127,079 [redacted]

Odometer reading is the actual mileage unless one of the following statements is checked:

- [ ] Actual mileage unknown. Odometer reading is not the actual mileage.
- [ ] Mileage in excess of mechanical limits
- [ ] NOT ACTUAL – WARNING ODOMETER DISCREPANCY
- [ ] EXEMPT from odometer disclosure (vehicle is 10 or more model years old). Reading is not the actual mileage.

WARRANTY & SERVICE CONTRACT INFORMATION

Refer to warranty document for coverage and exclusions. Dealer disclaims implied warranties unless otherwise provided for in writing.

AS IS – NO WARRANTY. Unless otherwise indicated, under Limited Extended Warranty, this vehicle is sold "as is," and no dealer assumes responsibility for any repairs regardless of any oral statements about the vehicle.

IMPORTANT: Ask for a promise to correct any defects you discover before the difference in terms of warranty terms may be important to you. Get agreed to in the purchase contract are fine.

Manufacturer Warranty Information

(Dealer is not a party to any manufacturer warranty)

- [X] Original Manufacturer Warranty (remaining)

Expiration: 12 Month/ 36,000 Miles, whichever comes first

Deductible: _____ Transfer fee: _____

- [ ] Original Manufacturer Warranty EXPIRED or NOT KNOWN
- [ ] Original Manufacturer Warranty CANCELLED due to history

- [ ] LIMITED EXTENDED WARRANTY/SERVICE CONTRACT provided by: [ ] Manufacturer [ ] Warranty Company [ ] Dealership

Duration: _____ (months) _____ (miles) whichever comes first.

Deductible: _____ Transfer fee: _____

Percentage of repair costs to be paid by you: _____

Warranty term begins on _____

USED VEHICLE GENERAL CONDITION

YES	NO	
	X	Heating and Cooling System
		Engine
	X	Drive Train
		Steering
		Axle and differential
		Manual transmission/transaxle and clutch
	X	Electrical
		Starting, charging and ignition systems
	X	Engine
		Engine mechanical (Gasoline, Diesel, Hybrid)
		Engine oil pressure
		Abnormal noise
		Signs of oil and coolant leaks
		Head gasket and cylinder head
		Electronic engine control(s) diagnostic
		Abnormal engine vibration
		Belt-driven equipment (power steering pump, air conditioning compressor, etc.)
		Timing belt/chain
	X	Cooling system (radiator, hoses, water pump)
	X	Fluid
		Engine oil level
		Automatic transmission fluid level and condition
	X	Gauges and Warning Devices
		Gauges (temperature, oil pressure, voltmeter, etc.)
		Gauges operation
	X	Repaired Damage
		Collision damage or evidence of collision repair
		Flood damage
	X	Evidence of knowledge of hail damage or repairs
		Other Equipment
		ABS Brake System problem
		Drive control system problem
		Air conditioning system problem
		Interior climate control system problem
		Power accessory problem
		Sound system problem
		Navigation or entertainment system problem
		Interior light problem
		Spare tire jack missing

Not Equipped

VEHICLE EQUIPMENT REQUIREMENTS

	NOT Legal	Legal
		Brake System
		Bumpers
		Doors, Hoods and Trunk Lid
		Emission Equipment
		Exhaust System
		Fenders, Firewall and Floor Pan
		Frame or Structural Portion of Unibody
		Fuel System
		Horn
		Lights
		Restraining Devices and Seats
		Speedometer and Odometer
		Steering Components
		Suspension
		Tires and Wheels
		Windshield, Windows and Mirrors
		Windshield Defroster, Wipers and Washers

Explain all items marked "NOT Legal"

I relay to the [redacted] guide's accurate.

[redacted]

11-2-18

[redacted] guide and the [redacted]

I1-180919-002

DEALERS COPY

investigates uncovered from drivers across the country who said...

Read more »

Hyundai and Kia Set to Fix Engine Problem Affecting Millions

Hyundai and sister company Kia are going to fix an engine problem affecting roughly 1.5 million cars. The 2.4-liter naturally aspirated GDI and 2.0-liter T-GDI are the main culprits, engines that equip 2011 to 2014 models from both South Korean automakers. The problem, as it happens, has been labeled as a machining error during the engine production. The error, Hyundai and Kia note, "may cause...

Read more »

BBB RATING
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I1-180919-002

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The problem, as it happens, has been labeled as a machining error during the engine production. The error, Hyundai and Kia note, *"may cause premature bearing wear within the engine."* The condition may happen as a result of metal debris that wasn't completely removed from the crankshaft's oil passages during the cleaning process. What's more, it appears that the crankpins were produced with uneven surface roughness.

The first sign the engine may be on its way to seize is a knocking noise coming from the prematurely worn connecting rod bearing. Left as is, the problem may lead to engine stalling at high speed, which increases the risk of a crash.

Of the 1.48 million vehicles included in this recall, 1.19 million were sold in the United States, and another 114,187 are located in Canada. Hyundai's recall campaign is programmed to begin on May 25, 2017.

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If you have a question regarding your Hyundai vehicle, you should call the experienced lemon law attorneys at Krohn & Moss, Ltd. Consumer Law Center ®. Our lemon law attorneys will take time to talk to you about your rights and will let you know if they can help. Visit www.YOURLEMONLAWRIGHTS.com or call 1-800-US-LEMON to submit your information to see if we can help.

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I1-180919-002

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If you have a question regarding your Hyundai vehicle, you should call the experienced lemon law attorneys at Krohn & Moss, Ltd. Consumer Law Center ®. Our lemon law attorneys will take time to talk to you about your rights and will let you know if they can help. Visit www.YOURLEMONLAWRIGHTS.com or call 1-800-US-LEMON to submit your information to see if we can help.

All Inboxes

Today at 1:24 PM

email from Kia

[redacted]

I am reaching out to confirm that your case was escalated to my regional office and I will be your case manager going forward. I contacted you today to introduce myself and to discuss the case with you. I will be gathering the necessary information and will follow up with you accordingly. If you could let me know your preferred method of communication and/or your availability to speak with me so I can assist you. Thank you for choosing Kia and have a great day!

Best Regards,

Kristi Smith
Consumer Affairs I Escalated Case Representative
Kia Motors America, Inc. Central Region
111 Peters Canyon Road Irvine, CA 92606
T 1-800-333-4542 Ext 45139
E KristiSmith@kiaconsumeraffairs.com
F 520-770-4786

AT&T 2:17 PM 94%

Sent

Hello Kristi,

NAY Responds to his comp with no response

Thank you for your email. I have been patiently waiting for someone to respond to me and have been dealing with several different people in the escalation department. Please advise what info you need from me. At the present time, communication with email works best for me. I have children home for the summer and these next few days/weeks we will be very busy traveling as well so it will be difficult to talk.

I look forward to hearing from you soon.

Thanks

[redacted]

On Jul 18, 2018, at 1:24 PM, Kristi Smith <kristismith@kiaconsumeraffairs.com> wrote:

AT&T LTE 10:01 AM 61%

August 28
10:20 AM

Edit

KIA case [redacted]

Kristi, What is going on?? You called and em...

postmaster@agero.onmic... 10:19 AM

Undeliverable: Re: KIA case [redacted] Details

To: postmaster@agero.onmicrosoft.c...

Undeliverable email to kia corp to contact them

Office 365

Your message to kristismith@kiaconsumeraffairs.com couldn't be delivered.

kristismith wasn't found at kiaconsumeraffairs.com.

gelso19	Office 365	kristismith
Action Required		Recipient
[redacted]		
Unknown To address		

How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: Fix email delivery issues for error code 5.1.1 in Office 365, and then send the message again. Retype the entire recipient address before selecting Send.

[redacted]

AT&T LTE 9:47 AM 71%

June 21
3:18 PM

Edit

1

* Info from Class action lawsuit about my problem with my Kia

Case [redacted] Document 6 Filed 01/23/18 Page 2 of 45

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.

[redacted]

[redacted]

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.

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.

11. Had Plaintiff and other Class Members known of the Engine Defect at the time of purchase or lease, they would not have bought or leased the Class Vehicles, or would have paid substantially less for them.

12. Based on information and belief, Plaintiff alleges that as the number of complaints increased, and as Class Members grew dissatisfied with the performance of the Class Vehicles, Defendants were forced to begrudgingly acknowledge that "some" Class Vehicles suffer from an inherent defect.

13. As a result of the Engine Defect, and as a result of Defendants' unfair, deceptive and/or fraudulent business practices, Plaintiff and the Class Members have suffered injury in fact, incurred damages, and have otherwise been harmed by Defendants' conduct.

14. Accordingly, Plaintiff brings this action to redress Defendants' violations.

JURISDICTION

15. This Court has subject matter jurisdiction of this action pursuant to 28 U.S.C. §§ 1332(a) and (d) of the Class Action Fairness Act of 2005 because: (i) there are 100 or more class members, (ii) there is an aggregate amount in controversy exceeding $5,000,000, exclusive of

interest and costs, and (iii) there is minimal diversity because at least one plaintiff and one defendant are citizens of different States. This court has supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367.

16. This Court has personal jurisdiction over Plaintiff, [redacted] because she resides in this district and because she submits to the Court's jurisdiction.

I1-180919-002

wrongful actions of the Domestic Defendants. Accordingly, the Foreign Defendants are liable, jointly and severally, for all of the wrongful actions of the Domestic Defendants.

94. The Foreign Defendants' unfair and deceptive conduct had the foreseeable, proximate, and actual effect of injuring Plaintiff and Class members.

95. As a result of the domination, direction, and control of the Domestic Defendants by the Foreign Defendants, the Foreign Defendants are liable for the wrongful acts of the Domestic Defendants based upon principles of agency.

CLASS ALLEGATIONS

96. Plaintiff brings this action on their own behalf, and on behalf of a nationwide class pursuant to Federal Rules of Civil Procedure 23(a), 23(b)(2), and/or 23(b)(3).

Nationwide Class:

All persons or entities in the United States who are current or former owners and/or lessees of a Class Vehicle. In the alternative to the Nationwide Class, and pursuant to Federal Rule of Civil Procedure 23(c)(5), Plaintiff seek to represent the following state class only in the event that the Court declines to certify the Nationwide Class above. Specifically, the state class consists of the following:

New York Class:

All persons or entities in New York who are current or former owners and/or lessees of a Class Vehicle for primarily personal, family or household purposes.

97. Together, the New York Class and the Nationwide Class shall be collectively referred to herein as the "Class." Excluded from the Class are KMA, HMA, KMC, HMC and their affiliates, employees, officers and directors, persons or entities that purchased the Class Vehicles for resale, and the Judge(s) assigned to this case. Plaintiff reserves the right to modify, change, or expand the Class definitions based on discovery and further investigation.

98. Numerosity: Upon information and belief, the Class is so numerous that joinder of all members is impracticable. While the exact number and identities of individual members of

I1-180919-002

Senator Tammy Baldwin
30 West Mifflin Street, Suite 700
Madison, WI 53703
608-264-5338
608-264-5473 Fax

FAX COVER SHEET

DATE: 09-18-18

TO: Sean McMaster

FAX No: (202) 366-3675/ 7346

FROM: Senator Baldwin (Jon Wachter)

REGARDING: [redacted]

Number of Pages: 39

Office of the Secretary of Transportation
Governmental Affairs

Control number:	I1-180919-002	**Action office:**	NHTSA
Document date:	9/18/2018	**Due date:**	10/18/2018
Author(s):	Tammy Baldwin		
Subject:	Inquiry on behalf of the constitute [redacted] in regards to concerns with her 2012 Kia Soul.		
Action:	Direct Reply		

Comments:

Date	Action	Action by
9/19/2018	Folder Sent for Draft to Action Office: NHTSA for 'Direct Reply'.	TOIYRIAH.TURNER
9/19/2018	Updated Folder Information.	TOIYRIAH.TURNER
9/19/2018	Work Folder Assigned to NHTSA.	TOIYRIAH.TURNER
9/19/2018	Incoming File Uploaded.	TOIYRIAH.TURNER
9/19/2018	Control Number Created.	TOIYRIAH.TURNER

Date	Note	Note by