



JUL 30 2018

CL-11117930-4727

Bob Ferguson

ATTORNEY GENERAL OF WASHINGTON

800 Fifth Avenue, Suite 2000 • Seattle, WA 98104-3188 • (206) 464-6684

July 24, 2018

National Highway Traffic Safety Administration
1200 New Jersey Ave SE
West Bldg
Washington, DC 20590

RE: Volkswagen of America
File #: [REDACTED]

Dear National Highway Traffic Safety Administration:

Enclosed, please find information our office received as a consumer complaint. We are forwarding you a copy for your information because it may include information of interest to your agency.

If you have questions about this complaint, please contact the Consumer Resource Center by email at CRCComplaints@ATG.WA.GOV. Please include the complaint number given above on any correspondence to our office.

Sincerely,

ANTHONY OGLE
Consumer Services Coordinator
Consumer Protection Division
1-800-551-4636 for in-state callers
1-206-464-6684 for out-of-state callers

AM
8.3.18
WD

COMPLAINT SUMMARY

Consumer Information

Name:

[REDACTED]

Address:

[REDACTED]
Everett, WA [REDACTED]

Day Phone:

[REDACTED]

Evening Phone:

E-mail Address:

[REDACTED]

Age Group (optional):

[REDACTED]

Are you a member or former member of the U.S. Armed Forces, Guard, Reserves or a dependent? (optional):

No

If English is not your first language, what is your first language?

Do you want the Attorney General's Office to send this business a copy of your complaint?

Yes

Names and addresses of any other complainants involved:

Business Information

Name of business that I am complaining about:

Volkswagen of America

Address:

3800 Hamlin Rd
Auburn Hills, MI 48309

Phone:

(248) 754-5000

Toll-Free:

Fax:

E-mail:

Marth.Weir@vw.com

Name of owner or manager (if known):

Names and addresses of any other businesses involved in your complaint:

Item or service purchased:

Cost of item or service:
\$5000

Did you sign a contract?

Date of transaction:
06/26/2014

Salesperson's name:

Was an advertisement involved?

Date and source of advertisement:

About Your Complaint

Have you complained to the business?

If YES, to whom (include position)?

What response did you receive?

If you have not contacted the business, explain why:

Have you filed a complaint about this business with the Attorney General's Office before?

If yes, list the file number assigned to that complaint:

Have you contacted a private attorney?

If YES, identify the name and address of the attorney:

Is there a court or other legal proceeding pending?

If YES, please explain:

Explain your complaint in detail:

I purchased a new Audi Q5 in 2014 and picked up the car in Germany on June 26, 2014. My USA warranty was supposed to start on that date and my warranty booklet was stamped with that date while I was present in Ingolstadt, Germany. The Audi subsidiary of Volkswagen of America made a mistake and started my warranty on April 26, 2014, and have refused to correct the error. This in-service date controls all warranties associated with my car, including the extended warranties associated with the diesel modifications made by Audi, as part of the national litigation over the cheating done by the Volkswagen companies.

What do you think the business should do to resolve your complaint?

Explain if you have circled 'Other':

SIGNATURE

I acknowledge that my complaint and attachments, once submitted, become public records and may be disclosed to others in response to a Public Records Request. Complaint information received by this office will be exported into the FTC's database, Consumer Sentinel, a secure online database. This data is then made available to thousands of civil and criminal law enforcement authorities worldwide.

I declare, under penalty of perjury under the laws of the State of Washington, that the information contained in this complaint is true and accurate, and that any documents attached are true and accurate copies of the originals.

I authorize the Washington State Attorney General's Office to contact the party(ies) against which I have filed this complaint in an effort to reach an amicable resolution. I authorize the party(ies) against which I have filed this complaint to communicate with and provide information related to my complaint to the Washington State Attorney General's Office. By selecting NO below, I acknowledge that the Attorney General's Office will not contact the party(ies) named in my complaint and will not attempt to facilitate resolution of my complaint with the party(ies). My complaint will be kept by the Attorney General's Office for informational purposes.

Signature [REDACTED] **Date** 07/20/2018

Received via the Internet

City and State where signed Everett, WA

**Reference** [REDACTED]

3 messages

Audi Customer Experience Center <AudiCustomerExperienceCenter@audi.com>

Mon, May 14, 2018 at 11:31 AM

To: [REDACTED]

Dear [REDACTED]

Thank you for contacting the Audi Customer Experience Center. I truly regret the reason for your contact.

We have corrected the error in the warranty information in our system and have provided you with documentation to that effect.

In regards to your request for compensation of lost time while you worked on the warranty issue on your vehicle, I have reviewed this with all appropriate personnel. There is no provision in any of our warranties for compensation of lost time under any circumstance. We will continue to service your vehicle according to all applicable warranties.

Thank you once again for your contact. You are a valued owner of a beautiful 2014 Audi Q5. Please feel free to contact should there be further concerns at our toll free number +1 800 822 2834.

Warm Regards,

Dwaine Estes

Team Lead, Audi CXC

Audi of America, Inc.

Customer Experience Center

3800 Hamlin Road

Auburn Hills, MI 48326

United States of America

Tel + 1 800 822 2834

6/27/2018

Gmail

Reference

Fax +

mailto:audiustomerexperiencecenter@audi.com

http://www.audiusa.com



Tue, May 15, 2018 at 6:37 PM

To: Audi Customer Experience Center <AudiCustomerExperienceCenter@audi.com>

Dear Mr. Estes:

Your assertion that you have corrected the error in your system is not what your advisement letter, dated May 2, 2018, states. Indeed, the letter indicates that "Audi is not able to alter or otherwise modify the original in-service date of your vehicle." The error in your system was the incorrect in-service date, shown as April 26, 2014, even though my USA warranty booklet was stamped in Ingolstadt as June 26, 2014, and I was there at the time to pick up the car and observe the stamping of that date. As such, you have not corrected the error, according to your letter. Also, Hoen Audi still shows April 26, 2014, as the in-service date.

The lack of a correct in-service date is a serious issue. The emissions modifications done by Audi to my car have extended warranties associated with various components of the emissions systems which are extended up to 10 years. However, without a correct in-service date, my car will be short 2 months of what the legal settlement allows me. This would constitute a violation of the settlement agreement for the emissions problem and likely be illegal. I believe that if I contacted a lawyer I would be in a position to void the settlement for my vehicle and receive significant awards for such a violation on the part of Audi.

I have spent an enormous amount of time and energy getting Audi to even send me a letter that appears to extend the warranty as long as I show the appropriate people a letter. The letter is not an acceptable correction of the error made by Audi for the in-service date.

I have asked you for compensation for all my efforts in getting Audi to correct your error, starting back on March 28, 2014. I have requested an extension of the warranty to September 26, 2018, as compensation for all the work I have extended in getting Audi to correct their error. I am again asking that you reconsider my request. Such an extension would need to be accompanied by a change in the in-service date to be a true warranty extension. However, I would consider a change to the in-service date to June 26, 2014, and a letter extending the warranty to September 26, 2018, as a satisfactory compromise.

I have also asked that you provide compensation for the lack of timely document transmission by Hoen Motors to the appropriate settlement party and for documentation associated with the recent warranty examination of problems with the active cruise control system in my car.

Yours truly,

[REDACTED]

[Quoted text hidden]

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Thu, May 31, 2018 at 6:03 PM

To: Audi Customer Experience Center <AudiCustomerExperienceCenter@audi.com>

Dear Mr. Estes:

It was interesting to talk to you today, but despite all my emails and telephone conversations, Audi still has not actually corrected the error made in the in-service date for my Q5. This is the fact, despite your instant email that says you have done it. Indeed, as I have pointed out to you many times and in writing, your "correction" is a letter that extends the Limited car warranty as long as it is shown to a dealer who will accept it. This letter also states that the in-service date has not been altered and that "it cannot be altered or otherwise modified".

Perhaps you are not aware that I am not obligated to accept such a letter. I have never agreed to accept such a letter and I do not plan to accept it under the conditions that presently exist. As I understand the law, I am entitled to a correct in-service date.

I am, however, willing to accept such a letter that extends the New Vehicle Limited Warranty applicable for my car to December 31, 2018, and extends all other warranties as if my in-service date was June 26, 2014, which is the date in my USA warranty booklet. This offer is made to settle the disputes I have with Audi over the in-service date error made by Audi and it will remain in effect until June 15, 2018, after which time it will become null and void.

Yours truly

On Mon, May 14, 2018 at 11:31 AM, Audi Customer Experience Center <AudiCustomerExperienceCenter@audi.com> wrote:
[Quoted text hidden]

—
IMPORTANT NOTICE: This email (including any and all attachments) is intended for the use of the addressee and may contain legally privileged confidential information. If you are not the intended recipient of this email, you are hereby notified that any dissemination, distribution or copying of this email is strictly prohibited. Thank you. Ce message (y compris les pièces jointes) est confidentiel, et destiné à l'usage exclusif de ses destinataires. Si vous recevez ce message par erreur, nous vous prions de bien vouloir avertir immédiatement son émetteur et de supprimer ce message de tout ordinateur. Vous êtes par la présente avisée que toute utilisation, reproduction ou diffusion de ce message est strictement interdite. merci.



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