

August 7, 2019

CL-1119 3930-7679

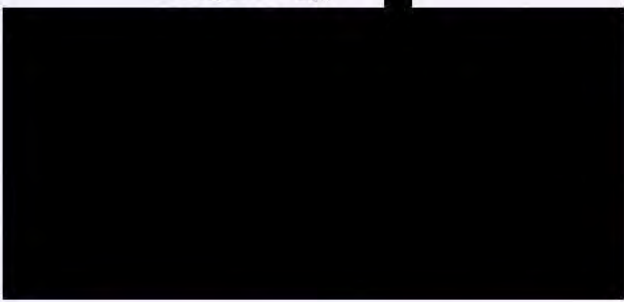
RE: Case/Tracking #11193930

To whom this may concern,

I submitted the attached complaint to NHTSA (online) on 4/4/19. I have not been contacted nor received any updates as to the status.

At this time, I would like to respectfully request that someone reach out to me with an update.

Respectfully,



NM
8-20-19
LD

TLR

April 4, 2019

RE: VIN# 5FRYD3H28C [REDACTED]

I purchased the 2016 Acura MDX new, back in 2016. Starting in 2018, my wife and I began experiencing issues with the transmission, specifically, with way the vehicle shifted gears. Sporadically, when we attempted to accelerate the vehicle would not respond. You would hear the engine revving, and see the tachometer rev up as well. And after a momentary pause, the transmission would violently shift gears and the vehicle would finally accelerate. We took it in multiple times to the dealership and were advised that they couldn't find anything wrong.

On 1/8/19, while my wife was traveling out of town, she experienced a "catastrophic failure" of the transmission. The transmission literally blew up internally, causing my wife to almost crash while attempting to get off the highway and on to the shoulder of the road. She could see the transmission fluid pouring out while she was left stranded out of town and waiting for AAA. We were towed to the Acura dealership in the area (Bakersfield), and the transmission had to be completely replaced.

We got the vehicle back about a week later only to discover that the same symptoms that eventually that led to the catastrophic failure were still on going. I took the vehicle in to the local Fresno Acura dealership and met with the service advisor (Michael Betlach) and the service manager (Pete Swords.) I explained my serious safety concern with the vehicle and shared my disappointment since I bought an Acura specifically for reliability and safety yet at only about 50K miles I was already having issues. I wanted it addressed since the vehicle was still under warranty.

I was shocked when Mr. Swords advised me in the presence of Mr. Betlach that this is a KNOWN DEFECT BY ACURA with the 9-speed transmission in the 2016 MDX's. And that unfortunately, Acura was not able to correct it, and resorted to designing a new 10-speed transmission for the later models. The service manager added that since there was no fix, there wasn't anything they could do for me and referred me to the corporate customer service line.

On 2/8/19 I called the Acura "Client Relations" number and was assigned case # [REDACTED] for my concerns. For weeks I worked with a case manager (Dora) to try reach a reasonable resolution. She also confirmed that the 9-speed transmission in my MDX was known to have issues by Acura and that she would attempt to facilitate a resolution with the local dealership. My ask was to either 1) fix the known defect in my transmission, 2) extend the warranty to cover the inevitable and eventual failure of the transmission, again, or 3) buy back the vehicle as I have lost confidence in its reliability and safety.

After fruitless communications back and forth I was last contacted by Dora on 4/1/19 wherein she advised that she was closing my case. She advised that there was no other appeal option available, refused to escalate to her manager, and that there's

nothing they can do for me because Acura had no means to fix this known defect with the 9-speed transmission. I was left shocked once more, as a consumer who's rights were clearly and blatantly violated by Acura.

I purchased this vehicle about 2.5 years ago new, for \$40K. I specifically purchased it for what I believed was Acura's reputation for reliability, longevity and safety. Yet because of a known defect in this transmission that Acura is not able to fix, I now have a vehicle that I certainly don't trust to safely transport my family and I.

Acura has a duty to stand by its product. And if there is a known defect, Acura has the burden to remedy it. I, as the consumer should not be left with a defective and unreliable vehicle. This is a clear breach of Acura's duties and warranties to its consumers.



Fresno CA

FRESNO CA 936

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NVS-210

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