CL-1190453-3196

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

MAR 2021 2:51PM

By mail and by email

March 5, 2021

Jeffrey Giuseppe
Associate Administrator, Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
jeffrey.giuseppe@dot.gov

Re: Serious manufacturing defects in Mercedes-Benz vehicles, grossly inadequate Mercedes-Benz roadside assistance, and fraudulent, misleading, and deceptive customer service practices at Mercedes-Benz authorized dealerships

Dear Mr. Giuseppe:

On February 25, I sent the enclosed letter to Dimitris Psillakis, Chief Executive Officer of Mercedes-Benz USA, Matthew Everitt, General Counsel of Mercedes-Benz USA, and Christian Treiber, Vice President of Customer Services, Mercedes-Benz USA, among others, describing a valve spring failure and engine stall that occurred in my brand-new 2021 Mercedes GLC 300 on February 10. On February 26, Mercedes-Benz of Naples informed me that the vehicle had been repaired. As of this writing I have not yet picked it up because I still do not feel safe in the vehicle.

On March 4, I spoke with a member of Mercedes-Benz's customer service department who informed me that my case had been routed to Jeff Hubbard, the very same factory representative that I spoke with over the phone during my meeting at the dealership on February 18. To be blunt, this felt like the fox guarding the henhouse, as I had already discussed the matter with Mr. Hubbard to no avail.

In a subsequent conversation with Mr. Hubbard, I accepted one of the goodwill measures offered to me by Mercedes-Benz USA; however, I do not consider this matter resolved. I still have grave concerns about the safety of Mercedes-Benz's vehicles, the quality of their roadside assistance service, and the integrity of their customer services practices. These are issues that I believe deserve your time and urgent attention, and I am willing and able to assist you with an investigation if you believe one is warranted.

Sincerely yours,

[redacted]

EA
04/02/21
AS

By certified mail and by email

February 25, 2021

Dimitris Psillakis
Chief Executive Officer
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Re: Serious manufacturing defects in Mercedes-Benz vehicles, grossly inadequate Mercedes-Benz roadside assistance, and fraudulent, misleading, and deceptive customer service practices at Mercedes-Benz authorized dealerships; Notice of nonconformity of motor vehicle under Fla. Stat. § 681.104(1)(b) (the "Motor Vehicle Warranty Enforcement Act")

Dear Mr. Psillakis:

I write to bring your attention to a valve spring failure and engine stall that occurred in my brand-new 2021 Mercedes GLC 300 and further difficulties I have encountered in attempting to address this issue with Mercedes-Benz of Naples, the dealership where I purchased the vehicle on February 1, 2021. On February 10, a valve spring in the car's engine failed, causing the engine to stall while I was driving. As of this writing, the car—which has a total of 199 miles on it—is still in the dealership being serviced.

This letter raises three concerns that merit your urgent attention: (1) the serious defect in my vehicle and others like it, which has prompted other manufacturers to issue recalls; (2) your grossly inadequate roadside assistance program, which left me stranded by the side of the road for an hour and a half; and (3) numerous fraudulent, misleading, and deceptive statements made by Mercedes-Benz of Naples, which have undermined my confidence both in your authorized representatives and in your brand.

This letter shall also serve as notice of a nonconformity of my vehicle under Florida Statute § 681.104(1)(b), known colloquially as the Florida "Lemon Law." The Act states:

> If the motor vehicle is out of service by reason of repair of one or more nonconformities by the manufacturer or its authorized service agent for a cumulative total of 15 or more days, exclusive of downtime for routine maintenance prescribed by the owner's manual, the consumer shall so notify the manufacturer in writing by registered or express mail to

give the manufacturer or its authorized service agent an opportunity to inspect or repair the vehicle.[1]

Today marks the fifteen consecutive day that my vehicle has been at the dealership for service as a direct result of the valve spring failure my vehicle experienced on February 10, 2021. The valve spring failure has "impair[ed] the use, value, [and] safety" of my car and did not occur as a result of "an accident, abuse, neglect, modification, or alteration," and it thereby qualifies as a "nonconformity" under the Act.[2]

As a [redacted] year-old woman who lives on her own, this entire experience has been nothing short of a nightmare for me. I strongly regret having purchased my 2021 Mercedes GLC 300 and, if I could turn back time, I never would have done so. I am frightened that the car, which has now spent more time being serviced than in my possession, has additional, latent defects that threaten my safety and wellbeing. Mercedes-Benz of Naples has yet to offer me a remedy that effectively addresses my concerns. I am therefore writing this letter both to seek compensation from Mercedes-Benz, and to bring your attention to the issues I have encountered, which I believe affects similarly situated consumers.

1. The valve spring failure and engine stall on February 10, 2021

After having been a Lexus owner for 23 years, and knowing of Mercedes' reputation for quality and luxury, I decided to trade in my 2017 Lexus 200t and purchase a 2021 Mercedes GLC300. I purchased my brand-new 2021 Mercedes GLC 300 (vin no. W1N0G8DB7MF[redacted] on February 1, 2021 from Mercedes-Benz of Naples, which is located in Naples, Florida. To purchase the car, I traded in my 2017 Lexus NX200t (mileage approximately 31,000) and $35,708.65. I also purchased several sealant treatments ($815) and a road hazard package ($1,028). While I took delivery of the car on February 1, 2021, the car was at the dealership between February 4-8 to have the sealant treatments applied. Between February 1 and February 10, I therefore had possession of the vehicle for a total of six days. At the time of purchase, the car had 29 miles on it.

On February 10, 2021 I was driving East on Cypress Woods Drive at a rate of speed below the speed limit. I had just crossed over a small speed bump[3] when the car started shaking violently and losing power. I noticed that the engine light was on and drove slowly to a place where I could pull over, out of the way of traffic. I put the car in park and turned off the engine. When I tried to turn the car back on, the car would not start and the steering wheel was locked. In a subsequent conversation, Mercedes-Benz of Naples Parts and Service Director Donald Huttlin informed me that one of the valve springs broke. As of the time of the incident on February 10, 2021, I had driven the car for a total of 11 hours and one minute at any average speed of 16 miles-per-hour over the course of six days.[4] The total mileage on the car is 199 miles.

Once out of the way of traffic on Cypress Woods Drive, I called Ryan Eikelman, my salesman at Mercedes-Benz of Naples, at 4:44pm. Mr. Eikelman was not at work that day and directed me to

[1] Fla. Stat. § 681.104(1)(b) (2020).
[2] Fla. Stat. § 681.102(15) (2020).
[3] Picture of speed bump on Cypress Woods Drive (Appendix 1).
[4] Vehicle trip data from Mercedes-Benz mobile phone application (Appendix 2).

call the dealership's service department to arrange for a tow truck. I then called the dealership and spoke with a member of the dealership's service department, who directed me to call roadside assistance, which is located in Atlanta, Georgia. However, instead of offering to connect me to roadside assistance, the service department representative asked whether I had a pencil and paper available to write the number down. As I was stranded by the side of the road, I did not.

Once I was finally able to call roadside assistance, the representative I spoke with asked me for the last eight digits of the car's vin number, my insurance information, and my driver's license information. I had difficulty providing this information because I was stranded by the side of the road, alone, at sundown and had trouble reading this information. After I was finally able to provide the requested information, the representative asked me for the address where I was located. Not knowing my exact address at that moment (I was pulled over in a random location with which I was unfamiliar), I gave the representative the street names of the nearest intersection. Being based in Atlanta, the representative was completely unfamiliar street names I provided. The representative said that he needed me to provide an exact address in order to call the tow truck. Again, having been forced to pull over to the side of the road in a completely random location, I did not know my exact address, so I had to leave my car and walk down the road until I found a house with an address visible.

Once I provided an address, the representative told me that a tow truck would arrive in approximately 25 minutes. At 5:15pm, I received a message from Bald Eagle Towing in Naples with a tracker map attached which said that the tow truck would arrive in 52 minutes. The tow truck arrived at approximately 6:15pm, meaning that I spent more than an hour and a half by the side of the road, alone, waiting for help to arrive after the incident occurred.

2. Subsequent conversations with representatives from Mercedes-Benz of Naples

As frightening as this experience was for me, subsequent discussions both I have had with representatives from Mercedes-Benz of Naples have only compounded my anxiety. On the day of the incident, I initiated a text message conversation with Mr. Eikelman to express my frustration with the Mercedes Roadside Assistance. Mr. Eikelman replied: "I'm not really sure what you want me to say or do. I'm on a boat ride for my wife's birthday. Things happen with vehicles, could be something as simple as a loose gas cap. I wouldn't worry, I'm sure it's a simple fix."[5]

As the car's days in the shop stretched to nearly a week, I (correctly) surmised that the issue was not a simple fix, as Mr. Eikelman had suggested. I arranged a meeting with Mr. Huttlin on February 15, 2021 to respectfully ask Mercedes-Benz of Naples for compensation. Having lost confidence in the car, I specifically asked Mr. Huttlin whether the dealership would give me a new car or, alternatively, unwind the transaction entirely and return my old Lexus to me. Hearing this, Mr. Huttlin summoned David Wachs, the managing partner of the dealership, to the meeting. My son was also in attendance.

In the course of that meeting, which lasted for roughly 35 minutes, Mr. Wachs made numerous statements that were false, deceptive, misleading, concerning, and/or downright rude. These statements include the following:

[5] Text messages from Ryan Eikelman, February 10, 2021 (Appendix 3).

- Mr. Wachs claimed that this incident would not impact the resale value of the car at all. Having since spoken with other luxury car dealers about this, I now believe Mr. Wachs' claim to be false.

- Mr. Wachs repeatedly downplayed the valve spring failure, claiming that it is a simple fix and very cut-and-dried. However, as of this writing, the dealership has still not returned the car to me. The dealership originally told me that the car would be ready nine days ago. In light of this substantial delay, I believe Mr. Wachs' "simple fix" claim to be false.

- Mr. Wachs also downplayed the valve spring failure by comparing it to a broken turn signal and claiming that issues happen with cars all the time. These statements raise two concerns. First, as I will explain in further detail below, valve spring failures substantially increase the risk of a crash, particularly at higher speeds. Second, brand-new cars with a total mileage of 199 miles driven at a reasonable rate of speed should not—and ordinarily do not—experience valve spring failures. In light of these concerns, I believe Mr. Wachs' statements to be highly misleading and deceptive.

- Mr. Wachs further attempted to downplay the valve spring failure by telling stories about other customers who had experienced worse (in his opinion) problems with their vehicles. As an example, he told me the story of a customer who recently purchased a ultra-luxury Mercedes sportscar with a cracked engine. It is unclear why Mr. Wachs thought that recounting this story would alleviate my concerns. By contrast, it only served to heighten my anxiety about the quality of your vehicles. **At the very least, the incident I experienced, in combination with Mr. Wachs' story about the cracked engine, should prompt you—a manufacturer who boasts about "deliver[ing] the best or nothing"[6]—to launch an investigation into how and why it is that your company has been delivering cars to dealerships with serious manufacturing defects.**

- Mr. Wachs drew an analogy regarding the compensation I requested—namely, a new car—saying that if he went to a restaurant and found a fly in his soup, he would request that the restaurant provide him with a new soup, not free soup for life. There are two points to raise about this analogy. First, Mr. Wachs' comparing the valve spring failure in my vehicle to finding a fly in one's soup is false and misleading. The valve spring failure caused the engine in my vehicle to stall and could have led to a serious—and potentially even fatal—accident. By contrast, while accidentally ingesting a fly would undoubtedly be distressing, it does not pose a risk of serious injury or death. Mr. Wachs' analogy was yet another attempt to downplay the incident I experienced and my resulting concerns. Second, Mr. Wachs' analogy actually made my point for me: Having found a serious defect in my vehicle, I am requesting a new vehicle. To draw out Mr. Wachs' analogy, he is offering to scoop the bug out of my soup and is now trying to convince me the soup is perfectly fine to eat. While that might be okay at a dive bar, that is absolutely unacceptable at the Michelin star restaurant Mercedes-Benz holds itself out to be within the automotive market.

[6] Mercedes-Benz USA, https://www.mbusa.com/en/best-or-nothing/safety.

- When I raised the point that I was comparatively lucky, that the incident I experienced could have resulted in a serious accident, and that his dealership could face grave moral, legal, and reputational consequences as a result of such an accident, Mr. Wachs' replied that he does not spend this time thinking about "what-ifs." My son and I were shocked by this statement. Your website explicitly states: "To deliver the best or nothing, safety must come first. *It's why we devote so much time to a moment we hope never happens*, and why every Mercedes-Benz is engineered to make an accident less severe, less damaging, *and even less likely*."[7] Furthermore, your website prominently displays a video entitled, "Playing The 'What If' Game," which features a man saying: "The 'what ifs.' You know, I've thought about that a lot. You play the 'what if' game. It's innocent. You're going to do it. And say I survived, but you know, my legs didn't make it out of the car with me. Where would I be now? What would I be doing now? I mean, just a matter of millimeters could have ended my hopes and dreams as an athlete." At a minimum, Mr. Wachs' statement that he does not think about "what ifs" contradicts your corporate messaging. **However, when Mr. Wachs' statement is taken together with your company's demonstrated track record of delivering vehicles to customers with serious manufacturing defects, we believe your corporate messaging is, at best, misleading and deceptive and, at worst, outright false.**

- In an apparent attempt to assuage my concerns about the incident and the vehicle, Mr. Wachs repeatedly referenced his service in the Israeli military. Mr. Wachs, however, is in the business of selling and servicing luxury vehicles. While he did not elaborate on his duties in the Israeli military, unless those duties included selling, manufacturing, and/or repairing luxury vehicles, Mr. Wachs created the misleading impression that he has enhanced abilities as a dealer and/or servicer of luxury vehicles by virtue of his service in the Israeli military. There is no evidence to support the proposition that he has such enhanced abilities. I find it difficult to believe that the Israeli military would tolerate Mr. Wachs' invocation of its name and his service therein to sell faulty vehicles, but that is an issue best left to the Israeli military.

- Mr. Wachs characterized his dealership as having gone "above and beyond" by providing me with a loaner car after the incident occurred. This statement was infuriating. After the incident occurred, I no longer had a car. Giving me a loaner car put me back in the position of having a car. That is not going "above and beyond" anything. That is doing the bare minimum of what is expected of a luxury car dealer.

- At one point in the conversation, after my son raised the reputational risks that this incident poses to his dealership and your company, Mr. Wachs accused us of asking him to purchase our silence. I can assure you that my silence is not for sale.

Later on the day of my conversation with Mr. Wachs, Mr. Huttlin called to tell me that he had spoken with the dealership's factory representative, who was willing to offer me one of the following options:

i. an extra year of warranty;

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[7] Mercedes-Benz USA, https://www.mbusa.com/en/best-or-nothing/safety (emphasis added).

ii. a three-year service contract;
iii. the equivalent of a one-month lease payment.

On February 18, I returned with my son to have a second conversation with Mr. Wachs and Mr. Huttlin. A neighbor of mine was also in the dealership at the time looking for a new car for him and his wife, and he also joined our conversation. I explained to Mr. Wachs and Mr. Huttlin that none of the options the factory representative had offered me adequately addressed the concerns I have regarding the car's safety. When I asked Mr. Wachs why he was unwilling to take my faulty car back and give me a new car, he said it was because he did not want to "eat the delta," which he valued at around $12,000-13,000.

This is an incredibly short-sighted view to take. Had Mr. Wachs simply given me a new car instead of bullying and trying to intimidate me, I would have felt safe and confident in his dealership and in your brand, and I can say without hesitation that I would have been a Mercedes customer for life. My business and my loyalty would have more than made up for any delta Mr. Wachs would have been forced to "eat." Now, not only will I likely never buy a Mercedes again, I am actively looking at ways I can sell the vehicle and switch brands as soon as possible. In addition, Mr. Wachs obstinacy, combined with his rude and domineering tone, upset my neighbor so much that he tore up the information sheets he had received on the vehicles he was interested in and no longer plans to purchase a Mercedes.

In the course of my conversation with Mr. Wachs, we also discussed the possibility of giving me all three of the options the factory representative had offered. Mr. Wachs said that this was not possible and, as proof, he called a factory representative named "Jeff" while I was present. Jeff made two statements with which I took issue. First, he noted that the vehicle did not yet fall within the purview of the Lemon Law. At the time, this was true, though a Mercedes-Benz representative invoking the Lemon Law is like a waiter at a Michelin star restaurant invoking municipal health code regulations in explaining why he has no obligation to provide a diner with new soup. Frankly, it is pathetic, and a brand with the reputation that Mercedes-Benz has should not be in the position of having to fall back on Lemon Laws.

Second, Jeff said that any compensation he offered would need to be worth the expense to Mercedes-Benz. Your company makes hundreds of millions of dollars in revenue per year. Last year your parent company, Daimler, reported profits of four billion euros. I—not Jeff—am now in the position of having purchased a car with a serious manufacturing defect for $53,000. It is absolutely infuriating for your representatives to claim that your company does not have the financial resources to give me the "peace of mind" you promise your customers on your website. You have the financial resources to do so, but your representatives have, thus far, chosen not to. This is the sort of customer service I would expect if I had purchased a used Chevy Impala, not a brand-new Mercedes-Benz.

3. Valve spring defects are serious and increase the risk of an accident

I am not what you would call a "car person." I am by no means a sophisticated automobile consumer. Personally, prior to this incident, I had no idea what a valve spring even does in a car. However, having now conducted my own research on the topic and spoken with people who know

a lot about cars, I believe Mr. Wachs and others at his dealerships have deliberately misled us as to the gravity of the issue.

Valve springs are "absolutely essential to a proper functioning engine" and "[a] broken valve is not just bad for engine performance, it can also cause severe engine damage leading to costly repairs."[8] Because of this, automobile publications that have written about the topic have noted that "[b]roken valve springs are a nightmare for engine builders."[9]

In 2018, this nightmare became a reality for automakers Toyota and Subaru. The companies were forced to issue a recall notice covering some 165,000 vehicles in the United States in response to valve spring failures.[10] Between April 2012 and August 2015, Subaru received reports of 11 vehicles stalling as a result of the exact, same valve spring failure I experienced in my brand new Mercedes.[11] In its recall notice, the Toyota was blunt about the risks associated with a valve spring failure: "In the worst case, this may result in the engine stalling during driving and the inability to restart the vehicle. *An engine stall while driving at higher speeds could increase the risk of a crash.*"[12]

The recall notice also gave an estimated length of time for the repair, stating that "[t]he repair takes approximately one and one-half business days."[13] As of this writing, my vehicle has been at the dealership's service station for 15 days. This is further evidence that Mr. Wachs' statements that the issue with my vehicle is a simple fix and is cut-and-dried are false.

Given how critical they are to engine functioning, valve springs are meant to last a long time. Industry publications note that "[o]ver its life a valve spring could be compressed millions, billions, or even a trillion or more times"[14] and typically will not begin to lose tension until around "100,000 miles or more."[15] Several knowledgeable people I spoke with on an informal basis said that a valve spring failure in a brand-new car with 199 miles on it is "unheard of."

As the manufacturer, you are in a far better position to know why the valve spring in my car failed just days after having been driven off the lot in brand-new condition. If the failure was the result

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[8] Motor Society USA, "Symptoms of Bad Valve Springs," March 8, 2020, https://motorsocietyusa.com/symptoms-of-bad-valve-springs/.
[9] Dave Moynhan, Engine Builder Magazine, "Spring, Sprang, Sprung: Why Valve Springs Matter So Much," February 1, 2010, https://www.enginebuildermag.com/2010/02/spring-sprang-sprung-why-valve-springs-matter-so-much/.
[10] Cheryl & Christopher Jensen, Forbes, "Six Years Later, Subaru Decides A Recall Is Necessary," November 8, 2018, https://www.forbes.com/sites/jensen/2018/11/08/six-years-later-subaru-decides-a-recall-is-necessary/.
[11] Cheryl & Christopher Jensen, Forbes, "Six Years Later, Subaru Decides A Recall Is Necessary," November 8, 2018, https://www.forbes.com/sites/jensen/2018/11/08/six-years-later-subaru-decides-a-recall-is-necessary/.
[12] Toyota, "SAFETY RECALL J02: Certain 2013 Model Year Scion FR-S
Engine Valve Spring Replacement," November 1, 2018 (*see* appendix 4) (emphasis added).
[13] Toyota, "SAFETY RECALL J02: Certain 2013 Model Year Scion FR-S
Engine Valve Spring Replacement," November 1, 2018.
[14] Dave Moynhan, Engine Builder Magazine, "Spring, Sprang, Sprung: Why Valve Springs Matter So Much," February 1, 2010, https://www.enginebuildermag.com/2010/02/spring-sprang-sprung-why-valve-springs-matter-so-much/.
[15] Motor Society USA, "Symptoms of Bad Valve Springs," March 8, 2020, https://motorsocietyusa.com/symptoms-of-bad-valve-springs/.

of an issue with the materials or processes used to manufacture the valve springs in your vehicles, Toyota and Subaru's experience with faulty valve springs, whereby they issued a recall notice after having received 11 incident reports over the course of three and a half years, suggests you may already be nearly ten percent of the way to a recall. If that is the case, you have a very serious, systemic issue on your hands.

My additional concern—and, given my experience with your vehicles thus far, I think it is an entirely reasonable concern—is that my car may have escaped your quality control processes, meaning that the faulty valve spring is but one of several more latent defects I will discover in the vehicle. My other concern, which is informed by the research I have conducted since the February 10 incident, is that the valve spring failure in my car may have caused engine damage that will result in further issues with the car's functioning or performance going forward. For these reasons, I would feel safest in a new car.

4. Recommendations for further action and relief requested

The facts recounted above give rise to three issues. The first issue relates directly to your company as a manufacturer. As this incident and the incident Mr. Wachs' recounted to me and my son about the cracked engine conclusively demonstrate, **Mercedes-Benz is making and selling cars with serious manufacturing defects**. This revelation alone ought to prompt and thorough investigation into your manufacturing processes and quality control measures. A failure to do so poses serious legal, financial, reputational, and—most importantly—moral risks to your company. If these issues remain unaddressed, you will have blood on your hands.

The second issue relates to your roadside assistance, which is grossly inadequate. Forcing a [redacted] year old woman like myself to call a service center in a different state where the representatives responsible for ensuring my safety are completely unfamiliar with the local geography; forcing me to provide extraneous details, including a vin number, my driver's license information, and the exact address for a location that I do not even know, before calling a tow truck; and then forcing me to wait by the side of the road, alone, for an hour and a half at sundown is unconscionable. **Every minute that one of your customers spends waiting by the side of the road for help not only increases the danger to the customers, but it also increases the legal and financial risks to your company.**

This is a lesson your competitors understand well. In my 23 years as a Lexus owner, I only had to call roadside assistance a single time (for a flat tire). When I did, the roadside assistance representative was able to determine my location via GPS, the representative didn't ask for any extraneous information, and the representative promptly sent someone to repair my vehicle. While I was understandably frustrated about the flat tire, the company's prompt and efficient response made me feel safe.

Thankfully, on the evening of February 10, I was able to wait for the tow truck in balmy weather on a quiet side street in Naples, Florida. However, I often drive on I-75, and I live part-time in Chicago. I am now terrified that I might experience a similar problem while driving on an extremely remote stretch of I-75 known as "Alligator Alley," or while driving through a foot of snow in sub-freezing temperatures in Chicago. This is the "what-if game" I have been playing

every single day since February 10, and I do not yet feel that Mercedes-Benz has adequately addressed my concerns in this regard. Until it does, I cannot and will not have peace of mind while driving my vehicle.

The third issue relates to the dealerships that sell your company's vehicles. As my experience with Mr. Wachs' Mercedes-Benz of Naples shows, the customer service that owners of your vehicles are receiving is horrendous. I was frightened by the incident that happened on February 10, 2021, and now in dealing with Mercedes-Benz of Naples I feel completely demoralized. You need to launch a prompt and thorough investigation into the practices of your authorized representatives. **Allowing your authorized representatives to bully your customers while making false, misleading, and deceptive statements will only serve to undermine consumer confidence in your brand.** Indeed, after this entire experience, my confidence in your vehicles and in your authorized representatives is non-existent.

In addition to the above recommendations, I would like to reiterate the request I initially made to Mercedes-Benz of Naples to either (1) give me a new car or (2) unwind my purchase entirely and give me my money back (I understand that the dealer has already sold my old Lexus). I am not the sort of customer who looks for handouts. I paid sticker price for the car and purchased several add-on packages to enhance its durability and safety. However, following the incident on February 10, I am terrified for my safety.

As your company states on your website, Mercedes-Benz offers its customers "[l]uxury through peace of mind."[16] I do not and cannot have peace of mind in my current vehicle knowing that it rolled off the assembly line in Stuttgart with a serious manufacturing flaw. Consequently, I do not have the luxury vehicle your company promised me. I would kindly ask that you make this situation right promptly and with all due concern for the issues raised above. If you would like to discuss this matter further, please do not hesitate to contact me by phone at ([redacted] or by email at [redacted]

Sincerely yours,

[redacted]

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[16] Mercedes-Benz USA, https://www.mbusa.com/en/best-or-nothing/safety.

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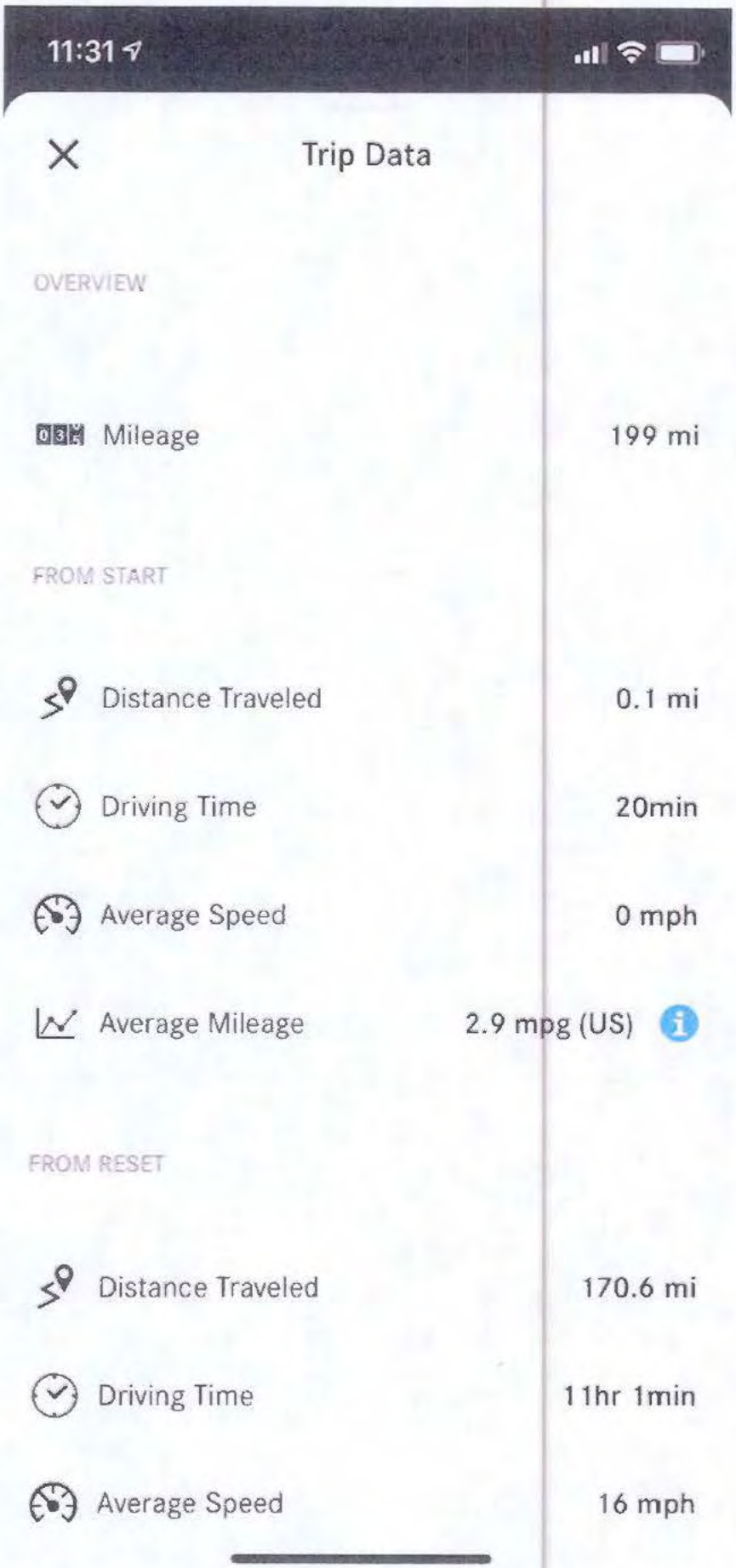
APPENDIX 1

Google

APPENDIX 2


11:31
Trip Data
OVERVIEW
Mileage
199 mi
FROM START
Distance Traveled
0.1 mi
Driving Time
20min
Average Speed
0 mph
Average Mileage
2.9 mpg (US)
FROM RESET
Distance Traveled
170.6 mi
Driving Time
11hr 1min
Average Speed
16 mph

APPENDIX 3

11:32

[redacted]

Delivered

I'm not really sure what you want me to say or do. I'm on a boat ride for my wife's birthday. Things happen with vehicles, could be something as simple as a loose gas cap. I wouldn't worry, I'm sure it's a simple fix.

They are bringing you a car to drive and we'll get yours fixed. The reason you get surveys is because Mercedes strives for perfection. With that said, I've never even heard of this happening before, but humans are not perfect, which means cars are not perfect.

APPENDIX 4

TOYOTA

SAFETY RECALL J02 *(Interim Notice J12)*

Certain 2013 Model Year Scion FR-S
Engine Valve Spring Replacement

Frequently Asked Questions
Original Publication Date: November 1, 2018

Q1: What is the condition?

A1: The valve springs located inside the engine of the affected vehicles may fracture, which may cause an abnormal noise or engine malfunction. In the worst case, this may result in the engine stalling during driving and the inability to restart the vehicle. An engine stall while driving at higher speeds could increase the risk of a crash.

Q1a: What is a valve spring?

A1a: The valve spring is an engine component that functions to close the exhaust and intake valves during the combustion cycle.

Q2: Are there any warnings that this condition exists?

A2: No. However, if the valve spring fractures, abnormal noise or vibration may occur prior to a potential engine stall.

Q3: What is Toyota going to do?

A3: Toyota is currently preparing the remedy. When the remedy becomes available, Toyota will send an owner notification by first class mail by late December 2018, advising owners to make an appointment with their authorized Toyota dealer to have the engine valve springs replaced with new ones of an improved design ***FREE OF CHARGE.***

Q4: Which and how many vehicles are covered by this Safety Recall?

A4: There are approximately 25,300 Scion vehicles covered by this Safety Recall.

Model Name	Model Year	Production Period
Scion FR-S	2013	Late March 2012 – Early July 2013

Q4a: Are there any other Lexus/Toyota/Scion vehicles covered by this Safety Recall in the U.S.?

A4a: No, there are no other Lexus/Toyota/Scion vehicles covered by this Safety Recall.

Q5: What if I previously paid for repairs related to this Safety Recall?

A5: Reimbursement consideration instructions will be provided in the owner letter.

Q6: How does Toyota obtain my mailing information?

A6: Toyota uses an industry provider who works with each state's Department of Motor Vehicles (DMV) to receive registration or title information, based upon the DMV records. Please make sure your registration or title information is correct.

Q7: What if I have additional questions or concerns?

A7: If you have additional questions or concerns, please contact the Toyota Customer Experience Center at 1-888-270-9371 Monday through Friday, 7:00 am to 7:00 pm, Saturday 7:00 am to 4:30 pm Central Time.

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