

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

From: [DataQuality, DataQuality \(NHTSA\)](#)
To: [EVOQ \(NHTSA\)](#)
Subject: FW: Follow up to ODI Complaint -----11426794 ---
Date: Thursday, September 23, 2021 8:59:26 AM
Attachments: [REDACTED]

From: [REDACTED]
Sent: Wednesday, September 22, 2021 4:45 PM
To: DataQuality, DataQuality (NHTSA) <DataQuality@dot.gov>
Subject: FW: Follow up to ODI Complaint -----11426794 ---

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

attached is BMW INSPECTION
REPORT, DENIAL OF PAYMENT
FOR DAMAGES, SMALL CLAIMS
COURT FILING

[REDACTED]

From: [REDACTED]
Sent: Thursday, September 9, 2021 6:34 PM
To: [REDACTED]
Subject: Re: Repair Estimate of Garage Door
Attachments: [REDACTED]

I read your letter BMW September 1, 2021 [REDACTED]

Rhinebeck, NY [REDACTED] Dear [REDACTED]: RE: 2020 BMW 330i, VIN: WBA5R7C03LF [REDACTED].

The letter does not inform me to whom at BMW do I submit a paid repair bill for reimbursement for the damage caused by my leased BMW 330i which collided with my garage door. That collision was caused by a defect in the car which caused the car to collide with the garage door " on its' own " after I vacated the vehicle, went into the house, and hung the keys on its designated place. The car collided while I was not in the vehicle. The Darmstadt Repair Estimate has been sent to you in the amount of \$ 2735.

If BMW will not pay for this repair for which it is responsible, please advise me accordingly.

On Thu, Sep 9, 2021 at 2:36 PM <caitlin.desiervo@bmwna.com> wrote:

Hello [REDACTED],

Please see the attached inspection results letter for your review. Based off the results, there were no faults, defects, or malfunctions present with the transmission or parking gear at the time of our inspection that could have contributed to your roll away concern.

Accordingly, BMW NA is unable to offer repair assistance towards your garage door.

Thank you again for allowing us to investigate your concern.

Best Regards,

Caitlin

BMW Group
Caitlin De Siervo

Executive Customer Relations and Services

BMW of North America, LLC

P.O. Box 1227 - Westwood, NJ 07675-1227

Tel: 201-571-5869

Fax: 201-930-8484

Mail: Caitlin.DeSiervo@bmwna.com

Web: bmwusa.com

***** IMPORTANT--PLEASE READ *****

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From: [REDACTED]
Sent: Thursday, September 09, 2021 2:12 AM

To: DeSiervo Caitlin, C4-US-B-60 <caitlin.desiervo@bmwna.com>

Subject: Repair Estimate of Garage Door

I have not received the report of the inspection by a bmw representative at Hudson Valley BMW.

Attached is a repair estimate of my garage door which had impact from my leased bmw 330i.

APPLICATION TO FILE SMALL CLAIMS

Ninth Judicial District

For Court Use only

City Court of: Poughkeepsie
 County of: Dutchess

Index No. SC-
 Filed Date 9/15/2021
 Court Date _____

- \$15.00 - Claim of \$1,000 or less
- \$20.00 - Claim over \$1000 up to \$5,000
- \$ 5.00 - Counterclaim + .53 Postage Per Defendant

PAYMENT OPTIONS:

CASH, MONEY ORDER, CERTIFIED BANK CHECK
 CREDIT CARD - VISA, MASTERCARD OR DISCOVER ONLY
 NO PERSONAL OR BUSINESS CHECKS ACCEPTED

PLAINTIFF: (NAME & ADDRESS - No P.O. Boxes)

Print Name _____
 D.B. A. _____
 Street _____
 City/State/Zip Code Rhinebeck New York _____
 Daytime Phone # _____
 Email Address _____

DEFENDANT: (NAME & ADDRESS- No P.O. Boxes)

Defendant must reside in the same County as the

Print Name BMW of the Hudson Valley
 D.B.A. BMW of the Hudson Valley
 Street 2068 South Road
 City/State/Zip Code Poughkeepsie, NY 12601
 Daytime Phone # 845 462 1030
 Email Address ednanatray@gmail.com

CO-

STATE OF NEW YORK:
 Poughkeepsie City Court
 62 Civic Center Plaza
 Poughkeepsie, New York 12601

Receipt Number: _____
 Time: 09/15/2021 10:03:49
 Cashier Name: ggu
 Register Name: 1
 Received From: _____
 Case # _____
 1-Small Claims > \$1000 \$20.00
 Total Owed: \$20.00
 Payments: \$20.00
 Credit: 09013A \$20.00
 Amount Tendered: \$20.00
 Change \$0.00

[PAYOR COPY]

Amount of Claim (Do not include filing fees) : \$ \$2,735.00

Briefly state reason for claim: BMW 2020 330ix crashed into my garage door. + it ran away after I had parked it, vacated the car with the key, and into the house. Damage to garage door is \$2735. Police came to accident site within 15 minutes after I noticed car was running embedded in the garage door.

Use only ONE of the following reasons for this claim: in the garage door.

- Breach of contract or warranty
- Breach of lease or rental agreement
- Breach of warrant of habitability
- Rental expense
- Confirm arbitrator's award
- Damages caused to automobile
- Dishonored check
- Failure to pay for medical services
- Failure to issue a refund
- Failure to pay for commissions
- Failure to pay for insurance claim
- Failure to pay for services rendered
- Failure to pay for wages

- Failure to pay for goods ordered
- Failure to provide proper services
- Failure to return property
- Goods sold and delivered
- Late Fees
- Loss of personal property
- Loss of profit
- Loss of time for work
- Loss of use property
- Medical malpractice
- Monies due
- Motor vehicle negligence
- Other

- Payment of loan
- Personal Injuries
- Professional fees
- Property damage
- Refund on defective merchandise
- Refund on defective work, labor, services
- Return of deposit
- Return of security
- Termination
- Unpaid wages
- Veterinary bill
- Work, labor or services

Small Claims/Commercial Claims is available here: <http://nycourts.gov/courthelp//pdfs/SmallClaimsHandbook.p>

Signature of person filing claim _____

9/15/2021
 Today's Date

BMW

September 1, 2021

██████████
██████████
Rhinebeck, NY ██████████

Dear ██████████:

RE: 2020 BMW 330i, VIN: WBA5R7C03LF ██████████

As a follow-up to our e-mail communication, BMW of North America, LLC ("BMW NA") inspected this vehicle on August 23, 2021, at BMW of The Hudson Valley in Poughkeepsie, NY. The inspection was performed by our Technical Support Engineer and the results were forwarded to our National Engineering Team for further review.

The visual inspection of the vehicle did not show any apparent damage. The gear shifter was moved into each gear position and all positions were recognized correctly by the transmission. The indicators in the instrument cluster and on the gear shifter console matched the selected gear.

The parking brake was tested, and it activated each time the switch was pressed. Once activated, the vehicle held firmly with no movement. The park gear also held the vehicle stationary. If the inspector left the vehicle while it was in drive or reverse, it would shift into park (auto-park). If the inspector left the vehicle while it was in neutral, it would stay in neutral and a check control message would appear ("Gear in Neutral").

A detailed electronic diagnosis of the vehicle's fault memory revealed no error codes that would indicate a defect was present or a malfunction had occurred. There were multiple check control messages about the vehicle being in neutral, but it was not possible to determine if one occurred on the day of the incident.

Based on the results, we are technically confident that there were no faults, defects, or malfunctions present with the transmission or parking gear at the time of our inspection that could have contributed to your roll away concern.

Thank you for allowing us the opportunity to inspect your vehicle and share our findings with you. Your patience and cooperation in this matter are greatly appreciated.

Sincerely,



Caitlin DeSiervo
Executive Customer Care Representative
Customer Relations and Services
BMW of North America, LLC

Company
BMW of North America, LLC

BMW Group Company

Mailing address
PO Box 1227
Westwood, NJ
07675-1227

Office address
200 Chestnut Ridge Road
Woodcliff Lake, NJ
07677-7731

Telephone
201-571-5869

Fax
201-930-8484

Website
www.bmwusa.com

Darmstadt

Overhead Doors
 168 Cornell Street
 Kingston New York 12401
 Phone: (845) 331-0191
 Fax: (845) 331-0786

Quick Quote

For: [REDACTED]	Date 9-8-2021
Address [REDACTED]	Installed <input checked="" type="checkbox"/> not installed <input type="checkbox"/>
Rhinbeck, N.Y.	Quoted By Ken DARMSTADT
Phone # [REDACTED]	Valid Until 9-18-2021
Fax # [REDACTED]	JOB: Replacement of DAMAGED GARAGE Door.

QTY:	DESCRIPTION	PRICE/UNIT	TOTAL
1	SIZE 8' X 7' SECTIONS only with on Door Hardware Installed		1650.00
	MODEL #610 Wood GRAIN TEXTURED Flush Insulated Steel OVERHEAD Door.		
	MAKE HAAS Door Company		
	COLOR Polar White.		Incl
	TRACK TYPE USE EXISTING		
	SPRING TYPE USE EXISTING		
	SHAFT TYPE & SIZE USE EXISTING		
	GLAZING Solid / NO GLASS		
	INSERTS None		
	LOCKING SYSTEM Fossil Shot Lock		Incl
	MOLDING Bottom Weatherseal		Incl
	OPERATOR & SIZE Hook-up + CALIBRATION OF EXISTING OPERATOR		250.00
	REMOTES & ENTRY SYSTEM USE EXISTING		
	TAKE DOWN AND REMOVAL OF DAMAGED OVERHEAD Door Sections + Hardware only		150.00
	NOTES: Optimize: Preparation of TWO COATS of EXTERIOR of Door Face only with Benjamin Moore - ARBOR COAT MATERIAL + LABOR →		685.00
	2/3 Deposit - check on Cash Balance Due upon Completion of our Job.		
	Thank-you Kenny		
		SUB TOTAL	2735.00
	Dutchess County	SALES TAX on MATERIAL	Included
		GRAND TOTAL	2735.00