

OF INFORMATION ACT (FOIA), 5 U.S.C.552(B)(6)

From: [REDACTED]
To: [EVOO \(NHTSA\)](#); [REDACTED]
Cc: [NHTSA ODI CRD](#); [REDACTED]
Subject: ODI-11466640
Date: Monday, September 19, 2022 12:28:30 PM

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[REDACTED]
Subject: Re: Hyundai Consumer Affairs Case#: [REDACTED]
To: CSS@hmausa.com
Cc: consumer@wvago.gov, 4me+nhtsa@telesishq.com, [REDACTED], jferretti@wvjusticelawyers.com, dkerby@winchester.cmacars.com

Theia,

I returned your call not long after you left me a voicemail asking me to do so and I also replied to your email 38 minutes later 3 days ago. I have yet to receive either a call or reply email to date. I understand how busy you are but it is upsetting to be asked to return a call which goes straight to voicemail and I leave one only not to be called back as well as replying to email. I have always made sure to return calls promptly for months and emails but not receiving a response back is very upsetting. I am available today and would appreciate a return call. I would also like to verify you received my email and voicemail regarding my car which is at Winchester Hyundai and this dealership is where we want the repair done and not Massey Hyundai for reasons I explained on your voicemail as well as previous email.

I have included Winchester Hyundai service /owner attached to this email.

Thank You: [REDACTED]
[REDACTED]

...

On Tue, Sep 13, 2022 at 9:27 AM <CSS@hmausa.com> wrote:
Good Morning [REDACTED].

My name is Theia and I have been assigned to assist with the claim that you filed with your state's attorney general's office. We received the paperwork you provided showing that you were indeed married to [REDACTED] at the time the vehicle was purchased. We were able to submit it to the prior authorization department and they have reopened the request for the engine replacement and sent notification to the dealership to have the service manager sign a form so that they can finalize the PA request. As of this morning, I saw that the prior authorization department is still waiting for the signature from the service manager, so I called the dealership. I explained the situation to April, the service adviser that answered the phone, and she said she would let the service manager know to sign and submit the required form. I will continue to monitor the status of the request to ensure that the form is submitted and will let you know once a decision has been made.

Please let me know if you have any questions.

Best Regards,

Theia
CSS Department
833-462-8722 ext. 65015
Hyundai Motor America

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privileged and confidential information. If you are not the intended recipient, any use, disclosure, copying or distribution of this message or attachment is strictly prohibited. We have taken precautions to minimize the risk of transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this message. We cannot accept liability for any loss or damage caused by software viruses. If you believe that you have received this email in error, please contact the sender immediately and delete the email and all of its attachments.

[REDACTED]
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From: [REDACTED]
To: [EVOQ \(NHTSA\)](#)
Subject: [Strasser-King, Marion C](#)
Date: ODI-11466640
Monday, September 19, 2022 3:46:41 PM

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.

Subject: Fwd: Hyundai Consumer Affairs Case#: [REDACTED]
To: consumer@wvago.gov, 4me+nhtsa@telesishq.com, jferretti@wvjusticelawyers.com, dkerby@winchester.cmacars.com, [REDACTED]

----- Forwarded message -----

From: <CSS@hmausa.com>
Date: Fri, Sep 16, 2022, 5:57 PM
Subject: Hyundai Consumer Affairs Case# [REDACTED]
To: <[REDACTED]>

Good Afternoon [REDACTED]

Please don't apologize. Though we haven't spoken, I have reviewed all of the case notes, I can't even imagine the frustration you have dealt with these past 4 months. I really do apologize that I didn't get back to you before this morning.

I do have some good news though. I checked on the status of the PA, and as of a couple of hours ago, it has been approved. It was approved with the same terms as the previous one with an offer to assist with 90% of the cost of the engine replacement. I am going to set a follow-up for myself to reach out to the dealership on Tuesday morning to see if they have received an ETA for the engine yet. Regardless of their answer, I will be sure to let you know what they say, and then we can figure out the best next steps from there.

I hope you have a wonderful weekend!

Best Regards,

Theia
CSS Department
833-462-8722 ext. 65015
Hyundai Motor America

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[REDACTED]

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From: [REDACTED]
To: [EVOQ \(NHTSA\)](#); [REDACTED]
Cc: [NHTSA ODI CRD](#); [REDACTED]
Subject: ODI-11466640
Date: Monday, September 19, 2022 5:04:40 PM

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.

[REDACTED]
Subject: Fwd: Hyundai Consumer Affairs Case#: [REDACTED]
To: consumer@wvago.gov, 4me+nhtsa@telesishq.com, [REDACTED]

This is an email from the Attorney Joe ferreti who has been helping us with Massey Hyundai. Massey Hyundai has not responded to any of our certified letters to the GM Faith Massey including phone calls regarding the service record from 6-24-22/7-20-22. We have requested in each letter a copy of what was done to my car while at their dealership. We have also asked to personally meet with Ms. Massey including service manager Donnie Smith and Randy Parker regarding the 2k additional mileage on my vehicle as well as Randy not being able to locate my car keys for 15 minutes and not having the service record attached.

The service manager Donnie only responded when I questioned the additional mileage that "It doesn't make sense you'd have an additional 2k when you just had an oil change at the end of March 2022 and no way can you put an additional 2k between that time and dropping it off to us". We have yet to date received any response on this matter or an investigation by Massey Hyundai how the additional mileage happened while in there care or why or where were my car keys found including my car being much worse since picking it up on 7-20-22.

While we are happy to receive a new engine and Winchester Hyundai will proceed with repairs, we hope that an investigation will continue with Massey Hyundai. Also you may contact attorney Joe Ferreti if you need more information on the issue with Massey Hyundai.

The only thing we wished is Hyundai Motor America should have paid 100 percent instead of 90 percent however I need my car.

Sincerely [REDACTED]

...

----- Forwarded message -----

From: Joe Ferretti <jferretti@wvjusticelawyers.com>
Date: Sat, Sep 17, 2022, 7:02 AM
Subject: RE: Hyundai Consumer Affairs Case#: [REDACTED]
To: [REDACTED]

[REDACTED], from experience, whether its my own or with others over the years, there comes a time to declare victory. Your relentless pursuit of getting this car repaired has resulted in finding the right dealership and getting the company to respond with a new engine. It took months of aggravation and frustration but now it appears you are at a place where what you wanted all along is going to happen.

I recommend sitting back at this point and letting the work happen in Winchester. All concerned know you will remain vigilant but at this point there appears to be a commitment you can count on.

Regarding Massey, some of the issues (unauthorized mileage) will become mott in some respects because of the new engine. However, investigations should proceed by the AG and others who have been notified of their conduct. Their response and attention to this detail, and others, is something they will ultimately decide. You have done your part in alerting them to the issues that should concern them. I would also hope that the company would look closely at the behaviors of the dealership. But I can tell you based upon my discussions with my brother, who

is an executive with Ford in Dearborn, Michigan, they have little control over the day to day operations of their dealerships.

The car market is a tricky one at the moment. If there is a way to trade the car and purchase a new one under a "buyer program deal" where you are not subject to the current market forces, that could be a final, welcome development.

Joseph R. Ferretti
Manchin Ferretti, PLLC
408 West King St.
Martinsburg, WV 25401
(304) 264-8505

From: [REDACTED]
Sent: Saturday, September 17, 2022 5:26 AM
To: Joe Ferretti <jferretti@wjjusticelawyers.com>
Subject: Re: Hyundai Consumer Affairs Case# [REDACTED]

Thank you Joe. I couldn't have done any of this without talking to you. I can tell you that Massey Hyundai service manager Donnie Smith was dumbfounded when he called with the news and Larry told him my car is at Winchester Hyundai and we want it done with them and not Massey. Donnie was very quiet.

He then asked Larry if Winchester started the work yet and Larry told he he didn't know but we will have all service repair done only with Winchester Hyundai. Donnie finally realized at that point we were very serious about taking this much further and mentioning our attorney (You) told us to take our car to Winchester Hyundai left Donnie speechless and worried as it should.

Of course Massey GM Faith Massey has still not responded to our letter she received once again requesting the service record when they had my car. And Winchester Hyundai owner Darrell Kirby called me yesterday and verified it is the piston and short block and the bottom of my engine where it sits is damaged from it. Darrell Kirby knows I told him Donnie at Massey said it was not the piston and only the bottom of the engine which proves Massey Hyundai never actually looked at the piston.

Darrell from Winchester Hyundai told me as soon as he received my car he immediately had it pulled in the bay and the mechanic found the piston and short block damaged and Darrell submitted paperwork and photos that same day which Massey Hyundai never did. He said he had already submitted everything to HMA proving everything before we received the approval and he was going to fight it if it was again denied.

I am still extremely upset with Massey because of the extra Mileage and no service paperwork for which we know we will never have a resolution. But, I did report it to the AG and it's being looked into. I should receive my car back in a couple of weeks but at this point I'm not sure if I want to keep it because I have been doing a tremendous amount of research on my make and model receiving new engines that again have failed within a short amount of time. I may go to a few dealership for estimates then possibly selling it or trading it in.

Will never purchase another Hyundai and staying away from Kia since they are the same company. And used cars are selling at a higher price than new. You have helped us so much and we owe you big time Joe! I have no idea what car I want now but might go straight to my brother in law since he is the GM of GMC in Cumberland PA. He has been waiting for me to decide so he can get us a good deal on a new car.

Have a beautiful Blessed weekend!

Thank you: [REDACTED].

BTW, I think now you realize when I know something just isn't right and a corporation has a defective engine they know about, I just can't and won't cut my losses and walk away. Just so sad but of course you completely understand.

On Fri, Sep 16, 2022, 1:43 PM Joe Ferretti <jferretti@wjjusticelawyers.com> wrote: > All very encouraging > Sent from my iPhone > > > On Sep 16, 2022, at 12:44 PM, [REDACTED] > wrote: > >

Thank you for your email, > I apologize for being rude in my prior email as this has been very upsetting for 4 months. Including being disabled and not having a car in order to get to very important doctor appointments in which I have had to cancel. Not having a vehicle and having to prove everything I have stated on calls is upsetting and not having my vehicle or even a loaner all this time is upsetting. This entire process has made my health much worse due to waiting and having to involve our West Virginia Attorney General and NHTSA has also been upsetting because it was not something I wanted to do but had no choice. I hope the repair is done soon because I have been without a vehicle for 4 months due to denials and I am happy it is now being taken care of for now. I appreciate your detailed email and hope to receive an update from you next week. > > Thank You: [REDACTED]
> On Fri, Sep 16, 2022 at 11:06 AM <CSS@hmausa.com> wrote:
Good Morning [REDACTED]

My apologies for the delayed response. I have been working to see what the next steps would be since the vehicle has been transferred to a new dealership. Because Prior Authorization requests are specific to the dealership that submitted them, the service department at Winchester Hyundai has had to submit a new request. I saw that as of yesterday Winchester Hyundai was able to submit the PA request and very early this morning, they have been requested to submit paperwork so the request can be approved for the repairs to be completed at Winchester. Once the service manager at Winchester is able to get the paperwork submitted and the PA department approves the request, the dealership will be able to place the order for the engine. I will keep an eye on the status of the request and will provide you with an update once I see that it has been approved. Once the dealership has placed the order for the needed parts, it can take a couple of days for them to receive an ETA for the parts, so I will reach out to them at that point to see what ETA they have received.

Best Regards,

Theia
CSS Department
833-462-8722 ext. 65015
Hyundai Motor America

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