

CL-11504344-1000

**From:** [REDACTED]

**Sent:** Tuesday, February 7, 2023 9:46 AM

**To:** BMW Customer Relations <[customerrelations@bmwusa.com](mailto:customerrelations@bmwusa.com)>; Reid, Randy (NHTSA) <[randy.reid@dot.gov](mailto:randy.reid@dot.gov)>

**Subject:** Fwd: 2006 BMW 750LI, case # [REDACTED], VIN WBAHN8358 [REDACTED]

**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.

Dear Matt x 1456; Ryan x 1981

I have already escalated this case to NHTSA. FYI, please find the correspondence with Mr. Randy Reid, Chief of the Consumer Engagement Division, Office of Defects Investigation, of the Department of Transportation.

I filed the complaints with (1) Illinois Attorney General's Office, (2) Federal Trade Commission, and (3) BBB New Jersey, per Mr. Reid.

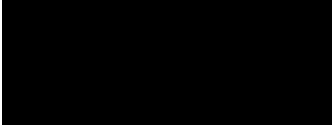
I communicated with Field BMW Northfield to request a meeting with the BMW regional manager, per Mr. Reid. Chris Goodrich of Field BMW Northfield responded, "you would get relief for that from bmw cust service 800-831-1117"

I also communicated for options with Dicello Levitt, a law firm who had a successful class action suit against BMW with billion dollars for customers. John Tangren of Dicello Levitt replied, "the recalls that apply to your 2006 750 Li vehicle do not expire, and I would encourage you to have the associated service procedures performed on your vehicle if you have not already done so." He further said, "as we mentioned before, if you are interested in pursuing a lemon law claim, you should act quickly to consult with an attorney to avoid the expiration of statutes of limitation."

Mr Matt/Ryan, I have already filed the case by sending a letter to your legal department, per the address you provided at Westwood, New Jersey. Please ask them to respond to me accordingly and timely.

We are requesting a relief for successful repairs of this 2006 BMW 750 LI, and a reimbursement of \$21K we have incurred so far; if repairs were not considered viable, we will further ask for a refund for the payment we made to purchase this vehicle, and \$21K.

Thanks.



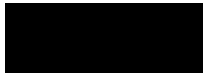
----- Forwarded message -----

From: **Reid, Randy (NHTSA)** <[randy.reid@dot.gov](mailto:randy.reid@dot.gov)>

Date: Tue, Feb 7, 2023 at 8:00 AM

Subject: FW: 2006 BMW 750LI

T



Thank for this information. I will add it to your previous complaints in our database.

Randy

From



Sent: Monday, February 6, 2023 5:20 PM

To: Reid, Randy (NHTSA) <[randy.reid@dot.gov](mailto:randy.reid@dot.gov)>

Subject: Re: 2006 BMW 750LI

**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.

Mr. Reid,

I have filed complaints to the Illinois Attorney General office, and Federal Trade Commission, per your suggestion. Thank you.

2012 BMW has a recall on 45,500 7-series manufactured in 2005-2008, under NHTSA #12V5020000 (18/10/2012). Will you be able to confirm?

Thanks.

On Mon, Feb 6, 2023 at 3:25 PM Reid, Randy (NHTSA) <[randy.reid@dot.gov](mailto:randy.reid@dot.gov)> wrote:

Thank you for contacting the National Highway Traffic Safety Administration (NHTSA) regarding your 2006 BMW 750LI vehicle. We encourage you to continue to work with BMW or a local dealer to explore the potential for an amicable resolution to your problem. You can ask the dealer to arrange a meeting with a BMW district manager to discuss your problem. You may also consider contacting your local Consumer Protection Agency or the Illinois Attorney General's Office regarding your problem and rights under state law. In addition, the Federal Trade Commission (FTC) regulates and investigates warranty and dealership problems, reimbursement matters, and fair-trade practices. Therefore, if you believe this issue potentially relates to such a practice, you may contact the FTC to discuss the matter. There are three ways to contact the FTC: by toll free telephone at 877-382-4357; by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at [www.ftccomplaintassistant.gov](http://www.ftccomplaintassistant.gov).

Finally, you may also consider contacting the Better Business Bureau (BBB) Auto Line. The BBB offers free mediation/arbitration to resolve warranty disputes under guidelines established by the FTC. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. You can visit their website at [www.bbb.org](http://www.bbb.org) to file a complaint and review eligibility information or call the BBB Auto Line at 800-955-5100.

Sincerely,

Randy Reid,  
Chief

Division

Consumer Engagement

Office of Defects Investigation

**BMW, N.A., Customer Relations & Services**

Case # [REDACTED] (Tel number), VIN WBAHN835 [REDACTED]

Transmission & electric issues

Case Manager, Matt Clay, 800 831-1117 x 1456; Ryan, x 1981

Responded on 1/17/2023

**Legal Dept: PO BOX 1227, Westwood, NJ 07675**

**NHTSA**

Complaint # 11502144, 888 327-4236

Reported on 1/17/2023. Complaints on electrical, power train and speed control.

**Best Business Bureau, New Jersey**

Complaint [REDACTED]

**Office of Illinois Attorney General, Kwame Raoul**

Complaint [REDACTED]

2/6/2023

**Federal Trade Commission**

ReportFraud.ftc.gov

Report [REDACTED]

January 19, 2023

Dear Matt/Ryan,

I am hereby requesting this 2006 750LI, VIN WBAHN83586 [REDACTED] to be granted to the group of 45,500 affected vehicles under 6 recalls between 2012 and 2017. Also, this vehicle has been in the shops for repairs of the recalled issues, since 2019, and failed, to which certain lemon laws shall be applied.

**The BMW Recalls**

In 2012, BMW recalled the 7-series manufactured in 2005-2008. The recalls were as result of at least 14 crashes and possibly 5 injuries. The recalls involved 45,500 cars with 7-series models manufactured in years from 2005 to 2008, that includes our 2006 750LI.

Six NHTSA safety recalls related to 2006 750 LI:

- 12V502000 (18/10/12): power train automatic transmission, control module and electric system
- 12V504000 (19/10/12) & 17V328000 (19/05/17): latches/locks/linkage door latch
- 13V564000 (18/11/13): airbags sensor occupant classification

There are 313 complaints recorded by NHTSA to 2006 BMW 7-series. Electrical systems, 30; engine, 22; power train, 107, latches/locks/linkages, 42; and airbags, 63.

In NHTSA website, “Whether a manufacturer independently conducts a safety recall or NHTSA orders one, the manufacturer must file a public report describing the safety-related defect or noncompliance. Manufacturers are also required to notify owners by mail within 60 days of notifying NHTSA of a recall decision.”

### **Our 2006 750 LI**

The vehicle was purchased as pre-owned from BMW of Tenafly, 301 County Road, Tenafly, NJ 07670 on 3/19/2009. The vehicle is certified pre-owned warranty. Odometer reading at the time of the purchase is 45,450 miles. Sale price is \$35,777.84.

The registration address for the vehicle was 46 Longview Drive, Emerson, NJ 07630 when the vehicle was purchased. This address has not been updated since 2009, while we have been living in Chicago since 2011. During the years from 2011 to 2014, the vehicle was left in the garage at the registration address in new jersey. We had not received any of the 2012 recall notifications, to allow us to respond to the recalls. Thus, the vehicle’s VIN was never in the BMW database for these recalls.

The usage of the vehicle since 2009 as follows:

- The vehicle was vocationally used, and mostly garaged, from 2009-2011, in New Jersey.
- **NO USAGE of the vehicle, and the vehicle was garaged, from 2011-2014, in New Jersey, when the recalls were announced but neglected by the owner.**
- Vocationally used, from 2014-2019, in Chicago.
- Since 2019, the vehicle has not been used, but in the shops for engine and transmission failures: 3 years in Bridgeport Transmission, and 3 months in Field BMW Northfield.
- The vehicle is in good physical condition, confirmed by Field BMW Northfield’s inspections.

Note:

- Bridgeport Transmission is very reputable repairing shop, in which the owner Rich has over 40 years experiences with European cars including BMW, specializing in transmission. The shop locates at 930 W 31st Street, Chicago, IL 60608. (Tel 312 842-1887, Richard, the owner)
- Field BMW Northfield is a BMW certified and authorized dealer with repairing shop. The shop locates at 700 Frontage Road, Northfield, IL 60093. (Tel: 847-441-5300 x 8396, Chris Goodrich, the service advisor).

### **The Accidents**

In the summer of 2019, the vehicle had a breakdown in the 31<sup>st</sup> street between the S Prairie Ave and the S Indiana Ave. The vehicle was towed to Field BMW Northfield for diagnosis and repair attempt, and to Bridgeport Transmission with a rebuilt engine installed.

In the summer of 2020, the transmission had a gear clicking, which quickly forced the vehicle to complete stop in I90/I94 southbound closer to W Division Street. It was almost a life and death situation.

Between 2019 and 2020, before the vehicle was full-time in the shops:

- The vehicle often automatically shifted gear to backwards, and sometimes started moving by itself.
- If reverse, the vehicle transmission would start clicking, and quickly fell into a "limp" mode. The vehicle lost its ability to backwards.
- Driving in highway, usually in 20-30 mins after the vehicle warmed up, the screen for GPS started flashing. Clicking sound was heard from the transmission, and the vehicle would be in "limp mode".

### **The Repairs, related to the issues of the 6 recalls**

Since 2019, we have continuously incurred the expenses/payments:

- \$6,500, for engine rebuilt, by Bridgeport Transmission
- \$1,500, for new battery and related, for failed transmission, by Field BMW Northfield, as this authorized dealership suspected battery resulting in unstable power supply to transmission.
- \$6,500, for electric and transmission, by Bridgeport Transmission.
- \$650, for a rebuilt mechatronix and programming by Transtar Industries, as arranged by Bridgeport Transmission.
- \$5,350, for replacement of DSC control unit, requested by Field BMW Northfield (noted, that the replaced DSC Control may be a good one, as early diagnosed Bridgeport Transmission)
- $4 \times \$350 = \$1,400$ , towing services between locations of the vehicle breakdown on shoulder of highway and repairing shops, and between shops.

The total  $\$6,500 + 1,500 + 6,500 + 5,350 + 1,400 = \$21,250$  is the sum that we are requesting a reimbursement for this recall of this vehicle.

Conclusions that the vehicle is irreparable:

- Bridgeport Transmission has spent over 2 years to inspect and try to repair the transmission and electric issue, BUT failed. They inspected wires, almost every components related to electric and the transmission, including replacement of fuse module, and mechatronix (rebuilt and programmed). They exhausted their idea.

- Field BMW Northfield suggested to replace all of the components, disregarding whether these components are good or bad (as they do not have knowledge or equipment to distinguish if a component is good). They told the owner, the electric design for the 2005-2008 7-series was very complicated, like lights on a Christmas tree. The replacement would have to exhausted, until they make the fix, even to replace all electric cables. In other words, they're admitting "ignorance" of this 2006 750LI.

Thanks.

