

COMPLAINT

2017 SUBARU OUTBACK WAGON

VIN #4S4BSANC01 [REDACTED]

INTERMITTANT STALL WHILE BEING DRIVEN

February 23, 2023

OWNER OF VEHICLE:

[REDACTED]

BRIDGEPORT, CONNECTICUT [REDACTED]

PHONE: [REDACTED]

Certified Mail Sent to:

- National Highway Traffic Safety Administration
- William Tong, Connecticut Attorney General
- Connecticut Department of Motor Vehicles, Consumer Complaint Center
- Subaru of America, Inc.: Camden, NJ
- Dan Perkins Subaru: Milford, CT

12

CONTENTS

1. Contents.....	i
2. Overview.....	ii
3. CT Department of Consumer Protection E-mail to file a complaint using Form CT DMV K35 REV. 12-2022.....	P1
4. CT Department of Consumer Protection Form CT DMV K35 REV. 12-2022.....	P2
5. Dan Perkins' Invoice [REDACTED].....	P3
6. E-mails between [REDACTED] and Subaru's Customer Advocacy Department.....	PP4-6
7. Notes of Phone Conversation with John Turney of National Highway Traffic Safety Administration, Reference ODI #11508525.....	P7
8. Communication to William Tong, Attorney General of Connecticut.....	P8

OVERVIEW

This communication concerns a 2017 Subaru Outback Wagon, owner:

[REDACTED]
Bridgeport, CT. [REDACTED]

Phone [REDACTED]

As revealed by the subsequent "Documents" and "E-mails", this matter involves a 2017 Subaru Outback Wagon, VIN #4S4BSANC0 [REDACTED]. When driving the automobile and pressing down on the gas pedal, intermittently the gas will stop feeding into the engine causing the automobile to stall and potentially create a dangerous event to the driver, passenger[s] and occupant[s] of other vehicle[s].

[REDACTED]
[REDACTED]
2/23/2023

Date

[REDACTED]

From: DCP.Complaints <DCP.Complaints@ct.gov>
Sent: Wednesday, February 22, 2023 8:08 AM
To: [REDACTED]
Cc: Customer Advocacy
Subject: RE: [Case # [REDACTED]]

We are recommending that you file a complaint using a CT DMV K35 form on their website.

Thank you,

CT Dept. of Consumer Protection
www.ct.gov/dcp/complaint

From: [REDACTED] >
Sent: Wednesday, February 22, 2023 12:02 AM
To: DCP.Complaints <DCP.Complaints@ct.gov>
Cc: Customer Advocacy <Customers@subaru.com>
Subject: FW: [Case # [REDACTED]]

You don't often get email from [REDACTED] [Learn why this is important](#)

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Please advise.
[REDACTED]

**COMPLAINT AGAINST CT LICENSED
DEALER OR REPAIRER**
K-35 REV. 12-2022

STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES
DEALERS AND REPAIRERS DIVISION
On The Web At ct.gov/dmv

CASE NUMBER

DMV OFFICE USE ONLY	DEALER LICENSE NUMBER	DEALER LOCATION NUMBER
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Mail your completed K-35 application, signed and dated by you, with legible copies of all related documents to the following:
Department of Motor Vehicles, Consumer Complaint Center, 60 State St. Wethersfield, CT 06161-2010

Copies of documents can include a sales purchase order, invoice, federal odometer statement, repair order, estimate, any authorization, statement from business, ect.

LICENSED DEALER OR REPAIRER INFORMATION	BUSINESS NAME (As Shown on Invoice) Dan Perkins Subaru		PERIOD VEHICLE IN CUSTODY OF BUSINESS (Dates) 2/15/2023 to 2/23/2023	
	BUSINESS ADDRESS (Number and Street) ONE Post Road (City or Town) Milford, Connecticut 06466 (State) (Zip Code)		LICENSED DEALER OR REPAIRER PHONE NUMBER (203) 882-5686	
			PERSON DEALT WITH Advisor: Shana Costa;e Manager: Mark Mesidore; Tech: Jim	
COMPLAINANT INFORMATION	YOUR NAME [REDACTED]		DATE OF SERVICE/SALE 2/15/2023 to 2/23/2023	
	YOUR ADDRESS (Number and Street) (City or Town) (State) (Zip Code) [REDACTED] Bridgeport, Connecticut [REDACTED]		YOUR PHONE NUMBER, M-F 8 AM TO 4 PM * [REDACTED]	
VEHICLE INFORMATION	MAKE Subaru	MODEL Outback Wagon	YEAR 2017	MARKER PLATE NUMBER [REDACTED]
	VEHICLE IDENTIFICATION NUMBER 4S4BSANC0H [REDACTED]		CURRENT ODOMETER READING 53,923 (AT PICK UP)	ODOMETER READING AT TIME OF REPAIR OR SALE 53,861 (AT DROP OFF)
	YOUR E-MAIL ADDRESS [REDACTED]			

THE DEALER OR REPAIRER SHOULD BE GIVEN THE OPPORTUNITY TO RESOLVE THE COMPLAINT PRIOR TO NOTIFYING THE DMV. IF YOUR COMPLAINT IS RESOLVED AFTER SUBMISSION TO DMV, PLEASE MAIL A SIGNED AND DATED LETTER STATING SO.

TYPE OF COMPLAINT
☐ MOTOR VEHICLE SALES ☐ TOWING / STORAGE ☒ OTHER:

Please type a brief description of your complaint below:

SEE ATTACHED.PLEASE.



IMPORTANT INFORMATION:

- All complaints must be submitted by mail to the address below.
- Include readable copies of ALL sale or repair documents
- Incomplete complaints will not be investigated.

Please note that the DMV does not investigate complaints related to improper or negligent repairs, misdiagnosis, poor quality parts, paint or cosmetic work.

The above are all civil matters that consumers can pursue in civil court.

I am filing a complaint against the business named above. I am requesting that the Department of Motor Vehicles assist me in resolving my problem to the extent provided by law. I have sent the second copy to the Dealer/Repairer.

DATE SIGNED

2/23/2023

to CT DMV at above address

CUSTOMER #:

Dan Perkins

INVOICE

SUBARU, INC.

1 BOSTON POST ROAD - MILFORD, CT 06460
(203) 882-5686

BRIDGEPORT, CT

PAGE 1

HOME

CONT:

BUS:

CELL:

SERVICE ADVISOR: 257 SHANA COSTA

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
WHITE	17	SUBARU OUTBACK WAGON	4S4BSANC0H3		53864/53923		
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
21DEC16 IS							
18JAN17 DE			17:00 15FEB23		159.99	CASH	20FEB23
R.O. OPENED		READY	OPTIONS: SOLD-STK: DLR:				
			ENG:2.5 Liter 1)PURCHASE LIFETIME GA-318982				

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
A	KEEP YOUR VEHICLE IN TOP CONDITION. LET OUR FACTORY TRAINED						
	TECHNICIANS PERFORM A THOROUGH, 25 POINT INSPECTION ON YOUR						
	VEHICLE.						
99P	KEEP YOUR VEHICLE IN TOP CONDITION. LET OUR						
	FACTORY TRAINED TECHNICIANS PERFORM A						
	THOROUGH, 25 POINT INSPECTION ON YOUR						
	VEHICLE.						
	76 ISP						

B	PERFORM FULL WALK AROUND INSPECTION ON VEHICLE						
	WALK PERFORM FULL WALK AROUND INSPECTION ON						
	VEHICLE						
	76 ISP						

C	CUSTOMER STATES WHEN DRIVING VEHICLE-SOMETIMES WILL NOT ACCELERATE						
	WHEN STEPPING ON GAS						
	OO SEE STORY						
	76 ISP						
	55000 TECH TEST DROVE VEHICLE TO TRY TO DUPLICATE CONCERN-CONCERN						
	NOT DUPLICATED AT ANY TIME. PUT 60 MILES ON ROAD TEST/ NO CODE. NO						
	BULLETINS OR UPDATES. READINGS WITH LAPTOP WAS GOOD-NO PROBLEMS FOUND.						

D	NO OPEN RECALL AS OF TODAY						
	CAUSE: NO OPEN RECALL AS OF TODAY						
	NORECALL NO OPEN RECALL AS OF TODAY						
	76 ISP						

VEHICLE.

99P KEEP YOUR VEHICLE IN TOP CONDITION. LET OUR
FACTORY TRAINED TECHNICIANS PERFORM A
THOROUGH, 25 POINT INSPECTION ON YOUR
VEHICLE.

76 ISP

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WALK PERFORM FULL WALK AROUND INSPECTION ON
VEHICLE

76 ISP

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WHEN STEPPING ON GAS
OO SEE STORY

76 ISP

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NOT DUPLICATED AT ANY TIME. PUT 60 MILES ON ROAD TEST/ NO CODE. NO
BULLETINS OR UPDATES. READINGS WITH LAPTOP WAS GOOD-NO PROBLEMS FOUND.

D NO OPEN RECALL AS OF TODAY
CAUSE: NO OPEN RECALL AS OF TODAY
NORECALL NO OPEN RECALL AS OF TODAY

76 ISP

**THANK YOU FOR CHOOSING DAN PERKINS SUBARU.
WE APPRECIATE YOUR BUSINESS & VALUE YOUR FEED
BACK! WE HOPE YOU CAN RECOMMEND US TO FAMILY &
FRIENDS IN THE FUTURE. IF YOU HAVE QUESTIONS
OR CONCERNS PLEASE CALL MARC MESIDOR 203-882-
5696 OR EMAIL MARC@DANPERKINS.COM**

DISCLAIMER OF WARRANTIES Any warranties on the products sold hereby
are those made by the manufacturer. The seller hereby expressly disclaims
all warranties, either express or implied, including any implied warranty of
merchantability or fitness for a particular purpose, and the seller neither
assumes nor authorizes any other person to assume for it any liability in
connection with the sale of said products. Any limitation contained herein
does not apply where prohibited by law.

We guarantee our work for 1 year or 12,000 miles whichever comes first.

Date: _____ Customer Signature: _____

Mon - Fri
8:00 am - 5:00 pm
Sat
8:00 am - 2:00 pm

*Thank You
For Your
Business!*

DESCRIPTION	TOTALS
LABOR AMOUNT	0.00
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	0.00
LESS INSURANCE	0.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

CUSTOMER COPY

To: Customer Advocacy (Customers@subaru.com)
Subject: FW: RE: [Case # [REDACTED]]

From: [REDACTED]
Sent: Thursday, February 23, 2023 1:51 AM
To: 'Customer Advocacy'
Subject: RE: RE: [Case # [REDACTED]]

Is another Subaru Dealer the answer? If they're going to do the same procedure, how would there be a different result. I understand that Subaru and the Dealership are following a specific protocol, but it appears another approach should be employed. From my computer search, there are other Subaru owners who are experiencing this same issue. I have a witness who was in the automobile with me on three (3) occasions when the automobile "stalled" while I was in traffic. My only desire is to have this "Stall Flaw" corrected.

This issue is not a matter of frustration but safety. In order to be on record if any misfortune should befall me or other drivers who may experience a misfortune because of my automobile's flaw, I have contacted and filed with the following entities:

- State of Connecticut, Department of Motor Vehicles, DEALERS AND REPAIRS DIVISION
- National Highway Traffic Safety Administration, ODI #11508525
- Concomitantly Connecticut's Attorney General: William Tong

How many issues like mine have been brought to the attention all of Subaru Dealerships or Subaru Customer Advocacy Department in the last ten(10) years?

Thank you for responding to my E-mails.

Yours truly,
[REDACTED]

From: Customer Advocacy [mailto:Customers@subaru.com]
Sent: Wednesday, February 22, 2023 3:41 PM
To: [REDACTED]
Subject: FW: RE: [Case # [REDACTED]]

We understand your frustration and again apologize you are having these issues. I have spoken to your service advisor Shana and she stated that they have tested and driven your car for at least 60 miles and have not had any issues occur. Subaru will not make repairs if they are unable to receive the proper codes stating there is an issue and what part is causing the issue. With us here at Corporate not being trained and certified, this is not a situation where we can recommend repairs nor force the retailer make repairs. If you are looking for repairs to be made on the fuel pump, it would be an out of pocket expense with no issue being found per service. The suggestion of visiting a second Subaru retailer is to have a second set of eyes look at a vehicle if a customer disagrees with the current retailer's diagnosis whether an issue is found or not.

4

Andre
Subaru of America, Inc.
Customer Advocacy Department
1-800-SUBARU3 (1-800-782-2783), option 2, Ext. 119116

----- Original Message -----

From: [REDACTED]
Received: Tue Feb 21 2023 23:23:21 GMT-0500 (Eastern Standard Time)
To: customers@subaru.com <customers@subaru.com>;
Subject: RE: [Case [REDACTED]]

CAUTION: This email has originated from outside of SOA. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Thank you for your response. However, for me to go to another Dealership would be extremely inconvenient. Where is the Dealership? How do I return home? Will Subaru be responsible for the diagnosis? What do I drive in the interim, etc.? Are you suggesting that I take the vehicle to a local non-Subaru auto repair shop in order to get an outside diagnosis?

I have explained the following a number of times:

*On intermittent occasions, while driving my
Subaru, I try to press on the gas pedal and nothing
happens; consequently, the auto slows down and eventually stops moving; then I turn off the ignition; then
quickly restart the auto; then the gas pedal is able to function; and then I am able to continue traveling.*

As I understand, this problem is a "fuel pump" issue that cannot be diagnosed by a computer, and unfortunately, this issue occurs intermittently. I am not a mechanic/technician but through research, the problem, as I understand it, is as follows:

- The resin in the impellers are susceptible to swelling and causes the "fuel pump" to stop working whereby the automobile stops.
- The only remedy is to remove the "fuel pump" and replace the "fuel pump" with one of a better quality.

I realize this may be an expense for Subaru or the Dealership, but how expensive would it be for Subaru or a Dealership who fails to diagnose and replace a faulty product and be held accountable for injuries or deaths due to a "faulty fuel pump"? Traveling in an automobile with a "faulty fuel pump" would cause vehicle stoppage and be a risk for the vehicle's driver and passengers, as well as other drivers, to be injured or killed by getting "rear ended" or "side-swiped"?

[REDACTED]
From: Customer Advocacy [<mailto:Customers@subaru.com>]
Sent: Tuesday, February 21, 2023 12:34 PM
To: [REDACTED]
Subject: RE: [Case # [REDACTED]]

[REDACTED]
We have received your inquiry and apologize for the issues you are experiencing with your vehicle's gas acceleration. We encourage you to get a 2nd opinion from another Subaru retailer to see if they can duplicate the issue you are having. With us not being trained certified technicians, unfortunately we can only rely on the information provided from our service departments. We will not recommend any repairs. nor are capable to provide any additional diagnosis then what

5

is done at our retailers. We can remain involved until the issue is resolved but ultimately our service department will need to be able to duplicate the issue before any repairs can be performed. We apologize for the inconvenience.

Andre
Subaru of America, Inc.
Customer Advocacy Department
1-800-SUBARU3 (1-800-782-2783), option 2, Ext. 119116

----- Original Message -----

From: [REDACTED] <[REDACTED]>;
Received: Mon Feb 20 2023 15:15:27 GMT-0500 (Eastern Standard Time)
To: customers@subaru.com <customers@subaru.com>;
Subject: RE: [Case # [REDACTED]]

CAUTION: This email has originated from outside of SOA. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Thank you.

From: Customer Advocacy [<mailto:Customers@subaru.com>]
Sent: Monday, February 20, 2023 3:04 PM
To: [REDACTED]
Subject: [Case # [REDACTED]]

Dear [REDACTED]

Thank you for contacting Subaru of America, Inc. I appreciate the opportunity to be of assistance. The case number is shown below and will serve as confirmation for the conversation we had.

Sincerely,

Diamond
Subaru of America, Inc.
Customer Advocacy Department
1-800-SUBARU3 (1-800-782-2783)
Case Number [REDACTED]

6

PHONE CONVERSATION WITH JOHN TURNEY NHTSA

On 2/22/2023, at 12:06 PM: I, [REDACTED] had a phone conversation with John Turney of the National Highway Traffic Safety Administration regarding a safety issue concerning my 2017 Subaru Outback Wagon with the VIN #4S4BSANC0 [REDACTED] I informed John Turney of the following:

On a number of occasions, while driving my Subaru with my foot on the gas pedal, the engine did not receive gasoline and "stalled". This intermittent "Stalling" was a potentially dangerous situation for me, passengers and other motorists. On some of these occasions, I had a witness who observed the event.

John Turley then assigned me a Reference ODI #11508525, recorded my E-mail, and said that I would be contacted.

[REDACTED]

2/23/2023

Date

9

[REDACTED]
BRIDGEPORT, CT

PHONE: [REDACTED]

William Tong

Attorney General of Connecticut

55 Elm Street Ste. 1

Hartford, CT. 06106

Dear Attorney General,

Enclosed will find "Documents", "Communications", And "Notes" regarding a safety concern regarding my 2017 Subaru Outback Wagon. If you would read the enclosed, I would appreciate your response.

Thank You,

[REDACTED]

2/23/2023

Date

8