Form Approved: O.M.B. No. 2127-0039

U.S. Department of Transportation
National Highway Traffic Safety Administration

DOT Auto Safety Hotline

Vehicle Owner's Questionnaire (VOQ)

NATIONWIDE 1-888-DASH-2-DOT
1-888-327-4236
www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 231

Date Received: 20-OCT-2000

Od_or ____ ____
rt_dt ____ ____
od_rt ____ ____
up_ltr ____ ____

Reference No. 873451

[redacted]

Do you authorize NHTSA to provide a copy of report to the manufacturer of your vehicle? ☐ *YES* ☐ *NO*
In the absence of an authorization, NHTSA WILL NOT provide your name and address to the vehicle manufacturer.

Signature of Owner _____ Date____/____/____

VEHICLE INFORMATION

Vehicle Ident. No. (VIN.) (Located at bottom of windshield on driver's side)	Vehicle Make	Vehicle Model	Vehicle Year	Current Odometer Reading
	VOLVO	S40	2000	

Purchase Date: ☐ New ☒ Used

Dealer's Name_____
City_____ State_____ Zip Code_____

Engine Size (CID/CC/L _____
No Cylinders _____

☐ Turbo ☐ Diesel ☐ Gas ☐ Fuel Injection

Transmission Type	Antilock Brakes	Restraint System	Cruise Control	Drive Train	Vehicle Type	Body Style
☐ Manual ☐ Automatic	☐ Yes ☒ No	☐ 3-Point Belt ☐ Driverside Airbag ☐ Passengerside Airbag ☐ Motorbelt ☐ 2-Point Belt	☐ Yes ☒ No	☐ Front ☐ Rear ☐ 4-Wheel	☐ Car ☐ Van ☐ Minivan ☐ Other_____ ☐ Sport Utl ☐ Truck ☐ Motorcycle	☐ 2-Door ☐ 4-Door ☐ Stationwagon ☐ Pick Up Truck ☐ Other_____

FAILED COMPONENT(S)/PART(S) INFORMATION

Component	Par. Name(s)	Location	Failed Part(s)
03230000 03280000	BRAKES:HYDRAULIC:MASTER CYLINDER BRAKES:WARNING SYSTEM	☐ Left ☐ Right ☐ Front ☐ Rear	☐ Original ☐ Replacement

No of Failures	Date(s) of Failure(s) Mileage at Failure(s) Vehicle Speed at Failure(s)	Failed Part(s) Available?	NHTSA Previously Contacted?
		☐ Yes ☐ No	☐ Yes ☐ No

APPLICATION INCIDENT INFORMATION

(Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies) on the back of this form)

Crash	Fire	Number of Persons Injured	Number of Fatalities	Estimated Property Damage	Reported to Police
☐ Yes ☒ No	☐ Yes ☒ No				☐ Yes ☒ No

NARRATIVE DESCRIPTION OF FAILURE(S), INCIDENT(S), INJURY(IES)

BRAKE INDICATOR LIGHT FLASHED ON. DEALER STATED BRAKES WERE LEAKING AND CONSUMER LOST BRAKE POWER. PLEASE PROVIDE FURTHER INFORMATION.*AK

CONTINUED ON BACK IF NEEDED

Form Approved: O.M.B. No. 2127-0039

U.S. Department of Transportation
National Highway Traffic Safety Administration

DOT Auto Safety Hotline

Vehicle Owner's Questionnaire (VOQ)

NATIONWIDE 1-888-DASH-2-DOT
1-888-327-4236
www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 231

Date Received: 20-OCT-2000

Od_or ____ ____
rt_dt ____ ____
od_rt ____ ____
up_ltr ____ ____

Reference No. 873451

[redacted]

Do you authorize NHTSA to provide a copy of report to the manufacturer of your vehicle? ☐ *YES* ☐ *NO*
In the absence of an authorization, NHTSA WILL NOT provide your name and address to the vehicle manufacturer.

Signature of Owner _____ Date____/____/____

VEHICLE INFORMATION

Vehicle Ident. No. (VIN.) (Located at bottom of windshield on driver's side)	Vehicle Make	Vehicle Model	Vehicle Year	Current Odometer Reading
	VOLVO	S40	2000	

Purchase Date
☐ New ☒ Used

Dealer's Name_____
City_____ State_____ Zip Code_____

Engine Size (CID/CC/L _____
No Cylinders _____

☐ Turbo
☐ Diesel
☐ Gas
☐ Fuel Injection

Transmission Type	Antilock Brakes	Restraint System	Cruise Control	Drive Train	Vehicle Type	Body Style
☐ Manual ☐ Automatic	☐ Yes ☒ No	☐ 3-Point Belt ☐ Driverside Airbag ☐ Passengerside Airbag ☐ Motorbelt ☐ 2-Point Belt	☐ Yes ☒ No	☐ Front ☐ Rear ☐ 4-Wheel	☐ Car ☐ Van ☐ Minivan ☐ Other_____ ☐ Sport Utl ☐ Truck ☐ Motorcycle	☐ 2-Door ☐ 4-Door ☐ Stationwagon ☐ Pick Up Truck ☐ Other_____

FAILED COMPONENT(S)/PART(S) INFORMATION

Component	Par. Name(s)	Location	Failed Part(s)
03200000 03280000	**BRAKES:HYDRAULIC SYSTEM** **BRAKES:WARNING SYSTEM**	☐ Left ☐ Right ☐ Front ☐ Rear	☐ Original ☐ Replacement

No of Failures	Date(s) of Failure(s) Mileage at Failure(s) Vehicle Speed at Failure(s)	Failed Part(s) Available?	NHTSA Previously Contacted?
		☐ Yes ☐ No	☐ Yes ☐ No

APPLICATION INCIDENT INFORMATION

(Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies) on the back of this form)

Crash	Fire	Number of Persons Injured	Number of Fatalities	Estimated Property Damage	Reported to Police
☐ Yes ☒ No	☐ Yes ☒ No				☐ Yes ☒ No

NARRATIVE DESCRIPTION OF FAILURE(S), INCIDENT(S), INJURY(IES)

BRAKE INDICATOR LIGHT FLASHED ON. DEALER STATED BRAKES WERE LEAKING, AND CONSUMER LOST BRAKE POWER. PLEASE PROVIDE FURTHER INFORMATION.*AK

CONTINUED ON BACK IF NEEDED

Form Approved. O.M.B. No. 2127-0006

U.S. Department of Transportation
National Highway Traffic Safety Administration

DOT Auto Safety Hotline

Vehicle Owner's Questionnaire (VOQ)

NATIONWIDE 1-888-DASH-2-DOT
1-888-327-4236
www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 231

Date Received: 00 OCT 31 PM 3: 23
20-OCT-2000
OFFICE OF DEFECTS INVESTIGATION

Od_or
rs_dt
od_rt
up_ltr

Reference No. 873451

[redacted] 648338

Work Number: [redacted]
Home Number:

Do you authorize NHTSA to provide a copy of report to the manufacturer of your vehicle? In the absence of an authorization, NHTSA WILL NOT provide your name and address to the vehicle manufacturer. ☒ YES ☐ NO

Signature of Owner [redacted] Date 10/24/00

VEHICLE INFORMATION

Vehicle Ident. No. (VIN) (Located at bottom of windshield on driver's side)	Vehicle Make	Vehicle Model	Vehicle Year	Current Odometer Reading
YV1VS2555YF493279	VOLVO	S40	2000	4100 SOLD

Purchase Date: 05/06/2000
☒ New ☐ [redacted]

Dealer's Name: KOONS LINCOLN VOLVO
City: BALTO State: MD Zip Code: 21209

Engine Size (CID/CC/L): ____
No Cylinders: 4
☒ Turbo ☐ Diesel ☒ Gas ☐ Fuel Injection

Transmission Type	Antilock Brakes	Restraint System	Cruise Control	Drive Train	Vehicle Type	Body Style
☐ Manual ☒ Automatic	☒ Yes ☐ [redacted]	☒ 3-Point Belt ☐ Motorbelt ☒ Driverside Airbag ☐ 2-Point Belt ☒ Passengerside Airbag	☒ Yes ☐ [redacted]	☒ Front ☐ Rear ☐ 4-Wheel	☒ Car ☐ Sport Utl ☐ Van ☐ Truck ☐ Minivan ☐ Motorcycle ☐ Other	☐ 2-Door ☒ 4-Door ☐ Stationwagon ☐ Pick Up Truck ☐ Other

FAILED COMPONENT(S)/PART(S) INFORMATION

Component	Part Name(s)	Location	Failed Part(s)
03200000 03280000	BRAKES:HYDRAULIC SYSTEM BRAKES:WARNING SYSTEM	☐ Left ☐ Right ☐ Front ☐ Rear	☒ Original ☐ Replacement

No of Failures: 4

Date(s) of Failure(s): 8/1/00 - 9/3/00 - 9/16/00
Mileage at Failure(s): 2000 - 4900
Vehicle Speed at Failure(s): 30 - 60

Failed Part(s) Available? ☒ Yes ☐ No

NHTSA Previously Contacted? ☐ Yes ☒ No

APPLICATION INCIDENT INFORMATION

(Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies) on the back of this form)

Crash	Fire	Number of Persons Injured	Number of Fatalities	Estimated Property Damage	Reported to Police
☐ Yes ☒ No	☐ Yes ☒ No	0	0	LOST ON TRADE $13000	☐ Yes ☒ No

NARRATIVE DESCRIPTION OF FAILURE(S), INCIDENT(S), INJURY(IES)

BRAKE INDICATOR LIGHT FLASHED ON. DEALER STATED BRAKES WERE LEAKING, AND CONSUMER LOST BRAKE POWER. PLEASE PROVIDE FURTHER INFORMATION.*AK

All files attached

CONTINUE ON BACK IF NEEDED

U.S. Department of Transportation
National Highway Traffic Safety Administration
400 Seventh St., S.W.
Washington, D.C. 20590

Official Business
Penalty for Private Use $300

NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES

BUSINESS REPLY MAIL
FIRST CLASS PERMIT NO. 73173 WASHINGTON, D.C.

POSTAGE WILL BE PAID BY NAT'L HWY TRAFFIC SAFETY ADMIN.

U.S. Department of Transportation
National Highway Traffic Safety Administration
Information Management Staff NSA-10.01
400 7th Street, SW
Washington, DC 20590

U.S. G.P.O.: 1992-…

See attached personal records.

Dealer Claim Car Repaired and passed inspection

Owners deathly afraid after so many BRAKE PROBLEM

VOLVO DID NOT HELP

FORCED TO SELL CAR AT $12,000 LOSS

NARRATIVE DESCRIPTION (CONTINUED)

* The identification number consists of 7 to 10 letters and numerals following the letters DOT. It is usually located near the rim flange on the side opposite the whitewall or on either side of a blackwall tire.

TIRE IDENTIFICATION NO.*	MANUFACTURER/TIRE NAME	SIZE
D O T		

INFORMATION ON TIRE FAILURE(S) (IF APPLICABLE)

Fold to show Return Address (no stamp needed) Fasten with tape or staple and mail

CLAIM: Payment for losses incurred due to failure of Volvo Cars of North America and Koons Lincoln Mercury Volvo to buy back dangerously defective Volvo S-40 as originally promised.

TOTAL LOSS: $ 12,727.70

SUMMARY OF EVENTS:

1. 05/06/00	New Volvo S-40 purchased. Paid cash in full.
2. 08/01/00	Brake fluid added, no leak found, 2643 miles
3. 09/03/00	Brake fluid added, 3850 miles
4. 09/04/00	Met with Koons. Delivered written concern. Identified potential for lemon law issue.
5. 09/05/00	Vehicle delivered to Koons. Replaced ABS pump. 3959 miles
6. 09/16/00	Picked up vehicle following return to Maryland.
7. 09/18/00	Brakes radically low. Vehicle drifts 6 feet into intersection when Mrs. Stern attempts to stop. Vehicle returned to Koons. Koons contacts Volvo District. Mr. Stern contacts Volvo of North America customer Service.
8. 09/19/00	Koons rebuilt brake vacuum pump and replaced blown fuse. Requested Stern to pick up vehicle. Mrs. Stern now fearful of safety. Koons agrees with Mr. Stern to await Volvo decision.
9. 09/22/00	Volvo District contacts Mr. Stern on portable telephone. Advises he will obtain all documents from Koons. Will "work with client". Will "buy back vehicle if necessary". Requests Mr. Stern "not file Maryland Lemon Law documents as it will not be necessary." Understands and agrees with clients fears of this vehicle
10. 09/28/00	Koons advises Mr. Stern that Volvo District is looking for a similar year 2000 vehicle. Mr. Stern suggests that we identify a 2001 model and he will pay any additional costs justified.
11. 10/04/00	Volvo North America contacts Mr. Stern. Requests he meet with a Koons salesman and develop requirements for a 2001 vehicle. Volvo will buy back initial vehicle. Stern talks with Koons and sends list to Koons by fax. Vehicle comparisons made using available web information.
12. 10/13/00	After several calls, attempting to determine status. Koons requests Stern come to dealership and confirm requirements for 2001 model vehicle. Met with Koons. Completed all specifications. Processed "Buyers Order". All agreed that original vehicle would be left at Koons and loan vehicle would be used until new car arrived. Stern estimated $500 would be difference in cost. Koons stated that Volvo District would contact to discuss actual costs. Koons agreed to have Mrs. Stern bring in loaner vehicle for electrical repair on Wednesday (10/18/00) and they would clean vehicle for her temporary use.
13. 10/18/00	Koons takes loaner keys away from Mrs. Stern. Directs her to take original vehicle off their lot or get a rental car. Told that Volvo District had decided car was safe and no further actions would be taken. Mrs. Stern obtains rental. Mr. Stern contacts Koons. Advised that on Monday, 16 Oct 00, Volvo District had determined Maryland Lemon Law did not apply. Volvo would not buy back vehicle. "Car had been repaired and passed safety inspection". Koons agreed they were as surprised and concerned as Mr. Stern. Koons unable to affect any changes in Volvo District decision.

14. 10/20/00

Koons states they will accept car as normal trade-in. Current auction value is $17,000-$19,000. They will give best possible price on a new car. Stern decides that if a loss of this amount is necessary, another brand car must be purchased.

Picked up original vehicle. Brake system pump making unusual noises. Immediately placed Koons personnel in vehicle. He stated he was surprised but "those vacuum pump noises are probably OK".

Left Koons and immediately traded vehicle at Frankel. Received $17,000 as trade in value.

PERSONS INVOLVED:

KOONS LINCOLN-MERCURY-VOLVO
9610 Reisterstown Road
Owings Mills, Maryland 21117
(410) 363-3333

Mr. T. Ralston (sp)
General Manager and ½ owner of dealership

Mr. G. Thompson
Volvo Manager

VOLVO CARS OF NORTH AMERICA
Customer Service
P.O. Box 914
Rockleigh, NJ 07647
(880) 458-1552

Mr Schwartz
District Retailer Operations Manager

VEHICLE
Volvo S-40 Model Year 2000 VIN YV1VS2555YF493273

[redacted]

CALCULATION OF LOSS

ITEM	COST
Initial Purchase Volvo S-40	$28,137.00
Discount applied	-$1,518.00
Paint Sealant	$499.00
Wheel locks	$46.00
Maryland sales tax	$1,433.70
Extended Service Plan	$1,510.00
Tag and title	$110.00
Total S-40	$30,217.70
Rental car (estimated)	$80.00
Wife medical bill (nerves)	$30.00
Est. Labor lost (16 hours @$50)	$800.00
Total plus incidentals	$31,127.70
Trade in paid by Frankel	-$17,000.00
Credit for ESP estimated	-$1,400.00
LOSS REQUESTED	**$12,727.70**