

Response to PE10-044

Subject Component: Radiator

Alleged Defect: Coolant leak

Subject Motorcycle: Model year 2008- 09 Ducati 848

1. State, by model and model year, the number of subject motorcycles Ducati has manufactured for sale or lease in the United States. Separately, for each subject motorcycle manufactured to date by Ducati, state the following:
 - a. Motorcycle identification number (VIN);
 - b. Model Year;
 - c. Model;
 - d. Date of manufacture;
 - e. Warranty coverage start date;
 - f. Original purchaser first and last name; and
 - g. The selling dealer (business name).

Provide the table in Microsoft Access 2000, or a compatible format (e.g., Microsoft Excel), entitled "PRODUCTION DATA." See the enclosed CD-ROM, titled "PE10-044 IR Attachments", for pre-formatted template illustrating the requested information format.

Response:

File Reference:

Production Data (PE10-044) con Dealer Name.xlsx

Model: 844	Year: 2008	Number 1995
Model: 848	Year: 2009	Number: 1050
Model: 848	Year: 2010	Number: 766
Model: 848 Evo	Year: 2011	Number: 145

2. State the number of each of the following, received by Ducati, or of which Ducati is otherwise aware, which relate to, or may relate to, the alleged defect:
 - a. Consumer complaints;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury and/or notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject motorcycle.
 - d. Property damage claims;
 - e. Third-party arbitration proceedings where Ducati is or was a party to the arbitration; and
 - f. Lawsuits, both pending and closed, where Ducati is or was a defendant or codefendant.

For subparts “a” through “d,” state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same motorcycle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items “c” through “f,” provide a summary description of the alleged problem and causal and contributing factors and Ducati’s assessment of the problem, with a summary of the significant underlying facts and evidence. For items “e” and “f,” identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

Response:

File Reference:

Complaint Data (PE10-044).xlsx

&

FIELD REPORTS (PE10-044).xlsx

a. Number 44

b. Number 8

c. None

d. None

e. None

f. Ducati is aware of one pending lawsuit: Jonas Sugarman and Quang Le, on behalf of

themselves and all others similarly situated, v. Ducati North America, Inc., Case No. 5:10-cv-05246-PSG.

A first amended class action complaint was filed on January 7, 2011. The statements in the complaint are allegations which are being defended in court.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:

- a. Ducati’s file number or other identifier used;
- b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
- c. Motorcycle owner name, address, and telephone number;
- d. Motorcycle’s VIN;
- e. Motorcycle model year;
- f. Motorcycle’s mileage at time of incident;
- g. Incident date;

- h. Report or claim date;
- i. Whether a crash is alleged;
- j. Whether property damage is alleged;
- k. Number of alleged injuries, if any; and
- l. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format (e.g., Microsoft Excel), entitled "COMPLAINT DATA." See the enclosed CD-ROM, titled "PE10-044 IR Attachments", for pre-formatted template illustrating the requested information format.

Response:

Contained in Reports:

Complaint Data (PE10-044).xlsx

and

FIELD REPORTS (PE10-044).xlsx

- 4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Ducati used for organizing the documents.

Response:

Contained in attached document .pdf files (Complaint data):

23707

24356

24796

24841

24891

24959

25070

25232

25243

25736

25752

25972

26281

26344

26731

26764

27076

27269

27435

27453

27662

27758

27777

27859

27903

28024

28302

28328

28742

28758

28782

29481

29484

29565

29582

29759

29799

30519

30825

30869

31015

31067

31155

31268

31757

32188

Contained in attached documents .doc files (Field Reports):

Ducati Seattle _848_radiator leak

Eastside Motorsports_848#708_Radiator Leak

Fault Report-BH Ducati 848 radiator

Fault Report-Moto Mec848 radiator

Fault Report-Phoenix Ducati 848 radiator

FR A&S 848 XBV89B0088 21 Radiator leaking latest type.

Singley-848-Radiator leak

Singley-848-Radiator

Ducati organized the documents in the manner submitted to NHTSA.

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Ducati to date that relate to, or may relate to, replacement of the subject components : warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. Ducati's claim number;
- b. Motorcycle owner and telephone number;
- c. VIN;
- d. Repair date;
- e. Motorcycle mileage at time of repair;
- f. Repairing dealer's (business name);
- g. Labor operation number;
- h. Problem code;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer; and
- k. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2000, or a compatible format (e.g., Microsoft Excel), entitled "WARRANTY DATA." See the enclosed CD-ROM, titled "PE10-044 IR Attachments", for pre-formatted template illustrating the requested information format.

In addition to the total counts requested above, provide Ducati's assessment, by model and model year, of the number of claims within each of the counts given that relate to, or may relate to, the alleged defect.

Response:

File Reference:

Warranty Data(PE10-044).xlsx

Warranty Claims: 385

Extended Warranty Claims: None

Claims for Goodwill: None

Field, Zone Adjustments or Similar Adjustments: None

Service/Customer Satisfaction Campaign: None

Model: 848 Year: 2008 Number: 313

Model: 848 Year: 2009 Number: 67

6. Describe in detail the search criteria used by Ducati to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect. State, by model year, the terms of the new motorcycle warranty coverage offered by Ducati on the subject motorcycles (i.e., the number of months and mileage for which coverage is provided and the motorcycle systems that are covered). Describe any extended warranty coverage option(s) that Ducati offered for the subject motorcycles and state by option, model, and model year, the number of motorcycles that are covered under each such extended warranty.

Response:

File Reference:

Warranty Labor Operation Code (PE10-044).pdf

Warranty Problem Code (PE10-044).doc

DNA_Warranty JPE10-044).pdf

Search Criteria:

Warranty problem code.doc document, DMH selected codes 007, 017, 018, 020, 021, 024, 025, 059, 060

Warranty coverage on all the models and models years is as per the Ducati Limited Warranty
(Reference attached) 24 months unlimited mileage.

Extended Warranty Coverage options: None

7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect, and or the subject component, that Ducati has issued to any dealers, regional or zone offices, field offices, fleet purchasers, customers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. This also includes any material related to before-sale motorcycle preparation at the dealer location. Also include the latest draft copy of any communication that Ducati is planning to issue within the next 120 days.

Response:

File Reference:

COMUNICAZIONE FILIALE_RAD_SBK_15-10-09-eng.doc

8. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect, and or the subject component, that have been conducted, are being conducted, are planned, or are being planned by, or for, Ducati. For each such action, provide the following information:
- a. Action title or identifier;
 - b. The actual or planned start date;
 - c. The actual or expected end date;
 - d. Brief summary of the subject and objective of the action;
 - e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
 - f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

Response:

File Reference:

Answers 8 item 1_081201_Vibr_radiatore_acqua 848_ENG (2).doc

Answers 8 item 2_090119_Vibr_radiatore_acqua_modifiche_1198_ENG.doc

Answers 8 item 3_081031_TRad_vibration test bench proposal.pdf

Item 1:

- a. Vibrations measurements on Ducati 848 (Reference file of that name)
- b. September 2008
- c. 1st December 2008
- d. This action was done in order to verify the real vibration conditions on the bike, compared with the test specifications which the radiator was subjected by the supplier

- e. DMH Chassis Testing Department (SAF)
- f. The radiator vibration values measured on the bike were higher than those considered in the technical specifications provided by the manufacturer

Item 2: (Referred to 1198 model with same specification of 848 SBK)

- a. Failure analysis and mounting modification (Reference file of that name)
- b. 27th October 2008
- c. 19th January 2009
- d. Due to the repeatability of the failure mode and leak position, it was decided to explore improvements on the mounting scheme and components.

- e. DMH Chassis Testing Department (PRV-SPR-SAF)
- f. Deleting the rubber mounting pre-load, the vibration level on left bracket radiator area was reduced by about 30%

Item 3:

- a. Radiator project review from the supplier (Reference file of that name)
- b. 2008
- c. 31st October 2009
- d. After the internal analysis about some damaged samples received from Ducati T.Rad decided to propose a radiator design review
- e. Toyo Radiator technical department
- f. Applying the modification suggested by T.Rad, they estimated a vibration level reduction of about 50%.

Notes

The actions described on item 2 and 3 were tested directly by Ducati on test-bikes (long run and shaker), in advance to introduce them on mass production, with good results.

Test documentation not available.

9. Describe all modifications or changes made by, or on behalf of, Ducati in the design, material composition, manufacture, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect. For each such modification or change, provide the following information:
- The date or approximate date on which the modification or change was incorporated into motorcycle production;
 - A detailed description of the modification or change;
 - The reason(s) for the modification or change;
 - The part numbers (service and engineering) of the original component;
 - The part number (service and engineering) of the modified component;
 - Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
 - When the modified component was made available as a service component; and
 - Whether the modified component can be interchanged with earlier production components.

Response:

Item 1

- On Ducati mass production: 03.02.2009
- New spacer inside the rubber mounted on left side radiator bracket (see action described

on answers 8 — item 2)

- See action and attached file about answers 8 — item 2
- Ducati p/n 716.1.409.1A
- Ducati p/n 716.1.419.1A
- Yes, the item was withdrawn from production, but we are not aware of the date.
- Information not available.*
- Information not available.*

Item 2

- on Ducati mass production (product model 848: **20/10/09**)
- added patch between radiator core and brackets (see action described on answers 8 — item 3)

- c) see action and attached file about answers 8 — item 3
 - d) Ducati p/n 548.4.074.**1B**
 - e) Ducati p/n 548.4.074.**2B**
 - f) Yes, the item was withdrawn from production, but we are not aware of the date.
 - g) *Information not available.*
 - h) *Information not available.*
10. The following relates to safety recall 07V-175 (enclosed), conducted by Ducati beginning February 1, 2007, to address leaking coolant on certain MY 2007 1098's.
- a. Describe, in detail, all the factors leading Ducati to conduct this recall; and
 - b. Compare and contrast the safety significance of the recall issue with the alleged coolant leakage here; and

Response:

- a- Related to the Safety Recall 07V-175 we confirm we have done this recall because we discovered a certain amount of vehicles with a leakage inside the Ducati Factory during the final test done on the dyno.
- The problem was related to a wrong hose coupling production process.
- The amount of leakage is not reported in our internal documents; was not at all a big one but we had not measured it.
- The supplier told us about the wrong production process so also without a real case of a big leak we decided to run a Safety Recall as a prudent act (the bikes were not sold yet).
- b- The difference between the two leakage problems are:
 - In the radiator leaking we discovered the fault in the field with many reports and we know exactly what is the amount of leakage and we tested what are the consequences
 - In the coolant coupling hose leakage was a defect discovered in the factory and a small amount of bikes just before the delivery, was accepted by the supplier as a clear case of wrong production process with unknown consequences. Therefore in that case we decided to replace all the hoses in order to avoid any further problem. Maybe was not necessary to conduct a safety recall vs what we call a functional recall that would be more appropriate.
11. Identify, by subject component part number, ship and/or sale date, and "ship-to" name and address, each subject component provided as a replacement/service part by Ducati.

Response:

File Reference:

None

The new radiator, part coded as Ducati pin 548.4.074.2B, is the one used as spare part for all SBK family since May 12, 2009.

12. Furnish Ducati's assessment of the alleged defect, including:
- a. The causal or contributory factor(s);
 - b. The failure mechanism(s);
 - c. The failure mode(s);
 - d. The risk to motor vehicle safety that it poses; and
 - e. What warnings, if any, a motorcycle owner would have that the alleged defect was about to occur.

Response:

As explained during last Washington meeting and seen by Bob Young in the local Ducati Dealer, the leakage under investigation is a very small leakage.

The amount of coolant that comes out of the radiator can't make any injuries because is very little and because the radiator is covered by the side fairing.

It is also not possible to have a problem of slippery tires because the radiator is after the front tire and far away from the rear ones (considering the low volume of leakage fluid).

We had several cases of radiator coolant leakage but no-one Customer complaint related to a safety concern.