From: Konrad Urberg
To: Ansley, Alexander (NHTSA)
Subject: Safety Recall 11E-045
Date: Wednesday, October 24, 2012 11:46:32 AM
Attachments: 2012_10_24_11_39_14.pdf

Mr. Alexander:

Pursuant to our conversation today, I have attached hereto the original letter dated October 5, 2012 as well as the enclosures thereto for your review as to the relevant recall referenced above.

As indicated on the phone, my client simply received the defective product from the manufacturer and sold them through direct shipping via customer requests. My client did NOT install these in any of their products.

It is my understanding based on this that my client need not take further action, however, if they do, please alert me to the same and we will move forward with sending out a draft letter such as the one attached hereto, after receiving the proper approval.

Thank you kindly.

Konrad Urberg,
Attorney for Bolt Custom Truck & Mfg.

Bolt Custom Trucks & Mfg.
4532 Allen Martin Drive
Fort Wayne, IN 46808

October __, 2012 NHTSA Recall: 11E-045

IMPORTANT SAFETY RECALL NOTICE

Dear Bolt Custom Trucks & Mfg. Customer:

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act.

What is the reason for this notice?
Bolt Custom Trucks & Mfg., has determined through notice from the National Highway Traffic and Motor Vehicle Safety Administration, that Orr & Orr Inc. a SURE POWER DISTRIBUTOR reported to NHTSA who then reported to Bolt Custom Trucks & Mfg. that battery separator's sold to Bolt Custom Trucks & Mfg.and then sold by Bolt Custom Trucks & Mfg. to its customers, have a possible defect, which puts them in non-compliance with the Federal Motor Vehicle Safety Standard. The defect itself has to do with the battery separators which may cause an internal circuit board capacitor failure which could lead to overheating smoke and possibly a fire during or following use. It is believed that the batteries were not included in any product manufactured by Bolt Custom Trucks & Mfg., but rather were sold to you as a third party after it being purchased by Bolt and direct shipped to you per a purchase request.

What should you do?
Contact: Bolt Custom Trucks & Mfg.
452 Allen Martin Drive
Fort Wayne, IN 46808
Phone: (260) 387-7559.
Or
Orr & Orr Inc., SURE POWER DISTRIBUTOR for replacement of this product *at no cost to you.*
Bolt can assist you in obtaining a replacement from Orr & Orr, Inc.

Who to contact if you experience problems?
Please contact our office with any problems additionally, if you believe Bolt Custom Trucks & Mfg. or ORR Inc. a SURE POWER DISTRIBUTOR has failed to remedy the defect without charge within a reasonable period of sixty (60) from the date you first had contact from Bolt Custom Trucks & Mfg., or ORR Inc., you may submit a complaint to the administrator.

Administrator
National Highway Traffic Safety Administration
1200 New Jersey Ave., SE
Washington, DC 20590

or call the toll-free Safety Hotline at 1-888-327-4236 (TTY 1-800-424-9153), or go to http://www.safecar.gov.

The repair in this matter would simply be replacing the battery separator. The replacement time for the same should only take them approximately 30 minutes. It is the belief of Bolt Custom Trucks & Mfg. that the installation of said battery was done by you previously and could be done by you in the same manner in which it was originally installed as Bolt was simply the third-party seller of this battery and did not install the same in any vehicle which was sold to you. Although Bolt Custom Trucks & Mfg. will work with you and assist you in the exchange of said battery from the original manufacturer Orr & Orr Inc., a sure power distributor it is the ultimate responsibility and cost of Orr & Orr Inc. to do so and this should be done at no cost to you.

What to do if you feel this notice is in error.
Registration records indicate that you the current owner of the product involved in this campaign and sold to you. If this is not the case, or the name and address is not correct, please contact us immediately and we will update our records.

We apologize for any inconvenience this campaign may cause you.

Sincerely,

Bolt Custom Trucks & Mfg.

Urberg
Law Office, LLC

803
S. Calhoun Street
Suite 100
Fort Wayne
IN 46802

260-456-9988
260-426-0636 fax

Konrad M. L. Urberg
Attorney At Law

konrad@urberglaw.com

October 5, 2012

U.S. Department of Transportation
National Highway Traffic Safety Administration
1200 New Jersey Ave., SE
Washington, DC 20590

Re: Recall Notice Approval/11E-045

Dear NHTSA:

Enclosed please find a draft letter regarding Safety Recall 11E-045.

Also in compliance with 49 CFR 573 please note that Bolt Custom Trucks & Mfg. has completed the review of its records and it appears that only five (5) units were sold. All five of these were sold through direct shipping by a request from a customer. They were not installed in any vehicles manufactured or converted by Bolt Custom Trucks & Mfg.

Bolt Custom Trucks & Mfg. has identified the owners of these and the notification will begin within approximately five (5) days of approval of the notification letter submitted herewith. It is believed that notification would be completed within one week of that time so that the notification would be completed within ten (10) days of the NHTSA approving Bolt's letter.

Additionally, it is the understanding of my client that Bolt Custom Trucks & Mfg. would not be directly financially responsible for the replacement of these battery separators as they were shipped to be used by third-parties and were not installed by Bolt. If this is not correct please advise immediately, however, it is the believe of Bolt that since they were supplied these batteries by the original manufacturer/distributor and simply sold them to third-parties through direct ship orders that their liability under the federal standards would not include the cost of

replacement but that this would fall on the actual manufacturer. If this is not correct, please advise.

Thank you for your time and assistance in this matter. Bolt Custom Trucks & Mfg. looks forward to receiving approval for their letter so that they may comply with the terms of the NHTSA and conclude this matter.

Sincerely,

URBEG LAW OFFICE, LLC

Konrad M.L. Urberg

Encl: Draft letter for approval