

INFORMATION REDACTED PURSUANT TO THE FREEDOM  
OF INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)



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

1200 New Jersey Avenue SE  
Washington, DC 20590

**MAY 3 1 2017**

**Via USPS Certified Mail and Email**

Mr. David Hallman, Jr.  
Dealer Partner  
Champion Ford Edinboro, Inc.  
11941 Edinboro Road  
Edinboro, Pennsylvania 16412

NEF-150aa  
AQ17-001  
15V-279

**Re: Audit of Safety Recall Campaign Completion for New Vehicles**

Dear Mr. Hallman, Jr.:

We are writing Champion Ford Edinboro, Inc. ("Champion Ford Edinboro" or "your company") with a request for more information regarding audit query AQ17-001. As you may know, as part of our continuing investigation we issued a request for information to Ford Motor Company ("Ford"). We requested copies of the recall notices it supplied Champion Ford Edinboro when recall 15V-279 was announced. We also requested Ford supply data on any vehicles Champion Ford Edinboro handled between the years 2014 and 2016 where Champion Ford Edinboro was provided recall notice about affected vehicles in its possession.

Ford responded to our letter and verified the recall notifications it supplied Champion Ford Edinboro at the launch of recall 15V-279. Ford also supplied data for new vehicles Champion Ford Edinboro handled for the years 2014 through 2016 where safety recall notices were provided to your company. This data corroborated the information you previously supplied identifying one (1) vehicle retailed or leased and delivered with an outstanding remedy under recall 15V-279. However, Ford's response also identified an additional twenty-two (22) vehicles possibly sold or leased and delivered under other safety recalls.

The purpose of this request is to ascertain additional information about the sale or lease and delivery of these twenty-two (22) vehicles.

## DEFINITIONS

Unless otherwise stated in the text, the following definitions and instructions apply to these information requests:

1. "Champion Ford Edinboro" means Champion Ford Edinboro, including all of its divisions, subsidiaries and affiliated enterprises and its employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Champion Ford Edinboro (including all business units and persons previously referred to).
2. The term "Ford" means Ford Motor Company.
3. The term "communications" is used in the broadest sense of the word and shall mean the exchange, transfer, or relay of any ideas, messages, or information by speech, writing, or other means, whether electronic, paper, or in person.
4. The term "you" or "your" refers to Champion Ford Edinboro.
5. The term "person" includes natural persons, proprietorships, partnerships, firms, corporations, federal, state, and local governments, all departments and agencies thereof, and any other governmental agencies, political subdivisions, groups, associations, or organizations, whether located in the United States or abroad.
6. The term "relate to" or "relating to" means constituting, comprising, containing, setting forth, showing, disclosing, describing, explaining, summarizing, concerning, or referring to, directly or indirectly.
7. The term "explain," "describe in detail," or "state in detail" mean the following:
  - a. Describe fully by reference to underlying facts rather than ultimate facts or conclusions of law or fact.
  - b. Particularize as to:
    - i. The identity of each person involved in each such event, including but not limited to persons employed by Champion Ford Edinboro and those persons purporting to act for Champion Ford Edinboro;
    - ii. The specific acts of each person participating in each such event;
    - iii. The date and time of each such event;
    - iv. The address and location of each such event; and
    - v. The identity of each person present during each such event.
8. The term "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers,

letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), and faxes. For purposes of this request, any document that contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production.

9. "Recall 15V-279" means the safety recall Ford is conducting through its dealerships to remedy certain model year 2015 Ford F-150 vehicles manufactured from March 19, 2015 through March 30, 2015. Affected vehicles may have been built with an improperly riveted steering upper intermediate shaft. This could result in a loss of steering control and increase the risk of a vehicle crash.
10. "Recall notice" refers to any action in which Ford notifies any of its dealers, pursuant to 49 CFR § 577.13, of a safety recall of new vehicles that may be, or come into, dealer inventory, and instructs that a recalled vehicle may not be sold and delivered until the safety defect or noncompliance is remedied.
11. Other Terms: To the extent that they are used in this information request, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or plural form, have the same meaning as found in 49 CFR 579.4.
12. The singular includes the plural; the plural includes the singular. The masculine gender includes the feminine and neutral genders; and the neutral gender includes the masculine and feminine genders. "And" as well as "or" shall be construed either disjunctively or conjunctively, to bring within the scope of this information request all responses that might otherwise be construed to be outside its scope. "Each" shall be construed to include "every" and "every" shall be construed to include "each." "Any" shall be construed to include "all" and "all" shall be construed to include "any." The use of a verb in any tense shall be construed as the use of the verb is a past or present tense, whenever necessary to bring within the scope of the document request all responses which might otherwise be construed to be outside its scope.

In order for my staff to evaluate whether or not Champion Ford Edinboro has complied with the Safety Act's provision that a dealer not sell a recalled vehicle unless the recall remedy has been performed, certain information is required. Pursuant to 49 U.S.C § 30166, please provide numbered responses to the following information requests. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

## INFORMATION REQUESTS

Please repeat the applicable request verbatim above each response. After your response to each request, identify the source of the information and indicate the last date the information was gathered.

1. For each vehicle identification number (“VIN”) listed below in Table A, identify the following:
  - a. The disposition of the vehicle (e.g., sold, leased, etc.);
  - b. The date of the disposition you identified in (a);
  - c. The date on which the vehicle left the possession of Champion Ford Edinboro (e.g., delivery date to purchaser); and
  - d. The date on which the recall remedy was performed on the vehicle.

Provide your responses in a table in Microsoft Access or Excel entitled “Vehicles AQ17-001.”

Table A

1	1FA6P0H71	
2	1FA6P0HD8	
3	1FADP3K23	
4	1FADP5AU1	
5	1FAHP2E97	
6	1FMCU9G96	
7	1FMCU9G97	
8	1FMCU9G98	
9	1FMCU9GX2	
10	1FMCU9GX5	
11	1FMCU9GX5	
12	1FMCU9GX7	
13	1FMCU9HXX	
14	1FMCU9J93E	
15	1FMCU9J93F	
16	1FMCU9J98F	
17	1FTFX1EF7E	
18	1FTFX1EF9E	
19	3FA6P0H72F	
20	3FA6P0HD2E	
21	3FA6P0HD2F	
22	3FA6P0HD6E	

2. Produce copies of all documents, including delivery checklists or other documents that substantiate purchaser (or lessee) delivery dates, that evidence or are otherwise related to your responses to each item within the scope of Request No. 1. Organize the documents separately by VIN.
3. Provide Champion Ford Edinboro's policy for the process it conducts when it receives recall notice from Ford. Provide the date this policy was implemented. Also, explain if any changes have been made to its policy after the discovery that new vehicles were delivered with outstanding safety recalls.
4. Provide any additional information Champion Ford Edinboro considers important for the agency to consider in reviewing and evaluating Champion Ford Edinboro's responses to any of the requests above. As one example, identify any anomalies in the data or documents and explain the reason(s) for those anomalies.

This letter is being sent to Champion Ford Edinboro pursuant to 49 U.S.C. § 30166(b) and (e), which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter

301 of Title 49 and to request reports. It constitutes a new request for information. Champion Ford Edinboro's failure to respond promptly and fully to this letter could subject Champion Ford Edinboro to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$21,000 per day, with a maximum of \$105,000,000 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. This includes failing to respond to ODI information requests.

If Champion Ford Edinboro cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney client, attorney work product, or other privilege, Champion Ford Edinboro does not submit one or more requested documents or items of information in response to this information request, Champion Ford Edinboro must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

All documents should be bates stamped unless they are to be provided in Microsoft Access or Microsoft Excel format. This includes documentation that Champion Ford Edinboro links electronically to any of the spreadsheets it produces in response to these requests. Unless otherwise stated, please provide documents in chronological order.

Champion Ford Edinboro's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office **no later than two weeks from the date of this letter**. If Champion Ford Edinboro finds that it is unable to provide all of the information requested within the time allotted, Champion Ford Edinboro must request an extension from me at (202) 366-8089 no later than five business dates before the response due date. If Champion Ford Edinboro is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Champion Ford Edinboro then has available, even if an extension has been granted.

If Champion Ford Edinboro claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Champion Ford Edinboro must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended, to the Office of Chief Counsel (NCC-100), National Highway Traffic Safety Administration, Room W41-326, 1200 New Jersey Ave., SE, Washington, D.C. 20590. Champion Ford Edinboro is required to submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information is claimed to be confidential has been deleted. Please remember that the words "CONFIDENTIAL BUSINESS INFORMATION" must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 5 U.S.C. § 512.6. If you submit a request for confidentiality for all or part

of your response to this IR that is in an electronic format (e.g., CD-ROM), your request and associated submission must conform to the requires in NHTSA's Confidential Business Information Rule regarding submissions in electronic formats (49 CFR 512.6(c)).

If you have any questions concerning this matter, please call Elizabeth Mykytiuk, Acting Chief of the Recall Management Division, at (202) 366-9991.

Sincerely,

A handwritten signature in black ink that reads "Stephen A. Ridella". The signature is written in a cursive style with a large, stylized initial 'S'.

Stephen A. Ridella, Director  
Office of Defects Investigation  
Enforcement