

**Ansley, Alexander (NHTSA)**

**From:** Tom Bennett [TBennett@mmsa.com]  
**Sent:** Thursday, May 14, 2009 4:57 PM  
**To:** Ansley, Alexander <NHTSA>  
**Subject:** RE: FW: RE: Consumer Complaint 01V-254

Alex,  
Yes you are correct. If their vehicle was within the recall range of vehicles they would be repaired under the recall.  
Thanks  
Thomas Bennett  
Director, Service  
Office Phone 714-372-5554  
Cell Phone 714-325-9208

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<alexander.ansley@dot.gov>

To <TBennett@mmsa.com>

cc

05/14/2009 01:12 PM

Subject RE: FW: RE: Consumer Complaint 01V-254

OK. Just to verify:

Mitsubishi is still honoring the recall today? Should an affected consumer go to a dealer today, their vehicle can still be repaired under the recall (not warranty extension)?

**Alex Ansley**

US DOT- NHTSA  
Office of Defects Investigation  
Recall Management / W46-412  
1200 New Jersey Ave SE  
Washington, DC 20590  
P. (202) 493-0481  
F. (202) 366-7882

**From:** Tom Bennett [mailto:TBennett@mmsa.com]  
**Sent:** Thursday, May 14, 2009 4:08 PM  
**To:** Ansley, Alexander <NHTSA>  
**Subject:** Re: FW: RE: Consumer Complaint 01V-254

Alex,

6/25/2009

After our communication we investigated this situation and reviewed all customers that were turned down under the warranty extension and did not find any customers that were included in the initial recall.

We have ensured that both the recall and the warranty extension are in place so that no customers will be impacted regarding this recall moving forward.

Thanks for allowing us the time to investigate and respond.

Thomas Bennett  
Director, Service  
Office Phone 714-372-5554  
Cell Phone 714-325-9208

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<alexander.ansley@dot.gov>

05/14/2009 05:55 AM

To <tbennett@mmsa.com>

cc

Subject FW: RE: Consumer Complaint 01V-254

Mr. Bennett,

I don't believe I heard back from you on this. Has Mitsubishi, or its dealers, denied the remedy under #01V-254 to any consumers included in the original recall population?

**Alex Ansley**

US DOT- NHTSA  
Office of Defects Investigation  
Recall Management / W46-412  
1200 New Jersey Ave SE  
Washington, DC 20590  
P. (202) 493-0481  
F. (202) 366-7882

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

From: Ansley, Alexander <NHTSA>  
Sent: Saturday, May 09, 2009 6:48 PM  
To: Tom Bennett

6/25/2009

Subject: RE: RE: Consumer Complaint 01V-254

Mr. Bennett,

I'm sure you recall our conversation a few weeks back. Mr. Ferretti's original complaint did not include the fact that his vehicle already received the repair in 2001. Our concern is that Mitsubishi is denying recall repairs to the remaining 5% of vehicles that have not received the remedy for 01V-254. The closure of RQ06-007 indicated that there would be no substantial benefit to expanding the original recalled population. The closure of RQ06-007 did not indicate Mitsubishi could discontinue repairing the vehicles included in the original 573 Defect Report.

To this date, have any recalled vehicles (not including vehicles already remedied once) been denied the remedy under 01V-254?

Alex Ansley  
DOT- NHTSA  
Office of Defects Investigation  
Recall Management / W46-437

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

From: Tom Bennett [mailto:TBennett@mmsa.com]  
Sent: Fri 5/8/2009 1:49 PM  
To: Ansley, Alexander <NHTSA>  
Subject: Fw: RE: Consumer Complaint 01V-254

Mr. Ansley;

We have reviewed the complaint made by Mr. Ferretti and believe that Mitsubishi correctly denied warranty coverage for the subject brake booster. The basis for our position is as follows:

1. Montero Hydraulic Brake Booster recall 01V-254 - This recall covered 2001 - 2002 Montero vehicles produced before 6/20/01. The recall was to inspect and replace the hydraulic brake booster on the effected vehicles. More than 95% of the recalled vehicles received the recall remedy.
2. ODI RQ 06-007 - In 2006, NHTSA opened ODI RQ 06-007 based on six complaints of hydraulic brake booster accumulator failure out of approximately 23, 335 MY 2002 Montero vehicles built after the 01V-254 recall time frame. Of importance, NHTSA also looked at the claim rates for those vehicles repaired under recall 01V-254 and stated:

"For these vehicles, there were 14 complaints and 249 warranty claims identified, resulting in a complaint rate of 28 per 100,000 vehicles and a warranty claim rate of 0.64%. Analysis of these failures showed a declining trend with increasing vehicle age, with almost half of the warranty claims occurring within the first 12 months after receiving the recall remedy."

NHTSA closed this investigation on 10/19/06, stating:

"Due to the low failure rates, the absence of related crashes, and no indication of increasing failure trends in either the subject vehicles or post-repair recall population, this investigation is closed."

3. 2008 Foreign Campaign notification sent to NHTSA July 8, 2008 - A Foreign

6/25/2009

Campaign regarding 1999 - 2003 Mitsubishi Pajero vehicles (which are substantially similar to the Montero) was reported to NHTSA July 2008. In this submission, we indicated that MMC had expanded the scope of the product improvement campaign in Japan involving hydraulic brake boosters. As a result, MMNA was taking voluntary action and would extend the warranty on the hydraulic brake boosters of all effected vehicles to 10 years or 150,000 miles (from the original delivery date), whichever came first. We further stated in our submission that the vehicles involved in Montero Hydraulic Brake Booster recall 01V-254 (approximately 39,000 vehicles) and an additional 23,335 vehicles, would be provided this warranty extension.

With respect to the complaint made by, Mr. Ferretti, his vehicle was repaired under the recall in October of 2001. Subsequently, in March of 2009 (more than 7 years later), Mr. Ferretti presented his vehicle to a Mitsubishi dealer seeking replacement of his hydraulic brake booster. His request was denied for the following reasons:

1. His vehicle received the necessary recall remedy in October 2001. As a result, no recall was open on his vehicle for the hydraulic brake booster.
  2. The warranty extension provided in 2008 on hydraulic brake boosters was 10 years or 150,000 miles from the original delivery date, whichever came first.
- Given that Mr. Ferretti's vehicle had 166,000 miles on it at the time of his brake booster issue, his vehicle was beyond the 150,000 mile warranty and his request for refund was denied.

Thank you for the opportunity to comment on this issue. If you have any questions or if I can provide any additional information, please let me know.

Thomas Bennett  
Director, Service  
Office Phone 714-372-5554  
Cell Phone 714-325-9208

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6/25/2009