



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

November 26, 2012

BY EMAIL & U.S. MAIL

David W. T. Carroll
Carroll, Ucker & Hemmer LLC
7100 North High Street, Ste. 301
Worthington, OH 43085

In re: MY 2009 WF650-C, NHTSA Recall No. 12V-031; Findings, Conclusions, and Order on Wildfire's Failure to Reasonably Meet its Recall Remedy Requirements, issued on November 13, 2012

Dear Mr. Carroll:

I received your letter dated November 21, 2012 requesting an extension of the deadlines contained in the National Highway Traffic Safety Administration ("NHTSA")'s Findings, Conclusions, and Order on Wildfire's Failure to Reasonably Meet its Recall Remedy Requirements, issued on November 13, 2012 ("Order"). Prior to your letter of November 21, 2012, you called NHTSA and, among other things, asked where Wildfire would file a challenge to the Order. Your letter of November 21, 2012 seeks an extension of time for Wildfire to either comply with the Order or seek judicial review of the same. Wildfire seeks more time to make a decision on a long-standing issue that it has had knowledge of since a public notice on September 25, 2012 (77 Fed. Reg. 59,036). I note that Wildfire did not appear at the public hearing held on October 15, 2012. Wildfire thereafter received the Order. Wildfire simply needs to decide whether it will comply with the Order.

However, your November 21, 2012 letter indicated that Mr. Snyder, President of Wildfire, learned that day that his sister had passed away. We are sorry for his loss.

In these circumstances, I am granting a two-week extension of the deadlines contained in the Order. As such, the first two paragraphs of the Order (at page 8) are amended to read as follows:

1. By December 10, 2012, Wildfire shall provide a written report to NHTSA stating, under oath, that it will remedy the MY 2009 WF650-C by refunding each owner of a MY 2009 WF650-C the average market value of \$3,400, as required by this Order.

2. By December 10, 2012, Wildfire shall submit to NHTSA for approval a draft notification letter to owners consistent with the requirements of 49 C.F.R. § 577.10, which specifies that Wildfire will provide a remedy of refunding each owner of a MY 2009 WF650-C the average market value of \$3,400 and specifies a method for owners to request such a refund (including requirements that the owner transfer title and possession of the MY 2009 WF650-C to Wildfire upon payment). If NHTSA does not approve the draft notification, Wildfire shall provide NHTSA with a revised draft incorporating NHTSA's revisions within five business days of receiving NHTSA's revisions to Wildfire's draft.

The remainder of the Order remains unchanged.

Sincerely,



Daniel C. Smith

Senior Associate Administrator for Vehicle Safety

cc: Don Snyder
Alan Tipton (email only)