

Infiniti G35 Coupe

History

- Vehicle bought new from Jim Coleman Infiniti (JCI) on 10/29/2005
- Serviced exclusively at JCI
- 01/30/2009 – Vehicle taken to JCI with 29,988 miles reading on the odometer and experiencing oil consumption between 1 quart to 1 and ½ quarts.
- Told by Aaron Driver (Service Rep) to bring car back in 1,000 miles.
- 5/13/2009 – Vehicle taken back to JCI with 30,915 miles reading on the odometer. JCI states oil level to be ½ to ¾ quarts low.
- Told by Aaron Driver (Service Rep) to bring car back in 1,000 miles and that I would have to do this 6 or 7 times. (See service records Attachment 1)
- 5/17/2009 – Vehicle being driven and while going up a slight incline at or around 3,000 to 4,000 RPM vehicle's exhaust note changes from normal to what I describe as sounding like a Subaru WRX. Service Engine Soon light comes on.
- Car is immediately pulled into a safe area and turned off and left to cool.
- Car is started after cooling with same result including smoking from exhaust.
- Car is towed back to _____ and codes are read to detect "Misfire on Cylinder 3"
- Engine Oil is checked and oil level is down ¼ from the H level.
- Aaron Driver with JCI is contacted and briefed on engine. I stated that I thought Cylinder 3 would be full of oil from Oil Consumption and told Aaron Driver about oil level.
- Car is towed from _____ to JCI on Wed 5/20/2009

History (cont)

- Receive call on or about 5/26 stating that they pulled the #3 spark plug and that it was “smashed”. That compression, leak down and oil inspection revealed nothing unusual and no statement from Aaron regarding cause. Says they have an Infiniti Rep coming for another reason and they will have him look at the car to tell them what to do next.
- Receive call the following week on or about 6/4/09 stating Infiniti Rep states they were declining the warranty repairs of engine because the car has “too many modifications”
- Instructed by Aaron Driver to contact Infiniti Consumer Affairs.
- Contact Infiniti Consumer Affairs on or about 6/4/09. Spoke with Jennifer Luong who after hearing that Infiniti Rep stated that they were declining warranty repairs due to too many modifications stated “yeah, they can’t do that”. Opened case
- Receive a call on or about 6/9 from Evelyn Jimenez stating she would be my representative and would be contacting me in 1 to 2 business days.
- Receive call from Infiniti Consumer Affairs on or about 6/17/09 stating Infiniti will teardown engine only if I agree to cover any charges if they decline warranty repairs.
- Left message with Aaron Driver on 6/17/09 regarding conditions of tear down and he responds on 6/18 and I authorize the teardown.
- On or about 6/23 Aaron notifies me that he performed the teardown and found cylinder 3 had a big chunk out of it and that he was instructed to take pictures and send them to the Infiniti Rep. He could not tell me what they thought the cause was at that time. Aaron said they couldn’t find the chunk of piston stating that it “DISSOLVED” in the engine and that’s why they couldn’t find any metal in the oil.
- On 6/25 I learned that Aaron was having trouble with his camera and would need to wait until he got home to download the photos.
- On 6/25 I travelled to JCI to take pictures using my camera phone and I emailed the photos to Aaron to email to the Infiniti Rep. SEE SLIDES 5 through 9 FOR PICTURES
- While taking pictures I noticed that the Spark Plug in Cylinder 3 appeared to be unseated from the head and in normal condition. However I noted that the Spark Plug in Cylinder 1 was brand new and halfway seated (SEE SLIDES 6-8). I asked Aaron about the bent spark plug and showed him that the spark plug in #3 looked untouched his reply was “hmm”. I did not ask to see the damaged spark plug at that time.
- I then looked at the cylinder head and inspected the valves which appeared normal and not damaged (SEE SLIDE 7).
- I then sent the pictures to Aaron and waited for him to acknowledge receipt and left JCI thereafter.
- I sent the pictures to Altered Atmosphere to review and comment. Altered Atmosphere installed my aftermarket HKS exhaust and is a recognized expert by various publications as Nissan and Infiniti engine specialists. www.alteredatmosphere.com

History (cont)

- I received a call from Aaron on or about 7/1 stating that Infiniti was declining the warranty repairs due to my modifications. I asked what the cause was and was told that the exhaust backpressure could have caused the exhaust valve to overrev the engine.
- On 7/1/2009 I receive a call from Jennifer Luong on behalf of Evelyn Jimenez due to Evelyn being on vacation that week. I called Jennifer back and she informed me that Infiniti would be declining the repairs due to the modifications on my car. At that point I discussed that Infiniti would need to prove the modifications caused the damage however I was told that this was Infiniti's response and that at that time my only option was to contact the BBB Auto-Line and she provided me with the number and said she would fax a warranty denial letter the following morning.
- On 7/2 at 7:51 I received a fax from Jennifer signed by Evelyn Jimenez dated July 1 stating that the need for repairs to your engine control module was not due to a defect in materials or workmanship. Shortly thereafter at 7:54 I received another fax with a letter dated July 2 stating the need for repairs to your engine was not due to a defect in materials or workmanship. SEE ATTACHMENTS 2 and 3
- I contacted Jennifer and was told to disregard the first notice.
- On 7/2/2009 I made a surprise visit to JCI to speak with Aaron Driver. (See SLIDE 10 for details of meeting 1)
- On 7/2/2009 I was told that Aaron Driver would be speaking with the Infiniti Rep to see what he could do for me as I was a good guy, and a good customer but unfortunately the Rep would be on vacation until July 8.
- On 7/8/2009 I received a call from Aaron Driver stating that Infiniti was declining the warranty repairs. The cause was due to the exhaust modifications.
- On 7/8/2009 I sent an email to Aaron Driver requesting the Oil Consumption measurements and related documentation, the verbal description of the cause in writing from Infiniti, and a date and time to meet with the Service Director, General Manager, Aaron Driver, and Infiniti Consumer Affairs (See Attachment 4 page 4)
- On 7/9/2009 Aaron replied stating the GM was out on vacation on 7/10, Infiniti Reps do not meet with clients but the Service Director (Oscar Naranjo) and he would be available at 2:00 on 7/10 (See SLIDE 11 for details of meeting 2)
- On 7/9/2009 the final paperwork was filed with the BBB Auto Line to initiate the official complaint.

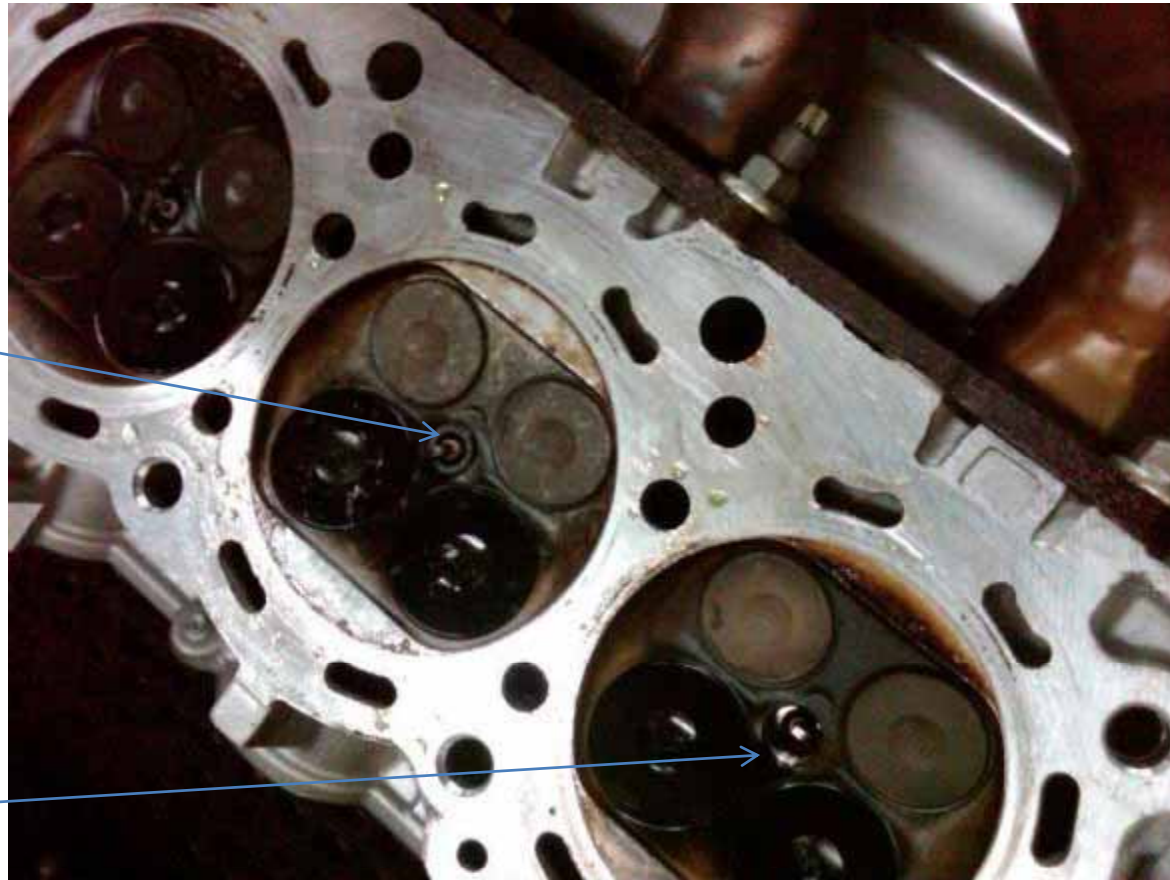
Piston 3 Damage



Cylinder Head

Cylinder 3
Spark Plug

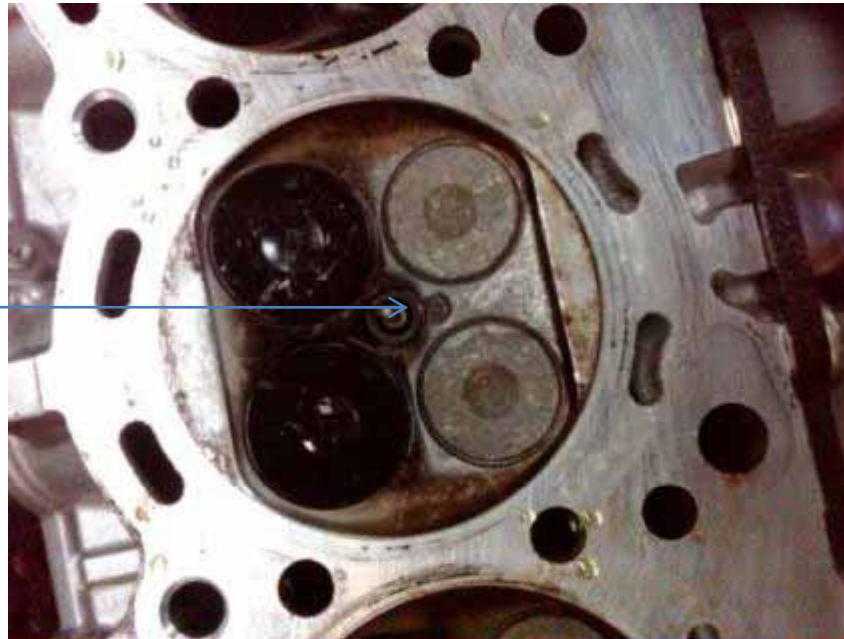
Cylinder 1
Spark Plug



Cylinder 3 Detail

Detail of Cylinder 3
Spark Plug NOT
DAMAGED

Also Note no
visible damage or
marring to valves
on the edges
however note
significant damage
to Piston.



Additional Detail Cylinder 3



Cam Shaft on Cylinder 3



Meeting 1 – 7/2/2009

- I asked Aaron Driver for a printout of my Maintenance Records (See Attachment 1)
- I then asked him to provide me the measurements from the 1/30/2009 Oil Consumption service.
- Aaron told me that I was a quart to a quart and a half low on 1/30/2009 and $\frac{1}{2}$ to $\frac{3}{4}$ quarts low on 5/13/2009. I responded to him requesting the measurements in millimeters.
- Aaron then left the office to pull my physical service files and returned with both the 1/30/2009 and the 5/13/2009 JCI service records.
- Aaron carefully reviewed the documentation. Behind the 5/13/2009 service records was the Infiniti TSB ITB08-002 (See Attachment 6 for a copy obtained off of the internet).
- I asked Aaron again for the measurements after noting he was reading page 6/8 which displays a picture of the measuring procedure. Aaron then replied I don't see them here. He said he would have to contact his technician and see if he wrote it down in his notes. Aaron then told me that his tech was at lunch and if I would have called prior to showing up he would have had all of this pulled together.
- I then asked for the damaged spark plug. He did not have it and told me that it was given to the Infiniti Rep. I asked to see the spark plug.
- I then stated my discontent for the way JCI followed the TSB at which point Aaron became defensive and challenged me with what I thought caused the damage to the piston to which I replied I did not know.
- We ended the conversation and I asked that he contact his Rep to get the cause in writing, get the spark plug, and provide me with whatever his technician kept with regards to notes.
- Aaron then told me that he thought I had been a good guy through all of this and that he had contacted the Infiniti Rep via email to try and see what he could do and if we could come to a compromise. He told me that unfortunately the Rep was on vacation until the 8th but if he heard from him he would let me know. I then told him that I would wait until I heard from him before I proceeded in other avenues.
- The conversation ended.

Meeting 2 – 7/10/2009 approx: 2:15PM

- In attendance: Aaron Driver – Asst. Service Director, Oscar Naranjo – Service Director, Evelyn Jimenez – Infiniti Consumer Affairs.
- I began the conversation asking Aaron and Oscar if they had the cause in writing. Aaron replied no.
- I asked Evelyn if she was able to obtain written documentation on the cause and she had. She told me that the exhaust modifications and engine modifications caused the damages coupled with the car being driven in “race” conditions.
- I asked for this to be faxed or emailed to be which she replied they could not do this because this was Infiniti property and could not be released.
- I continued by discussing Spark Plug #3 and the fact that I had yet to see the damaged plug, why the plug in the #1 cylinder was brand new and asked them to explain why the #1 plug was new and why the #3 plug was unseated. Aaron responded that they could have removed them and put them back in and that the spark plug was probably around the shop somewhere and Oscar added, probably in the technicians tool box. (I never received the spark plug)
- I then asked why Aaron told me initially (before teardown) the compression, leak down and oil inspection all checked out fine when the fax Aaron sent me as part of the technicians notes showed a problem with Cylinder 3 and a problem with the leak down test. I received no response to this question as they studied the documents. I then asked why the comment “BRAKE – INTAKE OR EXHAUST VALVE EMAIL PICTURES” was written on the document (See Attachment 5). Aaron laughed and said I don’t know why I wrote “BRAKE”. At this point I wondered if BRAKE = BREAK.
- I then asked who wrote the FINDINGS section on these notes and Aaron said that was him. I asked him why Bent Valves/Heads was never mentioned to me in all of our conversations. He had no reply.
- I then was interrupted by Evelyn who stated that Infiniti stands behind their decision and they stand behind their dealership. I then told Evelyn that I wasn’t finished and I’m sorry that you and Infiniti have once again jumped to conclusions without reviewing all the facts. I then continued.
- I then asked why there was so much documentations on my modifications and showed them a copy of the work order with handwriting all over it stating all my modifications including modifications that have absolutely no bearing on the engine damage such as “Car is lowered and has aftermarket air filter, racing driver seat belt”. The comments also focus on the aftermarket catalytic converters and show where the technician had to remove both cats and inspect for loose material and to check the oil for cat material in pan. I stated that it appeared they were trying to build a case against me surrounding my modifications. I was told that the Infiniti Rep told them to document this. (See Attachment 7)
- I then asked how Aaron responds to my email and read the email to Evelyn (See Attachment 4 page 1). I received acknowledgement but no response.
- I then stated what my research had uncovered regarding the Oil Consumption problem after speaking with Mike Mahaffey of Altered Atmosphere once he had a chance to review the photos and talk with me about the history of the car.
 - CAUSE: Oil Consumption. Oil pools around rings and in the cylinder. If enough oil pools in the cylinder it will cause detonation; Basically causing the engine to “Diesel”. The oil detonation IS what cause the piston damage.
- I again received little if no response from anyone.
- I then asked What is Jim Coleman and Infiniti going to do about this? It was at that point that Evelyn ended the call stating that she had just been informed that the BBB was involved and said goodbye.
- I spoke with Oscar and with Aaron afterwards and Oscar told me that the dealership receives a certain amount of “Goodwill” from Infiniti that they can pass on to customers and that they were specifically told by Infiniti that absolutely no goodwill was to be provided to me.

In Summary

It is my opinion that Jim Coleman's lack of technical ability and the blatant disregard of the procedures published in the Infiniti Engine Oil Level is Low Service Bulletin is to blame for the denial of warranty. I also feel there are many unanswered questions regarding how my vehicle was inspected. Written statements such as "BRAKE – EXHAUST OR INTAKE VALVE – TAKE PICTURES", making statements that a piece of a piston "DISSOLVED" in the engine, a missing "SMASHED" spark plug, over documentation of modifications, and various other inconsistent diagnosis make it difficult to believe or trust the dealership or Infiniti and make it look like someone was trying to cover up.

I have been extremely patient, fully cooperating with both the dealership and Infiniti throughout this long and drawn out process. My car was brought to JCI on 5/20/2009. As of 7/16/2009 I have no written cause or resolution and a vehicle that has been in a garage for almost 2 months.

Performing a simple search on Jim Coleman and the Oil Consumption problem brings up hundreds of hits all surrounding complaints about how JCI declines warranty repairs and how those customers go to another dealership and receive warranty repairs without question. Infiniti and Nissan have thousands of posts in various forums with multiple complaints about the engine oil consumption problems and the way Infiniti or Nissan seem to find a way to decline repairs. Some people have had to replace their engine 3 to 4 times!

The fact that Infiniti has blamed the damage on the Exhaust is unfounded. This exhaust was installed by Altered Atmosphere on June 20th 2006 almost 3 years prior to the damage. This exhaust is a very high quality fully tested exhaust system manufactured by HKS. The exhausts claim to fame is the "true dual" exhaust and claims almost 0 backpressure which conflicts with Infiniti's claims. The air intake is a 350Z "tube" and a Pop Charger manufactured by JWT again providing improved air flow to the engine. The Plenum Spacer is manufactured by Motordyne Engineering who has detailed documentation on testing conditions. Regardless of modifications Infiniti must PROVE that these modifications are what caused the damage to occur and their inability to produce documentation and avoidance of putting anything in writing proves that they can't.

Requested Resolution

- Replacement of the Long block in accordance with the Infiniti Engine Oil Level is Low Service Bulletin.
- Reimbursement for all out of pocket costs related to this issue.
- Additional compensation in some form for the exorbitant amount of time my vehicle has been out of service and the hours and hours of my personal time dealing with Infiniti and Jim Coleman.