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December 17, 2008

Sent via fax to (866) 962-2868
and U.S. Mail

Chevrolet
PO Box 33170
Detroit, MI 48232-5170

RE Notice of Repurchase Demand
Pursuant to Washington Lemon Law
RCW 19.118 et. seq.

Dear Chevrolet:

I am writing in regards to a 2007 Chevrolet Equinox 4DR AWD LT (VIN # 2CNDL73F476245575) that I purchased on August 30, 2007 from Lee Johnson Chevrolet in Kirkland, Washington. Please consider this letter our notice to you that we are demanding you **repurchase** this vehicle pursuant to RCW 19.118.041, which is part of the Washington state Lemon Laws. Included with this letter please find a copy the vehicle's repair history and copies of the repair invoices we received.

In December 2007 three months after purchase of the vehicle we first noticed a stutter or shudder in the vehicle when backing up following a cold start. This shudder over the next year got worse and evolved into a surge of the accelerator when the driver took his foot off of the accelerator following a cold start. The surge occurred when backing and on accession when the vehicle was moving forward. The accelerator surge defect has become worse since it was first reported and since the numerous other reports and repair attempts since.

We have made at least five separate repair attempts in the last year. The vehicle has been in the Lee Johnson Chevrolet repair shop for a total of at least 59 days. The accelerator surge defect has not been repaired despite all of these repeated attempts at repair.

In fact, the accelerator surge defect continues to get worse. On December 7, 2008 two days after getting the vehicle back from the repair shop, after having been in the repair shop for 39 days, the vehicle accelerator surged while backing out of our driveway when my foot was not on the accelerator, and again while traveling forward when I took my foot off the accelerator as I approach a stop sign for a busy intersection less than 2 blocks from our home. The surging accelerator defect is a serious safety hazard and totally unacceptable.

The service manager, Bryan Sessions, at Lee Johnson Chevrolet has worked repeatedly with your field engineer and engineers in Detroit to attempt to fix the defect and have failed despite have the vehicle for 59 days total during five separate repair attempts.

On December 11, 2008 I reported the continuing accelerator surge problem to the service manager at Lee Johnson Chevrolet. He informed me that he needed to speak with the field engineer and figure out what to do now as they had no idea what to do from here. I have yet to hear from the service manager or any Chevrolet/General Motors personnel regarding the repair of my vehicle serious safety defect.

There's can be little question that the surging of the accelerator when the vehicle operator has taken his foot off of the accelerator is a life-threatening malfunction that impairs the driver's ability to control and operate the vehicle. Thus qualifying as a "serious safety defect under RCW 19.118.041(2)(a).

The accelerator surge defect also qualifies as a "nonconformity" that substantially impairs the use, value and safety of the vehicle thus making the vehicle unsafe, unreliable and having a diminished resale value. The vehicle has been in five times for repair of the "nonconformity." Thus, qualifying as a lemon vehicle under RCW 19.118.041(2)(b).

The final way the vehicle qualifies under Washington Lemon Law is that is has been out-of-service for a total of 30 or more cumulative calendar days due to diagnosis or repair of one or more defect covered by the manufacturer's warranty within two years or 24,000 of the purchase date of vehicle. Here, the vehicle has been out-of-service for at least 59 days, currently has only approximately 14,000 miles is only 16 months from the purchase date. Thus, qualify under the third prong of the Washington Lemon law under RCW 19.118.041(2)(c).

Based on the above we are demanding Chevrolet repurchase our 2007 Chevrolet Equinox 4DR AWD LT (VIN # 2CNDL73F476245575).

Please have your response to me within forty (40) days of receipt of this letter.

Very truly yours,

Max J. Meyers