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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ZACHERY WILLIAMS individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

TESLA, INC. and Does 1 through 10,
inclusive,

Defendants.

Case No.

CLASS ACTION COMPLAINT

1. Violations of the Magnuson-Moss Warranty Act, 15 U.S.C. § 2301, *et seq.*
2. Violation of the California Consumer Legal Remedies Act, (Cal. Civ. Code § 1750, *et seq.*)
3. Violation of California Unfair Competition Law (Cal. Bus. & Prof. Code § 17200, *et seq.*)
4. Violation of California False Advertising Law (Cal. Bus. & Prof. Code § 17500, *et seq.*)
5. Breach of Express Warranty (Cal. Com. Code § 2313)
6. Breach of the Implied Warranty of Merchantability (Cal. Com. Code § 2314)
7. Breach of Common Law Warranty/Contract (Under California Law)
8. Fraudulent Concealment (Under California Law)

DEMAND FOR JURY TRIAL

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CLASS ACTION COMPLAINT

Plaintiff ZACHERY WILLIAMS, an individual (“Plaintiff Williams”), on behalf of himself, a class of other similarly situated individuals, and the general public complains of and alleges the following causes of action against Defendant TESLA, INC. (“Tesla”) a Delaware Corporation; and DOES 1 through 50, inclusive, as follows:

I INTRODUCTION

1. This Complaint seeks damages against Tesla for breach of warranty and for unfair and deceptive acts and practices pertaining to its design and manufacture of all Tesla Model S and Model X with a production date between September 17, 2013, and October 15, 2018 (the “Class Vehicles”).

2. The Class Vehicles suffer from one or more latent defects in their suspension system that cause the front and rear suspension control arm assembly components to prematurely loosen, wear, crack, and/or break (“the Suspension Defect”).

3. As demonstrated herein, the Suspension Defect unreasonably increases the risk of crash and threatens the health and safety of the drivers and passengers of the Class Vehicles. Moreover, the Suspension Defect directly affects Plaintiff’s use, enjoyment, safety, and value of the Class Vehicles. Numerous owners and lessees of the Class Vehicles have experienced the Suspension Defect already, and Tesla is gambling with the lives and safety of hundreds of thousands of additional drivers and passengers whose vehicles suspension parts at an imminent risk of failure.

4. For years, Tesla actively concealed the information regarding Suspension Defect from its customers and regulators, withholding its knowledge because once known, the Suspension Defect would diminish the Class Vehicles’ intrinsic and resale value and cause owners to demand immediate and costly repairs.

5. On information and belief, Tesla has not only failed to disclose the existence of the Suspension Defect to Plaintiff and the Class, it has taken active measures to conceal its knowledge by misrepresenting the reasons that the affected suspension parts fail.

6. As a direct and proximate result of Tesla’s unlawful and fraudulent concealment of the Suspension Defect, Plaintiff and the Class members have suffered significant economic harm. Moreover, because Tesla has refused to acknowledge and disclose the Suspension Defect to its

1 customers, many Class Vehicle owners are at a continued unreasonable risk of suffering serious bodily
2 injury or death.

3 7. For the forgoing reasons, Plaintiff, on behalf of the putative Class, brings this class action
4 against Tesla for monetary damages and equitable relief.

5 **II JURISDICTION AND VENUE**

6 8. This Court has subject matter jurisdiction pursuant to the Class Action Fairness Act, 28
7 U.S.C. § 1332(d). The aggregated claims of the individual class members exceed the sum or value of
8 \$5,000,000, exclusive of interest and costs; there are more than 100 putative class members defined
9 below; and there are numerous members of the proposed class who are citizens of a state different from
10 Tesla.

11 9. This Court has personal jurisdiction over Defendant Tesla because its corporate
12 headquarters and primary manufacturing facility are located in California, it conducts substantial
13 business in this District, and because a substantial part of the acts and omissions complained of occurred
14 in this District.

15 10. Venue is proper in the Northern District of California pursuant to 28 U.S.C. § 1391 (a)
16 and (b) because a substantial part of the events, acts and omissions giving rise to these claims occurred
17 in the Northern District of California.

18 **III INTRADISTRICT ASSIGNMENT**

19 11. Pursuant to Local Rule 3-5(b) and (d), assignment to the Oakland Division is proper,
20 because a substantial part of the events or omissions giving rise to the claims occurred in this division.

21 **IV PARTIES**

22 12. Plaintiff Zachery Williams is a resident of Alameda, California. On or about August 20,
23 2019, Plaintiff Williams purchased a pre-owned 2016 Model S directly from Tesla online. On August
24 31, 2019, Plaintiff completed his purchased of the vehicle and took delivery of it. At the time Plaintiff
25 took delivery of the vehicle, it had 54,492 miles on the odometer and was covered by Tesla's 2
26 year/100,000 mile Used Vehicle Limited Warranty.

27 13. Defendant Tesla, Inc., is a Delaware corporation with its headquarters located at 3500
28 Deer Creek Road, Palo Alto, California, 94304.

V GENERAL ALLEGATIONS

A. The Class Vehicles Suffer from a Dangerous Defect that Poses Danger to the Public

14. The Class Vehicles suffer from a dangerous Suspension Defect that can manifest without warning and cause the sudden and unexpected loss of steering control. When the Suspension Defect manifests, the rear or front control arms can separate from the steering knuckle and cause excessive negative camber¹ in the suspension. In less technical terms: The Suspension Defect causes the parts that connect the wheels to the Class Vehicles to detach, causing the affected wheel to fold inwards. In severe cases, putative Class members have reported that manifestation of the Suspension Defect caused the affected wheel of their vehicles to completely detach.

15. On information and belief, the components making up the front and rear suspension control arm assemblies in the Tesla Model S and Model X are identical. Therefore, the Suspension Defect equally affects all of the Class Vehicles.

16. On further information and belief, the control arm assembly parts subject to failure include the front upper and lower control arms, front suspension aft-link, front suspension fore link, rear suspension upper link assembly, and rear suspension lower control arm assembly (illustrated below).

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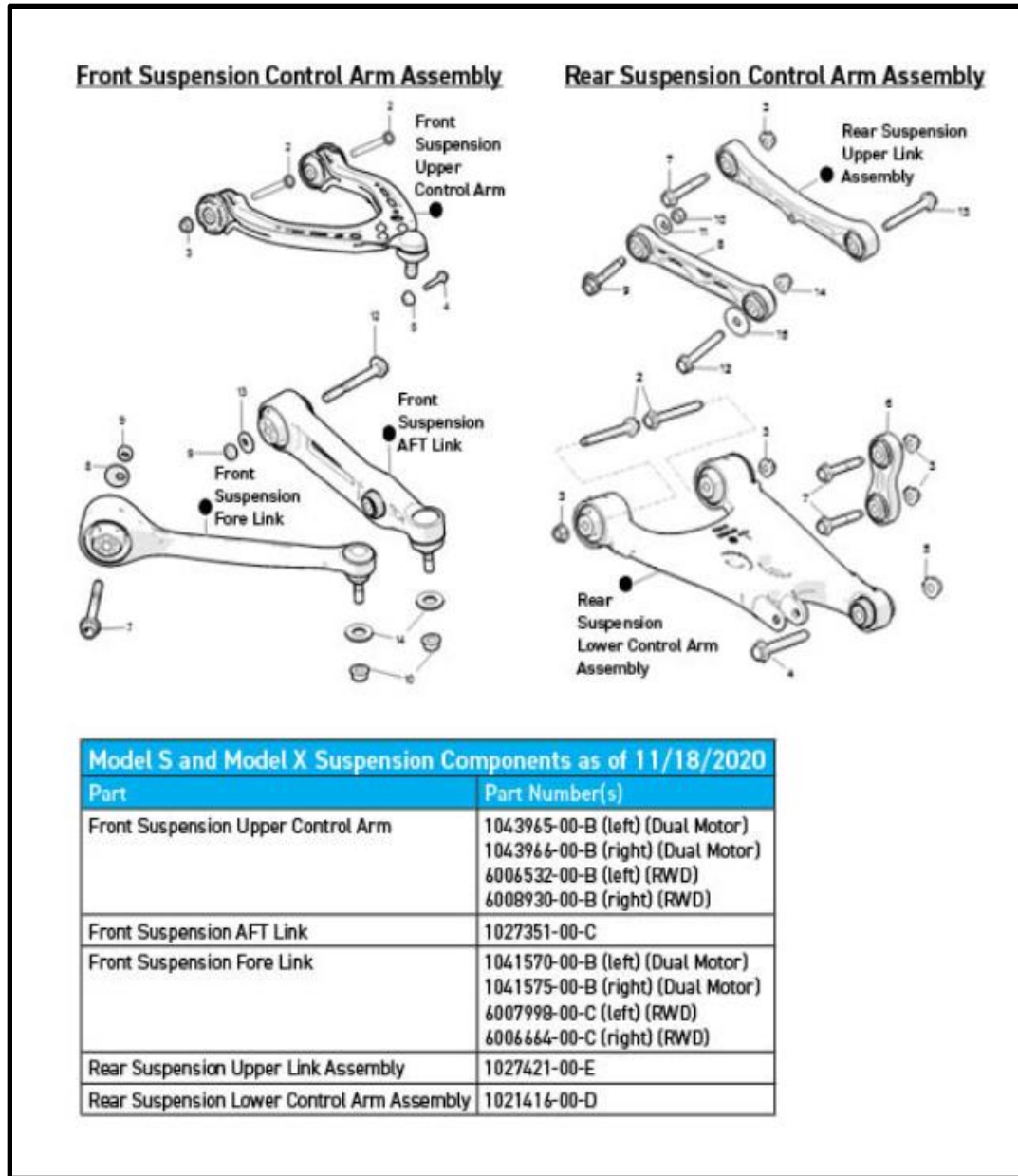
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¹ “Camber” is the angle of the vehicle’s wheel, measured in degrees, when viewed from the front of the vehicle. If the top of the wheel is leaning out from the center of the car, the camber is positive; if it leans in, the camber is negative.



17. On October 22, 2020, the China State Administration for Market Regulation (“SAMR”) announced that due to the Suspension Defect, Tesla would recall approximately 40,000 Class Vehicles exported to China and produced at Tesla’s plant in Fremont, California, between September 13, 2013 and October 15, 2018.

1 **1. China’s Safety Recall of the Class Vehicles Indicates the Danger Posed by the**
 2 **Suspension Defect**

3 18. In a press release, SAMR detailed its findings from the agency’s investigation of the
 4 Suspension Defect, stating inter alia:

5 When some of vehicles within the scope of the recall are subjected to a
 6 large external impact, the ball studs of the rear connecting rod of the front
 7 suspension will have initial cracks. The cracks may extend and cause the
 8 ball studs to break when the vehicle continues to be used. In extreme
 cases, the ball-end cone seat may come out of the steering knuckle,
 affecting the control of the vehicle, increasing the risk of accidents, and
 posing safety risks.

9 . . .

10 When some vehicles within the scope of this recall are subjected to a large
 11 external impact, the upper connecting rod of the rear suspension may be
 12 deformed. When the vehicle is continued to be used, the component will
 be further weakened. In extreme cases, it may break and affect the control
 of the vehicle. Increase the risk of accidents, and there are hidden safety
 hazards.

13
 14 (Ex. 1, China SAMR Statement on Tesla Suspension Recall.)

15 19. In the United States, Tesla took a different stance, blaming the suspension problems cited
 16 in SAMR’s press release on “driver abuse.” Writing to NHTSA, Tesla’s corporate counsel contended
 17 that “driver usage and expectation for damageability is uniquely severe in the China market. If the
 18 customer inputs an abuse load (e.g., curb impact, severe pothole strike, etc.), then the parts may be
 19 damaged, leading either to immediate failure or delayed failure from the compounding effects of the
 20 initial abuse and subsequent load input.”

21 20. Tesla’s willingness to blame drivers for the Suspension Defect is not surprising, however,
 22 given that, based on information and belief, Tesla has been instructing its service center technicians to
 23 conclude that snapped suspension arms are indicative of driver abuse, not a defect.

24 **2. Tesla False and Misleading Statements Regarding the Suspension Defect and the**
 25 **Safety of the Class Vehicles Poses a Danger to the Public**

26 21. But as one writer put it—the Suspension Defect is not Tesla’s crime; it is the coverup.
 27 And Tesla did not stop at blaming drivers in private for the failed suspension components on their
 28 Class; it has gone on the offensive. Tesla and its executives have made numerous misleading online

1 statements to the general public in an attempt to convince them that the Class Vehicles are safe and are
2 not plagued by the Suspension Defect.

3 22. In a June 9, 2016 blog post published to its website,” Tesla argued that a particular
4 customer’s complaint of suspension failure—one that received widespread media attention—was
5 “highly unusual” and that the failure had resulted from “abnormal rust.” (Ex. 2, Tesla Blog Post, dated
6 June 9, 2016.) But meanwhile, Tesla had also already acknowledged in a 2015 Technical Service
7 Bulletin (*discussed infra*) that the front and lower rear control arm assemblies on certain 2013 and model
8 2014 Model S vehicles might crack and instructed its service centers to replace the failed components
9 with “updated parts.” Tesla motivations for taking conflicting positions on the Suspension Defect
10 becomes apparent after considering the mediums of communication used to communicate its messages.
11 With the 2016 public blog post, Tesla was surely attempting to fight a public relations battle to keep
12 consumers and the public in the dark about the Suspension Defect, but through its 2015 Technical
13 Service Bulletin, it was attempting to appease customers that had complained of the Suspension Defect
14 to service center advisers.

15 23. Tesla misleading statements and denial of the Suspension Defect poses a great danger to
16 the public, especially because of its public fandom. Tesla’s vehicles have been so groundbreaking that
17 many consumers consider Tesla as a technology company rather than a car company. And there is no
18 denying that this has gained the company a cultlike public following. Needless to say, when Tesla and
19 its executives have something to say, they have a large microphone to communicate their message
20 directly to the public. As example, Elon Musk, the company’s CEO has drawn 41 million followers to
21 his personal Twitter page. By comparison, Jim Fairly, the CEO of Ford Motor Company—the sixth
22 largest auto manufacturer in the world by sales volume—currently has 5,559 followers on Twitter.

23 24. But despite Tesla and its executive’s stardom, the reality is that Tesla is that Tesla is a car
24 company. It puts thousands of Class Vehicles on the road, all of which are regulated by safety standards
25 and laws that require Tesla to inform the public—not only its current customers—of safety defects in
26 those vehicles. Tesla’s misleading public statements and denial of the Suspension Defect directly
27 undermines its duties to public and must be remedied.
28

B. Tesla's Knowledge of the Suspension Defect

25. At the time Plaintiff and the Class members purchased their Class Vehicles, Tesla had significant and longstanding knowledge of the Suspension Defect through records of customer complaints dealer repair records, records from NHSTA, warranty and post-warranty claims, internal pre-sale durability testing, and other various sources. Indeed, unlike traditional car manufactures, Tesla sells its vehicles directly to consumers rather than through a network of third-party authorized dealers. Thus, more than any other automotive manufacturer, Tesla can, and does, vigorously monitor and control data reflecting the replacement rate of parts on its vehicles, customer complaints, and warranty and post-warranty claims. In the past, Tesla has bragged about its level of exclusive knowledge over said information, in a 2016 blog post stating:

Since we own all of our service centers, and we are aware of every incident that happens with our customer cars and we are aware of every part that gets replaced. Whenever there is even a potential issue with one of those parts, we fully investigate.

(Ex. 3, Tesla Letter to NHTSA Re: China Recall.)

26. While some of these sources of information are internal records within Tesla's exclusive control, a reasonable inference can be drawn from publicly available facts that Tesla knew of the Suspension Defect.²

27. One of the most important sources of field data regarding this issue is the National Highway Traffic Safety Administration's Consumer Complaint Database. This publicly available database contains all motor vehicle-related consumer complaints submitted to NHTSA since January 2000. Consumers submit what is called a "Vehicle Owner Questionnaire," in which they are asked to provide information including the make, model, and model year of the vehicle, the approximate incident date, the mileage at which the incident occurred, whether the incident involved a crash or a fire, whether

² Tesla, unlike traditional car manufactures sells its vehicles directly to consumers rather through a network of third-party authorized dealers. Thus, more than any other auto manufacturer, Tesla is able to vigorously monitor and control the data reflecting the rate of replacement of parts of its vehicles, customer complaints, and warranty claims. Tesla has in fact bragged about its level and knowledge over such information, stating in a 2016 blog post: "[s]ince we own all of our service centers, and we are aware of every part that gets replaced." (See Ex. 2.)

any persons were injured or killed in the incident, the speed of the vehicle at the time of the incident, and a description of the incident along with a description of the vehicle components the complainant believes were involved in the incident. The majority of consumer complaints are submitted online at www.safercar.gov, where consumers can input this information directly into the database through their computer. They can also submit complaints by telephone through the Auto Safety Hotline, through submitting a paper Vehicle Owner Questionnaire form, and by submitting consumer letters to NHTSA by mail. This information is then entered into NHTSA's ARTEMIS database where it can be searched and reviewed by the general public and vehicle manufacturers alike, by make, model, model year, and component. NHTSA promotes this database as a valuable consumer information tool.

28. Class Vehicle owners and lessees have made numerous complaints to NHTSA reporting having experienced the manifestation of the Suspension Defect while driving their vehicles.

29. From June 21, 2016 to the present, NHTSA has received 77 complaints relating to the Suspension Defect in its Model S and Model X vehicles (59 complaints relating to the Model S and 18 complaints relating to the Model X).

30. The following are the consumer complaints submitted to NHTSA relating to claims of Suspension Defect the Class Vehicles:³

August 27, 2020 NHTSA ID NUMBER: 11351645

Components: SUSPENSION

NHTSA ID Number: 11351645

Incident Date November 24, 2019

Consumer Location MORGAN HILL, CA

Vehicle Identification Number 5YJXCDE27GF****

Summary of Complaint

CRASHNo

FIRENo

³ The following complaints are reproduced as they appear on the NHTSA website. Any typographical errors are attributable to the original author of the complaint.

INJURIES0**DEATHS0**

THE CAR FRONT SUSPENSION RATTLE A LOT WHEN ACCELERATING. THIS WAS BROUGHT TO TESLA'S ATTENTION BUT AT THE TIME, THEY DID NOT HAVE A PERMANENT FIX FOR IT. THIS WAS DATED BACK BEFORE THE VEHICLE LOST WARRANTY.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL X	2016

[August 7, 2020 NHTSA ID NUMBER: 11343953](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11343953

Incident Date August 4, 2020

Consumer Location AUBURN, AL

Vehicle Identification Number 5YJXCBE21GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

CLUNK SOUND FROM FRONT WHEELS AT LOW SPEEDS. . TESLA. SAYS IT IS THE UPPER SUSPENSION ARMS - ABSURD FOR A CAR WITH 25K ON IT AND NOT OFF-ROAD

ALSO TESLA BLAINS THE PARTS FOR THE RECALL ARE NOT AVAILABLE WITH NO ESTIMATION OF THE REPAIR TO BE DONE FOR THE OPEN RECALL

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
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TESLA	MODEL X	2016
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[July 24, 2020 NHTSA ID NUMBER: 11341375](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11341375

Incident Date October 1, 2019

Consumer Location MORGAN HILL, CA

Vehicle Identification Number 5YJXCDE27GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

THERE IS MAJOR RATTLING THAT HAPPENS IN THE FRONT SUSPENSION AND WHEN NOTIFIED THIS TO TESLA, THEY MENTIONED THAT THEY DO NOT HAVE A PERMANENT FIX FOR IT YET. THEY HAVE REPLACED THE UPPER CONTROL ARM IN THE PAST BUT THE PROBLEM SEEMS TO COME BACK.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
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TESLA	MODEL X	2016
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[July 10, 2020 NHTSA ID NUMBER: 11338564](#)

Components: SUSPENSION**NHTSA ID Number:** 11338564**Incident Date** June 4, 2020**Consumer Location** CHALFONT, PA**Vehicle Identification Number** 5YJXCBE28GF*******Summary of Complaint****CRASH**No**FIRE**No**INJURIES**0**DEATHS**0

UPPER CONTROL ARM BECOMES ISSUE PREMATURELY. THE ISSUE NEEDS TO BE LOOKED AT. I HAD TO REPLACE BOTH OF MY UPPER CONTROL ARM SO FAR. TALKING TO MECHANIC, IT WAS THE DESIGN AND MATERIAL CHOICE FOR THIS PART THAT SEEMS TO BE AN ISSUE. THE CONTROL ARM CAN BREAK DURING HIGHWAY SPEED POTHOLE.

1 Affected Product**Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL X	2016

July 1, 2020 NHTSA ID NUMBER: 11337081**Components: STRUCTURE, SUSPENSION, UNKNOWN OR OTHER****NHTSA ID Number:** 11337081**Incident Date** June 29, 2020**Consumer Location** FLUSHING, NY**Vehicle Identification Number** 5YJXCBE41GF*******Summary of Complaint**

CRASHNo

FIRENo

INJURIES0

DEATHS0

MY CAR HAD A BOLT BRAKE FROM ITS THREAD. THEY TOLD ME IT WAS A CRITICAL BOLT THAT WAS MARKED WITH PAINT. THIS BOLT IS TO KEEP THE SUBFRAME ATTACHED SECURELY TO THE FRAME.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
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TESLA	MODEL X	2016
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[May 4, 2020 NHTSA ID NUMBER: 11323290](#)

[Components: STEERING, SUSPENSION](#)

NHTSA ID Number: 11323290

Incident Date May 1, 2020

Consumer Location SANTA CLARITA, CA

Vehicle Identification Number 5YJXCBE21GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

WHILE REVERSING INTO MY DRIVEWAY, WE HEARD A LOUD BANG SOUND AS IF I RAN OVER SOMETHING, I STOPPED THE CAR TO MAKE SURE I DIDN'T RUN OVER ANYTHING, WHICH I DIDN'T. I PUT THE CAR BACK IN REVERSE AND CAN HEAR BIG SCRAPING SOUND, IT WAS THE TIRE HITTING WHEEL WELL. AFTER FURTHER INSPECTION, I FOUND THE RIGHT FORE LINK WAS COMPLETELY OFF THE JOINT AND HANGING THERE.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL X	2016

February 12, 2020 NHTSA ID NUMBER: 11308876

Components: SUSPENSION

NHTSA ID Number: 11308876

Incident Date December 15, 2019

Consumer Location VESTAL, NY

Vehicle Identification Number 5YJXCBE24GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

FRONT RIGHT AIR SUSPENSION FAILED IN 3 1/5 YEARS. I WAS ADVISED TO CHANGE BOTH FRONT SUSPENSION AND THE AIR PUMP AT SAME TIME. THE REPAIR COST WAS \$3395.25.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL X	2016

[December 16, 2019 NHTSA ID NUMBER: 11289356](#)

[Components: STEERING, SUSPENSION](#)

NHTSA ID Number: 11289356

Incident Date December 14, 2019

Consumer Location PLEASANTON, CA

Vehicle Identification Number 5YJXCBE27GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

WAS DRIVING AT 19 MPH IN CITY STREET AND HAD TO MAKE A PANIC STOP DUE TO A CAR ABOUT TO CUT ME OFF. HEARD A LOUD BANG. I GOT OUT OF THE CAR AND THE DRIVER SIDE FRONT WHEEL IS DISPLACED. FURTHER INVESTIGATION I CAN SEE THE LOWER DRIVER SIDE CONTROL ARM HAD BROKEN . CAR WAS NOT DRIVABLE WITHOUT A LOUD CRUNCHING SOUND. I HAD IT TOWED TO THE TESLA SERVICE CENTER.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL X	2016

[September 12, 2019 NHTSA ID NUMBER: 11255176](#)

[Components: STEERING, SUSPENSION](#)

NHTSA ID Number: 11255176

Incident Date September 9, 2019

Consumer Location EL MONTE, CA

Vehicle Identification Number 5YJXCBE41GF*****

Summary of Complaint**CRASHNo****FIRENo****INJURIES0****DEATHS0**

LEFT FRONT SUSPENSION FORE LINK CRACKED AND FELL OFF. VEHICLE WAS ONLY BACKING UP OUT OF GARAGE AND STEERING WHEEL WAS TURNED TO THE LEFT WHEN A LOUD CRACK WAS HEARD FROM UNDER THE VEHICLE. THE BACK UP SPEED WAS ONLY 1-2 MPH. LUCKILY, I WAS STILL IN MY DRIVEWAY TAKING MY KIDS TO SCHOOL. I CAN'T IMAGINE WHAT THE OUTCOME WOULD HAVE BEEN IF IT BROKEN 5 MINUTES LATER ON THE HIGHWAY WITH THE KIDS INSIDE THE CAR.

1 Affected Product Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL X	2016

[August 13, 2019 NHTSA ID NUMBER: 11243782](#)[Components: STEERING, SUSPENSION](#)**NHTSA ID Number:** 11243782**Incident Date** August 8, 2019**Consumer Location** SCOTTSDALE, AZ**Vehicle Identification Number** 5YJXCAE28GF******Summary of Complaint****CRASHNo****FIRENo****INJURIES0****DEATHS0**

THE CONTROL ARM BROKE WHILE BACKING OUT OF PARKING SPACE. I DID NOT RUN OVER ANYTHING WHEN IT HAPPENED. WHEN I PULLED BACK FORWARD THE FRONT END LIFTED UP. I HATE TO THINK WHAT COULD HAVE HAPPENED AT HIGH SPEED,

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL X	2016

[May 6, 2019 NHTSA ID NUMBER: 11205681](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11205681

Incident Date May 1, 2019

Consumer Location ASHBURN, VA

Vehicle Identification Number 5YJXCAE43GF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

CONTROL ARM DISCONNECTED WHILE BACKING OUT OF GARAGE. THERE APPEAR TO BE AT LEAST 5 OTHER RELATED COMPLAINTS. IF THIS HAD HAPPENED AT HIGH SPEED, THE CAR WOULD HAVE BEEN TOTALED.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
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TESLA	MODEL X	2016
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[April 18, 2019 NHTSA ID NUMBER: 11197184](#)

[Components: SUSPENSION, WHEELS](#)

NHTSA ID Number: 11197184

Incident Date April 17, 2019

Consumer Location DULUTH, GA

Vehicle Identification Number 5YJXCAE26GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

FRONT RIGHT SIDE (PASSENGER) WHEEL DISLODGED FROM SUSPENSION ARM.IT HAPPENED WHILE I WAS REVERSING FROM A PARKING.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
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TESLA	MODEL X	2016
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[April 4, 2017 NHTSA ID NUMBER: 10970607](#)

[Components: SUSPENSION, UNKNOWN OR OTHER](#)

NHTSA ID Number: 10970607

Incident Date April 1, 2017

Consumer Location YORKTOWN HEIGHTS, NY

Vehicle Identification Number 5YJXCAE43GF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

I WAS DRIVING MY MODEL X P90D ON A LOCAL STREET 2 DAYS AGO. WHEN I MADE A V-SHAPED RIGHT TURN AT THE SLOW SPEED OF 5 TO 10 MI/H, I HIT A VERY SMALL POT HOLE AND HEARD A BANG. THERE WAS NO VIBRATION AT ALL, SO I DIDN'T PAY ATTENTION AT THE TIME.

THE CAR WAS DRIVING PERFECTLY NORMAL FOR THE REST OF THAT DAY. I DROVE ANOTHER 40 MILES OR SO, INCLUDING 20 MILES ON THE HIGHWAY WITH 60+ MI/H SPEED.

THE ISSUE CAME UP THE NEXT DAY WHEN I WAS PULLING MY CAR OUT OF THE GARAGE. I HEARD ANOTHER BANG WHEN THE CAR WAS BACKING, AND MY STEERING BECAME STIFF. THE CAR WOULDN'T MOVE ANYMORE. THEN THE "SUSPENSION NEEDS SERVICE" WARNING CAME OUT THE INSTRUMENT PANEL. I CAME OUT AND CHECK THE CAR, FOUND OUT THAT THE ENTIRE FRONT WHEEL SNAPPED OFF!

I'M GLAD THAT IT ONLY HAPPENED TO ME AT MY GARAGE BUT NOT ON THE HIGHWAY.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL X	2016

[January 27, 2017 NHTSA ID NUMBER: 10947973](#)
[Components: WHEELS, SUSPENSION](#)

NHTSA ID Number: 10947973

Incident Date January 27, 2017

Consumer Location SAN FRANCISCO, CA

Vehicle Identification Number 5YJXCBE29GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

TL* THE CONTACT OWNS A 2016 TESLA MODEL X. WHILE DRIVING INTO THE GARAGE, THE REAR DRIVER SIDE WHEEL DETACHED FROM THE VEHICLE. THE VEHICLE WAS NOT DIAGNOSED OR REPAIRED. THE MANUFACTURER WAS MADE AWARE OF THE FAILURE. THE APPROXIMATE FAILURE MILEAGE WAS 1,118.

1 Affected Product Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL X	2016

January 17, 2017 NHTSA ID NUMBER: 10945692

Components: SUSPENSION, WHEELS

NHTSA ID Number: 10945692

Incident Date January 2, 2017

Consumer Location RANCHO SANTA FE, CA

Vehicle Identification Number 5YJXCAE20GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

WHILE DRIVING ON THE SECOND FLOOR OF A PARKING GARAGE AT THE LOCAL MALL WITH THE ENTIRE FAMILY IN THE MODEL X (2 ADULTS & 3 KIDS) TO SEE A FAMILY MOVIE, THE REAR DRIVER SIDE WHEEL "FELL-OFF" (SEE ATTACHED PHOTO'S).

IT APPEARS AS THOUGH THE CONTROL ARM DISENGAGED FROM THE CHASSIS OF THE CAR VIS-A-VIS A MISSING BOLT OR PIN. THE VEHICLE IS BRAND-NEW (I.E., LESS THAN 1,000 MI), PURCHASED DIRECTLY FROM TESLA, IS DRIVEN BY A MOTHER OF THREE, AND IS ACCIDENT FREE. THE CAR HAS NOT BEEN SUBJECT TO ANY EXTREME WEAR AND TEAR OR OFF-ROAD DRIVING CONDITIONS.

TESLA SERVICE MANAGER IS FAMILIAR WITH VEHICLE AS IT HAS BEEN RECENTLY SERVICED FOR DOOR/WINDOW ISSUES - NO FRAME OR WHEEL ISSUES PRIOR TO THE INCIDENT.

THE VEHICLE WAS IN MOTION, HOWEVER AS MENTIONED, WE WERE DRIVING IN A CROWDED PARKING GARAGE DURING HOLIDAY SEASON.

TESLA ROAD-SIDE SERVICE WAS EXTREMELY HELPFUL AND ARRANGED TO HAVE THE CAR TOWED TO THE LOCAL SERVICE CENTER - THE CAR WAS OBVIOUSLY NOT DRIVABLE. TOW TRUCK DRIVER HAD MENTIONED HE HAD NEVER WITNESSED ANYTHING LIKE WHAT HE HAD SEEN WITH OUR VEHICLE. MOREOVER, HE DID EXPRESS TO US THAT WE WERE VERY LUCKY THAT THE WHEEL HADN'T DISENGAGED FROM THE VEHICLE WHILE WE WERE DRIVING AT A HIGH SPEED (E.G., ON THE HIGHWAY).

THE MODEL X HAS BEEN AT THE TESLA SERVICE CENTER FOR CLOSE TO 3 WEEKS AND DESPITE OUR INQUIRIES, WE HAVE NOT BEEN EXPRESSLY TOLD WHAT CAUSED THE INCIDENT OR WHETHER OR NOT THE ISSUE IS A MORE SERIOUS/SYSTEMIC PROBLEM WITH THE VEHICLE OR TESLA QUALITY CONTROL. CONSEQUENTLY, MY WIFE IS CONCERNED FOR THE WELL BEING OF THE OTHER MOTHERS/FAMILIES SHE ROUTINELY SEE'S DRIVING THE MODEL X IN AND AROUND OUR NEIGHBORHOOD. SHOULD A WHEEL DISENGAGE FROM THE CAR AT A HIGH SPEED, THE OUTCOME IS LIKELY TO BE MUCH DIFFERENT AND MUCH LESS FAVORABLE. *TR

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
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TESLA	MODEL X	2016
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January 27, 2017 NHTSA ID NUMBER: 10947973

Components: WHEELS, SUSPENSION

NHTSA ID Number: 10947973

Incident Date January 27, 2017

Consumer Location SAN FRANCISCO, CA

Vehicle Identification Number 5YJXCBE29GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

TL* THE CONTACT OWNS A 2016 TESLA MODEL X. WHILE DRIVING INTO THE GARAGE, THE REAR DRIVER SIDE WHEEL DETACHED FROM THE VEHICLE. THE VEHICLE WAS NOT DIAGNOSED OR REPAIRED. THE MANUFACTURER WAS MADE AWARE OF THE FAILURE. THE APPROXIMATE FAILURE MILEAGE WAS 1,118.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
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TESLA	MODEL X	2016
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May 15, 2020 NHTSA ID NUMBER: 11324722

Components: SUSPENSION**NHTSA ID Number:** 11324722**Incident Date** March 1, 2020**Consumer Location** SAN FRANCISCO, CA**Vehicle Identification Number** 5YJXCDE40HF******Summary of Complaint****CRASH**No**FIRE**No**INJURIES**0**DEATHS**0

I BELIEVE TESLA HAS DESIGNED AND INSTALLED DEFECTIVE UPPER CONTROL ARM, JOINTS, AND BUSHINGS THAT DO NOT SUPPORT THE WEIGHT OF THE VEHICLE. I HAVE EXPERIENCED A SLIGHT GLIDING OF VEHICLE IN ADDITION TO CREAKY AND CLANGY SOUNDS EMITTING FROM THE FRONT SUSPENSION. THE GLIDING OCCURS DURING 30-45 MPH, AND THE NOISES OCCUR AT SLOW SPEEDS. MY VEHICLE CURRENTLY HAS 22K MILES ON IT AND HAVE BEEN DRIVEN UNDER NORMAL CONDITIONS. *TR

1 Affected Product**Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL X	2017

May 8, 2020 NHTSA ID NUMBER: 11323803**Components: SUSPENSION****NHTSA ID Number:** 11323803**Incident Date** May 4, 2020**Consumer Location** COLORADO SPRINGS, CO**Vehicle Identification Number** 5YJXCBE25HF******Summary of Complaint**

LL

Class Action Complaint
Case No.

CRASHNo

FIRENo

INJURIES0

DEATHS0

WHEN TURNING THE WHEEL AND BACKING UP INTO A PARKING SPOT AT MY WORK, THERE WAS A LOUD THUD/POP NEAR THE FRONT LEFT TIRE. I WAS TRAVELING 1-5 MPH SINCE I WAS BEING CAREFUL WITH MY NEW CAR. THIS CAR WAS PURCHASED NOT MORE THAN 48 HOURS BEFORE FROM A TESLA DEALERSHIP. ON THE DAY THAT WE BOUGHT IT AND DROVE IT HOME THE CAR WAS SHAKING SO BAD WE HAD TO MOVE THE KIDS CAR SEATS TO THE BACK OF THE CAR. THAT SAME DAY WE SET UP A SERVICE APPOINTMENT TO GET THAT ISSUE FIXED WHILE NOT DRIVING THE CAR BECAUSE WE WERE AFRAID THERE WERE TIRE PROBLEMS. THE DEALERSHIP LOOKED OVER OTHER ISSUES AS WELL BEFORE WE LEFT BUT SAID SINCE THE SERVICE DEPARTMENT WAS CLOSED THAT DAY WE WOULD HAVE TO COME BACK SOMETIME IN THE FUTURE. *TR

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL X	2017

[October 15, 2020 NHTSA ID NUMBER: 11364589](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11364589

Incident Date October 18, 2019

Consumer Location LANGLEY, WA

Vehicle Identification Number 5YJSA1DN3DF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

VEHICLE MAKES SQUEAK NOISE WHEN DRIVING LOW SPEED AND DRIVE OVER A BUMPER. TOOK THE CAR TO SERVICE CENTER AND THEY SAID RIGHT UPPER CONTROL ARM NEED REPLACEMENT ON OCT 19 2019 AND PAID IT AND REPLACED. SAME THING HAPPENED ON LEFT UPPER CONTROL ARM ON MAY 08 2020 AND PAID AND REPLACED.

AND THEY TOLD ME THAT PLAY IS PRESENT IN BOTH AFT LINKS. I AM WORRIED THAT MY MODEL IS OLD ONE AS 2013 AND IT FAILED A LOT FROM THE SUSPENSION PART. THANKS GOD THIS THING HAPPENED ON HIGH SPEED BUT I AM REALLY WORRIED REGARDING THE SAFETY OF THE CAR.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2013

September 28, 2020 NHTSA ID NUMBER: 11361567

Components: POWER TRAIN, SUSPENSION, UNKNOWN OR OTHER

NHTSA ID Number: 11361567

Incident Date September 7, 2020

Consumer Location TAYLOR, TX

Vehicle Identification Number 5YJSA1CP9DF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

WELL I LOVE MY FIST TESLA BUT AFTER THE FIRST TIME IT HAD TO GO IN TO THE AUSTIN SERVICE CENTER FOR A PROBLEM WITH A CLICKING /THUMPING NOISE AS WHEN I BACK UP I HEARD & FEEL. SO AFTER HAVING MY CAR A COUPLE DAYS FOUND IT WOULD NEED TO HAVE THE LARGE DRIVE UNIT REPLACE THAT WILL BE STILL COVERED UNDER WARRANTY, BUT SAY THE REAR SUBFRAME NEEDS TO BE REPLACE

& I HAVE TO PAY TO GET REPLACED DUE TO “ WEAR & TEAR “ AS SERVICE CENTER SAY, ON MY SUBFRAME IT’S NEVER BEEN IN ANY ACCIDENT ETC.THEY SAY IT’S NOT COVERED THE 100% WARRANTY!!

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2013

August 29, 2020 NHTSA ID NUMBER: 11351926

Components: SUSPENSION

NHTSA ID Number: 11351926

Incident Date August 23, 2020

Consumer Location LONG ISLAND CITY, NY

Vehicle Identification Number 5YJSA1DN4DF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

WHILE SLOWLY BACKING CAR UP IN DRIVEWAY, THE LEFT REAR LOWER CONTROL ARM UNEXPECTEDLY FAILED AND THE SUSPENSION COLLAPSED WITH THE WHEEL CAMBERED OUTWARD AT 30 DEGREES OR SO. THE WHEEL WAS TRAPPED IN THE WHEEL WELL AND UNABLE TO ROTATE, AND RELATED SUSPENSION PARTS INCLUDING A BRAKE LINE AND THE AIR SPRING MODULE WERE DAMAGED. IF THIS HAD HAPPENED AT SPEED THE LOCKED-UP REAR WHEEL WOULD HAVE CAUSED LOSS OF CONTROL WITH SERIOUS CONSEQUENCES.

THERE IS AN EXISTING TESLA SERVICE BULLETIN, SB 19-31-001, WHICH STATES: "ON CERTAIN MODEL S VEHICLES, EITHER LOWER REAR CONTROL ARM MIGHT CRACK, CAUSING EXCESSIVE NEGATIVE CAMBER OF THE REAR SUSPENSION." IT STATES THAT THE CORRECTION IS: REPLACE BOTH LH AND RH LOWER REAR CONTROL ARM

ASSEMBLIES WITH UPDATED PARTS." THIS DESCRIBES EXACTLY WHAT HAPPENED WITH MY VEHICLE. THE CIRCULAR, CAST ALUMINUM PART OF THE ARM WHICH CONTAINS A LARGE BUSHING AT THE OUTBOARD END OF THE CONTROL ARM CRACKED AND FAILED SO THAT THE BUSHING WAS NO LONGER HELD BY THE ARM. UNDER THE VEHICLE TWO PIECES OF THE CAST ALUMINUM PART WERE FOUND. THESE BROKEN PARTS WERE THE RESULT OF TWO CRACKS IN THE ASSEMBLY. ONE CRACK HAS EVIDENCE OF CORROSION, SUGGESTING THAT IT OCCURRED MONTHS BEFORE THE UNIT FAILED; THE OTHER CRACK SHOWS BARE METAL INDICATING THAT IT JUST OCCURRED.

THE TESLA SB STATES THAT THIS DEFECT IS A "KNOWN NON-SAFETY-RELATED CONDITION." I CANNOT POSSIBLY SEE HOW THIS IS A "NON-SAFETY-RELATED" ISSUE -- IF THIS FAILURE HAD OCCURRED AT SPEED IT COULD HAVE BEEN CATASTROPHIC.

TESLA SERVICE HAS QUOTED ALMOST \$4000 FOR REPAIR, BUT THIS DOES NOT INCLUDE REPLACEMENT OF THE CONTROL ARM ON THE OTHER SIDE OF THE VEHICLE PER THE SERVICE BULLETIN -- IN OTHER WORDS, THEY ARE IGNORING THE BULLETIN. OTHERS ON THE TESLA FORUMS ARE HAVING EXACTLY THE SAME CONTROL ARM FAILURES. THE SITUATION IS UNNERVING AND DISCOURAGING.

1 Affected Product Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2013

February 11, 2019 **NHTSA ID NUMBER: 11176146**

Components: SUSPENSION

NHTSA ID Number: 11176146

Incident Date February 10, 2019

Consumer Location BOCA RATON, FL

Vehicle Identification Number 5YJSA1CN5DF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

THREE DAYS AGO I PARKED MY VEHICLE TO P/U A DOG FROM THE VET THUS PULLED INTO A PARKING SPACE WITH THE TIRES CLOSE TO THE CEMENT STOP. NO ISSUE. CAME OUTSIDE WITH THE PET AND LOADED HER INTO THE REAR SEAT. STARTED THE VEHICLE, PUT UNIT INTO REVERSE AND BACKED PERHAPS 3" WHEN UNIT STOPPED MOVING. PULLED FORWARD A FEW INCHES AND TRIED AGAIN. SAME. PULLED UP VEHICLE INFO ON THE IT SCREEN TO HEIGHT OF VEHICLE WHICH HAS AIR SUSPENSION. HEIGHT SHOWED NORMAL. HIT BUTTON FOR MAX HEIGHT, SAME ISSUE. WENT BACK INTO SCREEN AND WENT THROUGH THE SAME PROTOCOL. THIS TIME I COULD SEE THE UNITS FRONT END ROSE A FEW INCHES. PUT UNIT INTO REVERSE AND UNIT BACKED WITHOUT PROBLEM. I KEPT THE HEIGHT ADJUSTMENT AT THAT LEVEL. YESTERDAY, 2/20/19. I PULLED INTO A PARKING SPACE AND DROVE VEHICLE INTO A PARKING SPACE WITHOUT ANY PROBLEM. PICKED UP TWO ORDER OF CHINESE FOOD WEIGHING ABOUT 1 POUND. PUT UNIT INTO REVERSE AFTER SEAT BELTS SECURED. BACKED OUT VERY SLOWLY WHEN ALL OF A SUDDEN THERE WAS A LOUD NOISE. DISMOUNTED FROM VEHICLE TO FIND THE ENTIRE FRONT PORTION OF THE UNIT WAS LYING ON THE GROUND. A PASSERBY SAW WHAT HAPPENED AND SAID "YOU MUST HAVE AIR SUSPENSION LIKE I HAVE IN MY TESLA. THE SAME THING HAPPENED TO ME"!! THREE OF US WORKED 20 MINUTES OR SO TO REATTACH THE ENTIRE FRONT END. HAD A PEDESTRIAN BEEN WALKING TO THE VEHICLES PARKED NEXT TO ME THEY WOULD HAVE BEEN HURT. WHAT IS TO PREVENT THIS FROM HAPPENING WHEN DRIVING? I HAD AN AERONAUTICAL ENGINEER WITH ME WHEN THIS EVENT HAPPENED. THEY WERE SHOCKED. TESLA WOULD NOT ADMIT THERE IS A SAFETY PROBLEM AND STATED OWNERS SHOULD NOT DRIVE FORWARD TO THE TIRE STOP. SO, WE ARE TO LET THE REAR END OF THE UNIT HANG OUT 2 TO 3 FEET IN THE DRIVE AREA. THERE IS DAMAGE TO THE FENDER, HOOD AND FRONT END. THIS SHOULD STOP IT IS A SOFTWARE ISSUE, NOT OPERATOR FAULT.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2013

[December 11, 2018 NHTSA ID NUMBER: 11160817](#)
[Components: SUSPENSION](#)

NHTSA ID Number: 11160817

Incident Date December 11, 2018

Consumer Location LA CROSSE, WI

Vehicle Identification Number 5YJSA1CN4DF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

I WAS BACKING THE CAR OUT OF MY GARAGE WHEN I HEARD A STRANGE SCRAPING SOUND. WHEN I LOOKED TO SEE WHAT WAS UP I FOUND THAT THE RIGHT REAR SUSPENSION HAD COLLAPSED. THE CAR WAS MOVING STRAIGHT BACK AT VERY LOW SPEED IN MY DRIVEWAY. I WAS TOLD BY THE TOW TRUCK TECHNICIAN THAT THE LOWER CONTROL ARM HAD FAILED.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2013

[October 4, 2017 NHTSA ID NUMBER: 11031733](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11031733

Incident Date August 14, 2017

Consumer Location ROWLAND HEIGHTS, CA

Vehicle Identification Number 5YJSA1CP4DF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

I MADE A LEFT TURN ON KELLOGG DRIVE.I RAN OVER SOME SAFETY DOTS ON THE FLOOR. THE SAFETY DOTS WAS ABNORMAL LARGE IN SIZE. BOTH MY FRONT AND REAR WHEEL RAN OVER MANY LARGE SAFETY DOTS. THE COMPLETE TESLA BRAKE FUNCTION FAILED AND I HAVE NO BRAKE. BY THE TIME MY CAR STOPS I WAS LITERALLY SITTING ON TOP OF SAFETY DOTS. ONCE I COME OUT OF THE CAR I SAW THAT MY LEFT REAR TIRE AND RIMS LOOK LIKE IS FALLING OUT OF PLACE. THE POLICE CAMPUS CAME AND SAID IT LOOKS LIKE YOUR AXEL WAS BROKEN. THERE WAS NO DAMAGE TO THE OUTER APPEARANCE OF MY TESLA ONLY A UPPER SUSPENSION WHICH WAS DAMAGE. I BELIEVE THE PARTS WAS AN INTEGRITY ISSUE AND TESLA DENIES IT.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2013

[March 25, 2017 NHTSA ID NUMBER: 10968448](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 10968448

Incident Date March 24, 2017

Consumer Location NEWINGTON, CT

Vehicle Identification Number 5YJSA1CN4DF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

SUSPENSION LINKS IN MY TESLA MODEL S 2013 WERE ADVISED TO BE REPLACED AT 56,000 MILES. IF NOT REPLACED BY SERVICE I WAS TOLD THE WHEELS COULD BREAK OFF. NO TIMELINE WAS GIVEN. THE CAR WAS MODERATELY USED ON AVERAGE CONDITION ROADS IN THE STATE OF CONNECTICUT. SUSPENSION LINKS SHOULD BE MORE RELIABLE AND NOT REQUIRE A REPLACEMENT AFTER 56,000 OF REGULAR USAGE.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2013

January 14, 2017 NHTSA ID NUMBER: 10945288
Components: SUSPENSION, WHEELS, STRUCTURE
 NHTSA ID Number: 10945288

Incident Date January 11, 2017

Consumer Location FREMONT, CA

Vehicle Identification Number 5YJSA1BC5DF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

MY CAR WENT OVER A POTHOLE ON 101 S JUST SHORT OF WOODSIDE RD. EXIT. I HEARD A LOUD THUD AND MY CAR WENT OUT OF CONTROL AND VEERED INTO THE LANES NEXT TO ME AS I TRIED TO CONTROL IT. AFTER SEVERAL ATTEMPTS TO STOP IT, IT FINALLY CAME TO A STOP. THE REAR, RIGHT TIRE BURST AND THE WHEEL IMPACTED BADLY. REAR SUSPENSION BROKEN AND THE 'QUARTER AND ROCKER PANEL' BROKEN.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
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TESLA	MODEL S	2013
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November 16, 2016 NHTSA ID NUMBER: 10926399

Components: SUSPENSION

NHTSA ID Number: 10926399

Incident Date November 12, 2016

Consumer Location CREVE COEUR, MO

Vehicle Identification Number 5YJSA1CG7DF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

RIGHT FRONT WHEEL'S SUSPENSION BALL JOINT OF A ARM SEPARATED WHILE DRIVING ABOUT 35 MPH GOING STRAIGHT AHEAD ON SMOOTH PAVED ROAD. CAR WAS STOPPED SAFELY AND PULLED OFF ROAD. AFTER STOPPING CAR, THE FRONT RIGHT WHEEL WAS STILL ATTACHED BUT WAS LEANING IN ABOUT 15 DEGREES FROM VERTICAL. RESULTED IN \$3100 OF DAMAGE TO CAR'S SUSPENSION COMPONENTS AND TIRE.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
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TESLA	MODEL S	2013
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June 13, 2016 NHTSA ID NUMBER: 10873808

Components: SUSPENSION

NHTSA ID Number: 10873808

Incident Date June 9, 2016

Consumer Location KANKAKEE, IL

Vehicle Identification Number 5YJSA1AG1DF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

AT 45K MILES MY SUSPENSION FAILED. IT REQUIRED A NEW CONTROL ARM AND SUSPENSION ALIGNMENT. TESLA SAID "DROVE VEHICLE AND CONFIRMED NOISE FROM FRONT OF VEHICLE. UPON INSPECTION FOUND LEFT FRONT

UPPER CONTROL ARM JOINT TO HAVE EXCESSIVE FREEPLAY." THE INDIVIDUAL AT TESLA SAID IT WAS NO BIG DEAL. I WAS DRIVING THE CAR AND HEARD A CRACK NOISE WHILE GOING DOWN A STREET. FROM THEN ON OUT MY CAR MADE LOUD SQUEAKING AND CRACKING NOISES.

1 Affected Product Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2013

April 28, 2016 NHTSA ID NUMBER: 10862066

Components: SUSPENSION, STEERING

NHTSA ID Number: 10862066

Incident Date April 24, 2016

Consumer Location CONNELLSVILLE, PA

Vehicle Identification Number P09340*****

Summary of Complaint**CRASHNo****FIRENo****INJURIES0****DEATHS0**

MY FRONT WHEEL HUB ASSEMBLY CAME LOOSE FROM THE UPPER CONTROL ARM
CAUSING A LOSE OF STEERING.

1 Affected Product**Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2013

[May 2, 2015 NHTSA ID NUMBER: 10714213](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 10714213

Incident Date May 2, 2015

Consumer Location LOS ANGELES, CA

Vehicle Identification Number 5YJSA1DN3DF*****

Summary of Complaint**CRASHNo****FIRENo****INJURIES0****DEATHS0**

LEFT REAR SUSPENSION INTEGRAL LINK COMPLETELY BROKE AND THE ATTACHED
PIECE LODGED IN THE INSIDE OF THE TIRE RIM CAUSING MAJOR DAMAGE TO THE
TIRE RIM. *TR

1 Affected Product**Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2013

January 27, 2015 NHTSA ID NUMBER: 10679347

Components: SUSPENSION

NHTSA ID Number: 10679347

Incident Date January 27, 2015

Consumer Location HURST, TX

Vehicle Identification Number 5YJSA1DP4DF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

WAS REPLACING THE LEFT REAR WHEEL AND NOTED AN ODD "NOTCH" IN THE LEFT REAR SUSPENSION ALUMINUM UPPER CONTROL ARM.

CLOSER INSPECTION REVEALED THAT THE UPPER CONTROL ARM WAS PARTIALLY SEVERED WITH APPROXIMATELY 1/2 OF THE LOWER PORTION CROSS SECTION, AND 1/3 TO 1/4 OF THE UPPER PORTION CROSS SECTION, CUT THROUGH BY THE LOWER SHOCK ABSORBER ATTACHMENT BOLT. IT APPEARS THAT THE BOLT WAS MOUNTED BACKWARDS, WITH THE SHARP TIP OF THE BOLT FACING FORWARD INSTEAD OF REARWARD, AT EITHER THE FACTORY, OR WHEN THE POWERTRAIN WAS REPLACED BY THE TESLA DENVER SERVICE CENTER (AS REPORTED BY THE PREVIOUS OWNER).

EXTENSIVE PHOTOGRAPHS ARE AVAILABLE AND, FRANKLY, THEY ARE ESSENTIAL TO ACCURATELY DEPICT THE SERIOUS AND POTENTIALLY CATASTROPHIC NATURE OF THIS SUSPENSION DAMAGE. IT WOULD APPEAR THAT THE UPPER CONTROL ARM, A MAJOR SUSPENSION COMPONENT WHOSE FAILURE WOULD LIKE RESULT IN A LOSS OF VEHICLE CONTROL AND POSSIBLY A ROLLOVER ACCIDENT, WAS AT OR NEAR THE POINT OF FRACTURE DUE TO THE MASSIVE LOSS OF CROSS SECTIONAL MATERIAL FROM THE FREQUENT IMPACTS (ON SUSPENSION COMPRESSION) BY THE MUCH HARDER/STRONGER BOLT TIP. IN OTHER WORDS, THE BOLT TIP ACTED AS A LATHE,

CUTTING INTO THE SUSPENSION CONTROL ARM WITH EACH SUSPENSION CYCLE.

IN THE SHORT TERM, I STRONGLY RECOMMEND AN IMMEDIATE INSPECTION OF THE TESLA MODEL S FLEET, BEGINNING WITH MODEL S'S THAT HAVE HAD THEIR POWERTRAIN LOWERED AND REINSTALLED, TO SEE HOW MANY OTHER MODEL S'S HAVE THIS IMPENDING CATASTROPHIC DEFECT. WHILE IT COULD HAPPEN, I WOULD BE HIGHLY SURPRISED IF THIS VIN WAS THE ONE AND ONLY CASE OF THIS BOLT BEING INSTALLED BACKWARDS. IN THE LONGER TERM, I RECOMMEND THIS BOLT BE REDESIGNED SO AS TO PREVENT INCORRECT INSTALLATION.

PLEASE FEEL FREE TO CONTACT ME FOR ADDITIONAL INFORMATION AND FOR THE PHOTOGRAPHS. *TR

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2013

Tesla Model S – 2014

[June 18, 2020 NHTSA ID NUMBER: 11329533](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11329533

Incident Date June 10, 2020

Consumer Location BARKHAMSTED, CT

Vehicle Identification Number 5YJSA1H15EF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

TL* THE CONTACT OWNS A 2014 TESLA MODEL S. THE CONTACT STATED THAT WHILE DRIVING OVER A DIP IN HIS DRIVEWAY AT 5 MPH, THE DRIVER'S SIDE REAR WHEEL STARTED TO SHAKE WITHOUT WARNING. THE VEHICLE WAS TOWED TO TESLA (881

BOSTON POST RD, MILFORD, CT 06460) WHERE THE VEHICLE WAS DIAGNOSED WITH AN UPPER CONTROL ARM FAILURE. THE VEHICLE WAS REPAIRED. THE MANUFACTURER WAS NOT NOTIFIED OF THE FAILURE. THE FAILURE MILEAGE WAS 78,127.*JB

1 Affected Product Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2014

February 22, 2018 NHTSA ID NUMBER: 11074328

Components: SUSPENSION

NHTSA ID Number: 11074328

Incident Date December 30, 2017

Consumer Location BERKELEY, CA

Vehicle Identification Number 5YJSA1H24EF*****

Summary of Complaint

CRASHYes

FIRENo

INJURIES0

DEATHS0

THE LEFT FRONT FORE LINK BALL JOINT SNAPPED LIKE GLASS DURING NORMAL DRIVING. LUCKILY I WAS GOING AT RELATIVELY LOW SPEED ON A SIDE STREET. THIS ALLOWED THE SUSPENSION TO ALLOW THE WHEEL TO SLAM INTO THE FIREWALL AND IT LOCKED UP CAUSING THE RIGHT SIDE OF THE VEHICLE TO HIT A CURB. AS AN ENGINEER THIS SCARES THE DAYLIGHTS OUT OF ME, AS IF IT WOULD HAVE HAPPENED ON A HIGH SPEED HIGHWAY TURN, THE RESULTS COULD HAVE BEEN DEADLY. EVEN WITHOUT AN UNDERSTANDING OF ADVANCED METALLURGY, IT'S CLEAR THAT A HARDENED STEEL BALL JOINT SHOULD BE STRONGER THEN THE SURROUNDING ALUMINUM ALLOY PARTS ON EITHER SIDE THAT IT ATTACHES TO. IT LOOKS LIKE A GLASS ROD HIT WITH A HAMMER. THIS SAME THING HAPPENED TO ANOTHER 2014 IN OUR FAMILY ABOUT A YEAR AGO, AND I CHALKED IT UP TO

1 RANDOM FAILURE. BUT NOW 2 FAILURES?

2 I HAVE THE ORIGINAL FAILED PART IF NEEDED FOR ANALYSIS. THE REPLACEMENT
3 PART I OBTAINED THROUGH TESLA HAS BEEN RE-ENGINEERED, AND APPEARS TO BE
4 FROM A DIFFERENT SUPPLIER. I WENT AHEAD AND REPLACED BOTH SIDES, AND I
STILL HAVE THE NON-FAILED PART ON THE LEFT SIDE.

5 I ATTEMPTED TO CONTACT TESLA ABOUT THIS, AND THEY HAVE NOT RESPONDED TO
6 ME.

7 **1 Affected Product**
8 **Vehicle**

9 MAKE	MODEL	YEAR
11 TESLA	MODEL S	2014

14 [August 12, 2020 NHTSA ID NUMBER: 11348941](#)

15 [Components: SUSPENSION](#)

16 NHTSA ID Number: 11348941

17 Incident Date August 7, 2020

18 Consumer Location FIRESTONE, CO

19 Vehicle Identification Number 5YJSA1S25FF*****

20 **Summary of Complaint**

21 **CRASH**No

22 **FIRE**No

23 **INJURIES**0

24 **DEATHS**0

25 WHILE BACKING OUT OF THE GARAGE ON A LEVEL SURFACE WE HEARD A LOUD POP.
26 UNSURE WHAT THE NOISE WAS I DID A WALK AROUND THE CAR BUT DID NOT SEE
27 ANYTHING UNUSUAL. WE DROVE THE CAR TO THE MOUNTAINS AT SPEEDS UP TO
28 55MPH. AS WE STARTED TO DRIVE HOME WE HEARD MORE SOUNDS LIKE SOMETHING
WAS LOOSE IN THE SUSPENSION. WE CALLED TESLA EMERGENCY ROAD SERVICE AND
ASKED IF THERE WAS A HISTORY WITH SUSPENSION ISSUES. WE ALSO ASKED IF IT

1 WAS SAFE TO DRIVE HOME. THE TECH SAID THERE WAS NO SERVICE BULLETIN ON
 2 THE SUSPENSION. HE WAS UNSURE IF IT WAS SAFE TO DRIVE. WE DID DRIVE THE
 3 VEHICLE SOME DISTANCE OUT OF THE MOUNTAINS WITHOUT INCIDENT. WE STOPPED
 4 TO VISIT A RESTAURANT AND WE HEARD FURTHER SOUNDS FROM THE SUSPENSION
 5 ON THE DRIVER'S SIDE OF THE VEHICLE. INSPECTION SHOWED THAT THE LEFT FRONT
 6 DRIVERS WHEEL HAD MOVED BACK OUT OF CENTER IN THE WHEEL WELL AND HAD
 7 RUBBED THE WHEEL WELL LINER. FROM THIS POINT THE VEHICLE WAS TOWED TO
 8 THE TESLA SERVICE CENTER. WE LATER LEARNED FROM AN INTERNET SEARCH THAT
 9 EVEN AT LOW SPEEDS WITHOUT ANY SHOCK TO THE SUSPENSION, TESLA MODEL S
 10 CONTROL ARM/FORE LINK ASSEMBLIES FAILED IN 2015 VEHICLES. THIS IS A
 11 DANGEROUS SITUATION AND COULD BE CATASTROPHIC IF THE FAILURE OCCURRED
 12 AT HIGH SPEED. WE SHOULD HAVE BEEN INFORMED THAT THERE WAS A HISTORY OF
 13 FAILURES AND IT WAS NOT SAFE TO DRIVE. WE FEEL THAT BOTH THE FRONT AND
 14 REAR SUSPENSION OF THE 2015 ARE PRONE TO FAILURE AND SHOULD BE RECALLED
 15 FOR SAFETY REASONS. ALTHOUGH THE TESLA IS ALMOST 5 YEARS OLD THE VEHICLE
 16 HAS JUST 23,170 MILES. SUSPENSION FAILURES SHOULD NOT BE HAPPENING AT THIS
 17 POINT. THE TESLA SERVICE CENTER DID REPLACE BOTH LEFT AND RIGHT LOWER
 18 FORE LINK ASSEMBLIES AS A GOOD WILL MEASURE SINCE THE CAR WAS NO LONGER
 19 UNDER WARRANTY. .

13 **1 Affected Product** 14 **Vehicle**

15 MAKE	MODEL	YEAR
17 TESLA	MODEL S	2015

20 [May 18, 2020 NHTSA ID NUMBER: 11325046](#)

21 [Components: SUSPENSION](#)

22 NHTSA ID Number: 11325046

23 Incident Date May 10, 2020

24 Consumer Location BELMONT, NC

25 Vehicle Identification Number 5YJSA1H24FF****

26 **Summary of Complaint**

27 **CRASHNo**

28 **FIRENo**

INJURIES0**DEATHS0**

IN A PARKING LOT TRAVELING 5MPH RAN OVER AN ELEVATED SPEED BUMP ON LEFT SIDE OF CAR WHEN HEARD A SNAP IN DRIVER REAR WHEEL AREA. PULLED OVER INTO PARKING SPOT AND TIRE WAS CANTERED. CONTROL ARM HAD SNAPPED. HAD 65K MILES AND TESLA TOLD ME IT WAS NOT UNDER WARRANTY YET THE NEW CONTROL ARM LOOKS MUCH STURDIER AND DIFFERENT THEN THE OLD ONE. I HAVE PICTURES OF BOTH BUT THIS IS A REAL PROBLEM FOR THESE 2015 AND BEFORE MODELS. PLEASE HELP. *TR

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2015

[August 13, 2019 NHTSA ID NUMBER: 11243469](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11243469

Incident Date August 13, 2019

Consumer Location CHESTER SPRINGS, PA

Vehicle Identification Number 5YJSA1E45FF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

LEFT FRONT CONTROL ARM BROKE AT 70MPH ON HIGHWAY. WAS LUCKILY ABLE TO GET TO THE SIDE OF THE ROAD. IT CAUSED DAMAGE TO INSIDE WHEEL WELL AND WORE THROUGH CAUSING BATTERY TO LOSE ALL COOLANT. CAR IS 3 1/2 YEARS OLD WITH 113,000 MILES.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2015

[July 26, 2019 NHTSA ID NUMBER: 11235055](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11235055

Incident Date July 23, 2019

Consumer Location OAK PARK, CA

Vehicle Identification Number 5YJSA1E41FF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

I JUST JOINED THE BROKEN FORELINK CLUB. MY 2015 S P90D DEVELOPED AN ERRATIC LOW "THUMP" SOUND FROM THE FRONT END WHILE DRIVING HOME - FORTUNATELY ON LOW SPEED STREETS. NEXT DAY I PLANNED TO TAKE IT TO THE SERVICE CENTER TO HAVE IT CHECKED, BUT WHILE BACKING OUT OF THE DRIVEWAY, TURNING THE WHEEL TO THE RIGHT TO JOIN THE STREET, IT MADE AN OMINOUS CRUNCHING SOUND AND SHUT OFF. FINALLY, THE CAR REBOOTED AND I SLOWLY MOVED UP THE DRIVEWAY AND STOPPED. WHEN I TURNED THE WHEEL TO THE RIGHT, I COULD SEE THE TIRE HITTING THE REAR OF THE WHEEL WELL - THE CAR AGAIN SHUT ITSELF OFF. I CALLED TESLA ROADSIDE SERVICE, A FLATBED CAME, THE CAR REBOOTED LONG ENOUGH TO STRAIGHTEN THE WHEELS AND GET THE CAR ON THE TRUCK. THE TRUCK DRIVER SAID HE HAD SEEN THIS BEFORE, AND THAT WHOLE WHEEL WELLS HAD DISINTEGRATED.

THEY REPLACED BOTH FORELINKS WITH "IMPROVED" PARTS. IT IS FRIGHTENING TO THINK OF WHAT WOULD HAVE HAPPENED AT 75 MPH ON THE FREEWAY!

I'M NOT SURE HOW MUCH I TRUST THE REPAIR FROM WHAT I HAVE READ IN THE

TESLA FORUM - NUMEROUS SUCH FAILURES - BUT I WILL CERTAINLY KEEP AN EAR OUT FOR LOW-FREQUENCY THUMPS - ANOTHER VIGILANCE TASK. THIS SHOULD HAVE BEEN A RECALL. SHAME ON TESLA . . .

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2015

April 30, 2019 NHTSA ID NUMBER: 11204690

Components: SUSPENSION

NHTSA ID Number: 11204690

Incident Date March 12, 2019

Consumer Location STERLING, VA

Vehicle Identification Number 5YJSA1E29FF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

I BELIEVE THE RIGHT STEERING KNUCKLE FAILED AFTER HITTING A BUMP. THE FAILURE CAUSE THE SUSPENSION TO CRASH INTO THE ROAD CAUSING A LARGE AMOUNT OF SUSPENSION DAMAGE.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2015

November 16, 2018 NHTSA ID NUMBER: 11152089

Components: STEERING, SUSPENSION

NHTSA ID Number: 11152089

Incident Date November 16, 2018

Consumer Location SAN CLEMENTE, CA

Vehicle Identification Number 5YJSA1E24FF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

I WAS DRIVING MY TESLA MODEL S SLOWLY ON A BUSY DOWNTOWN STREET LINED WITH PARKING SPACES. SPEED WAS LESS THAN 25 MILES PER HOUR. I BRAKED TO ALLOW A CAR TO PULL OUT OF A PARKING SPOT AND MY CAR MADE A LOUD NOISE. I TRIED TO CONTINUE DRIVING BUT THE NOISE CONTINUED SO I PULLED INTO THE PARKING SPOT THAT HAD BEEN VACATED BY THE OTHER DRIVER TO SEE WHAT HAPPENED. THERE WAS WINDSHIELD WIPER FLUID LEAKING FROM THE FRONT WHEEL WELL AND A VISIBLY BROKEN CONTROL ARM AT THE FRONT LEFT WHEEL. I THINK THAT IS WHAT THE PART IS CALLED BUT I AM NOT CERTAIN. THERE IS A PICTURE OF THE BROKEN PART ATTACHED. THE WHEEL WELL WAS DAMAGED AND THE TRIM AT THE BOTTOM OF THE DOOR WAS LOOSE. THERE APPEARS TO BE NO CAUSE FOR THIS FAILURE AS THERE WAS NOTHING IN THE ROAD, NO POT HOLES, NO OBJECTS, NO BUMPS. THE CAR WAS DRIVING FINE BEFORE THIS OCCURRED. THE FAILURE OCCURRED ABOUT 3 MINUTES AFTER I STARTED THE TRIP. SPEED WAS LOW THE ENTIRE TRIP AS I WAS LEAVING A RESTAURANT IN A DOWNTOWN AREA FULL OF PEDESTRIANS, STOP SIGNS AND PARKING SPACES. THE CAR WAS NOT DRIVE-ABLE FOLLOWING THIS FAILURE SINCE THE FRONT WHEEL WAS NO LONGER SUPPORTED. TESLA SENT A TOW TRUCK TO TAKE THE CAR TO THEIR NEAREST SERVICE CENTER.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2015

[March 1, 2018 NHTSA ID NUMBER: 11075754](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11075754

Incident Date February 23, 2018

Consumer Location WESTON, FL

Vehicle Identification Number 5YJSA1V40FF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

BROKEN FRONT SUSPENSION FORE LINK

I NOTICED A CLUNKING SOUND AT SLOW SPEED WHEN GOING OVER SMALL BUMPS, SO I STAYED OFF THE EXPRESSWAY AND SLOWLY DROVE HOME ON LOCAL ROADS.

AFTER ARRIVING HOME, I BACKED UP WHILE TURNING THE WHEELS TO THE RIGHT AND THE CAR ABRUPTLY STOPPED AS THE BACK OF THE RIGHT FRONT WHEEL JAMMED SOLID AGAINST THE INSIDE WHEEL WELL LINING.

THE RIGHT FRONT WHEEL WAS AN INCH OR TWO BACK FROM WHERE IT SHOULD BE. I LOOKED UNDER FROM THE FRONT BUMPER AND SAW THAT I HAD A CRACKED FORE LINK AND A PIECE OF THE FORE LINK WAS LAYING IN MY DRIVEWAY. I STILL HAVE THAT BROKEN PIECE.

TESLA SENT A FLAT BED TRUCK TO GET THE CAR AND REPLACED THE FORE LINK.

THIS FAILURE SURE LOOKS LIKE IT COULD CAUSE A SERIOUS ACCIDENT. I FEEL VERY

LUCKY THIS DIDN'T BREAK AT HIGH SPEED ON THE EXPRESSWAY IN TRAFFIC OR ON A JUG HANDLE.

THE ATTACHED PHOTOS SHOW THE FORE LINK BEFORE AND AFTER REPLACEMENT.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2015

[August 7, 2017 NHTSA ID NUMBER: 11013497](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11013497

Incident Date August 5, 2017

Consumer Location COTO DE CAZA, CA

Vehicle Identification Number 5YJSA1V4XFF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

FRONT LEFT CONTROL ARM SUFFERED A FAILURE CAUSING IT TO BREAK LOOSE FROM THE BALL JOINT AND CAUSING THE WHEEL TO PUSH BACK INTO THE BODY OF THE CAR. THE FAILURE CAUSED THE CAR TO LIFT UP AND COME TO A DEAD STOP. THIS WAS AT ~5MPH AFTER AFTER BACKING OUT OF THE DRIVEWAY OF OUR HOUSE ON A RESIDENTIAL PAVED STREET AND STARTING TO DRIVE FORWARD. THERE WERE NO NOISES OR WARNINGS UNTIL THE FAILURE OF THE CONTROL ARE OCCURRED. THE PHOTO OF THE WHEEL SHOWS IT PUSHED BACK ALL THE WAY TO MAKE FRAME CONTACT. THE OTHER PHOTOS SHOW THE CONTROL ARM COMPLETELY DISCONNECTED FROM ITS MOUNTING POINT. THERE WAS SOME DAMAGE TO THE WHEEL WELL LINER AND LIP OF THE FENDER THANKS TO THE SLOW SPEED THAT IT OCCURRED. THE CAR HAD TO BE DRIVEN BACKWARDS ONTO A FLATBED TRAILER

AND THEN DOLLY'S PUT UNDER THE FRONT WHEELS IN ORDER TO GET THE CAR TO ROLL FORWARD INTO THE REPAIR SHOP. IT COULD NOT BE DRIVEN FORWARD AT ALL. THIS FAILURE IS VERY CONCERNING AND HAD IT OCCURRED AT HIGH SPEED COULD HAVE RESULTED IN INJURY.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2015

October 9, 2016 NHTSA ID NUMBER: 10914970

Components: SUSPENSION, WHEELS

NHTSA ID Number: 10914970

Incident Date October 5, 2016

Consumer Location SEATTLE, WA

Vehicle Identification Number 5YJSA1H25FF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

I WAS DRIVING MY CAR TO WORK AND ACCIDENTALLY SCRAPED THE FRONT RIGHT WHEEL ON A CURB NEAR A ROUNDABOUT ON AN OLD/NARROW SEATTLE STREET (THERE WAS ONCOMING TRAFFIC AND PARKED CARS SO I HAD VERY LITTLE ROOM ON MY RIGHT AND MIS-JUDGED). THE PAINT ON THE WHEEL WAS PRETTY BADLY SCRAPED UP BUT OTHERWISE THE CAR WAS FINE (NO BODY DAMAGE) AND THE WHEEL HAD NO VISUAL STRUCTURAL DAMAGE (THE CAR'S ALIGNMENT WAS NOT AFFECTED). I CONTINUED DRIVING TO WORK WITHOUT ISSUE, INCLUDING 5-6 MILES ON THE HIGHWAY AT 60MPH. WHEN PARKING IN THE UNDERGROUND GARAGE AT MY OFFICE 20 MINUTES AFTER THE CURB INCIDENT, I TURNED THE WHEEL TO THE LEFT TO ADJUST MY CAR IN THE PARKING SPOT AND HEARD/FELT A RUBBING SOUND, FOLLOWED BY A LOUD CLUNK. THE FRONT RIGHT OF THE CAR DROPPED AND THE

WHEEL FELL OFF THE SUSPENSION AND WAS WEDGED UNDER THE FRONT OF THE CAR. THE CAR WAS DISABLED AND HAD TO BE TOWED TO TESLA.

GIVEN THE AMOUNT OF FORCE APPLIED TO THE WHEEL BY THE CURB AND THE LACK OF OTHER SYMPTOMS, IT SEEMS UNLIKELY THAT ANY NORMAL, STOCK SUSPENSION SHOULD FAIL AS IT DID WITH THIS CAR. IT APPEARS A BOLT ON THE LOWER CONTROL ARM SHEARED OFF COMPLETELY WHEN I WAS PARKING (AND HAD PROBABLY BEEN FATIGUED BY THE CURBING INCIDENT).

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2015

[August 26, 2016 NHTSA ID NUMBER: 10898994](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 10898994

Incident Date August 5, 2016

Consumer Location ALAMO, CA

Vehicle Identification Number 5YJSA1E23FF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

MY TESLA MODEL S - 2015 - HAD THE LEFT FRONT SUSPENSION MALFUNCTION. TESLA CLAIMS IT WAS DAMAGED - ALTHOUGH THE CAR HAS ONLY BEEN DRIVEN 12000 MILES - AND ONLY ON CITY STREETS AND HIGHWAYS. THERE HAS BEEN NO OFF ROADING AND HAZARDOUS ROAD CONDITIONS. THE CAR WAS LEFT UNABLE TO BE DRIVEN.

THE TESLA DEALER REFUSES TO DISCUSS THE MATTER - SIMPLY SAYING THAT THIS IS

NOT COVERED UNDER WARRANTY AND INSISTING I FILE AN INSURANCE CLAIM. I HAVE ASKED TO SPEAK TO A SUPERVISOR - AND CAN NOT GET A REPLY FROM THEM. I HAVE CALLED TESLA HEAD OFFICE - AND THEY REFERRED ME BACK TO THE LOCAL DEAL - AND ASSURED ME THEY WOULD FOLLOW UP AND THEY HAVE NOT.

FURTHER MORE - THE REPLACEMENT PARTS HAVE BEEN ON ORDER AND ARE TAKING AN EXCESSIVE AMOUNT OF TIME.

I AM CONCERNED - AFTER RESEARCHING THIS - THAT THE TESLA AIR SUSPENSION MAY BE FAULTY - AND MY IN FACT BE HAZARDOUS WHEN DRIVING.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2015

July 29, 2020 NHTSA ID NUMBER: 11341996

Components: SUSPENSION

NHTSA ID Number: 11341996

Incident Date July 18, 2020

Consumer Location SAN ANTONIO, TX

Vehicle Identification Number 5YJSA1E23GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

I DROVE TO A STORE WITH NO ISSUES. UPON BACKING OUT OF A PARKING SPOT I HEARD A 'BREAK' AND THEN FELT THE FRONT RIGHT TIRE RUBBING AGAINST THE CAR. I NOTICED THE FRONT RIGHT TIRE WAS POSITIONED FURTHER BACK THAN USUAL AND DETERMINED SOMETHING BROKE UNDER THE CAR. TOWED THE CAR HOME, AND USED A CAMERA TO CAPTURE A BREAK IN THE FRONT FORE LINK. AS

YOU CAN SEE IN THE PICTURES, I WASN'T INVOLVED IN ANY ACCIDENT, NOR DID I HIT A POT HOLE OF ANY SORT. I HAD THE CAR TOWED TO TESLA WHERE THEY FIXED THE PROBLEM, BUT STATED THAT THIS WAS NOT A RECALL OR COVERED UNDER WARRANTY (I WAS OUTSIDE OF THE WARRANTY). I DISCOVERED ONLINE THAT THIS IS A COMMON PROBLEM WITH MODEL S AND X'S. I SUBMIT THIS TO YOU FOR YOUR REVIEW AS I BELIEVE THIS IS A SEVERE SAFETY ISSUE AND SHOULD BE RECALLED. ALSO, ATTACHED IN THIS INVOICE FROM TESLA. THEY REPLACED THE BROKEN PASSENGER SIDE FORE LINK AND ALSO REPLACED THE DRIVER SIDE FORE LINK AS I BELIEVE THEY FELT IT WOULD FAIL IN THE FUTURE.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

July 23, 2020 NHTSA ID NUMBER: 11341133

Components: SUSPENSION

NHTSA ID Number: 11341133

Incident Date July 21, 2020

Consumer Location MONTEREY PARK, CA

Vehicle Identification Number 5YJSA1E1XGF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

THIS ISSUE HAPPENED OUT OF NOWHERE, NO COLLISION, NO POTHOLES, AND NO EXTERIOR FORCE. ALL OF A SUDDEN I NOTICED A CLANGING NOISE IN THE FRONT LEFT WHEEL HOUSING. THIS ONLY HAPPENS WHEN GOING AT LOW SPEEDS (5 TO 15 MPH). THIS NOISE IS ESPECIALLY APPARENT WHEN GOING OVER SPEED BUMPS OR UP/DOWN DRIVEWAYS. FEW DAYS AGO I HEAR A VERY VERY LOUD BANG NOISE FROM THE FRONT AND ALL OF A SUDDEN WHEN I BACK UP THE CAR THE WHEEL WAS

1 SCRAPPING AGAINST THE INNER LINNING AND WOULD NOT ALLOW ME TO TURN THE
2 STEERING WHEEL ALL THE WAY. THEN I PARKED AND NOTICED THE WHEEL WAS OFF
3 CENTER (SEE PICTURE).

4 I TOOK IT TO THE SERVICE CENTER AND ATTACHED BELOW IS THE ESTIMATE. ONLY
5 THE FRONT DRIVER SIDE HAD THE ISSUE, BUT THE ESTIMATE INCLUDES A
6 REPLACEMENT OF THE PARTS FOR BOTH FRONT DRIVER AND PASSENGER SIDE.
7 REASON FOR REPLACING BOTH IS THE PARTS BEING REPLACED ARE UPDATED PARTS.

8 THIS IS A SAFTEY CONCERN BECAUSE IF GOING AT HIGHER SPEED AND THESE PARTS
9 WILL FAIL WILL CAUSE THE CAR TO LOOSE CONTROL.

10 **1 Affected Product**
11 **Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

15 [July 19, 2020 NHTSA ID NUMBER: 11340288](#)

16 [Components: SUSPENSION](#)

17 **NHTSA ID Number:** 11340288

18 **Incident Date** September 10, 2019

19 **Consumer Location** NEW HARTFORD, NY

20 **Vehicle Identification Number** 5YJSA1E21GF*****

21 **Summary of Complaint**

22 **CRASH**No

23 **FIRE**No

24 **INJURIES**0

25 **DEATHS**0

26 BALL JOINTS FAIL WITHOUT WARNING.

27 **1 Affected Product**
28 **Vehicle**

MAKE	MODEL	YEAR
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TESLA	MODEL S	2016
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May 6, 2020 NHTSA ID NUMBER: 11323577

Components: SUSPENSION

NHTSA ID Number: 11323577

Incident Date April 25, 2020

Consumer Location LEAGUE CITY, TX

Vehicle Identification Number 5YJSA1E42GF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

TL* THE CONTACT OWNS A 2016 TESLA MODEL S. THE CONTACT STATED WHILE DRIVING OUT THE DRIVEWAY THE CONTACT HEARD AN ABNORMAL SOUND, AND BECAME AWARE THAT THE BALL JOINT SEPARATED FROM LOWER CONTROL ARM ON THE DRIVER'S SIDE FRONT SUSPENSION. THE CONTACT STATED AN UNKNOWN DEALER WAS CONTACTED HOWEVER, NO ASSISTANCE WAS OFFERED. THE VEHICLE WAS NOT DIAGNOSED NOR REPAIRED. THE MANUFACTURER WAS NOT INFORMED OF FAILURE. THE FAILURE MILEAGE WAS APPROXIMATELY 2,497.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
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TESLA	MODEL S	2016
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April 30, 2020 NHTSA ID NUMBER: 11322838

Components: SUSPENSION

NHTSA ID Number: 11322838

Incident Date April 30, 2020

Consumer Location RICHMOND, TX

Vehicle Identification Number 5YJSA1E4XGF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

MY FRONT SUSPENSION IS CLUNKING AND CHATTERING AND CAUSING THE STEERING WHEEL TO VIBRATE AT LOW SPEEDS. TESLA HAS DENIED IT TO BE COVERED UNDER WARRANTY.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

October 24, 2019 NHTSA ID NUMBER: 11270612

Components: SUSPENSION

NHTSA ID Number: 11270612

Incident Date October 17, 2019

Consumer Location IRVINE, CA

Vehicle Identification Number 5YJSA1E12GF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

2016 TESLA, 3 YRS OLD WITH 61,170 MILES. WHILE BACKING OUT OF A DRIVEWAY, AT SLOW SPEED, WITH STEERING WHEEL TURNED, BOTH FORELINKS (SUSPENSION ARMS) BROKE. THE CAR APPEARED DRIVE-ABLE AND THE ONLY ISSUE I NOTICED WAS A LOUD METAL GRINDING SOUND WHEN BRAKING AT SLOW SPEEDS. TESLA SERVICE CENTER INSPECTED AND CONFIRMED BOTH FORELINKS WERE BROKEN BUT I'M STILL WAITING TO HEAR BACK ON ANY ADDITIONAL DAMAGE (I.E. STEERING KNUCKLE) RESULTING FROM THIS ISSUE.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

[September 6, 2019 NHTSA ID NUMBER: 11253577](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11253577

Incident Date September 4, 2019

Consumer Location MIDLOTHIAN, VA

Vehicle Identification Number 5YJSA1E26GF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

TL* THE CONTACT OWNS A 2016 TESLA MODEL S. WHILE DRIVING APPROXIMATELY 45 MPH, THE CONTACT HEARD A LOUD CRACKING SOUND AND THE VEHICLE STARTED TO VEER TO THE LEFT. THE CONTACT PULLED OVER TO SIDE OF THE ROAD. THE

CONTACT EXITED THE VEHICLE AND NOTICED THAT THE FRONT DRIVER'S SIDE WAS VERY LOW AND CLOSE TO THE GROUND. THE VEHICLE WAS TOWED TO TESLA (9850 W BROAD ST, GLEN ALLEN, VA 23060,) WHERE IT WAS DIAGNOSED THAT THE FRONT END WAS FRACTURED FOR NO APPARENT REASON. THE MANUFACTURER WAS NOTIFIED OF THE FAILURE. THE VEHICLE WAS NOT REPAIRED. THE APPROXIMATE FAILURE MILEAGE WAS 38,756.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

[September 4, 2019 NHTSA ID NUMBER: 11253305](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11253305

Incident Date September 3, 2019

Consumer Location LAFAYETTE, CA

Vehicle Identification Number 5YJSA1E19GF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

3 YEAR OLD TESLA MODEL S 71K MILES. CATASTROPHIC FRONT SUSPENSION CONTROL ARM FAILURE. WHEELS DISCONNECTED FROM FRAME AND RUBBING AGAINST WHEEL WELL AFTER LOW SPEED DRIVE (<10 MPH) INSIDE PARKING LOT. NO COLLISION. NO PRIOR DAMAGE TO SUSPENSION. LARGE GRINDING NOISE AND UNABLE TO STEER. HAD TO CALL TOW TRUCK TO SEND TO TESLA SERVICE.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
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TESLA	MODEL S	2016
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July 30, 2019 NHTSA ID NUMBER: 11240524

Components: SUSPENSION

NHTSA ID Number: 11240524

Incident Date July 26, 2019

Consumer Location MONROE TOWNSHIP, NJ

Vehicle Identification Number 5YJSA1E27GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

LEFT FORELINK CRACKED WHILE TURNING THE WHEEL IN A PARKING LOT

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
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TESLA	MODEL S	2016
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June 28, 2019 NHTSA ID NUMBER: 11228269

Components: SUSPENSION

NHTSA ID Number: 11228269

Incident Date June 26, 2019

Consumer Location STUART, FL

Vehicle Identification Number 5YJSA1E48GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

FRONT RIGHT FORE LINK FAILED DISABLING STEERING TO WHEEL. FAILURE OCCURRED WHILE IN CITY DRIVING AT MEDIUM SPEED. SYMPTOM WAS LOUD NOISE FROM FRONT RIGHT QUARTER PANEL AREA AND SHUDDERING. CAR WAS TOWED VIA FLATBED TRAILER TO TESLA SERVICE FACILITY IN RIVIERA BEACH, FL.

SERVICE PERSONNEL REPLACED BOTH FRONT FORE LINKS ALONG WITH THE RIGHT FRONT TIRE. WORK WAS COVERED BY WARRANTY.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

[June 18, 2019 NHTSA ID NUMBER: 11220932](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11220932

Incident Date June 10, 2019

Consumer Location SAN LEANDRO, CA

Vehicle Identification Number 5YJSA1H24FF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0**DEATHS0**

SUSPENSION: THE VEHICLE STARTED MAKING CRUNCHING/GRINDING SOUNDS WHEN TURNING OR GOING OVER ANY SLIGHT BUMPS AT HIGH AND LOW SPEEDS. WHEN TURNING THE STEERING WHEEL, THE ENTIRE VEHICLE WOULD TILT UP AND DOWN. ALSO IN DRIVE AND REVERSE, THE FRONT PASSENGER TIRE WOULD HIT THE WHEEL WELL. WHEN THE BRAKES WERE APPLIED, THE VEHICLE WOULD MAKE SOUNDS AS WELL. WE TOOK THE VEHICLE IN AND THEY FOUND THAT THE UPPER CONTROL ARM HAD SNAPPED AND THE LOWER CONTROL ARM HAD BEEN DAMAGED AS WELL. THEY SAID IT WAS A RESULT OF THE VEHICLE GOING OVER A SEVERE BUMP OR NORMAL WEAR AND TEAR. THE VEHICLE ONLY HAS 38,000 MILES ON IT AND HAS NEVER BEEN DRIVEN OVER EXTREME CONDITIONS. WHEN LOOKING AT THE PART, IT LOOKS MORE LIKE A RESULT OF A MANUFACTURING DEFECT (STRESS FRACTURE) RATHER THAN NORMAL WEAR AND TEAR. FORTUNATELY WE DID.M NOT EXPERIENCE COMPLETE FAILURE WHILE DRIVING, AS IT POTENTIALLY COULD HAVE BEEN CATASTROPHIC.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

[June 5, 2019 NHTSA ID NUMBER: 11218155](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11218155

Incident Date April 17, 2019

Consumer Location WEST BRANDYWINE, PA

Vehicle Identification Number 5YJSA1E25GF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

LEFT FRONT SUSPENSION WAS BROKEN. CAR WAS LAYING FLAT ON THE FLOOR WITHOUT ANY PRIOR INCIDENT.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

May 25, 2019 NHTSA ID NUMBER: 11210000

Components: SUSPENSION

NHTSA ID Number: 11210000

Incident Date May 25, 2019

Consumer Location TOMBALL, TX

Vehicle Identification Number 5YJSA1E25GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

I HAD JUST FINISHED WASHING/DRYING MY 2016 TESLA MODEL S (LESS THAN 22K MILES), AND WHILE VERY SLOWLY BACKING OUT OF MY INCLINED DRIVEWAY WITH THE STEERING WHEEL TURNED TO THE RIGHT, I HEARD AN AUDIBLE CRACK, FOLLOWED BY THE RIGHT TIRE RUBBING AGAINST THE WHEEL WELL LINER. ON THE DRIVEWAY, I FOUND A SEMI-CIRCULAR PIECE OF ALUMINUM, WHICH TURNED OUT TO BE A CRACKED FORELINK.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

August 23, 2018 NHTSA ID NUMBER: 11121921

Components: SUSPENSION

NHTSA ID Number: 11121921

Incident Date August 20, 2018

Consumer Location WESTFORD, MA

Vehicle Identification Number 5YJSA1E28GF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

TL* THE CONTACT OWNS A 2016 TESLA MODEL S. WHILE DRIVING APPROXIMATELY 5 MPH, THE FRONT DRIVER SIDE WHEEL SEIZED AND THE VEHICLE CAME TO AN IMMEDIATE STOP. THE FAILURE OCCURRED WITHOUT WARNING. THE VEHICLE WAS TOWED TO TESLA SERVICE CENTER (457 PLEASANT ST, WATERTOWN, MA) WHERE IT WAS DIAGNOSED THAT THE DRIVER AND PASSENGER SIDE LINK ASSEMBLIES WERE DEFECTIVE AND NEEDED TO BE REPLACED. THE VEHICLE WAS REPAIRED. THE MANUFACTURER WAS NOTIFIED OF THE FAILURE. THE FAILURE MILEAGE WAS APPROXIMATELY 42,000. THE VIN WAS NOT PROVIDED. **TR

UPDATED 10/31/18*JB

1 Affected Product Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

August 16, 2018 NHTSA ID NUMBER: 11120467

Components: SUSPENSION

NHTSA ID Number: 11120467

Incident Date August 14, 2018

Consumer Location BARRINGTON, IL

Vehicle Identification Number 5YJSA1E26GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

CRACKED FRONT SUSPENSION - LOWER FORE ARM - DRIVERS SIDE, CRACKED AT THE BALL JOINT INTERFACE RESULTING IN THE BALL JOINT SEPARATING FROM THE CONTROL ARM. THIS VEHICLE HAS 23,140 MILES AND HAS ONLY BEEN DRIVEN ON PAVED ROADS IN THE MIDWEST US. NO OFF ROAD OR ROUGH SERVICE. FAILURE HAPPENED WHILE BACKING OUT OF A PARKING SPACE. WITHIN 5 FEET A LOUD SNAP WAS HEARD THEN RUBBING LIKE THE TIRE WAS HITTING THE WHEEL WELL. STOPPED THE CAR AND FOUND THE DRIVERS SIDE LOWER BALL JOINT SEPARATED AT THE LOWER FORE ARM. LOWER FORE ARM WAS CRACKED. TESLA TOWED THE VEHICLE TO SERVICE CENTER AND REPLACE FORE LINK ASSY, LH (1041570-00B). ORIGINAL DAMAGE TO PART APPEARED TO BE A CRACK IN THE PART WITH LOWER FORE ARM INTERFACE HOLE TO THE BALL JOINT STILL ROUND IN SHAPE. PICTURE ATTACHED SHOW MORE DAMAGE DUE TO MOVING THE VEHICLE FOR TOWING AND REPAIR.

1 Affected Product
Vehicle

MAKE	MODEL	YEAR
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TESLA	MODEL S	2016
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July 12, 2018 NHTSA ID NUMBER: 11110981

Components: SUSPENSION

NHTSA ID Number: 11110981

Incident Date July 10, 2018

Consumer Location GLEN MILLS, PA

Vehicle Identification Number 5YJSA1E26GF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

TESLA MODEL S 2016, VEHICLE IS MAKING A GRINDING NOISE FROM THE LEFT SIDE AND THAT THE WHEEL APPEARS TO BE TOO CLOSE TO THE WHEEL WELL. A NOISE STARTED 2-3 DAYS AGO WHEN THE WE TRY TO TURN THE STEERING WHEEL TO TAKE A SHARP LEFT OR RIGHT TURN. THE FRONT SUSPENSION LINK ON THE DRIVER SIDE WHEEL BROKE WHILE PARKING THE CAR.

GOT THE CAR TOWED TO TESLA SERVICE AND THEY FIXED IT 1 DAY LATER.

CORRECTIONS: LINK - FRONT SUSPENSION - LOWER - FORE - LH

REPLACED THE LEFT FORE LINK TO SPECIFICATION. VERIFIED PROPER OPERATION.

PARTS REPLACED BY TESLA -

FORE LINK ASSY, LH (1041570-00-B)

1WASHER, NORDLOCK, 15.2X30.7X3.4 (1033093-00-A)

1NUT HF M14X1.50 [10] ZNNI NL INSERT (1004358-00-C)

1BOLT H CAM M14X2.00X114 [10.9]-G720 (2007108)

1WASHER CAM M14X38X6X2.5 [10]-G720 (2007115)

1NUT CLN HEX M14X2.0 [10] ZNAL-W (1006484-00-A)1

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

[May 30, 2018 NHTSA ID NUMBER: 11098746](#)

[Components: SUSPENSION, WHEELS](#)

NHTSA ID Number: 11098746

Incident Date January 23, 2018

Consumer Location RANCHO MURIETA, CA

Vehicle Identification Number 5YJSA1E29GF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

BELOW IS A COPY OF AN EMAIL I SENT TO TESLA ON APRIL 30,2018. I HAVE YET TO RECEIVE A RESPONSE. PLEASE CONTACT ME IF YOU NEED MORE INFORMATION.

ON JANUARY 23, 2018 I HAD AN INCIDENT WITH MY TESLA WHERE I HIT A SMALL POTHOLE (11" WIDE BY 18" LONG AND 2" DEEP) AT A MODERATE SPEED OF ABOUT 40MPH. (I HAVE PICTURES OF THE ROAD THE POTHOLE IN QUESTION.) I LOST SOME CONTROL OF MY CAR SWERVING INTO THE ONCOMING LANE FROM THE IMPACT, BUT MANAGED TO PULL OVER ABOUT A COUPLE OF HUNDRED YARDS AFTER THAT WITH NO FURTHER INCIDENT. I THOUGHT I HAD BLOWN A TIRE SINCE I HAVE LOW PROFILE

TIRES ON THE LARGER RIMS ONLY TO FIND THE TIRE WAS STILL INFLATED. HOWEVER THE WHEEL WAS OFF CAMBER AND I NOTICED THAT IT HAD DAMAGED SOME OF THE WHEEL WELL ON FURTHER INSPECTION. I EVENTUALLY GOT EVERYTHING FIXED (ABOUT FOUR WEEKS LATER) AND THE BILL WAS \$4200.00 WHICH I PAID. HOWEVER, AFTER MUCH THOUGHT AND CONSIDERATION, I BELIEVE THE CONTROL ARM IS OF A FAULTY DESIGN AND THIS SHOULD HAVE BEEN COVERED BY TESLA. IN FACT, I HAVE A PICTURE OF THE CONTROL ARM WHILE IT WAS ON THE CAR AND I AM IN POSSESSION OF IT AND ALL THE DAMAGED PARTS. I DO NOT BELIEVE THAT MY TESLA SHOULD HAVE SUFFERED SO MUCH DAMAGE FOR A RELATIVELY SMALL POTHOLE AND BELIEVE THE HEAVY LITHIUM BATTERY COUPLED WITH THE IMPROPERLY ENGINEERED CONTROL ARM CAUSED THE PROBLEM. I ALSO NOTE MINE IS NOT THE ONLY COMPLAINT OF THIS NATURE AS I HAVE SEEN OTHER COMPLAINTS IN ONLINE BLOGS AND FEEL THAT THIS MAY BE A SYSTEMIC PROBLEM WITH TESLA'S CONTROL ARMS. IT IS ALSO IMPORTANT TO NOTE THAT I PURCHASED THE TESLA FOR MANY REASONS, BUT ONE OF THE MAIN REASONS WAS ITS SAFETY RECORD AND RATINGS BY THE NHTSA WHO I HAVE COPIED ON THIS EMAIL. AFTER LOSING MOMENTARY CONTROL FROM HITTING SUCH A SMALL POTHOLE WHICH PUT ME INTO THE ONCOMING LANE, (I WAS LUCKY THERE WAS NOT ONCOMING TRAFFIC) I DO NOT HAVE THE CONFIDENCE IN THE CAR THAT I ONCE DID.

1 Affected Product Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

December 18, 2016 NHTSA ID NUMBER: 10936088

Components: WHEELS, SUSPENSION

NHTSA ID Number: 10936088

Incident Date December 18, 2016

Consumer Location BRONXVILLE, NY

Vehicle Identification Number 5YJSA1E2XGF*****

Summary of Complaint

CRASHNo

FIRENo

02

Class Action Complaint
Case No.

INJURIES0**DEATHS0**

LEFT WHEEL FELL OFF FROM WHAT APPEARS TO BE A BROKEN BOLT CONTROLLING LOWER CONTROL ARM. THE CAR WAS BACKING INTO A DRIVEWAY AT LOW SPEEDS WITH A SUDDEN THUD. THE LEFT FRONT WAS RESTING ON THE TIRE WITH THE TIRE TURNED AT 90 DEGREES. THE LOWER CONTROL ARM WAS NO LONGER ATTACHED WITH THE BOLT BROKEN. SEE PICTURES.

1 Affected Product
Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2016

[November 3, 2016 NHTSA ID NUMBER: 10924050](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 10924050

Incident Date October 10, 2016

Consumer Location SAINT LOUIS, MO

Vehicle Identification Number 5YJSA1E26GF****

Summary of Complaint
CRASHNo

FIRENo

INJURIES0

DEATHS0

BALL JOINT EQUIVALENT FRACTURED WHILE PULLING OUT OF GARAGE. FRONT END FELL, NEARLY BRINGING TIRE INTO CONTACT WITH WHEEL WELL.

1 Affected Product
Vehicle

MAKE	MODEL	YEAR
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TESLA	MODEL S	2016
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June 21, 2016 NHTSA ID NUMBER: 10875120

Components: SUSPENSION

NHTSA ID Number: 10875120

Incident Date June 1, 2016

Consumer Location SAN JOSE, CA

Vehicle Identification Number 5YJSA1E24GF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

2016 TESLA MODEL S. CONSUMER WRITES IN REGARDS TO VEHICLE SUSPENSION/
FRONT WHEEL CONTROL ARM ISSUES. *SMD

THE CONSUMER STATED THE CONTROL ARM BROKE, WHEN HE ATTEMPTED TO BACK
OUT OF HIS GARAGE. *JB

1 Affected Product Vehicle

MAKE	MODEL	YEAR
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TESLA	MODEL S	2016
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[September 22, 2020 NHTSA ID NUMBER: 11360383](#)

[Components: STEERING, SUSPENSION](#)

NHTSA ID Number: 11360383

Incident Date September 21, 2020

Consumer Location ANN ARBOR, MI

Vehicle Identification Number 5YJSA1E13HF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

DRIVING HOME FROM SERVICE ON THE HIGHWAY, WHILE ON A STRAIGHT SECTION, I WAS FORCED TO USE MY BRAKES TO SLOW DOWN FOR ANOTHER CAR AND BAM! CATASTROPHIC FAILURE OF THE DRIVERS SIDE FRONT CONTROL ARM. INTERESTING THING THOUGH... I'D ADDRESSED A CONCERN ABOUT A GRINDING NOISE FROM UP FRONT, AT A PRIOR SERVICE, AND THEY INFORMED ME THAT THE SOUND WAS NORMAL BASED ON THE HIGH PERFORMANCE BRAKES. WHICH I KNEW SOUNDED WRONG. NOW THIS? SEEMS A BIT SHADY TO ME.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

[August 29, 2020 NHTSA ID NUMBER: 11351962](#)

[Components: STEERING, SUSPENSION, WHEELS](#)

NHTSA ID Number: 11351962

Incident Date August 29, 2020

Consumer Location LAKE VIEW TERRACE, CA

Vehicle Identification Number 5YJSA1E21HF****

Summary of Complaint**CRASHNo****FIRENo****INJURIES0****DEATHS0**

I WAS BRAKING FROM ABOUT 35 MPH TO MAKE A 90 DEGREE RIGHT HAND TURN INTO DRIVEWAY. THERE WAS A SUDDEN GRINDING NOISE AND SHUDDERING. I CONTINUED TO BRAKE AND TURN UNTIL I WAS SAFELY IN THE DRIVEWAY. A QUICK INSPECT REVEALED SOME DAMAGE TO THE WHEEL WELL, BUT THE CAR SEEM DRIVE-ABLE, SO I VERY SLOWLY LIMPED INTO A PARKING SPOT.

I'VE READ ENOUGH POSTS FROM OTHER PEOPLE HAVING THIS SAME FAILURE TO IMMEDIATELY SUSPECT A SUSPENSION FAILURE. WHEN PARKED IT WAS EASY TO IDENTIFY THE SAME FAILURE I'VE SEEN ALL OVER THE INTERNET. CONTROL ARM FAILED, RESULTING THE WHEEL TOUCHING THE WHEEL WELL AS I WAS BRAKING, BURNING THROUGH TO THE METAL AND GOUGING MY WHEEL.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

[August 7, 2020 NHTSA ID NUMBER: 11343889](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11343889

Incident Date August 1, 2020

Consumer Location TEMECULA, CA

Vehicle Identification Number 5YJSA1E23HF*****

Summary of Complaint**CRASHNo****FIRENo**

INJURIES0**DEATHS0**

I JUST BOUGHT THE 2017 90D A MONTH AND HALF AGO AT 59K MILES NOW AT 65K MILES AND HEARD A POP AS I WAS PULLING AWAY FROM THE CURB AT 3-5 MPH. THOUGHT IT SOUNDED WEIRD BUT MAY HAVE JUST BEEN A WATER BOTTLE OR SOMETHING. UNFORTUNATELY I WAS ON A ROAD TRIP BACK HOME FROM THE BAY AREA WITH MY DAUGHTER.

I STOPPED ON THE FREEWAY FOR A BATHROOM BREAK AND HEARD MY FRONT WHEEL DRIVERS SIDE GRINDING AGAINST THE WHEEL WELL. AFTER SPECULATION IT LOOKED AS THOUGH WHILE FACING THE WHEEL IT OFFSET TO THE RIGHT. I ASKED FOR A CALL FROM THE SC VIA TEXT AFTER MAKING AN APPOINTMENT AND HE SAID TO BRING MY CAR IN ASAP AS IT COULD BE A SAFETY ISSUE. AN HOUR LONGER INTO DRIVING I BRAKED LIGHTLY BECAUSE A CAR CAME INTO MY LANE ON I-5 AND THEN THERE WAS A LOUDER POP, GRINDING NOISE FOLLOWED BY A LOUD SCREECH, AND STEAM COMING FROM THE WHEEL WELL. I IMMEDIATELY PULLED OVER AND HAD THE CAR TOWED TO COSTA MESA SERVICE CENTER WITH ME, MY 5 YEAR OLD, AND GIRLFRIEND IN A TOW TRUCK.

SC SAID THAT THERE'S SIGNS OF IMPACT AND THAT IT CANNOT BE COVERED UNDER WARRANTY. THOUGH THEIR "SIGNS OF IMPACT" ARE CLEARLY WEAR AND TEAR AND CURB RASH FROM PARKING MARGINS(WHICH I'M POSITIVE WERE THERE WHEN THE CAR WAS SOLD TO ME) I DIDN'T HIT ANYTHING AND IF I DID THE 4 CARS IN FRONT OF ME WOULD'VE TOO.

AND EVEN MORE UNFORTUNATELY TESLA STARTED THE REPAIRS BEFORE INSURANCE GOT OUT THERE AND NOW THEY'RE TALKING ABOUT NOT COVERING IT. SO I MAY BE OUT 5K THAT I WAS QUOTED BECAUSE TESLA DECIDED IT'D BE GREAT TO REPLACE THE FRONT BUMPER AND GET IT PAINTED

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

[February 21, 2020 NHTSA ID NUMBER: 11310679](#)
[Components: SUSPENSION, WHEELS](#)
 NHTSA ID Number: 11310679

Incident Date February 21, 2020

Consumer Location LOMA LINDA, CA

Vehicle Identification Number 5YJSA1E11HF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

MY CAR IS ONLY 2 YRS OLD AND WHILE BACKING OUT OF A PARKING SPACE IN A PARKING STRUCTURE, I FELT A LIFT THEN LOWERING OF FRONT DRIVER'S SIDE WHEEL (LIKE GOING OVER SPEED BUMP, BUT THERE WAS NONE) THEN WOULD BARELY DRIVE. TOLD THAT THE DRIVER'S FRONT LOWER CONTROL ARM IS BROKEN.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

[December 11, 2019 NHTSA ID NUMBER: 11288480](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11288480

Incident Date December 7, 2019

Consumer Location SACRAMENTO, CA

Vehicle Identification Number 5YJSA1E14HF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0**DEATHS0**

PULLING AWAY FROM A STOP IN A PARKING LOT, THERE WAS A NEW RATTLE AT THE LEFT FRONT OF THE CAR, BUT THE CAR DROVE NORMALLY. MADE A RIGHT TURN ONTO A STREET AND SLOWLY APPROACHED AN INTERSECTION. STOPPING AT THE INTERSECTION, THERE WAS A LOUD THUNK. GOT OUT AND SAW THE FRONT LEFT TIRE WAS OFF-CENTER IN THE WHEEL WELL AND TOUCHING THE REAR WHEEL WELL WALL. DROVE THE CAR 100 FEET BACK INTO THE PARKING LOT. CAR WAS TOWED TO TESLA SERVICE CENTER. TESLA REPLACED BOTH FORE LINK ASSEMBLIES. THERE IS A NOTATION ON THE REPAIR INVOICE THAT "FOUND BOTH FORE LINKS REVISION A'S. REPLACED BOTH FORE LINKS WITH REVISION B'S." I STRONGLY FEEL THAT THIS SHOULD HAVE BEEN A RECALL, AS I FIND MANY BLOG ENTRIES WHERE THE SAME PART HAS FAILED OVER THE PAST FEW YEARS AND TESLA REPLACED THE ONE THAT HAD NOT FAILED WITH THE NEW REVISION.

1 Affected Product**Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

[November 18, 2019 NHTSA ID NUMBER: 11280758](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11280758

Incident Date November 15, 2019

Consumer Location LIBERTY HILL, TX

Vehicle Identification Number 5YJSA1E24HF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

WHEN BACKING OUT OF A PARKING SPOT AND TURNING THE WHEEL TO THE LEFT (AT A VERY LOW RATE OF SPEED). I HEARD A LOUD POP. THE LEFT FRONT WHEEL FELT LIKE IT WAS IN A BIND AS WELL AS MAKING A LOUD GRINDING SOUND. THE CAR HAD TO BE TOWED TO THE TESLA SERVICE CENTER. THE TECHNICIAN DIAGNOSED THE PROBLEM AS A BROKEN CONTROL ARM. HE COULD NOT TELL ME WHAT CAUSED THE ARM TO BREAK. THIS COULD HAVE BEEN DISASTROUS IF DRIVING ON THE ROAD AT NORMAL SPEED.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

[October 3, 2019 NHTSA ID NUMBER: 11265885](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11265885

Incident Date September 17, 2019

Consumer Location IRVINE, CA

Vehicle Identification Number 5YJSA1E28HF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

TL* THE CONTACT OWNS A 2017 TESLA MODEL S. WHILE THE CONTACT WAS EXITING THE DRIVEWAY, THE SUSPENSION ARM FRACTURED ON THE DRIVER'S SIDE OF THE VEHICLE. THE DEFECT LED TO SCRATCHES ON THE INSIDE OF THE FRONT DRIVER'S SIDE WHEEL. THERE WERE NO WARNING INDICATORS ILLUMINATED. THE CONTACT NOTIFIED THE MANUFACTURER OF THE FAILURE AND WAS INFORMED THAT SOMETHING MAY HAVE STRUCK THE VEHICLE AND CAUSED THE SUSPENSION FAILURE. THE CONTACT DISPUTED THIS CLAIM. THE CONTACT TOOK THE VEHICLE TO AN INDEPENDENT MECHANIC AND THEY REFUSED TO SERVICE THE VEHICLE UNTIL

THE CONTACT COULD PROVIDE A COLLISION REPORT. THE DEALER WAS NOT CONTACTED. THE VEHICLE WAS NOT REPAIRED. THE FAILURE MILEAGE WAS 30,300.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

[August 19, 2019 NHTSA ID NUMBER: 11244971](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11244971

Incident Date August 15, 2019

Consumer Location BEVERLY HILLS, CA

Vehicle Identification Number 5YJSA1E18HF*****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

I WAS DRIVING ON A CITY STREET WHEN A CAR CUT INTO MY LANE, SO I SLAMMED ON THE BRAKES REAL HARD, AND I HEARD A LOUD SNAPPING SOUND AND GRINDING NOISE AFTERWARDS.

THE LOWER CONTROL ARM ON THE FRONT PASSENGER SIDE IS NOW POPPED OUT OF PLACE.

I HAVE SEARCHED ONLINE AND FOUND THAT THIS ISSUE IS NOT UNIQUE TO ME, MANY OTHER PEOPLE HAVE THE SAME ISSUE.

I WAS LUCKY THAT THIS HAPPENED WHEN I WAS NOT DRIVING ON THE FREEWAY, THERE ARE CASES OF ACCIDENTS BECAUSE OF THIS ISSUE.

TESLA SAYS IT IS NOT UNDER WARRANTY AND THERE IS NO RECALL FOR THIS ISSUE.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

July 22, 2019 NHTSA ID NUMBER: 11233752

Components: SUSPENSION

NHTSA ID Number: 11233752

Incident Date July 18, 2019

Consumer Location FRANKLIN, TN

Vehicle Identification Number 5YJSA1E22HF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

AS I WAS BACKING OUT OF MY DRIVEWAY AT LOW SPEED IN MY 2017 TESLA MODEL S 90D (16,500 MILES) WITH THE WHEELS TURNED TO THE LEFT, I HEARD A LOUD BANG. I THOUGHT I RAN OVER SOMETHING SO GOT OUT TO LOOK AND SAW NOTHING. AS I PROCEEDED TO DRIVE THE CAR, IT DROVE SMOOTHLY AT FIRST BUT I COULD HEAR A SCRAPING OR RUBBING SOUND AS I PUT ON THE BRAKES OR HIT THE ACCELERATOR AFTER BRAKING. AFTER PARKING AT MY DESTINATION, WHEN I WAS BACKING OUT TO LEAVE I HEARD AND FELT RUMBLING AND SCRAPING ON THE LEFT FRONT DRIVERS WHEEL. I LOOKED AND SAW THAT THE LEFT FRONT WHEEL LINER WAS BROKEN AND COLLAPSED AND THE TIRE WAS RUBBING ON THE WHEEL WELL. I PUSHED THE LINER INTO PLACE AND DROVE DIRECTLY TO TESLA SERVICE (3 MILES AWAY) NOTICING MY BRAKES WHERE SLIPPING WHEN APPLIED. ON ARRIVAL THE TECHNICIAN INFORMED ME MY LEFT FRONT CONTROL ARM WAS BROKEN AND ASKED ME IF I HAD BEEN IN AN ACCIDENT. I TOLD HIM NO, AND HE SAID THEY

WOULD NEED TO ELEVATE THE CAR TO LOOK AT EXACTLY WHAT HAPPENED. THE LEFT CONTROL ARM FORE LINK HAD SPONTANEOUSLY FAILED. TESLA FIXED BOTH THE FAILED LEFT AND THE INTACT RIGHT UNDER WARRANTY ALONG WITH THE WHEEL LINER, ALIGNED THE CAR AND IT IS NOW RUNNING NORMAL. I HAVE SEEN MANY COMPLAINTS OF THE PREMATURE FAILURE OF THE FORE LINK ASSEMBLY IN THE MODEL S AND BELIEVE THIS IS A SYSTEMIC PROBLEM.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

June 15, 2019 NHTSA ID NUMBER: 11220236
Components: STEERING, SUSPENSION, WHEELS
 NHTSA ID Number: 11220236

Incident Date June 13, 2019

Consumer Location PLEASANTON, CA

Vehicle Identification Number 5YJSA1E28HF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

BACKING INTO A PARKING SPOT THE DRIVER SIDE FRONT FORE LINK FAILED WHILE TURNING THE STEERING WHEEL. THIS DAMAGED THE WHEEL, TIRE AND WHEEL WELL.

**1 Affected Product
Vehicle**

MAKE	MODEL	YEAR
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TESLA	MODEL S	2017
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[April 8, 2019 NHTSA ID NUMBER: 11194559](#)

[Components: SUSPENSION](#)

NHTSA ID Number: 11194559

Incident Date April 7, 2019

Consumer Location LONG BEACH, CA

Vehicle Identification Number 5YJSA1E2HF1****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

WHEN BACKING OUT OF A PARKING SPACE YESTERDAY, THERE WAS A LOUD GRINDING SOUND AND THE CAR WOULD NOT MOVE. AFTER MOVING IT BACK A FEW FEET, THE CAR WOULD GO SO I DROVE IT A MILE HOME VERY SLOWLY AND CALLED FOR A TOW. THEY TOOK THE CAR AWAY YESTERDAY. WHEN MOVING THE CAR TO THE TOW TRUCK, A THREE-INCH ALUMINUM PIECE TORN ON BOTH ENDS AND BADLY MANGLED FELL OUT.

1 Affected Product

Vehicle

MAKE	MODEL	YEAR
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TESLA	MODEL S	2017
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April 6, 2019 NHTSA ID NUMBER: 11194264

Components: SUSPENSION

NHTSA ID Number: 11194264

Incident Date March 25, 2019

Consumer Location SANTEE, CA

Vehicle Identification Number 5YJSA1E17HF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

WHILE REVERSING MY VEHICLE OUT OF MY DRIVEWAY WITH THE STEERING WHEEL TURNED ALL THE WAY TO THE LEFT, A LOUD SNAPPING SOUND WAS HEARD FROM THE FRONT DRIVER'S SIDE TIRE. UPON INSPECTION, THE CAUSE OF THE SOUND WAS NOT VISIBLE.

I CONTINUED DRIVING A FEW MILES WHILE LISTENING FOR ANY CHANGES TO THE VEHICLE. A FEW MILES DOWN THE ROAD, I PREPARED TO ENTER THE FREEWAY. AS I DEPRESSED THE BRAKE PEDAL, THERE WAS A LOUD GRINDING NOISE EMITTING FROM THE FRONT OF THE VEHICLE.

I PULLED THE VEHICLE OFF TO THE SIDE OF THE ROAD AND CALLED TESLA ROADSIDE ASSISTANCE. I ADVISED THEM OF MY OBSERVATIONS AND WAS ISSUED A PRELIMINARY DIAGNOSIS OF DEBRIS IN THE BRAKE CALIPER. I PROCEEDED TO DRIVE MY CAR TO A HIGH-PRESSURE WASHING STATION TO REMOVE THE DEBRIS.

WHILE PARKING AT MY DESTINATION, I NOTICED MY STEERING WHEEL REQUIRED A BIT MORE FORCE TO TURN THE WHEEL; AS I WAS ENCOUNTERING MORE RESISTANCE THAN USUAL WHILE STEERING THE VEHICLE.

I GOT OUT AND LOOKED AT THE FRONT DRIVER'S SIDE WHEEL WHILE THE STEERING WHEEL WAS TURNED ALL THE WAY TO THE LEFT. I NOTICED A HOLE APPROXIMATELY 2" TALL AND 1" WIDE HAD BEEN WORN THROUGH THE WHEEL WELL LINER BEHIND THE REAR OF THE TIRE. THROUGH THE HOLE, I SAW SOME WIRE COVERINGS AND A PIECE OF THE VEHICLE'S ALUMINUM FRAME. I ALSO OBSERVED THE WHEEL WOULD RUB UP AGAINST THE EXPOSED METAL FRAME WHEN THE STEERING WHEEL WAS TURNED.

I CALLED TESLA ROADSIDE AGAIN AND UPDATED THEM OF MY FINDINGS. THE CAR

1 WAS TOWED TO THE SERVICE CENTER AND SUBSEQUENTLY DIAGNOSED WITH A
 2 BROKEN FORE-LINK ON THE FRONT DRIVER'S SIDE SUSPENSION. THE FORE-LINKS ON
 3 BOTH SIDES OF THE VEHICLE WERE REPLACED, AS WELL AS THE WHEEL WELL LINER.

4 **1 Affected Product**
Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

10 [December 25, 2018 NHTSA ID NUMBER: 11163379](#)

11 [Components: SUSPENSION](#)

12 **NHTSA ID Number:** 11163379

13 **Incident Date** October 13, 2018

14 **Consumer Location** AUSTIN, TX

15 **Vehicle Identification Number** 5YJSA1E47HF****

16 **Summary of Complaint**

17 **CRASH** Yes

18 **FIRE** No

19 **INJURIES** 0

20 **DEATHS** 0

21 I WAS DRIVING THROUGH AN EXIT RAMP AND I FELT SOMETHING BREAK ON THE
 22 VEHICLE AND THEN WHEN I TRIED TO TURN THE VEHICLE, IT CONTINUED TO PUSH
 23 STRAIGHT. AFTER FURTHER REVIEW, THE REAR TOE ARM OF THE DRIVERS SIDE REAR
 24 SUSPENSION BROKE. THIS FAILURE CAUSED THE REAR WHEEL TO BE ABLE TO TURN
 LEFT AND RIGHT.

25 **1 Affected Product**
Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

February 3, 2018 NHTSA ID NUMBER: 11066755

Components: SUSPENSION, WHEELS

NHTSA ID Number: 11066755

Incident Date January 29, 2018

Consumer Location Unknown

Vehicle Identification Number 5YJSB7E22HF****

Summary of Complaint

CRASHNo

FIRENo

INJURIES0

DEATHS0

ON MONDAY MORNING(29.01.18) MY TESLA BROKE DOWN. THE DRIVER'S SIDE REAR TYRE DISLODGED FROM THE SUSPENSION WHILE I WAS REVERSING INTO MY BAY.

THE ISSUES BEGAN FROM THIS POINT

1 AT ONLY 4526 MILES AND 122 DAYS OF AGE, ENDING UP WITH 3 WHEELS IS SIMPLY UNACCEPTABLE.

2 THEN ENSUED THE CONFUSION: I HAD TAKEN BREAKDOWN COVER FROM MY INSURANCE COMPANY INCLUSIVE OF COURTESY CAR. THIS WAS DESPITE THE SALES PITCH RECOMMENDING TESLA ROADSIDE ASSISTANCE. THE MOMENT I CALLED TESLA IT WAS A CASE OF FIGHTING WITH THEM REGARDING WHOSE FAULT IT WAS RATHER THAN WHAT HAPPENS NEXT. I DIDN'T FEEL SUPPORTED AT ALL. TESLA SERVICE AND ROADSIDE ASSISTANCE WERE CONFIDENT THAT THIS WAS A CASE FOR THE INSURERS

3 SO I CALLED MY INSURANCE COMPANY . THEY QUICKLY PICKED UP THE CAR AND HAVE DELIVERED THE SAME TOTESLA MANCHESTER SOUTH, WHERE I HAD PURCHASED IT. WITH A PARTING SHOT THAT IF THIS RECURS IN THE NEXT 28 DAYS

THEY WILL NOT HELP.

HENCE AS I AM SURE YOU WILL UNDERSTAND, I HAVE BEEN LEFT BY TESLA ON THE
WAYSIDE, QUITE LITERALLY AND FIGURATIVELY. I AM FORTUITOUS TO BE IN ONE
PIECE, WRITING THIS MESSAGE TO YOU. THINGS COULD HAVE BEEN A LOT WORSE....

I DRIVE 25 MILES DAILY EACH WAY TO WORK AND BACK. AND MOSTLY THIS IS ON
THE MOTORWAY.

NOW WHERE DID WE GO WRONG?

THUS COULD POTENTIALLY BE A MANUFACTURING DESIGN ISSUE

BUT MY CONFIDENCE IN TESLA HAS TAKEN A BEATING.

MY MAIN CONCERN AT THE MOMENT IS: AM I FEELING SAFE IN THIS VEHICLE? THE
ANSWER IS NO.

1 Affected Product Vehicle

MAKE	MODEL	YEAR
TESLA	MODEL S	2017

C. Tesla's Active Concealment of the Suspension Defect

31. Despite its knowledge of the Defect, Tesla has gone to great lengths to actively conceal its knowledge of the Suspension Defect. Tesla has not performed a recall to correct the Suspension Defect in the United States. Instead, it has issued several Technical Service Bulletins to address customers complaints of the Defect. Tesla, however, has attempted to avoid the financial fallout that would result from recalling the Class Vehicles by downplaying dangerousness of the Defect and the scope of vehicles affected by it. In reality, these TSBs are truly aimed at addressing a uniform safety defect in front and rear suspension components that equally affects all of the Class Vehicles.

1 **1. Tesla Used Technical Service Bulletins to Downplay the Defect**

2 32. Tesla has issued three separate Technical Service Bulletins addressing the Suspension
3 Defect, but each of these technical service bulletins fail to address the full scope of the vehicles affected
4 by problems and ignores the safety implications.

5 33. On March 16, 2015, Tesla issued TSB-13-31-003 for the 2012-2013 Model S vehicles,
6 stating:

7 The front lower control arm ball joints might develop greater free play
8 than is expected. This can result in a clicking or clunking sound from the
9 front suspension when driving over large bumps. ***If left uncorrected, the***
10 ***ball joints could be subject to accelerated wear.*** Over time, the clicking or
clunking noises will become louder as the ball joint wear increases,
leading to required premature replacement of components.

11 (Ex. 4, TSB-13-31-003.)

12 34. About two years later, Tesla issued TSB-17-31-001 for the 2016 Model S and Model X
13 stating, that “[s]ome Model S and Model X vehicles may have been manufactured with front suspension
14 fore links that may not meet Tesla’s strength specifications.” (See Ex. 5 TSB-17-31-001.) Tesla then
15 downplays the safety implications of the identified suspension problems, explaining only that “[i]n the
16 event of link failure, the driver can still maintain control of the vehicle but the tire may contact the wheel
17 arch liner.” (See *id.*)

18 35. On January 3, 2019, Tesla issued TSB-19-31-001 for the 2013 and 2014 Model S, stating
19 that “[o]n certain Model S vehicles, lower rear control arm might crack, causing excessive negative
20 camber of the rear suspension.” (See Ex. 6, TSB-19-31-001.)

21 36. On information and belief, Tesla issued each of the TSBs above in a piecemeal fashion to
22 avoid an all-out recall of the Class Vehicles. On further information and belief, Tesla has silently
23 redesigned and strengthened the suspension components subject to failure as a result of the Suspension
24 Defect but has failed to inform Plaintiff and the Class of these. Moreover, despite having the parts
25 necessary to correct the Suspension Defect, Tesla continues to conceal such information from
26 prospective purchasers of its vehicles and existing Class Vehicles owners. Indeed, this is evident from
27 Plaintiff’s own experience.
28

37. As stated above, Tesla issued TSB-19-31-001 admitting that the rear lower control arms on the 2013 and 2014 vehicles are prone to cracking. In that TSB, Tesla instructs its service advisors to use lower rear control arms bearing part number 1027459-99-A for repairs. (*See* Ex. 6.)

38. TSB-19-31-001 is not only evidence of Tesla’s knowledge of the defect, but when analyzed more closely, also demonstrates Tesla’s fraudulent conduct and active concealment of the Suspension Defect aimed at avoiding its warranty obligations to Plaintiff and the Class members.

39. In Plaintiff’s case, when his Tesla 2016 Model S experienced failure of the lower rear control arm, Tesla’s service advisers replaced the failed lower rear control arm on his 2016 Model S. To repair Plaintiff’s vehicle, Tesla used the same lower control arm called for by TSB-19-31-001. (*See* Ex. 7., Tesla Invoice.) From this, it would appear that Tesla is aware of the fact that TSB 19-31-001 should be expanded to cover later model years including the 2016 Model S but is failing to acknowledge this. Indeed, Tesla’s financial incentives to keep this information concealed and limit the scope of the TSB is high. While many, if not all of the 2013 and 2014 Model S vehicles are out of warranty, many later model years—like Plaintiff’s 2016 Model S—are still within their warranty periods.

2. Tesla Concealed the Suspension Defect by Coercing Customers to Sign Non-Disclosure Agreements

In or around 2016, there were online reports that Tesla was requiring its customers to sign non-disclosure agreements in exchange for “goodwill repairs” to correct the failed suspension components of their vehicles.⁴ Tesla ultimately ceased this practice under significant pressure from NHSTA. However, on information and belief, Tesla’s use of non-disclosure agreements has suppressed the number of NHSTA complaints concerning the Suspension Defect.

VI PLAINTIFF-SPECIFIC ALLEGATIONS

40. On the evening of February 2, 2020, Plaintiff Williams was driving his 2016 Model S (hereinafter “the vehicle”) home from work on an interstate highway at approximately 65 miles per

⁴ *See* <https://www.nytimes.com/2016/06/11/business/tesla-motors-model-s-suspension.html> (Last Accessed November 20, 2020); *see also* <https://dailykanban.com/2016/06/08/tesla-suspension-breakage-not-crime-coverup/> (Last Accessed November 20, 2020).

1 hour. During the trip, Plaintiff Williams noticed that there was a wobbling sensation coming from the
2 vehicle that he had not experienced before.

3 41. Upon arriving at his residence in Alameda, California, Plaintiff Williams slowly backed
4 into a parallel parking spot, and while doing so, he heard a grinding noise emit from the vehicle.
5 Plaintiff inspected the vehicle and discovered that the rear passenger side lower control arm had broken
6 off the steering knuckle and caused the wheel to fold inward.

7 42. At this time, Plaintiff's vehicle had 62,602 miles on its odometer and was covered by
8 Tesla's Used Vehicle Limited Warranty period.



23
24 43. On February 3, 2020, Plaintiff had the vehicle towed to Tesla's service center in
25 Berkeley, California for repairs. At Tesla's service center, Plaintiff spoke with one the service advisors,
26 Matt Brown, and expressed that he believed the rear lower control arm had failed because of a defect
27 and that it should be repaired or replaced under warranty.

1 44. After inspecting the vehicle, Tesla informed Plaintiff that it would not cover the
2 necessary repairs to the vehicle through the warranty. Tesla told Plaintiff that the damage had not
3 resulted from a defect, but from a pothole or damage caused by the previous owner.

4 45. Accordingly, Tesla required Plaintiff to pay \$2,090.00 out-of-pocket for all of the
5 necessary repairs to the vehicle resulting from the Suspension Defect.

6 46. The defects in the design, manufacture, configuration, and assembly of the subject
7 vehicles were a substantial factor in causing Plaintiff's vehicles to experience suspension failure.

8 47. Prior to the sale and distribution of the Class Vehicles, Defendants TESLA and DOES 1
9 through 100, inclusive, knew the Class Vehicles were in a defective condition as previously described.
10 Further, Defendants, through their officers, directors and managing agents, had prior notice and
11 knowledge from several sources, including, but not limited to, the results of a multiplicity of crash tests
12 run prior to the date of said accident, internal memoranda and correspondence, and industry
13 publications, as well as notice of numerous crashes and serious injuries caused by the design of the
14 subject vehicles, that the vehicles were defective and presented a substantial and unreasonable risk of
15 harm to the American motoring public, including Plaintiff, in that said defects unreasonably subjected
16 occupants to injury.

17 48. Had Plaintiff been informed of the Suspension Defect in the Class Vehicles, he would not
18 have purchased or leased his Class Vehicles, or he would have paid substantially less for his own
19 vehicle.

20 49. As a result of the conduct of said Defendants, Plaintiff incurred property and other
21 pecuniary losses as a result of the actions and inactions herein described.

22 50. As a further result of the conduct of said Defendants, Plaintiff suffered both past and
23 future economic damages as a result of the actions and inactions herein described.

24 **VII TOLLING OF STATUTES OF LIMITATIONS**

25 51. Any applicable statute(s) of limitations have been tolled by Tesla's knowing and active
26 concealment and denial of the facts alleged herein. Plaintiff and Class Members could not have
27 reasonably discovered the true, latent nature of the Suspension Defect until shortly before this class
28 action litigation was commenced.

52. In addition, even after Plaintiff and Class Members contacted Tesla and sought repairs for the Suspension Defect, Tesla routinely told them that the Class Vehicles were not defective, as set forth above, even though true reason for the resulting suspension failures resulted from the Suspension Defect.

53. Tesla was and remains under a continuing duty to disclose to Plaintiff and the members of the Class the true character, quality, and nature of the Class Vehicles, that they will require costly repairs, pose safety concerns, and diminish the resale value of the Class Vehicles. As a result of Tesla's active concealment of the Suspension Defect, any and all applicable statutes of limitations otherwise applicable to the allegations herein have been tolled.

VIII CLASS ALLEGATIONS

54. Plaintiff brings this action on their own behalf, and on behalf of a nationwide class pursuant to Federal Rules of Civil Procedure Rules 23(a), 23(b)(2), and/or 23(b)(3).

Nationwide Class:

All persons or entities in the United States who are current or former owners and/or lessees of a Class Vehicle.

55. In addition to the Nationwide Class, and pursuant to Federal Rules of Civil Procedure, Rule 23(c)(5), Plaintiff seek to represent the following classes of consumers:

California Class:

All persons or entities in the state of California who are current or former owners and/or lessees of a Class Vehicle.

56. Together, the Nationwide Class and the individual state classes shall be collectively referred to herein as the "Class." Excluded from the Class are Tesla, its affiliates, employees, officers and directors, persons or entities that purchased the Class Vehicles for resale, and the Judge(s) assigned to this case. Plaintiff reserves the right to modify, change, or expand the Class definitions based on discovery and further investigation.

57. **Numerosity:** Upon information and belief, the Class is so numerous that joinder of all Class Members is impracticable. While the exact number and identities of individual members of the Class are unknown at this time, such information being in the Tesla's sole possession and obtainable by

Plaintiff only through the discovery process, Plaintiff believes, and on that basis allege, that hundreds of thousands of Class Vehicles have been sold and leased in states that are the subject of the Class.

58. **Existence and Predominance of Common Questions of Fact and Law:** Common questions of law and fact exist as to all members of the Class. These questions predominate over the questions affecting individual Class members. These common legal and factual questions include, but are not limited to, whether:

- a) The Class Vehicles were sold with the Suspension Defect;
- b) Tesla knew about the Suspension Defect but failed to disclose it and its consequences to Tesla customers;
- c) Tesla misrepresented the safety of the Class Vehicles based on its knowledge of the Defect;
- d) A reasonable consumer would consider the Suspension Defect or its consequences to be material;
- e) Tesla should be required to disclose the Defect's existence and its consequences; and
- f) Tesla's conduct violates the California Legal Remedies Act, California Unfair Competition Law, and the other statutes asserted herein.

59. **Typicality:** All of Plaintiff's claims are typical of the claims of the Class because Plaintiff purchased their vehicles with the same suspension defect and defective vehicle design and/or suspension component design as other Class members. Furthermore, Plaintiff and all members of the Class sustained monetary and economic injuries including, but not limited to, ascertainable losses arising out of Tesla's wrongful conduct. Plaintiff advances the same claims and legal theories on behalf of himself and all absent Class members.

60. **Adequacy:** Plaintiff adequately represents the Class because his interests do not conflict with the interests of the Class he seeks to represent, he has retained counsel who are competent and highly experienced in complex class-action litigation, and Plaintiff intends to prosecute this action vigorously. Plaintiff and his counsel are well-suited to fairly and adequately protect the interests of the Class.

61. **Superiority:** A class action is superior to all other available means of fairly and efficiently adjudicating the claims brought by Plaintiff and the Class. The injury suffered by each individual Class member is relatively small in comparison to the burden and expense of individual prosecution of the complex and extensive litigation Tesla’s conduct would otherwise necessitate. It would be virtually impossible for Class Members on an individual basis to effectively redress the wrongs done to them. Even if Class Members could afford such individual litigation, the courts cannot. Individualized litigation presents a potential for inconsistent or contradictory judgments. Individualized litigation increases the delay and expense to all parties and to the court system, particularly where the subject matter of the case may be technically complex. By contrast, the class action device presents far fewer management difficulties, and provides the benefits of single adjudication, an economy of scale, and comprehensive supervision by a single court. Upon information and belief, individual Class Members can be readily identified and notified based on, *inter alia*, Tesla’s vehicle identification numbers, warranty claims, registration records, and database of complaints.

62. Tesla has acted, and refused to act, on grounds generally applicable to the Class, thereby making appropriate final equitable relief with respect to the Class as a whole.

IX CAUSES OF ACTION

A. Claims Brought on Behalf of the Nationwide Class

COUNT I

VIOLATIONS OF THE MAGNUSON-MOSS WARRANTY ACT

(15 U.S.C. § 2301, *et seq.*)

(On behalf of the Nationwide Class, or alternatively, the California Class)

63. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph as though fully set forth at length herein.

64. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

65. Plaintiff and the Class members are “consumers” within the meaning of the Magnuson-Moss Warranty Act, 15 U.S.C. § 2301(3).

66. Tesla is a supplier and warrantor within the meaning of 15 U.S.C. §§ 2301(4)-(5).

1 67. The Class Vehicles, including Plaintiff's vehicles, are "consumer products" within the
2 meaning of 15 U.S.C. § 2301(1).

3 68. Tesla's 4 year/50,000-mile New Vehicle Limited Warranty is a "written warranty" within
4 the meaning of 15 U.S.C. § 2301(6).

5 69. Tesla's 2 year/100,00-mile Used Vehicle Limited Warranty is a "written warranty"
6 within the meaning of 15 U.S.C. § 2301(6).

7 70. Tesla's 1 year/10,000-mile Used Vehicle Limited Warranty is a "written warranty"
8 within the meaning of 15 U.S.C. § 2301 (6).

9 71. Tesla breached its express warranties by:

- 10 a) Providing the Class Vehicles present an unreasonable risk of and thus not
11 fit for their ordinary purpose of providing safe and reliable transportation.
- 12 b) By refusing and/or failing to repair or replace the Class Vehicles'
13 suspension components that were caused by materials and/or design
14 defects, described and referred to herein as the "Suspension Defect."
- 15 c) Refusing and/or failing to honor the express warranties by repairing or
16 replacing, free of charge, the consequential damage resulting from the
17 Class Vehicles that have experienced the Suspension Defect

18 72. Plaintiff and the other Class members relied on the existence and length of the express
19 warranties in deciding whether to purchase or lease the Class Vehicles.

20 73. Tesla's breach of express warranties has deprived Plaintiff and the other Class Members
21 of the benefit of their bargain.

22 74. The amount in controversy of Plaintiff's individual claims meets or exceeds the sum or
23 value of \$25.00. In addition, the amount in controversy meets or exceeds the sum or value of \$50,000
24 (exclusive of interests and costs) computed on the basis of all claims to be determined in this suit.

25 75. Tesla has been given a reasonable opportunity to cure its breach of Plaintiff's written
26 warranty. Alternatively, Plaintiff and the other Class members are not required to afford Tesla a
27 reasonable opportunity to cure its breach because to do so would be futile. Tesla was also on notice of
28 the alleged defect from the complaints and service requests it received from Plaintiff and Class

members, as well as from Tesla's own warranty claims, customer complaint data, and NHTSA complaints.

76. As a direct and proximate cause of Tesla's breach of the written warranties, Plaintiff and the other Class members sustained damages and other losses in an amount to be determined at trial. Tesla's conduct damaged Plaintiff and the other Class members, who are entitled to recover actual damages, consequential damages, specific performance, diminution in value, costs, including statutory attorney fees and/or other relief as deemed appropriate.

B. Claims Brought on Behalf of the California Class

COUNT II

VIOLATIONS OF THE CONSUMER LEGAL REMEDIES ACT ("CLRA")

(Cal. Civ. Code § 1750, *et seq.*)

(On Behalf of the Nationwide Class or, Alternatively, the California Class)

77. Plaintiff incorporates by reference each preceding and succeeding paragraph as though fully set forth at length herein.

78. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

79. Tesla is a "person" as that term is defined in California Civil Code § 1761(c).

80. Plaintiff and the Class members are "consumers" as that term is defined in California Civil Code § 1761(d).

81. Tesla engaged in unfair and deceptive acts in violation of the CLRA by the practices described above, and by knowingly and intentionally concealing from Plaintiff and Class members that the Class Vehicles suffer from a defect(s) (and the costs, risks, and diminished value of the vehicles as a result of this problem). These acts and practices violate, at a minimum, the following sections of the CLRA:

- Representing that goods or services have sponsorships, characteristics, uses, benefits, or quantities which they do not have, or that a person has a sponsorship, approval, status, affiliation, or connection which he or she does not have;

- Representing that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another; and
- Advertising goods and services with the intent not to sell them as advertised.

82. Tesla's unfair or deceptive acts or practices occurred repeatedly in its trade or business, were capable of deceiving a substantial portion of the purchasing public and imposed a serious safety risk on the public.

83. Tesla knew that the Class Vehicles were defectively designed or manufactured, would fail without warning, and were not suitable for their intended use of providing safe and reliable transportation. Tesla nevertheless failed to warn Plaintiff and the Class members about these inherent dangers of the Suspension Defect, despite having a duty to do so.

84. Tesla had the duty to Plaintiff and the Class Members to disclose the Suspension Defect and the defective nature of the Class Vehicles because:

- a) Tesla was in a superior position to know the true state of facts about the Suspension Defect and associated repair costs in the Class Vehicles;
- b) Plaintiff and the Class Members could not reasonably have been expected to learn or discover that the Class Vehicles had dangerous defects until the defects became manifest;
- c) Tesla knew that Plaintiff and the Class Members could not reasonably have been expected to learn about or discover the Suspension Defect and its associated repair costs; and
- d) Tesla actively concealed the Suspension Defect, its causes, and resulting effects through deceptive marketing campaigns designed to hide the life-threatening problems from Plaintiff; and/or
- e) Tesla made incomplete representations about the safety and reliability of the Class Vehicles generally, while purposefully withholding material facts from Plaintiff that contradicted these representations.

85. In failing to disclose the Suspension Defect and its associated safety risks and repair costs, Tesla has knowingly and intentionally concealed material facts and breached its duty to disclose.

86. The facts Tesla concealed or did not disclose to Plaintiff and the Class Members are material because a reasonable consumer would have considered them to be important in deciding whether to purchase the Class Vehicles or pay a lesser price. Had Plaintiff and the Class known the Class Vehicles were defective, they would not have purchased the Class Vehicles or would have paid less for them.

87. Plaintiff provided Tesla with notice of its violations of the CLRA pursuant to California Civil Code § 1782(a) on November 20, 2020.

88. Tesla's fraudulent and deceptive business practices proximately caused injuries to Plaintiff and the other Class members.

89. Therefore, Plaintiff and the other Class Members seek relief only equitable relief under the CLRA, at this time..

COUNT III

VIOLATIONS OF THE CALIFORNIA UNFAIR COMPETITION LAW

(Cal. Bus. & Prof. Code § 17200)

(On Behalf of the Nationwide Class or, Alternatively, the California Class)

90. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph as though fully set forth at length herein.

91. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

92. The California Unfair Competition Law ("UCL") prohibits acts of "unfair competition," including any "unlawful, unfair or fraudulent business act or practice" and "unfair, deceptive, untrue or misleading advertising." Cal. Bus. & Prof. Code § 17200.

93. Tesla has engaged in unfair competition and unfair, unlawful, or fraudulent business practices by the conduct, statements, and omissions described above, and by knowingly and intentionally concealing from Plaintiff and other Class Members that the Class Vehicles suffer from the Suspension Defect (and the costs, safety risks, and diminished value of the vehicles as a result of these

1 problems). Tesla should have disclosed this information because it was in a superior position to know
2 the true facts related to the Suspension Defect, and Plaintiff and Class Members could not have been
3 reasonably expected to learn about or discover these true facts.

4 94. The Suspension Defect constitutes a safety issue triggering Tesla's duty to disclose.

5 95. By its acts and practices, Tesla has deceived Plaintiff and is likely to have deceived the
6 public. In failing to disclose the Suspension Defect and suppressing other material facts from Plaintiff
7 and other Class members, Tesla breached its duty to disclose these facts, violated the UCL, and caused
8 injuries to Plaintiff and the Class members. Tesla's omissions and acts of concealment pertained to
9 information material to Plaintiff and other Class members, as it would have been to all reasonable
10 consumers.

11 96. The injuries Plaintiff and the Class Members suffered greatly outweigh any potential
12 countervailing benefit to consumers or to competition, and they are not injuries that Plaintiff and the
13 Class Members could or should have reasonably avoided.

14 97. Tesla's acts and practices are unlawful because they violate California Civil Code
15 §§ 1668, 1709, 1710, and 1750 *et seq.*, and California Commercial Code § 2313.

16 98. Plaintiff seeks to enjoin Tesla from further unlawful, unfair, and/or fraudulent acts or
17 practices, to obtain restitutionary disgorgement of all monies and revenues Tesla has generated as a
18 result of such practices, and all other relief allowed under California Business & Professions Code
19 § 17200.

20 99. Plaintiff and the Class members are entitled to seek equitable relief because monetary
21 damages are an inadequate remedy. Indeed, as described herein, the Suspension Defect poses a threat to
22 the health and safety of drivers of the Class Vehicles and Tesla has failed to notify its customers of these
23 dangers. On information and belief, the Suspension Defect is latent in thousands of Class Vehicles. As
24 such, monetary damages are insufficient to remedy the health and safety risks that the Suspension Defect
25 poses to drivers of the Class vehicles and the general public.

COUNT IV

VIOLATION OF CALIFORNIA FALSE ADVERTISING LAW

(Cal. Bus. & Prof. Code § 17500, *et seq.*)

(On Behalf of the Nationwide Class or, Alternatively, the California Class)

100. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph as though fully set forth at length herein.

101. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

102. California Business & Professions Code § 17500 states: “It is unlawful for any . . . corporation . . . with intent directly or indirectly to dispose of real or personal property . . . to induce the public to enter into any obligation relating thereto, to make or disseminate or cause to be made or disseminated . . . from this state before the public in any state, in any newspaper or other publication, or any advertising device, . . . or in any other manner or means whatever, including over the Internet, any statement . . . which is untrue or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue or misleading.

103. Tesla caused to be made or disseminated through California and the United States, through advertising, marketing and other publications, statements that were untrue or misleading, and which were known, or which by the exercise of reasonable care Tesla should have known to be untrue and misleading to consumers, including Plaintiff and other Class members.

104. Tesla has violated section 17500 because its misrepresentations and omissions regarding the safety, reliability, and functionality of the Class Vehicles were material and likely to deceive a reasonable consumer.

105. Plaintiff and the other Class Members have suffered injuries in fact, including the loss of money or property, resulting from Tesla’s unfair, unlawful, and/or deceptive practices. In purchasing or leasing their Class Vehicles, Plaintiff and the other Class Members relied on Tesla’s misrepresentations and/or omissions with respect to the Class Vehicles’ safety and reliability. Tesla’s representations were untrue because it distributed the Class Vehicles with the Defect. Had Plaintiff and the other Class Members known this, they would not have purchased or leased the Class Vehicles or would not have

1 paid as much for them. Accordingly, Plaintiff and the other Class Members did not receive the benefit of
2 their bargain.

3 106. All of the wrongful conduct alleged herein occurred, and continues to occur, in the
4 conduct of Tesla's business. Tesla's wrongful conduct is part of a pattern or generalized course of
5 conduct that is still perpetuated and repeated, both in the state of California and nationwide.

6 107. Plaintiff, individually and on behalf of the other Class Members, request that the Court
7 enter such orders or judgments as may be necessary to enjoin Tesla from continuing its unfair, unlawful,
8 and/or deceptive practices, and restore to Plaintiff and the other Class Members any money Tesla
9 acquired by unfair competition, including restitution and/or restitutionary disgorgement, and for such
10 other relief set forth below.

11 **COUNT V**

12 **BREACH OF IMPLIED WARRANTY**

13 **(Cal. Com. Code § 231)**

14 **(On Behalf of the Nationwide Class or, Alternatively, the California Class)**

15 108. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph
16 as though fully set forth at length herein.

17 109. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the
18 Nationwide Class and the California Class.

19 110. Tesla was at all relevant times the manufacturer, distributor, warrantor, and/or seller of
20 the Model S and Model X. Tesla knew or had reason to know of the specific use for which the Model S
21 and Model X vehicles were purchased.

22 111. Tesla provided Plaintiff and the other Class Members with an implied warranty that the
23 Class Vehicles, and any parts thereof, are merchantable and fit for the ordinary purposes for which they
24 were sold. However, these vehicles are not fit for their ordinary purpose of providing reasonably
25 reliable and safe transportation at the time of sale or thereafter because the Suspension Defect can
26 manifest and result in a sudden and unexpected loss of steering control.

27 112. Therefore, the Class Vehicles are not fit for their particular purpose of providing safe and
28 reliable transportation.

113. Tesla impliedly warranted that the Class Vehicles were of merchantable quality and fit for such use. This implied warranty included, among other things: (i) a warranty that the vehicles Tesla manufactured, supplied, distributed, and/or sold were safe and reliable for providing transportation, and would not experience premature and catastrophic failure; and (ii) a warranty that the Class Vehicles would be fit for their intended use while being operated.

114. Contrary to the applicable implied warranties, the Class Vehicles at the time of sale and thereafter were not fit for their ordinary and intended purpose of providing Plaintiff and the other Class Members with reliable, durable, and safe transportation. Instead, the Class Vehicles suffer from the Suspension Defect.

115. Tesla's actions, as complained of herein, breached the implied warranty that the Class Vehicles were of merchantable quality and fit for such use.

116. After Plaintiff received the injuries complained of herein, notice was given by Plaintiff to Defendant, by direct communication with Tesla as well as by the filing of this lawsuit in the time and in the manner and in the form prescribed by law, of the breach of said implied warranty.

117. As a legal and proximate result of the breach of said implied warranty, Plaintiff sustained the damages herein set forth.

118. Plaintiff and Class Members are, therefore, entitled to damages in an amount to be proven at the time of trial.

COUNT VI

BREACH OF EXPRESS WARRANTY

(Cal. Com. Code § 2313)

(On Behalf of the Nationwide Class or, Alternatively, on behalf of the California Class)

119. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph as though fully set forth at length herein.

120. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

1 121. Tesla provided all purchasers and lessees of the Class Vehicles with the express
2 warranties described herein, which became part of the basis of the parties' bargain. Accordingly,
3 Tesla's warranties are express warranties under state law.

4 122. In the course of selling its new vehicles, Tesla expressly warranted in writing that its
5 vehicles were covered by a New Vehicle Limited Warranty (or "Basic Vehicle Limited Warranty") that
6 provided: "the Basic Vehicle Limited Warranty covers the repair or replacement necessary to correct
7 defects in the materials or workmanship of any parts manufactured or supplied by Tesla that occur under
8 normal use for a period of 4 years or 50,000 miles (80,000 km), whichever comes first."

9 123. In the course of selling its vehicles, Tesla expressly warranted in writing that its *used*
10 *vehicles with less than 50,000 miles* on their odometers were covered by the Used Vehicle Limited
11 Warranty that covers the repair or replacement necessary to correct defect in the materials or
12 workmanship of any parts manufactured or supplied by Tesla that occur under normal use for a period of
13 4 years or 50,000 miles, whichever came first.

14 124. In the course of selling its used vehicles, Tesla expressly warranted in writing that its
15 *used vehicles with more than 50,000 miles* on their odometers were covered by the Used Vehicle
16 Limited Warranty that covers the repair or replacement necessary to correct defect in the materials or
17 workmanship of any parts manufactured or supplied by Tesla that occur under normal use for a period of
18 2 year or 100,000-miles, whichever came first.

19 125. On information and belief, in the course of selling its used vehicles, Tesla expressly
20 warranted that *all used vehicles sold on or after October 15, 2020*, were covered by a Used Vehicle
21 Limited Warranty that covers the repair or replacement necessary to correct defects in the materials or
22 workmanship of any parts manufactured or supplied by Tesla that occur under normal use for a period of
23 1 year or 10,000 miles (whichever comes first), starting from (1) the expiration date and mileage of the
24 original 4 year/50,000 mile Basic Vehicle Limited Warranty (if any), or (2) if the original 4 year/50,000
25 mile Basic Vehicle Limited Warranty has already expired or is no longer in effect, the date and mileage
26 on the vehicle's odometer at the time of Tesla's delivery of the used vehicle.

27 126. Tesla distributed the defective parts causing the Suspension Defect in the Class Vehicles,
28 and said parts are covered by Tesla's warranties granted to all Class Vehicle purchasers and lessors.

1 127. Tesla breached these warranties by selling and leasing Class Vehicles with the
2 Suspension Defect, requiring repair or replacement within the applicable warranty periods, and refusing
3 to honor the warranties by providing free repairs or replacements during the applicable warranty periods.

4 128. Plaintiff notified Tesla of its breach within a reasonable time, and/or were not required to
5 do so because affording Tesla a reasonable opportunity to cure its breaches would have been futile.
6 Tesla also knew about the Defect but chose instead to conceal it to avoid complying with its warranty
7 obligations.

8 129. As a direct and proximate cause of Tesla's breach, Plaintiff and the other Class Members
9 bought or leased Class Vehicles they otherwise would not have, overpaid for the Class Vehicles, did not
10 receive the benefit of their bargain, and their Class Vehicles suffered a diminution in value. Plaintiff
11 and the Class Members have incurred and will continue to incur costs related to the Suspension Defect's
12 diagnosis and repair.

13 130. Any attempt to disclaim or limit these express warranties vis-à-vis consumers is
14 unconscionable and unenforceable under the circumstances here. Specifically, Tesla's warranty
15 limitations are unenforceable because it knowingly sold a defective product without giving notice of the
16 Suspension Defect to Plaintiff or the Class.

17 131. The time limits contained in Tesla's warranty period were also unconscionable and
18 inadequate to protect Plaintiff and Class Members. Among other things, Plaintiff and Class Members
19 had no meaningful choice in determining these time limitations, the terms of which unreasonably
20 favored Tesla. A gross disparity in bargaining power existed between Tesla and the Class Members
21 because Tesla knew or should have known that the Class Vehicles were defective at the time of sale and
22 would fail well before their useful lives.

23 132. Plaintiff and the Class Members have complied with all obligations under the warranty,
24 or otherwise have been excused from performance of said obligations as a result of Tesla's conduct.

COUNT VII

BREACH OF CONTRACT/COMMON LAW WARRANTY

(Under California Law)

(On Behalf of the Nationwide Class or, Alternatively, the California Class)

133. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph as though fully set forth at length herein.

134. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

135. Tesla was at all relevant times the manufacturer, distributor, warrantor, and/or seller of the Class Vehicles. Tesla knew or had reason to know of the specific use for which Plaintiff and the Class purchased the Class Vehicles.

136. Tesla provided Plaintiff and the Class Members with an implied warranty that the Class Vehicles and any parts thereof are merchantable and fit for the ordinary purposes for which they were sold. However, the Class Vehicles are not fit for their ordinary purpose of providing reasonably reliable and safe transportation at the time of sale or thereafter because, *inter alia*, the Class Vehicles suffered from a Suspension Defect at the time of sale. Therefore, the Class Vehicles are not fit for their particular purpose of providing safe and reliable transportation.

137. Tesla impliedly warranted that the Class Vehicles were of merchantable quality and fit for such use. This implied warranty included, among other things: (i) a warranty that the Class Vehicles were manufactured, supplied, distributed, and/or sold by Tesla were safe and reliable for the purpose for which they were installed in the vehicles; and (ii) a warranty that the Class Vehicles would be fit for their intended use while being operated.

138. Contrary to the applicable implied warranties, the Class Vehicles at the time of sale and thereafter were not fit for their ordinary and intended purpose of providing Plaintiff and the other Class Members with reliable, durable, and safe transportation. Instead, the Class Vehicles suffer from the Suspension Defect.

139. Tesla's actions, as complained of herein, breached the implied warranty that the Class Vehicles were of merchantable quality and fit for such use.

COUNT VIII

COMMON LAW FRAUDULENT CONCEALMENT

(Under California Law)

(On Behalf of the Nationwide Class or Alternatively, the California Class)

140. Plaintiff and the Class incorporate by reference each preceding and succeeding paragraph as though fully set forth at length herein.

141. Plaintiff brings this claim on behalf of himself and on behalf of the Members of the Nationwide Class and the California Class.

142. Tesla made material omissions concerning a presently existing or past fact. For example, Tesla did not fully and truthfully disclose to their customers the true nature of the inherent defect of the Class Vehicles, which was not readily discoverable until years later. As a result, Plaintiff and the other Class Members were fraudulently induced to lease and/or purchase the Class Vehicles with the said defect and all of the resultant problems.

143. Tesla made these representations with knowledge of their falsity, and with the intent that Plaintiff and the Class Members rely on them.

144. Plaintiff and the Class Members reasonably relied on these omissions and suffered damages as a result.

X PRAYER FOR RELIEF

WHEREFORE, Plaintiff, individually and on behalf of all members of the Class similarly situated, respectfully request that this Court:

- A. determine that the claims alleged herein may be maintained as a class action under Rule 23 of the Federal Rules of Civil Procedure and issue an order certifying one or more Classes as defined above;
- B. appoint Plaintiff as the representatives of the Class(es) and their counsel as Class counsel;
- C. award all actual, general, special, incidental, statutory, punitive, and consequential damages and restitution to which Plaintiff and the Class Members are entitled, except that as to Plaintiff's cause of action for violation of the Consumer Legal Remedies Act, Plaintiff seeks only equitable relief at this time;

- 1 D. award pre-judgment and post-judgment interest on such monetary relief;
- 2 E. grant appropriate injunctive and/or declaratory relief and public injunctive relief,
- 3 including, without limitation, an order that requires Tesla to repair, recall, and/or replace
- 4 the defective suspension components of the Class Vehicles and to extend the applicable
- 5 warranties to a reasonable period of time, or, at a minimum, to provide Plaintiff and Class
- 6 Members with appropriate curative notice regarding the existence of the Suspension
- 7 Defect;
- 8 F. award reasonable attorneys' fees and costs; and
- 9 G. grant such further relief that this Court deems appropriate.

10 Dated: November 20, 2020

Respectfully submitted,

MCCUNE WRIGHT AREVALO, LLP

By: /s/ David C. Wright

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22 JURY DEMAND

23 Plaintiff hereby demands a trial by jury on all issues so triable.

24 Dated: November 20, 2020

Respectfully submitted,

MCCUNE WRIGHT AREVALO, LLP

By: /s/ David C. Wright

David C. Wright

Counsel for Plaintiff and the Putative Class