

ANALYSIS OF 4/17/2012 LETTER FROM GLEN TAN

I still remember how my blood boiled when I received this letter. Never in my life had I received anything like it. I was just trying to get my warranty honoured, and this letter was so nasty and mean. Clearly, this was war. A couple of points:

- He states

“your motives are indeed malicious rather than noble”.

I just want my car fixed under warranty, but if he feels it is malicious, so be it. Yes, I can be quite assertive when I am right, but after receiving this letter, it is clear that I have to step this up a notch. It was now that I first decided that I would pursue this until the very end. Unfortunately, we are still nowhere near that point.

- He states

“instead of considering the same to be a legitimate customer complaint of a vehicle we can conclude from the contents thereof that you meant to spread untruthful and inaccurate statements, intending to insult and maliciously impute fraud and dishonesty on a respectable business person and his companies”.

Seriously? This guy thinks that this has nothing to do with my car and I just have nothing better to do with my time than initiating an expensive dispute with a multinational company. HOW ABOUT YOU FIX MY F.....ING CAR, INSTEAD OF PICKING A FIGHT THAT YOU WILL LOSE.

- He wants me to apologize or he will initiate a criminal complaint. If I am sure of only one thing in this dispute, it is this; if there is ever an apology given, it will be given TO ME by either Glen Tan, Motor Image, Subaru, or all three.

ARCINAS & ARCINAS

ATTORNEYS-AT-LAW

April 17, 2012

MR. JULIAN COHEN

Triboa Bay, Villa 6,
Subic Freeport, 2222

Dear Mr. Cohen,

Your letter of April 2, 2012 addressed to our client, **MR. GLENN TAN**, as executive director of Tan Chong International, came to his attention for the first time on April 12, 2012, when your letter of April 9, 2012 with the former letter attached thereto was received by Motor Image Pilipinas, Inc. at its Greenhills, San Juan office. Upon checking with the other executives of Fuji Heavy Industries Ltd. in Japan, we confirmed that these officers, in fact, received your letter to Mr. Tan before the addressee had a chance to read the same. Seemingly therefore, with those facts plus your threat to further distribute the said letter to other media practitioners, it would not be hard to believe that your motives are indeed malicious rather than noble.

With the foregoing in mind, much to our regret, instead of considering the same to be a legitimate customer complaint of a vehicle, we can conclude from the contents thereof that you meant to spread untruthful and inaccurate statements, intending to insult and maliciously impute fraud and dishonesty on a respectable business person and his companies; to malign his reputation and damage his image which tends to cause him dishonor, discredit and contempt before the international business community, specifically in Japan and the other car dealerships in this country.


It is unfortunate that before you wrote and published your letter, you failed to ascertain your facts about whom to address and channel your complaint about a car you apparently purchased from a third party (who, based on records, did not properly and regularly maintain the vehicle but nevertheless misrepresented to you the opposite) and thereafter was serviced by a company our client neither represents, nor is in any way connected with. Instead, you chose to insult; impute dishonesty and fraud and malign the reputation of our client and his companies who never knew you from Adam nor were given the chance to address your grievances.

Be that as it may, the damage to his reputation has been done and the need for you to take immediate steps to apologize and compensate him for the lies and insults you chose to spread and publish, perhaps in the hope of extorting payment of imaginary damages from him and his companies in the guise of a legitimate customer complaint.

Should you fail within five (5) days from receipt hereof to take steps to retract your defamatory statements; apologize in writing to our client and make arrangements to compensate him for the damage to his reputation you have caused, we shall commence criminal complaints against you for maligning the reputation and well-being of our client and maliciously imputing dishonesty and fraud, discrediting him and his companies before the international business community; local dealerships and their customers.

Trusting that you will be more prudent and less impulsive in accusing individuals who should not be blamed for your grievances.

Yours faithfully,


JOSE MA. R. ARCINAS
For the Firm

cc: Client

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