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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

RONALD BIANCHI AND DEBRA BIANCHI,)
on behalf of themselves and all others similarly)
situated,)
)
Plaintiffs,)

v.)

Civil Action No.: _____

SAMSUNG ELECTRONICS AMERICA, INC.)
AND SAMSUNG ELECTRONICS CO., LTD.)
)
Defendants)

**CLASS ACTION COMPLAINT
DEMAND FOR JURY TRIAL**

CLASS ACTION COMPLAINT

Ronald Bianchi and Debra Bianchi (together, “Plaintiffs”) on behalf of themselves and all others similarly situated (the “Class” or “Class Members”), by and through counsel, bring this

action against Defendant Samsung Electronics America, Inc. (“SEA”) and Samsung Electronics Co., Ltd. (“SEC”). Defendants are collectively known as “Samsung.” Plaintiffs’ allegations are based upon personal knowledge as to their own acts and experiences, the investigation of counsel, and upon information and belief as to all other matters.

IDENTIFICATION OF PARTIES
(Local Rule 10.1)

1. The names and addresses of the parties to this action are (a) Ronald Bianchi and spouse Debra Bianchi, 5065 South Links Circle, Suffolk, Virginia 23435, (b) Samsung Electronics America, Inc., a corporation of the State of New York, with a principal place of business at 85 Challenger Road, Ridgefield Park, New Jersey 07669, and (c) Samsung Electronics Co., Ltd., formed under the laws of the Republic of Korea and with a principal place of business located at 85 Challenger Road, Ridgefield Park, New Jersey 07669.

INTRODUCTION

2. Plaintiffs represent a proposed class of thousands of consumers who owned and used residential refrigerators with French Door External Dispenser built-in-door ice makers (also known as “ thru-door” ice makers) (the “Ice Makers”) which are set into a “cut-through” in the refrigerator door. The refrigerators, designed and manufactured by Samsung, and sold under the Samsung brand name, include French doors for the upper fresh food compartment and pull-out drawers for the freezer compartments, as well as the external dispenser built-in-door ice makers which are the subject of this lawsuit. These refrigerators (the “Class Refrigerators”) are defective in a number of ways, including but not limited to, defects that affect the built-in-door Ice Makers which results in leaking and slush, over-freezing in the ice compartment, water leakage from the ice house to below the refrigerator crisper trays, fan noise from an over-iced compartment, and

“freezing up” (collectively “the Defects”). The Defects are identified in a technical service bulletin issued by Samsung on July 17, 2015 (“TSB 2015”).¹

Samsung’s TSB 2015 contains the following list of customer complaints, recommended consumer repairs, and Samsung-identified model numbers, including but not limited to RF23HCEDB, RF23HCEDT, RFH23HSESB, RF23HTEDB, RF23J9011, RF24FSEDB, RF25HMEDB, RF263BEAE, RF263TEAE, RF26J7500, RF28HDEDB, RF28HDEDT, RF28HFEDB, RF28HFEDT, RF28HFPDB, RF30HDEDT, RF31FMEDB, RF31FMESB, RF323TEDB, RF32FMQDB, RF34H9950, RF34H9960, ALL COLORS, which list is not exhaustive of the Samsung Class Refrigerators at issue. A sample of customer complaints includes one or more of the following symptoms

1. Ice crystals and water droplets form at the bottom of the ice maker. Slushy Ice
2. Water under the crispers or running down the left side wall due to a gap in the ice room.
3. Fan noise that stops when FF door is opened due to ice in ice room fan duct.
4. The ice bucket is stuck and will not come out (possible clogged drain).

See Exhibit 1.

3. The Defects in the Ice Makers identified in TSB 2015 require the consumers’ hands-on maintenance and repair, with no offer of repair or replacement from Samsung. When an Ice Maker ices over and ceases to function, continual hands-on maintenance is required; without it, the Ice Maker fails completely and is simply unusable.

4. Not only by virtue of the Samsung technical service bulletin referenced above, but also by virtue of numerous consumer complaints, Samsung has known of the Defects in the Class Refrigerators for years and has taken no action to repair or replace the defective Ice Makers or the

¹ Samsung Service Bulletin No. ASC20150717001: French Door Refrigerators dated July 17, 2015. *See Exhibit 1.*

Class Refrigerators. A large number of consumer complaints regarding the Defects continue to this day.

5. Samsung's conduct violates well-established contract, tort, and consumer protection laws of Virginia and other states.

6. Plaintiffs Ronald Bianchi and Debra Bianchi bring this suit on behalf of themselves and other similarly-situated consumers. They seek damages and appropriate equitable relief, including an order enjoining Samsung from selling refrigerators with these defective Ice Makers.

PARTIES

7. Plaintiffs Ronald and Debra Bianchi are citizens and residents of Suffolk, Commonwealth of Virginia.

8. Defendant SEA is a New York corporation that maintains its principal place of business at 85 Challenger Road, Ridgefield Park, New Jersey 07669.

9. Defendant SEC is a corporation formed under the laws of the Republic of Korea and conducts substantial business at the SEA headquarters at 85 Challenger Road, Ridgefield Park, New Jersey 07669.

JURISDICTION AND VENUE

10. This Court has original jurisdiction pursuant to the Class Action Fairness Act, 28 U.S.C. § 1332(d), because (a) at least one member of the proposed class is a citizen of a state different from Samsung, (b) the amount in controversy exceeds \$5,000,000, exclusive of interest and costs, (c) the proposed class consists of more than 100 members, and (d) none of the exceptions under this subsection apply to this action.

11. The Court has personal jurisdiction over the parties because Defendants each conduct substantial business in New Jersey, have had systematic and continuous contacts with New Jersey, and have agents and representatives in New Jersey.

12. Venue is proper in this District under 28 U.S.C. § 1391 because a substantial part of the events giving rise to the claims occurred in and emanated out of this District. Defendants' conduct has injured putative Class Members in this District. Defendant SEA transacts business and maintains a principal place of business within this District. Accordingly, this Court has jurisdiction over this action and venue is proper in this Judicial District.

13. The Federal Courthouse located in Newark, New Jersey is the proper vicinage for this matter because SEA has its principal place of business in Ridgefield Park, New Jersey.

PLAINTIFFS' EXPERIENCE

14. On September 29, 2014, Ronald and Debra Bianchi, who reside in Suffolk, Virginia, purchased a new Samsung 22.5 cu. foot French Door Refrigerator with an external built-in ice maker online from a Home Depot in Fairfax, Virginia at a purchase price of \$2,536.66. The model number of the refrigerator is RF23HCEDBWW/AA and serial number is 065X43AF800007R.

15. Below is a web shot, of the 2014 specifications sheet for the Bianchi refrigerator (page 1). The complete specifications sheet is attached as Exhibit 2.

RF23HCEDBSR

22.5 cu. ft. Counter-Depth French Door Refrigerator with Cool Select Pantry™

Features

- 3-Door Counter-Depth Design
- Large Capacity – 22.5 cu. ft.
- Twin Cooling Plus™
- ENERGY STAR® Compliant
- Ice Master Ice Maker in the Refrigerator
- CoolSelect Pantry™ with Temperature Control
- Premium External Filtered Water and Ice Dispenser
- High-Efficiency Top and Side LED Lighting
- EZ-Open Handle™ on Freezer Door
- Adjustable Shelf for Tall Oversized Items
- Two Humidity-Controlled Crispers
- Tempered Glass Spill-Proof Shelves
- Auto Pull-Out Upper Freezer Drawer
- Easy-to-Access Water Filter

Convenience

- Cool Tight Door
- Door Alarm
- Water Filter Indicator



ENERGY STAR® Rated:
699 kWh/yr



Ice Master



CoolSelect Pantry™ with Temperature Control

Available Colors



Stainless Steel



White



Black

Signature Features

SLEEK, BUILT-IN LOOK

- Stylish, counter-depth design allows for more work space in the kitchen.
- Sleek, built-in look enhances overall kitchen design.

TWIN COOLING PLUS®

- Keeps food fresher longer – Twin Cooling Plus humidity levels up to 3.6x higher than single cooling.
- Refrigerator air is kept at higher, near commercial grade humidity levels to keep perishable fruits and vegetables fresher longer.
- Drier freezer air means less freezer burn for better-tasting frozen foods.

ICE MASTER

- Our Ice Master makes 5.2 lbs. of ice per day with storage for nearly 2.7 lbs.
- Space-saving design leaves more room in the refrigerator.

COOL SELECT PANTRY™

- Provides additional temperature control for your food storage needs with Deli, Fresh and Chilled options.



Ranked "Highest in customer satisfaction with French Door refrigerators, in a tie."*

– J.D. Power

SAMSUNG

http://pdf.lowes.com/dimensionsguides/887276966106_meas.pdf; website last visited on February 17, 2017.

16. During the week prior to the Bianchis' purchase of their Samsung French Door External Dispenser Refrigerator, Ronald Bianchi did extensive internet research to find a refrigerator that would not only be of high quality, but also fit properly in the Bianchis' kitchen counter area. His research revealed that an LG model and the Samsung refrigerator at issue were the top two high-end refrigerators with the highest survey ratings and that also met the Bianchis' kitchen counter spacing requirements. Another selling point for the Bianchis, discovered online at the time of Mr. Bianchi's research, was Samsung's marketing touting that the ice maker in their 22.5 cubic foot Samsung French Door External Dispenser refrigerator "Ice Master" ice maker would make up to 5.2 pounds of ice per day. See http://pdf.lowes.com/dimensionsguides/887276966106_meas.pdf; website last visited on February 17, 2017.

17. In addition, the Bianchis spoke with a sales person at Home Depot where they made the purchase who likewise recommended both the LG and Samsung models that Mr. Bianchi had identified in his internet research.

18. The Bianchis chose to purchase the Samsung model because it was on sale at Home Depot at what Plaintiffs believed was a substantial savings. Had they known of the Defects, however, the Bianchis would have chosen the LG brand unit that online descriptions and reviews indicated to be a quality choice, and that also fit their kitchen spacing needs.

19. Below is a photograph of the Samsung French Door Refrigerator the Bianchis purchased.



20. On July 17, 2015, Samsung published TSB 2015 regarding the Defects, which includes ones specific to the Bianchis' refrigerator - defects with the ice room, ice maker, and fan in the ice room. The Bianchis were never notified of the bulletin by Samsung or any of its agents. The Bianchis' refrigerator was still under the one-year manufacturer warranty at this time.

21. In January of 2016, not long after the refrigerator/ice-maker's one-year warranty expired, the Bianchis' ice maker began experiencing water buildup in the exit chute within the door of the refrigerator where the ice maker is located; water would leak into the ice access area in the refrigerator door, filling the reservoir at the base of the cutout in the door. Following this,

the Bianchis' ice maker fan began to emit loud, jarring noises. These defects are the same as those listed in TSB 2015.

22. On or about January 28, 2016 Mr. Bianchi made a call for service. A technician with Virginia Electronics inspected the ice maker (the noise had stopped by this time) who reported that the fan was frozen shut and that the noise was caused by the fan hitting the over-iced ice maker. He then showed Mr. Bianchi how to defrost the ice maker, loosen the ice for removal, take out screws, and the technique for removing the ice maker along with its "auger motor." With the ice make and auger motor set aside to defrost, the technician then showed Mr. Bianchi how to defrost the ice buildup inside the ice hose/drain using a hair dryer or space heater. The technician further reported that the ice maker was defective and un-fixable. The bill for the service call was \$125.00.

23. Despite this repair, the Bianchi's ice maker continued to ice over and not function. Mr. Bianchi found further information on-line TSB 2015 for potential fixes. In keeping with what the technician advised, and also with these additional recommendations in TSB 2015, Mr. Bianchi continued to defrost and dry the ice maker and ice house once every week or two to clear out slush and ice overflow buildup.

24. In addition, Mr. Bianchi sealed the ice floor room and liner with epoxy, as advised by a technician from "Geek Squad," in an effort to prevent further leaking from the ice-maker.

25. In spite of the epoxy fix, in February of 2016, the Bianchis' refrigerator experienced ice water dripping into the area below the refrigerator deli trays/crispers. On April 24, 2016, after finding a blog online that addressed the leaking, *See* blog repair recommendations at <http://www.theinvisibleblog.com/2016/08/fixing-samsung-ice-maker.html>; website last visited on February 17, 2017, Mr. Bianchi ordered a field repair kit from Sears at a cost of \$43.87 and

attempted to make the field kit repair. During the twelve weeks from the initial water leaks under until repair, the collected water required daily, and sometimes twice daily, water cleanup.

26. In April 2016, Mr. Bianchi replaced the ice maker with the same model of slide-in ice maker as the one originally installed. The replacement ice maker was purchased at Sears and cost \$141.94. Below are two photographs of the replacement ice maker. The replacement ice maker had and has the same problems, which continue to this day.

27. Below are photos of the replaced ice maker.





28. On October 14, 2016, after even more research on how to fix the new ice maker, Mr. Bianchi replaced the main circuit board. The new part was ordered from AppliancePartPros.com in Louisville, Kentucky at a cost of \$124.02. The new circuit board did not resolve any of the problems identified herein or otherwise.

29. The ice maker continues to require hair-dryer heating to remove the ice maker and auger motor and manual defrosting of ice buildup every one to two weeks. The process requires defrosting and removing the ice maker and auger motor, defrosting the ice build-up in ice house, and defrosting the refrigerator for approximately 25 minutes, an operation takes two to three hours. In approximately December of 2016, the Bianchis turned off their ice maker and started purchasing

10-pound bags of ice for home use rather than continue with expenditures and labor in a futile effort to repair their defective ice maker.

FACTUAL ALLEGATIONS

30. Samsung is one of the world's leading manufacturers, designers, and marketers of refrigerators and other appliances.

31. Upon information and belief, Samsung has worked to earn a reputation for selling premium products, both through its marketing efforts and by manufacturing consistently high quality and versatile goods. Consequently, consumers are frequently willing to pay more for Samsung products than for the products offered by competitors, even when those products have similar features. Consumers have come to expect that Samsung-branded products will be of particularly high quality, durability, and reliability.

32. Among Samsung's products are the high-end French Door refrigerators with external dispenser built-in ice makers, including the Class Refrigerators. The Class Refrigerators are sold through major retail stores such as Best Buy and Home Depot at premium prices in the range of \$1,000 to \$4,000.

33. The National Association of Home Builders reported in a 2007 study, conducted with Bank of America Home Equity, that the life expectancy of a refrigerator is 13 years. In the Appliance Market Research Report from June 2011 called "U.S. Appliance Industry: Market Value, Life Expectancy & Replacement Picture 2011", the UBM Canon Company—a global provider of media and information services for the manufacturing industries—concludes that the low to high life expectancy of a standard refrigerator is 10-16 years. The Plaintiffs' Class Refrigerator only lasted 15 months until it developed an unfixable defect in the ice maker.

34. Samsung was fully aware of the Defects covered in TSB 2015, a document which would have taken significant time and resources to develop prior to its issuance on July 17, 2015. Samsung has long known that the TSB 2015 “fixes” are not effective given repeated consumer complaints of the Defects and of their multiple failed attempts at repair. Rather than disclose the Defects and repair them, or replace the Class Refrigerators, or recall the Class Refrigerators as Samsung should have, Samsung made a conscious decision to ignore the problem at the expense of its customers. Despite Samsung’s significant and exclusive knowledge of the Defects, it fraudulently concealed the Defects and prevented reasonable consumers from discovering them until such time as the Defects manifested to the individual owners.

35. Before placing its Class Refrigerators into the stream of commerce, Samsung had actual knowledge that they contained the Defects and created an unreasonable risk of property damage and product failure.

36. Upon information and belief, Samsung should have been aware of these defect due to the number of requests for warranty service detailing the same defects suffered by Plaintiffs. The Samsung Authorized Service Centers and Global Service Partnership Network (“GSPN”) Service Center maintains detailed records of the complaints, model and serial numbers, and details of the work performed on the Class Refrigerators in an attempt to correct the problems. In addition, upon information and belief, Samsung utilizes “Service Bench” online software to track warranty claims, which provides Samsung with the ability to mine data for strategic information about its products and the nature of repair claims. Consequently, Samsung should have been aware of the large number of similar, repeat complaints received regarding specific Class Refrigerators and their external dispenser ice makers and the failure over and over again of attempted repairs of the Defects.

37. Samsung's actions related to designing, testing, manufacturing, selling, distributing, and warranting the Class Refrigerators have caused Plaintiffs and other putative Class Members to suffer property loss, financial harm, loss of use, and other damages.

38. The following is a representative sampling of consumer complaints regarding the Defects in external dispenser ice makers in Samsung French door refrigerators that pre-date the Bianchis' purchase of their refrigerator in September 2014.²

•Rajiv of Pearland, TX on Oct. 31, 2011

Satisfaction Rating

My Samsung French door refrigerator Rf267AERS started making fan noise and frost build up exactly one year after I purchased. So, it won't be covered under warranty. I called the customer service, who were glad to forward me the service company phone number and made sure I realized I will have to pay the bills. I wish I have read these complaints before spending over \$2,000 for a high end refrigerator that will need services right after the one year warranty period.

Helpful?YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=63; website last visited on February 14, 2017.

•Doug of Orinda, CA on Sept. 14, 2012

Satisfaction Rating

We purchased a Samsung (Mod RF267AB) French door refrigerator, and within 18 months, we had issues with water pooling in the pan under the deli pullout drawer. Since we had an extended warranty through Lowe's, we had it "fixed". Since that time, the same problem has been "fixed" two more times with no success. (Each visit has been a different repair guy, so no commonality there.) The last time, the technician also adjusted the level and tilted the fridge back saying that may help it drain! Starting yesterday, the upper cooling fan has begun growling. I need to call Lowe's service to get them out again, and of course, it's also not draining again. When we originally researched the unit, we consulted the leading consumer products reporting magazine's article on refrigerators at the time where it was a top rated model along with the GE model we looked at, which apparently was the same one manufactured by Samsung for GE. I'm very disappointed by this experience and also by the ratings assigned by the consumer magazine.

² These complaints include only those specifically identifying defects in a Samsung French Door external dispenser ice maker and do not include numerous other complaints that only generally refer to Samsung ice makers.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=58

•**Jean of Pueblo West, CO on Oct. 22, 2012**

Satisfaction Rating

We purchased this Samsung French Door Refrigerator RF26VABWP in July of 2009 because we thought it was a superior product. Wrong! It was fine until March of this year and then to the tune of \$200 we had to have the repairman defrost the fan, etc. because it was so noisy. And then I discovered the water was leaking inside the refrigerator under the crisper trays. We thought the problem was solved until May of this year when we discovered ice forming under the crisper trays. Another service call to the tune of \$200. And then in July, I discovered a repeat of the same problem. Previously when I called Samsung, I was told that if it happened again, they would do something.

After 10 calls and faxing information twice, I was told that nothing could be done and that refrigerators only lasted 5 to 9 years anyway. I doubt they would want to pay \$200 every three months to keep their refrigerator running properly and I also doubt that they replace their own refrigerator that often. Every time you call, you have to give the model number, your name and phone number and then be referred to the executive customer service and repeat the same information. Usually there isn't a supervisor that you can talk to and so you have to call back again and go through the entire thing again. My opinion is that if you have to do this enough times, you finally give up and go away! What a poor recommendation for a company so well known!

He

*lpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=58

•**Carrie of Branchville, SC on Dec. 11, 2012**

Satisfaction Rating

After paying for months for a new refrigerator, which was over \$2,500, which is a lot of money to me, after about a year, it started making a noise. I called Samsung for them to tell me that a service tech would come out, but that was not covered under warranty and I did not buy the extended warranty. Well, after I spent that much money, I didn't think I needed to spend additional amount for an extended warranty. Was I wrong? Another \$300 for some 18-year-old kid to just switch out a motor. Here we are 11 months later with the same problem, mainly because the first technician didn't fix it right the first time. It constantly freezes up, and water is under the vegetables bins. What a lemon. People, do your homework and never buy a Samsung refrigerator! This one had the ice and water on the outside and the French doors. I was really upgrading, and I had to make payments. Samsung couldn't care less!

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=57

•**Ed of Vista, CA on Dec. 24, 2012**

Satisfaction Rating

I bought a new fridge five days ago, with a lower freezer, model RF4287HARS. It was plugged in by the delivery tech and set to specific settings. The same day, water began to build in the vegetable bin. We cleaned it and shortly afterwards, moisture was building up. Samsung is lame at acknowledging fault and the extended warranty is quick to remind me that the manufacturer warranty is in effect. I will drop this pretty, but lame product made by Samsung, in the store today.

Helpful?YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=57

•**Roger of Mechanicsburg, PA on Feb. 17, 2013**

Satisfaction Rating

I have the Samsung RF267AEBP purchased from Sears (\$2,100+) 01/02/2011. Shortly after the basic 1-year warranty ran out, the unit began routinely freezing up due to the "known" failure of the defrost cycle and/or heating coils and sensors malfunctioning. When the ice builds up over time, it locks up the fan motor from the glacier of ice (sounds horrible like a screech owl). Like others on this post and all over the Internet, I have to force the RF267AEBP into a manual defrost; when the ice melts, it fills the space under the Deli/Crisper drawer with water.

The first time this happened, we did not realize that the ice could not drain normally due to a defective drain (Note: The defrost water drain has been reported to be too short to drain properly after the refrigerator goes through a defrost cycle). So, after turning the unit back on, the backed up water that pools under the Deli/Crisper drawer freezes into a solid two feet by one inch sheet of ice! Not knowing what was going on, we could not get the Deli/Crisper opened without pulling very hard on it and that brought the entire sheet of ice out and onto the kitchen floor, creating one big dangerous mess!

Now, the ice maker is making loud clicking and banging sounds, and the ice maker has malfunctioned too with inconsistent delivery of odd sized ice cubes (more like chunks of ice) and it, too, now freezes up. We have regularly replaced the filter (@ \$30+ each) that does basically nothing but filter water for the ice maker and the water dispenser. This has been the most frustrating and expensive major appliance ownership experience I have ever had with a major appliance in over 40+ years of home ownership.

Samsung, you should provide us customers that have suffered through the purchase and repair of this "known" defective refrigerator full refunds for these "known" manufacturer defective refrigerators and/or provide a totally brand new replacement of equal value regardless of the

customer's choice. This is an expensive major appliance and we should not be having these problems that are clearly a quality control problem of widespread proportions. If I am not contacted by your warranty and customer relations department with a satisfactory resolution, I will be forced to sign on to the class action suit and add my model to the long and growing list of models already posted on the website. I will also have my day in small claims court for not just the cost of the defective refrigerator, but also for the spoiled food cost of replacement, labor and repair cost, and my lost work/wages due to having to take off work to deal with the overall malfunctioning of your Samsung RF267AEBP.

By the way, my paperwork from Samsung that came with my refrigerator clearly states, "Your Satisfaction is Samsung's # 1 Priority - Do not return to store." Well, Samsung, here is your opportunity to step up and simply do the right thing, especially since you are on record claiming that my satisfaction is Samsung's #1 priority.

Helpful? YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=56

•Debra of Corpus Christi, TX on June 7, 2014

Satisfaction Rating

Samsung rf267 series - I purchased a 3000 dollar piece of junk. It work fine for a year and then hell broke loose. Water started to build up under the crisper and stop making ice, water leaking in ice maker. I spend hundreds of dollars to repair it and still doing the same thing. I will never purchase anything with the Samsung name on it.

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=45

•Samsung French Door Refrigerator is NO GOOD

mmogimoto

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Published on Apr 3, 2013

We notified Samsung about the "through-the-door" ice maker failure months ago with no resolution (the original ice make was replaced within the first month of operation). I cannot believe we have to use a hair dryer to defrost the damn ice maker. I may post a sign in the front yard asking for a thief to steal it (including money for gas). We are done with Samsung.....kinda rhymes doesn't it.....?? If you have a Facebook page, please post as a "DISLIKE SAMSUNG"

<https://www.youtube.com/watch?v=U9CMXNHArqgl>; website last visited on February 16, 2017.

•**Samsung French Door Refrigerator Problems**



Appliance Princess

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45,814 views

Published on Dec 19, 2013

“I want to know about Samsung french door refrigerator problems.

Well, you sound like you want to know what sorts of things cause problems with this brand of refrigerators.

Yes, you are brilliant. I think that is what I just said.

OK, I think I could shed some light on this matter for you. There have been several consumers reporting Samsung French door refrigerator problems.

Oh please, do tell.

It seems like by far the most problems associated with Samsung french door refrigerators have to do with the ice maker. Many consumer complaints regard the ice maker along with a whole host of other complaints.

Some of the complaints regard the ice maker dispensing water slowly, and also the ice maker not functioning as required. These are some of the most common complaints in regard to Samsung refrigerators.

That is fairly disheartening. Are these refrigerator problems commonplace, or are they a rarity?

Unfortunately these problems are all too common with Samsung french door refrigerators. They tend to have lots of freezer problems.

In addition even though the language of the owners manual say that the refrigerators are warrantied for six months, when customers call Samsung they are told that the parts are only under warranty for 30 days.

That is outrageous when you consider that the refrigerators generally cost a thousand dollars, or close to it!

I would agree with that. I think you may want to consider another refrigerator brand.

Well, I am thankful that I have a friend like you, to keep me from making a mistake.

You are welcome, and by the way, if you are so inclined I could use a few bucks.

I'll see what I can do, Samsung refrigerator guru. Sometimes good advice is worth paying for.”

<https://www.youtube.com/watch?v=kIGltraIAwY>; website last visited on February 4, 2017.

39. Attached as Exhibit 3 is a further representative sampling of consumer complaints regarding Class Refrigerators and the Defects that post-date the purchase of the Bianchis' refrigerator/ice maker at issue.

CLASS ACTION ALLEGATIONS

40. Plaintiffs bring this action both individually and as a class action pursuant to Fed. R. Civ. P. 23(a), 23(b)(2), and 23(b)(3) against Samsung on behalf of themselves and a National Class and Virginia State Class (collectively the "Class" or the "Classes") as defined below.

National Class:

During the fullest period allowed by law, all persons in the United States who purchased or otherwise acquired a Samsung designed and/or manufactured refrigerator with an external dispenser built-in ice maker for personal, family, or household purposes having the Defects and who have incurred property damage and/or loss of use and/or loss of the benefit of the bargain as a result of the Defects.

Virginia Class

During the fullest period allowed by law, all persons in the United States who purchased or otherwise acquired in the Commonwealth of Virginia a Samsung designed and/or manufactured refrigerator with an external dispenser built-in ice maker primarily for personal, family, or household purposes having the Defects and who have incurred property damage and/or loss of use and/or loss of the benefit of the bargain as a result of the Defects.

41. **Excluded from the proposed Classes are:** (a) any Judge or Magistrate presiding over this action and members of their families; (b) Samsung and any entity in which Samsung has a controlling interest, or which has a controlling interest in Samsung; (c) the officers and directors

of Samsung; (d) Samsung's legal representatives, assigns, and successors; and (e) all persons who properly execute and file a timely request for exclusion from the Classes.

42. **Numerosity:** While the exact number of the class members cannot yet be determined, the Classes consist, at a minimum, of thousands of people throughout the United States and Virginia, such that joinder of all members (the "Class Members") is impracticable. The exact number of Class Members can readily be determined by a review of information maintained by Samsung.

43. **Commonality:** Common questions of law and fact exist as to all of the Class Members. Among the common questions of law and fact are:

- a. Whether Samsung's Class Refrigerators were defectively designed, manufactured, marketed, distributed, and sold;
- b. When Samsung first became aware or should have become aware that its Class Refrigerators were defectively designed and/or manufactured;
- c. Whether the existence of the Defects in the Class Refrigerators is a material fact that reasonable purchasers would have considered in deciding whether to purchase a refrigerator;
- d. Whether Samsung knowingly concealed the defective nature of the Class Refrigerators;
- e. Whether Samsung intended that consumers be misled;
- f. Whether Samsung intended that consumers rely on its non-disclosure of the Defects in the Class Refrigerators;
- g. Whether Samsung misrepresented the durability and usefulness of the Class Refrigerators;
- h. Whether, by the misconduct set forth herein, Samsung violated consumer protection statutes and/or false advertising statutes and/or state deceptive business practice statutes;
- i. Whether the Class Refrigerators are of merchantable quality;

- j. Whether, by the misconduct set forth herein, Samsung violated express and implied warranty statutes;
- k. Whether Samsung's false and misleading statements of material facts regarding the Class Refrigerators were likely to deceive the public;
- l. Whether consumers have suffered an ascertainable loss;
- m. The nature and extent of damages and other remedies entitled to the Class;
- n. Whether the Class Ice Makers designed and manufactured by Samsung pose any material defect;
- o. Whether Samsung knew, or should have known, that the Class Refrigerators contained the Defects when it placed the refrigerators with the Defects into the stream of commerce;
- p. Whether Samsung concealed the Defects from consumers;
- q. Whether the Class Refrigerators are likely to fail before the end of their reasonable expected lives;
- r. Whether Samsung breached warranties relating to Samsung Class Ice Makers by failing to recall, replace, repair, and/or correct the Defects;
- s. Whether Samsung breached implied warranties of merchantability relating to the Class Refrigerators;
- t. Whether Samsung misrepresented the characteristics, qualities, and capabilities of the Class Refrigerators;
- u. Whether Samsung omitted, concealed from and/or failed to disclose in its communications and disclosures to Plaintiffs and Class Members material information regarding the Defects;
- v. Whether Samsung failed to warn consumers regarding the Defects in its Class Refrigerators;
- w. Whether Samsung made fraudulent, false, deceptive, misleading, and/or otherwise unfair and deceptive statements in connection with the sale of the Class Refrigerators in its refrigerator literature and on its website, including those relating to standards, use, and reliability and otherwise engaged in unfair and deceptive trade practices pertaining to the refrigerators;
- x. Whether Samsung was unjustly enriched as a result of selling the Class Refrigerators;

- y. Whether Samsung should be ordered to disgorge all or part of its profits it received from the sale of the Class Refrigerators;
- z. Whether Plaintiffs and Class Members are entitled to damages including compensatory, exemplary, and statutory damages and the amount of such damages;
- aa. Whether Plaintiffs and Class Members are entitled to repair and/or replacement of their respective Class Refrigerators;
- bb. Whether Plaintiffs and Class Members are entitled to equitable relief, including an injunction requiring Samsung to engage in a recall of the Class Refrigerators; and
- cc. Whether Plaintiffs and Class Members are entitled to an award of reasonable attorneys' fees, pre-judgment interest, post-judgment interest, and costs.

44. **Typicality:** Plaintiffs have substantially the same interest in this matter as all other proposed Class Members and their claims arise out of the same set of facts and conduct as all other Class Members. Plaintiffs and all Class Members own or owned a Class Refrigerator designed and/or manufactured by Samsung with the uniform Defects that make the refrigerators defective upon purchase and causes them to fail within their expected useful lives. All of the claims of Plaintiffs and Class Members arise out of Samsung's placement into the marketplace of refrigerators with ice makers that Samsung knew were defective and caused property damage and other losses to consumers and from Samsung's failure to disclose the Defects. Also common to Plaintiffs' and Class Members' claims is Samsung's conduct in designing, manufacturing, marketing, advertising, warranting, and/or selling the Class Refrigerators, Samsung's conduct in concealing the Defects, and Plaintiffs' and Class Members' purchase of the Class Refrigerators.

45. **Adequacy of Representation:** Plaintiffs are committed to pursuing this action and have retained competent counsel experienced in products' liability, deceptive trade practices, and class action litigation. Accordingly, Plaintiffs and their counsel will fairly and adequately protect the interests of Class Members. Plaintiffs' claims are coincident with, and not antagonistic to,

those of the other Class Members they seek to represent. Plaintiffs have no disabling conflicts with Class Members and will fairly and adequately represent the interests of Class Members.

46. The elements of Rule 23(b)(2) are met. Samsung will continue to commit the violations alleged and the Class Members and the general public will continue to remain at an unreasonable and serious property and other damages risk as a result of the Defects. Samsung has refused to act on grounds that apply generally to Class Members so that final injunctive relief and corresponding declaratory relief is appropriate respecting the Classes as a whole.

47. The elements of Rule 23(b)(3) are met. Here, the common questions of law and fact enumerated above predominate over the questions affecting only the individual Class Members and a class action is the superior method for fair and efficient adjudication of the controversy. Although many other Class Members have claims against Samsung, the likelihood that individual Class Members will prosecute separate actions is remote due to the time and expense necessary to conduct such litigation. Serial adjudication in numerous venues is not efficient, timely, or proper. Judicial resources would be unnecessarily depleted by prosecution of individual claims. Joinder on an individual basis of thousands of claimants in one suit would be impracticable or impossible. Individualized rulings and judgments could result in inconsistent relief for similarly-situated plaintiffs. Plaintiffs' counsel, highly experienced in class action litigation, foresee little difficulty in the management of this case as a class action.

TOLLING AND ESTOPPEL OF STATUTES OF LIMITATIONS

48. The claims alleged herein accrued upon discovery of the defective nature of the Class Refrigerators. Because the Defects alleged herein were not disclosed by Samsung and because Samsung took steps to either conceal or fail to disclose the true character, nature, and

quality of the Class Refrigerators, Plaintiffs and Class Members did not discover and could not have reasonably discovered the Defects through reasonable and diligent investigation.

49. Any applicable statutes of limitations have been tolled by Samsung's knowledge and actual misrepresentations and/or concealment and denial of the facts as alleged herein, which concealment is ongoing. Plaintiffs and Class Members could not have reasonably discovered the true defective nature of their Class Refrigerators until such time as the Defects manifested by failing in the ways described herein. As a result of Samsung's active concealment of the Defects and/or failure to inform Plaintiffs and Class Members of the Defects, any and all statutes of limitations otherwise applicable to the allegations herein have been tolled.

50. Alternatively, the facts alleged above give rise to estoppel. Samsung has actively concealed the defective nature of the Class Refrigerators. Samsung was and is under a continuous duty to disclose to Plaintiffs and Class Members the true character, quality, and nature of the Class Refrigerators and particularly that they posed a severe risk of property and other damages. At all relevant times and continuing to this day, Samsung knowingly, affirmatively, and actively misrepresented and concealed the true character, quality, and nature of the Class Refrigerators. Given Samsung's failure to disclose this non-public information about the defective nature of the Class Refrigerators—information over which it had exclusive control—and because Plaintiffs and Class Members could not reasonably have known that the Class Refrigerators were thereby defective, Plaintiffs and Class Members reasonably relied on Samsung's affirmative and/or ongoing concealment. Based on the foregoing, Samsung is estopped from prevailing on any statute of limitations defense in this action.

51. Additionally, Samsung is estopped from raising any defense of laches due to its own unclean hands as alleged herein.

CLAIMS FOR RELIEF

COUNT I

UNJUST ENRICHMENT

(PLAINITFFS INDIVIDUALLY AND ON BEHALF OF THE NATIONAL CLASS AND, ALTERNATIVELY, THE VIRGINIA CLASS)

52. Plaintiffs re-allege all preceding paragraphs and incorporate them by reference as though fully set forth herein.

53. As described above, Samsung sold Class Refrigerators to Plaintiffs and Class Members even though those refrigerators and their ice makers were defective. Samsung failed to disclose the Defects at the point of sale or otherwise.

54. Samsung unjustly charges Plaintiffs and Class Members for repairs and/or replacement of the defective Class Refrigerators without disclosing that the Defects are widespread and repairs do not address the root causes of the Defects.

55. Samsung unjustly refuses to repair or recall the Class Refrigerators in spite of the Defects that it has long known about and, instead, has (at most) made suggestions in TSB 2015 for consumers to repair the Defects at their own cost and by their own hand even when Samsung knows that their suggested “fixes” are totally ineffective.

56. As a result of its acts and omissions related to the Defects, Samsung obtained monies that rightfully belong to Plaintiffs and Class Members.

57. Samsung appreciated, accepted, and retained the non-gratuitous benefits conferred by Plaintiffs and Class Members who, without the knowledge of the Defects, paid a higher price for their Class Refrigerators than those refrigerators were worth. Samsung also received monies for those refrigerators that Plaintiffs and Class Members would not have otherwise purchased.

58. Samsung’s retention of these wrongfully-acquired profits violates fundamental principles of justice, equity, and good conscience.

59. Plaintiffs and Class Members seek restitution from Samsung and an order proportionally disgorging all profits, benefits, and compensation obtained by Samsung from its wrongful conduct, and establishment of a constructive trust from which Plaintiffs and Class Members may seek restitution.

COUNT II

BREACH OF IMPLIED WARRANTY **(PLAINTIFFS INDIVIDUALLY AND ON BEHALF OF THE NATIONAL CLASS)**

60. Plaintiffs re-allege all preceding paragraphs and incorporate them by reference as though fully set forth herein.

61. The implied warranty of merchantability included with the sale of each Class Refrigerator means that Samsung warranted that the Class Refrigerators including their ice makers would be merchantable, fit for their ordinary purposes for which refrigerators with built-in ice makers are used, pass without objection in the trade, be of fair and average quality, and conform to promises and affirmations of fact made on the container and label. This implied warranty of merchantability is part of the basis for the benefit of the bargain between Samsung and Plaintiffs and Class Members.

62. At the time of delivery, however, Samsung breached the implied warranty of merchantability because its Class Refrigerators were defective as alleged herein, would not pass without objection, were not fit for normal use in a residential setting, and failed to conform to the standard of like products in the trade.

63. Within a reasonable amount of time after the Defects manifested in Plaintiffs' and Class Members' Class Refrigerators, Samsung received notice of its breach of implied warranty by virtue of its knowledge of the Defects. Samsung knew or, in the exercise of reasonable care,

should have known that the Class Refrigerators were defective prior to sale of these refrigerators to Plaintiffs and Class Members.

64. Any implied warranty limitation cannot be enforced here because it is unconscionable. A substantial disparity in the parties' relative bargaining power existed such that Plaintiffs and Class Members were unable to derive a substantial benefit from their warranties. A disparity existed because Samsung was aware that its Class Refrigerators were inherently defective; Plaintiffs and the Class had no notice or ability to detect the problem; Samsung knew that Plaintiffs and the Class had no notice or ability to detect the problem; and Samsung knew that Plaintiffs and Class Members would bear the cost of correcting any defect. In this case, the disparity was increased by Samsung's knowledge that failure to disclose that the Defects would substantially limit the Class Refrigerator's use and could cause it to fail altogether.

65. The element of privity, if applicable here, exists because Samsung had direct written communications with Plaintiffs and Class Members regarding their Class Refrigerators in the form of warranty forms, manuals, registration cards, communications regarding defect failures, or similar documents. Samsung advertised the Class Refrigerators via direct communications with Plaintiffs and Class Members through television, internet, and magazine advertisements and the like. The dealers who sold the Class Refrigerators to Plaintiffs and Class Members are Samsung's agents. Samsung entered into contracts with Plaintiffs and Class Members through warranties, including extended warranties; and Plaintiffs and Class Members are third-party beneficiaries of warranties that ran from Samsung to their dealer-agents. Further, Samsung designed and manufactured the Class Refrigerators, intending Plaintiffs and Class Members to be the ultimate users of these appliances.

66. As a direct and proximate result of Samsung's breach of its implied warranties, Plaintiffs and Class Members purchased defective products which could not be used for their intended use in, among other things, accessing ice from their Class Refrigerators in a residential setting, and thus have been damaged. Plaintiffs and Class Members seek damages in an amount to be determined at trial.

COUNT III

INJUNCTIVE AND DECLARATORY RELIEF
(PLAINTIFFS INDIVIDUALLY AND ON BEHALF OF THE NATIONAL
CLASS)

67. Plaintiffs re-allege all preceding paragraphs and incorporate them by reference as though fully set forth herein.

68. There is a controversy between Samsung and Plaintiffs and other Class Members concerning the existence of the Defects in the Class Refrigerators.

69. Pursuant to 28 U.S.C. § 2201, this Court may "declare the rights and legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought."

70. Accordingly, Plaintiffs and Class Members seek a declaration that these Class Refrigerators have a common defect(s) in their design/manufacture.

71. Additionally, Plaintiffs and Class Members seek a declaration that this common defect poses a serious risk to consumers and the public.

72. Samsung designed, manufactured, produced, tested, inspected, marketed, distributed, and sold refrigerators with built-in ice makers which contain material defects as described herein. Based upon information and belief, Samsung continues to design, manufacture, produce, test, inspect, market, distribute, and sell refrigerators with built-in ice makers which contain the serious defects as described herein.

73. Based upon information and belief, Samsung has taken no corrective action concerning the Defects described herein. While Samsung issued the TSB 2015, that bulletin was not sent to consumers (at least not to the Plaintiffs). The bulletin had to be located by Plaintiffs on the internet and the recommended solutions failed to correct the Defects. Further, all defect repairs suggested in Samsung's bulletins were to be paid for and handled by the consumers. Samsung has failed to issue a recall or institute any action to remedy the Defects. In fact, the replacement ice maker that Plaintiffs purchased on their own for their Class Refrigerator is the same as the original ice maker and the replacement failed to alleviate any of the damages described herein.

74. Plaintiffs and the Class have suffered actual damages related to the Defects described herein. Samsung should be required to take corrective action to prevent further failures caused by the Defects including (a) summoning a nationwide recall of the Class Refrigerators, (b) issuing warnings and/or notices to the consumer and the Classes concerning the Defects, and (c) immediately discontinuing the manufacture, production, marketing, distribution, and sale of the defective Class Refrigerators described in this Complaint.

COUNT IV

STRICT LIABILITY – DESIGN DEFECT (PLAINTIFFS INDIVIDUALLY AND ON BEHALF OF THE NATIONAL CLASS AND, ALTERNATIVELY, THE VIRGINIA CLASS)

75. Plaintiffs re-allege all preceding paragraphs and incorporate them by reference as though fully set forth herein.

76. Samsung is engaged in the business of designing, manufacturing, distributing, advertising, marketing, promoting, and/or selling kitchen essentials and appliances and did design, manufacture, distribute, advertise, market, promote, and/or sell the Class Refrigerators described herein.

77. Samsung's Class Refrigerators were expected to and did reach Plaintiffs and Class Members without substantial change in the condition in which they were manufactured, sold, and distributed.

78. The Class Refrigerators were in a defective condition when they left Samsung's possession or control in that, under normal conditions, usage, and applications, they could not withstand the use for which they were intended.

79. Plaintiffs and Class Members used the Class Refrigerators in a manner reasonably intended by Samsung.

80. The Class Refrigerators are defective because they are not fit for ordinary and intended use; Samsung failed to provide Plaintiffs and Class Members, either directly or indirectly, with adequate and sufficient warnings regarding the known and foreseeable failure risks inherent in and related to the ice makers; the Class Refrigerators contained material design defects and were not reasonably fit for their intended use due to such defects; the design, methods of manufacture and testing of the Class Refrigerators did not conform to generally-recognized and prevailing standards or state of the art in existence at the time the design was made and when the Class Refrigerators were manufactured; and at the time the Class Refrigerators left Samsung's control, the foreseeable risks associated with their design exceeded the benefits associated with the design.

81. Plaintiffs and Class Members have suffered property damage and other incidental and consequential damages as a direct and proximate result of the Defects.

82. Samsung acted with malice, oppression and/or fraud, and in conscious and flagrant disregard to the rights of their consumers by manufacturing and selling the Class Refrigerators known to be defective. As alleged, Samsung knew or should have known that the Defects would

cause their refrigerators' ice makers to fail and to damage other property. Samsung knew or was repeatedly informed of the serious defects, yet failed to take any remedial action and instead continued to sell these defective products. Given Samsung's conscious disregard for the rights of the public, Plaintiffs and Class Members seek exemplary or punitive damages.

COUNT V

STRICT LIABILITY – FAILURE TO WARN
(PLAINTIFFS INDIVIDUALLY AND ON BEHALF OF THE VIRGINIA CLASS)

83. Plaintiffs re-allege all preceding paragraphs and incorporate them by reference as though fully set forth herein.

84. The Class Refrigerators were designed, manufactured, and sold by Samsung in the regular course of business and were expected to reach Plaintiffs and Class Members without substantial change in the condition in which they were manufactured, sold, or distributed.

85. The Class Refrigerators were in a defective condition when they left Samsung's possession or control because under normal conditions, usage, and applications, they would withstand the use for which they were intended, including but not limited to the fact that the ice makers would fail.

86. Samsung had no reason to believe that consumers of its Class Refrigerators would be aware of the foreseeable harm/failure associated with the refrigerators' use.

87. Prior to and after selling the Class Refrigerators to Plaintiffs and Class Members, Samsung had a legal duty to warn about the Defects in these appliances and the problems the Defects posed.

88. Prior to and after distributing the Class Refrigerators to Plaintiffs and Class Members, Samsung and their agents who sold or serviced the refrigerators failed to warn Plaintiffs and Class Members of the Defects.

89. As a direct and proximate result of Samsung's failure to warn of the defective condition and design of the Class Refrigerators, Plaintiffs and Class Members suffered property damage and other incidental and consequential damages.

90. Samsung acted with malice, oppression and/or fraud, and in conscious and flagrant disregard to the rights of their consumers by manufacturing and selling refrigerators with built-in ice makers known to be defective. As alleged, Samsung knew or should have known that the Defects would cause the Class Refrigerators to fail and could damage other property. Samsung knew or was repeatedly informed of the serious defects, yet failed to take any remedial action and instead continued to sell these defective products. Given Samsung's conscious disregard for the rights of the public, Plaintiffs and Class Members seek exemplary or punitive damages.

COUNT VI

FRAUDULENT CONCEALMENT **(PLAINTIFFS INDIVIDUALLY AND ON BEHALF OF THE VIRGINIA CLASS)**

91. Plaintiffs re-allege all preceding paragraphs and incorporate them by reference as though fully set forth herein.

92. Samsung concealed material facts from Plaintiffs, Class Members, and the public generally. Samsung knew that its Class Refrigerators contained the Defects and concealed those facts such that consumers had no such knowledge.

93. Samsung had a duty to disclose the Defects to Plaintiffs and Class Members, but it failed to do so.

94. Samsung also knew that Plaintiffs and Class Members had no knowledge that the Class Refrigerators were defective and that they—the consumers of the Class Refrigerators—did not have an equal opportunity to discover those facts. Samsung was in a superior position than Plaintiffs and Class Members.

95. Plaintiffs and Class Members would not have purchased their Class Refrigerators had they known that the refrigerators were defective or Plaintiffs and Class Members would not have paid as much as they did. Samsung benefited from the sales of the Class Refrigerators as a result of its nondisclosure.

96. When Class Members experienced problems with their Class Refrigerators and contacted Samsung to make warranty claims, they were often ignored. For other Class Members, Samsung routinely charged them a fee to inspect the ice makers or otherwise determined—without inspection—that it would not cover the cost of repair or replacement. Alternatively, Samsung failed to honor its warranties with Plaintiffs and Class Members concerning the Defects because it did not offer consumers who experienced failures with their external dispenser built-in-door ice makers the necessary repair or replacement costs.

97. As a direct and proximate result of Samsung's conduct, Plaintiffs and Class Members have suffered damages.

98. Samsung's conduct was knowing, intentional, malicious, demonstrated a complete lack of care, and was carried out in reckless disregard of the rights of Plaintiffs and Class Members such that punitive damages are appropriate.

COUNT VIII

VIOLATIONS OF THE VIRGINIA CONSUMER PROTECTION ACT (VA. CODE ANN. §§ 59.1-196, et seq.) (PLAINTIFFS INDIVIDUALLY AND ON BEHALF OF THE VIRGINIA CLASS)

99. Plaintiffs re-allege all preceding paragraphs and incorporate them by reference as though fully set forth herein.

100. Samsung, Plaintiffs, and Class Members are “persons” within the meaning of Va. Code § 59.1-198.

101. Samsung is a “supplier” within the meaning of Va. Code § 59.1-198.

102. The Virginia Consumer Protection Act (“Virginia CPA”) makes unlawful “fraudulent acts or practices”. Va. Code § 59.1-200(A).

103. In the course of Samsung’s business, it intentionally or negligently concealed and suppressed material facts concerning the existence of the Defects in the Class Refrigerators.

104. Samsung violated the Virginia CPA, at a minimum, by: (1) misrepresenting the source, sponsorship, approval, or certification of goods or services; (2) misrepresenting that goods or services have certain qualities, characteristics, ingredients, uses, or benefits; (3) misrepresenting that goods or services are of a particular standard, quality, grade, style, or model; (4) advertising goods or services with intent not to sell them as advertised; and (5) using any other deception, fraud, false pretense, false promise, or misrepresentation with a consumer transaction. Va. Code § 59.1-200(A).

105. Samsung engaged in misleading, false, unfair, or deceptive acts or practices that violated the Virginia CPA by installing defective ice makers and other refrigerator/freezer components in the Class Refrigerators and by failing to disclose and/or actively concealing the Defects.

106. Samsung intentionally and knowingly misrepresented material facts regarding Class Refrigerators with intent to mislead Plaintiffs and the Class Members.

107. Samsung compounded the deception by putting out technical service bulletins (TSB 2015) that put the onus of repairs on Plaintiffs and Class Members for the Defects that existed at the time of manufacture and distribution.

108. Samsung knew or should have known that its conduct violated the Virginia CPA.

109. Plaintiffs and Class Members suffered ascertainable loss and actual damages as a direct and proximate result of Samsung's misrepresentations and its concealment of and failure to disclose material information. Plaintiffs and Class Members who purchased and/or leased the Class Refrigerators would not have purchased them at all and/or—if the Class Refrigerators' true nature had been disclosed and mitigated—would have paid significantly less for them. Plaintiffs and Class Members also suffered diminished value of their Class Refrigerators as well as lost or diminished use.

110. Samsung had an ongoing duty to all Samsung customers to refrain from unfair and deceptive practices under the Virginia CPA in the course of its business.

111. Samsung's violations present a continuing risk to Plaintiffs as well as the general public. Samsung's unlawful acts and practices complained of herein affect the public interest.

112. Pursuant to Va. Code § 59.1-204(A)-(B), Plaintiffs and the Class Members are entitled to the greater of actual damages or \$500 for each Virginia class member, attorneys' fees, and costs. Because Samsung's actions were willful, Plaintiffs and the Class Members should each receive the greater of treble damages or \$1,000. *Id.*

COUNT IX

VIOLATIONS OF VIRGINIA'S IMPLIED WARRANTY OF MERCHANTABILITY (VA. CODE §§ 8.2A-212) (PLAINTIFFS INDIVIDUALLY AND ON BEHALF OF THE VIRGINIA CLASS)

113. Plaintiffs re-allege all preceding paragraphs and incorporate them by reference as though fully set forth herein.

114. Samsung is and was at all relevant times a "merchant" with respect to home appliances including Class Refrigerators under Va. Code § 8.2-104(1) and 8.2A-103(1)(t) and a "seller" of home appliances including Class Refrigerators under § 8.2-103(1)(d).

115. With respect to leases, Samsung is and was at all relevant times a “lessor” of home appliances including Class Refrigerators under Va. Code § 8.2A-103(1)(p).

116. The Class Refrigerators are and were at all times “goods” within the meaning of Va. Code §§ 8.2-105(1) and 8.2A-103(1)(h).

117. A warranty that the Class Refrigerators were in merchantable condition and fit for the ordinary purpose for which refrigerator/freezers with built-in ice makers are used is implied by law pursuant to Va. Code §§ 8.2-314 and 8.2A-212.

118. The Class Refrigerators, when sold or leased and at all time thereafter, were not in merchantable condition and not fit for the ordinary purpose for which refrigerator/freezers with built-in ice makers are used. Specifically, the Class Refrigerators are inherently defective and were not adequately designed, manufactured, and tested.

119. Samsung was provided notice of the Defects through individual complaints filed by consumers against them directly or via their authorized agents.

120. As a direct and proximate result of Samsung’s breach of the implied warranty of merchantability, Plaintiffs and the other Class Members have been damaged in an amount to be proven at trial.

PRAYER FOR RELIEF

121. Wherefore, Plaintiffs request that the Court enter a judgment awarding the following relief:

- A. An order certifying the proposed National and Virginia Classes;
- B. An order awarding Plaintiffs and Class Members their actual damages, punitive damages, and/or any other monetary relief provided by law;

- C. An order awarding Plaintiffs and Class Members restitution, disgorgement, or other equitable relief as the Court deems proper;
- D. An order requiring Samsung to adequately disclose and repair or replace the defective Class Refrigerators;
- E. An order (a) issuing a nationwide recall of the Class Refrigerators; (b) issuing warnings and/or notices to consumers and Class Members concerning the Defects; and (c) immediately discontinuing the manufacture, production, marketing, distribution, and sale of the defective refrigerator/freezers described in this Complaint;
- F. An order awarding Plaintiffs and Class Members pre-judgment and post-judgment interest as allowed by law;
- G. An order awarding Plaintiffs and Class Members reasonable attorneys' fees and costs of suit, including expert witness fees; and
- H. An order awarding such other and further relief as this Court may deem just and proper.

JURY DEMAND

Pursuant to Fed. R. Civ. P. 38(b), Plaintiffs demand a trial by jury on all issues so triable under the law.

Dated: February 23, 2017

SIMMONS HANLY CONROY LLC

/s/ Mitchell M. Breit

Mitchell M. Breit

Paul J. Hanly, Jr. (*pro hac vice* to be submitted)

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Attorneys for Plaintiffs and Putative Class Members

EXHIBIT 1

**SAMUNG SERVICE BULLETIN
ASC201517001
JULY 17, 2015
FRENCH DOOR REFRIGERATORS**

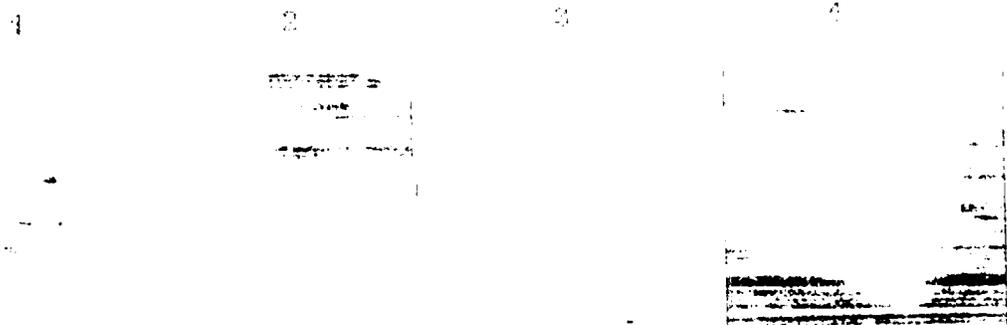
Product Name: [illegible]
 Model No: [illegible]

Product:	DELMICHELLI FHM
Bulletin Date:	From Dan Verrigonda 07/17/2015
Bulletin Number:	AG026 (307) 17001
Model No:	RE20ICEDE, RE20ICLDE, RE20IBKSE, RE20ITPDE, RE20AP011, RE20ICEDE, RE20HMEDE, RE20SES-AP, RE203TFAF, RE2037001, RE20IDE DE, RE20IDE DE, RE20ITPDE, RE20ITPDE, RE20IBKSE, RE20ICEDE, RE20HMEDE, RE20HMEDE, RE20ICEDE, RE20HMEDE, RE20IBKSE, RE20AP011, ALL COLORS

SUBJECT: Ice room or ice maker
 frozen or leaking, fan
 noise from ice room

Customer Complaint: One or more of the following symptoms

1. Ice crystals and water droplets form at the bottom of the ice maker. Slushy ice
2. Water under the cabinet or running down the left side wall due to a fan in the ice room.
3. Fan noise that stops when FF door is opened due to ice in ice room fan duct.
4. The ice bucket is stuck and will not come out (possibly stopped door)



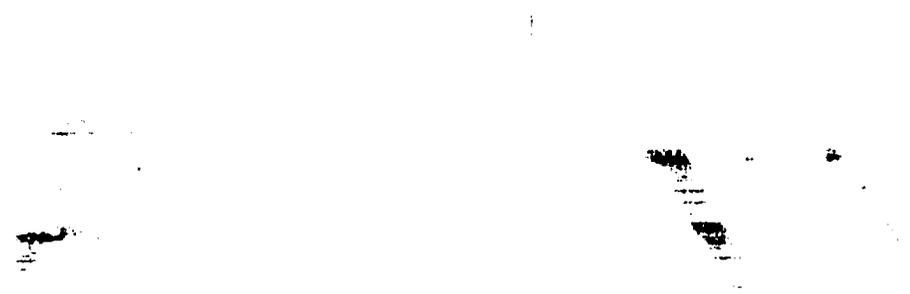
Solutions are listed here in order of probability

Root Cause # 1

The water hose to the ice room fill tube is inserted too far into the filling which causes water to splash out during the ice maker fill cycle. This water soaks in the ice maker tray, causing condensation and frost.

Field Solution # 1:

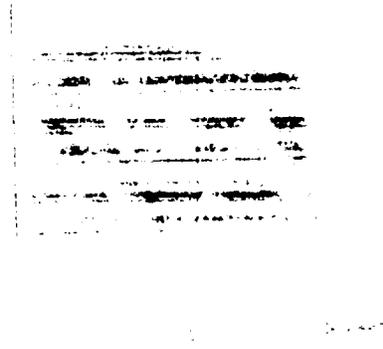
- o Remove the ice maker, and then check the fill opening using an inspection mirror (see picture below).
- o The fill tube may be inserted too far
- o If tube is inserted too far, the fill tube (grey) can be pulled back slightly



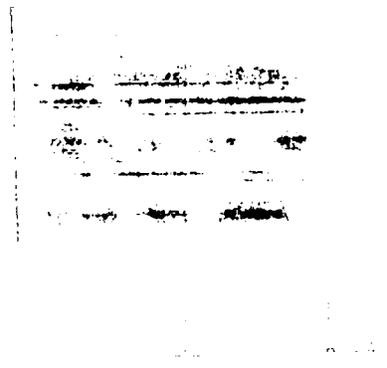
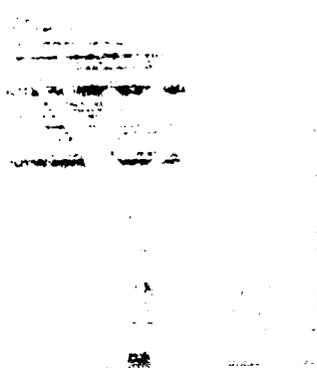
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- The picture below left shows the fill tube inserted properly in the filling. Only a short length of the tube is visible inside the opening. A shorter amount of visible tubing is also correct.
- The picture on the right shows the black mark on the fill tube. This mark can be used as a guide, but always inspect the tube from the inside to verify correct positioning. The mark should be completely visible.

Next, inspect the assembly.



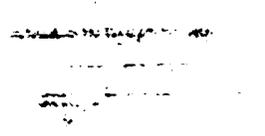
Be sure to secure the tubing to the back and top of the ice room with the bands. This will prevent the tubing from rotating, so the instrument position when you start the unit bank into place.



Next, Cause #2

There is a gap between the liner and the floor of the ice room. The gap is due to variances in the surfaces. Water will flow from the ice section in drawn into the ice room, causing condensation and slushy ice.

Abnormal Gap



The information published for informational purposes only and not intended to be used only by persons equipped for their specific tasks. Depicted capabilities per our training and experience are capable of identifying risks and avoiding potential hazards when handling or servicing a product. Only qualified personnel should repair products provided by us. Do not attempt to handle, service or repair the product or products by anyone other than qualified personnel. All information may vary slightly. Do not rely on the information from us of and reliance on the information at your sole risk. This information is subject to change or update without notice. There are no warranties, either expressed or implied, concerning the accuracy or completeness of the information.

Field Solution #2:

- a. Remove the ice maker and the auger motor assembly following the correct procedure.
- b. Apply a bead of RTV Epoxy to the seam from back to front (see illustration below).
- c. Remove the cap, achieved when the ice room is dry and warm, but do not use a heat gun or hair dryer to assist.

Part number: DA01-05505A A/S Epoxy

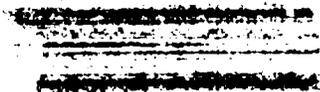
Note: Shine a light from the bottom of the ice room to see the gap. If all you see is a dim light, that is not a gap, it is light passing through the foam seal. This is normal and no epoxy is needed. Check for other causes.

Unit Cause #3:

- a. Ice forms in the ice room fan air duct, causing fan noise and icing up. This is caused by water running down the air duct cover and puddling in the duct. The water freezes and builds up over time.

Field Solution #3:

- a. Remove the ice maker following correct procedure.
- b. Using a sharp utility knife, remove the rib from the lower left and right corners of the air duct cover. This will allow the water to flow into the back of the ice maker and down the drain.



The information published for informational purposes only, and intended for use only by personnel qualified for the specific tasks depicted. Our field personnel are those who have the training and experience and capability of identifying and resolving potential hazards when handling or servicing a product. Only qualified personnel should attempt to perform any of the tasks depicted by this information. Always use the proper tools and products, by anyone other than an authorized person could result in injury, property damage, or death. Do not rely on the information on the information of your field staff. The information is subject to change or deletion without notice. The information is provided as a guide only and is not intended to be used as a replacement for the manufacturer's instructions.

Factory Solution # 3:

Beginning with July 2015 production, the tube will be removed. This is not a field-replaceable part.

CFE

CFWF



Root Cause # 4:

The drain tube that runs from the ice room to the drain pan is frozen or clogged. Water backs up into the ice room and freezes. The ice bucket becomes stuck or the system will not dispense properly.

Field Solution # 4:

- Use a steamer to defrost the ice buildup. This may take some time depending on the amount of ice.
- Remove the ice maker and sugar dispenser and then use a steamer to defrost the frozen drain.



For RFR32F0000B models, produced before March 27, 2014 (F8 in the serial number), replace the drain (CFE). This does not apply to any other models.

Notes: Consult the Samsung Website (<http://www.samsung.com>) for the Service Manual and other information about these products.

Symptom 1	Symptom 2	Symptom 3
Operation	Ice and/or water	Water / not dispensing ice / ice bucket stuck, etc.

This information is published for informational purposes only and is not intended to be relied upon by persons not qualified to use the equipment. The depicted information pertains to the equipment based on the latest product information. Samsung is not responsible for any errors or omissions in this document or for any consequences arising from the use of the information. Samsung is not responsible for any damage or injury caused by the use of the information. The information is subject to change or update without notice. There are no warranties, either expressed or implied, in relation to the accuracy or completeness of the information.

EXHIBIT 2

**2014 SAMSUNG SPECIFICATIONS
MARKETING
BIANCHI REFRIGERATOR**

RF23HCEDBSR

22.5 cu. ft. Counter-Depth French Door Refrigerator with Cool Select Pantry™

Features

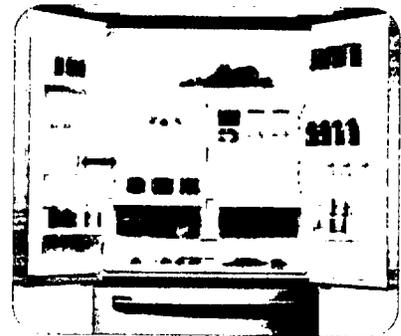
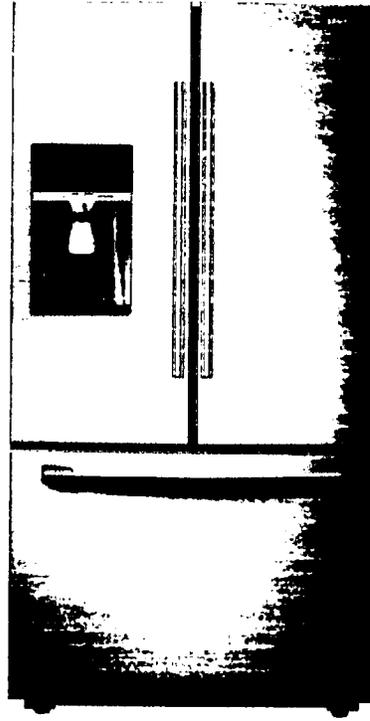
- 3-Door Counter-Depth Design
- Large Capacity - 22.5 cu. ft.
- Twin Cooling Plus™
- ENERGY STAR® Compliant
- Ice Master Ice Maker in the Refrigerator
- CoolSelect Pantry™ with Temperature Control
- Premium External Filtered Water and Ice Dispenser
- High-Efficiency Top and Side LED Lighting
- EZ Open Handle™ on Freezer Door
- Adjustable Shelf for Tall Oversized Items
- Two Humidity Controlled Crispers
- Tempered Glass Spill-Proof Shelves
- Auto Pull-Out Upper Freezer Drawer
- Easy-to-Access Water Filter

Convenience

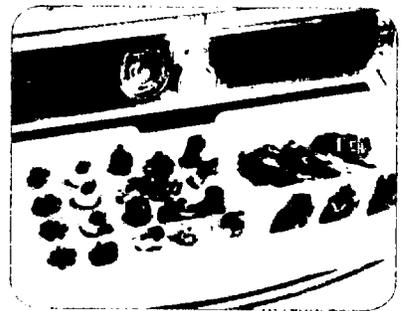
- Cool Light Door
- Door Alarm
- Water Filter Indicator



ENERGY STAR® Rated:
659 kWh/yr



Ice Master



CoolSelect Pantry™ with Temperature Control

Available Colors

Stainless Steel



White



Black

Signature Features

SLEEK, BUILT-IN LOOK

- Sleek, counter-top profile, high-level toe-in and wide space in the cabinet
- Sleek, built-in look, seamless over all the built-in appliances

TWIN COOLING PLUS®

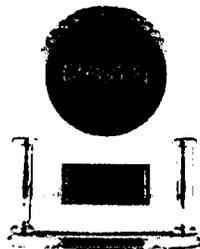
- Two independent cooling systems - Twin Cooling Plus humidity level control - the highest than any other system
- Multi-plate evaporator at high level maintains optimal humidity levels to help preserve the taste and freshness of fresh produce
- Moisture control system in the freezer compartment helps prevent freezer burn

ICE MASTER

- Our Ice Master makes 2.2 lbs. of ice per day with storage for nearly 2.2 lbs.
- Space-saving design leaves more room in the refrigerator

COOL SELECT PANTRY™

- Provides additional storage space for your favorite fruits and vegetables with individual humidity control



Ranked "Highest in customer satisfaction with French Door refrigerators, in a tie."*
-J.D. Power

SAMSUNG

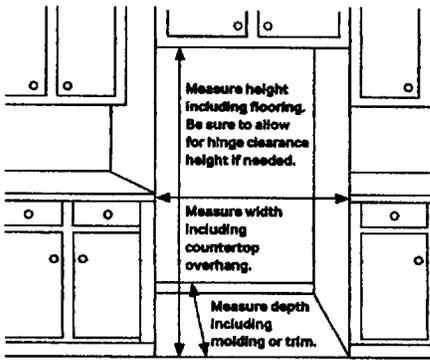
RF23HCEDBSR

22.5 cu. ft. Counter-Depth French Door Refrigerator with Cool Select Pantry™

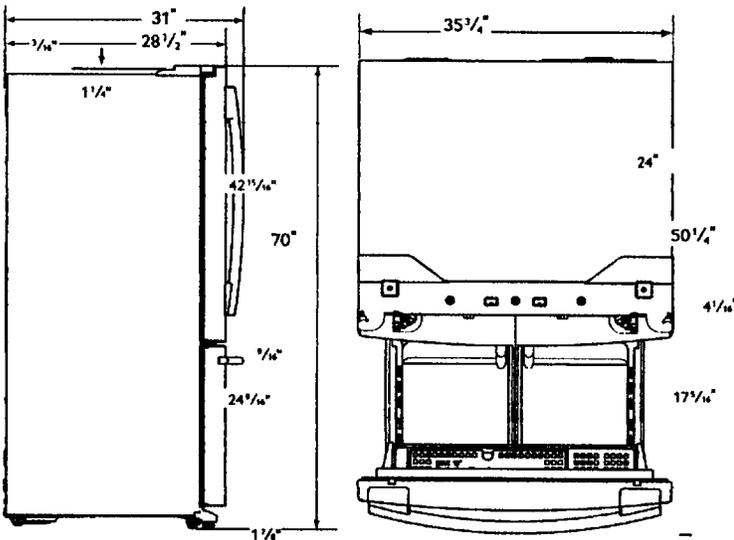
Installing Your Refrigerator

1. Measure the height, width and depth of the opening, including any cabinets, bar, least molding, tile, countertop overhang, etc. Check to be sure there is enough room to open the door to clear walls, islands or other obstacles when remaining.
2. Determine door hinge location and determine dimensions.
3. Allow 2" of clearance on hinge side of refrigerator when installing unit to ensure door handle may make contact.
4. Allow 1" minimum clearance at rear for proper air circulation and water/electrical connections. Allow a 3/8" minimum clearance at side and top for ease of installation.
5. Freon gas follows and entry only in the hoses is needed enough for the refrigeration to be moved through safely.

Please note: The following dimensions and other information is for planning purposes only. For complete installation instructions, consult your local health, safety, and electrical official on line at samsung.com.



Dimensions



Total Capacity: 22.5 cu. ft.

Refrigerator: 15.7 cu. ft.

- Premium External Filtered Water and Ice Dispenser
- Ice Master Ice Maker
- CoolSelect Pantry™ with Temperature Control - Deli (41°F), Fresh (38°F) and Chilled (32°F) options
- 2 Humidity Controlled Crispers
- 5 Tempered Glass Spill Proof Shelves
- Adjustable Shelf for Tall oversized Items
- 6 Door Bins
 - Right Door: 3 Gallon Bins
 - Left Door: 3 Regular Bins
- High-Efficiency Top and Side LED Lighting

Freezer: 6.8 cu. ft.

- EZ-Open Handle™
- 1 Drawer Divider
- High Efficiency LED Lighting

Accessories

Water Filter: HAF-CIN

Warranty

One (1) Year Parts and Labor on Refrigerator
 Five (5) Years Parts and Labor on Sealed Refrigeration System Only*
 Ten (10) Years Parts and Five (5) Years Labor on Digital Inverter Compressor

*Compare to comparable compressor class, cooling capability

Product Dimensions & Weight

Dimensions (WxHxD with hinges, handles and doors):

35 3/4" x 70" x 31"

Dimensions (WxHxD without hinges and door):

35 3/4" x 68 7/8" x 24"

Dimensions (WxHxD with hinge and door, no handle):

35 3/4" x 70" x 28 1/2"

Weight: **297.62 lbs.**

Shipping Dimensions & Weight (WxHxD)

Dimensions: **38 1/4" x 76 5/8" x 31 1/4"**

Weight: **321.87 lbs.**

Color	Model #	UPC Code
Stainless Steel	RF23HCEDBSR	887276966106
White	RF23HCEDBWW	887276967646
Black	RF23HCEDBBC	887276967660



*Samsung received the highest numerical score for French door refrigerators in a tie in the proprietary J.D. Power 2014 Kitchen Appliance Study™. Study based on 15,380 total responses measuring 10 French door refrigerators brands and measures opinions of consumers about their new appliance purchased in the past 24 months. Proprietary study results are based on experiences and perceptions of consumers surveyed in January-March 2014. Your experiences may vary. Visit jdpower.com.

Actual color may vary. Design, specifications, and color availability are subject to change without notice. Non-metric weights and measurements are approximate.

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EXHIBIT 3

**CONSUMER COMPLAINTS REGARDING CLASS
REFRIGERATOR DEFECTS AFTER SEPTEMBER 2014**

Exhibit 3

Consumer Complaint Regarding Class Refrigerators and the External Dispenser Ice Maker Defects Post Bianchi Purchase

1.

Diane of Jupiter, FL on Oct. 22, 2014

Satisfaction Rating

I purchase a Samsung refrigerator on June 31, 2014. The ice maker bucket has never been able to be removed. I had Samsung service twice, refused to come again. A & E factory service replaced the ice bucket still unable to remove it. I wn into the refrigerator tonight Oct 21, 2014, the piece that holds the doors together fell apart. This model rf23hcedbww french door is a hunk of junk. Didn't even last for 4 months, I paid \$ 2000.00 for nothing! Samsung customer service is awful!

Helpful?YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=38; website last visited on February 17, 2017.

2.

M. C. of Midlothian, VA on Dec. 25, 2014

Satisfaction Rating

Spent \$2,000 on rf263 beae sr. Excessive water collecting in chute and draining out of and sometimes into fridge. Repairman came and replaced dispenser door, didn't correct problem, then ice maker didn't work, approx 11 months old. Icemaker replaced, broke 3 months later, no longer under warranty. Didn't get anywhere with Samsung. Have been manually making ice for my \$2,000 refrigerator for over a year. Bought a replacement ice maker. Doesn't work. I personally will never buy another Samsung product. I wish someone would start another class action suit. This is ridiculous. I replaced an 18 year old fridge that, yes, was out of style but never had any problems.

Helpful?YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=35; website last visited on February 17, 2017.

3.

orlando of Hillsborough, NJ on Dec. 29, 2014

Satisfaction Rating

Samsung ref. model RF263TEASR/AA - Is there any other way to fix a noisy cooling fan aside from defrosting? We bought this ref. a year ago and we noticed that after a year the annoying sound started. Did follow the procedure from people having the same problem but after 2-3 weeks the same problem occurred. WHAT IS REALLY PROBLEM HERE SAMSUNG PEOPLE??? Imagine one year old ref. Common. Show me the way. Sorry to say but your refrigerator is REALLY A BIG SUCKS.

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=35; website last visited on February 17, 2017.

4.

Fred of Richmond, KY on Jan. 7, 2015

Satisfaction Rating

Samsung French Door Refrigerator - Model # RF263BEAESR/AA - BEWARE ----> BAD PRODUCT & BAD CUSTOMER SERVICE ----> SAMSUNG. \$2,000 refrigerator with ice maker that has not worked properly since day one. Samsung warranty repaired twice in first year. Ice maker would work for a week or two then frost up and leak water on inside, collect then leak out doors making a mess all over floor. After several frustrating calls to Samsung's "resolution" department I received another service call outside of warranty (1 year) to replace several parts and defrost element. This did not fix the problem and ice maker frosted up a couple weeks later.

Requested service AGAIN and waited 1 month without a response. Finally was told Samsung would not repair or service further and I should contact a service center to pay for another repair. Note: Service techs both told me the icemakers are a HUGE PROBLEM for Samsung. What a freaking joke! Samsung is making a piece of crap and is failing to support and/or correct this. HOPE AN ATTORNEY THAT BUYS ONE OF THEIR BAD REFRIGERATORS FILES A CLASS-ACTION SUIT. UNTIL THEN -----> DO NOT BUY SAMSUNG <----- BAD PRODUCT/BAD QUALITY/BAD CUSTOMER SERVICE.

Helpful?YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=34; website last visited on February 17, 2017.

5.

shankha of Columbia, MO on Jan. 7, 2015

Satisfaction Rating

We bought a Samsung Model No. RF263BEASER 25.6 Cu. Ft. Refrigerator from Best Buy in Denver area in June 2013. The ice maker was OK initially but started giving trouble later. In Dec 2014, we had to call the Samsung repair service company (A & E Factory Service Thornton, CO) to make the ice maker work. The service company told us the Ice maker needed to be replaced. It is costing me \$466 to get a new ice maker installed. This has never happened to me before with a refrigerator. I think the quality of the refrigerator is inferior and I will not recommend it at all.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=34; website last visited on February 17, 2017.

6.

Amy of Fountain, CO on Jan. 26, 2015

Satisfaction Rating

We have a Samsung Fridge, which we bought in March of 2012 at Lowe's. In December of 2012 I noticed the icemaker was no longer making ice. Thankfully the appliance was under warranty so the repairman came and fixed it. I thought everything was fixed until about 8 months later. No more ice. Every two weeks my husband and I have to take apart the ice machine system and thaw it out. Reading the comments it sounds like this will be a problem until I feel we have gotten our 2,000 dollars worth and then we can take a sledgehammer to it after we buy a different fridge that is NOT a Samsung. What a piece of **.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=33; website last visited on February 17, 2017.

7.

Mary of Oceanside, CA on Feb. 3, 2015

Satisfaction Rating

RF267AERS - Our refrigerator is less than five years old. It was serviced once in year, one when a panel light went out, but when the same light went out at 13 months, service was denied. In November of 2014 we noticed water in the bottom crisper drawer and ice underneath it as well as frozen pieces on the back wall of the refrigerator. We looked online for this problem and found multiple complaints on multiple sites, as well as several repair videos showing the problem and how to self-repair. We believe that the number of incidences of the same occurrence on multiple models make it a product defect and as such, should be repaired by the manufacturer.

Unfortunately, Samsung will only offer to contact a local repair professional or sell you an additional warranty for \$388.95 that will cover the current issue and anything that may come up within the year. Given the vast number of complaints, we believe this may be a good candidate for a class action suit on behalf of all of the consumers who have suffered the same issue.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=33; website last visited on February 17, 2017.

8.

Brent of Fort Worth, TX on Feb. 4, 2015

Satisfaction Rating

We purchased a Samsung refrigerator (Model # RF323TEDBSR) less than two years ago and have had three repairs. The latest annoyance was the loud cycling sounds that came from the unit and stopped temporarily when you opened the door. The tech said it is the fan icing up in the back of the unit and replaced. Here we are about 8 months later and it starts up again. Not impressed with Samsung appliances and will never purchase one again.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=33; website last visited on February 17, 2017.

9.

Steve of Oceanside, CA on Feb. 5, 2015

Satisfaction Rating

Samsung RF267AERS - We have the same problem countless others have had: water/ice pooling under and behind the deli and fresh food bins, as a result of the drain tube freezing up and not allowing proper drainage to the pan somewhere below. Samsung is staffed by a bunch of ignorant, talking heads who will tell you they've never heard of this problem. If you're out of warranty (our unit is in the 3-4 year range), they will offer you something called "Rescue Repair" for \$400 (at least, that's what they quoted us). This would be a great class action suit for a law firm because there are so many people who would love to join. I'm very disappointed with customer service in America and these obvious issues of quality control/manufacturing defect should not be ignored by the manufacturer. Samsung will no longer be a consideration for future appliance purchases.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=33; website last visited on February 17, 2017.

10.

Robert of Redondo Beach, CA on Feb. 8, 2015

Satisfaction Rating

Purchased Samsung Model #RF24FSEDBSR French door refrigerator in 2014, and shortly after began having numerous problems with both the ice maker and the overall temperature control. Had a factory authorized service tech come out, who told us the ice maker is a defective design for which Samsung has no solution. He stated he has seen hundreds of these, and there is no fix. The ice maker does not make more than one batch of ice each 24-hour cycle (sometimes not even that). It will not dispense cubed ice (crushes it every time), and water runs out of the dispenser, filling the glass with ice and water. It freezes solid, thaws, and then freezes again, requiring that we defrost the ice maker every other day. (Are you freaking kidding me??!!)

The temperature controls are fickle, often not holding the temperature at the setting selected. This refrigerator was purchased as part of a total kitchen remodel, and we thought we were getting a great value. Instead, it has turned out to be a huge POS costing us money for attempted repairs and a great deal of frustration. I will not buy another Samsung refrigerator again, and I will discourage everyone I know from ever doing so. Their claims of reliability ring hollow, and their customer service on this product is nothing but a cruel, pathetic joke. Do not buy this, or any other Samsung refrigerator.

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=33; website last visited on February 17, 2017.

11.

Kathryn of Hummelstown, PA on Feb. 10, 2015

Satisfaction Rating

We purchased a Samsung french door refrigerator in 2012. It has an external ice and water, along with the bottom freezer and a drawer that has various options. Since 2014, we have had significant problems with the ice maker. The repair person has been here 5-6 times attempting to fix what he calls a 'manufacturing and engineering defect.' Apparently he has seen this problem multiple times. It doesn't make ice, then it makes ice but it all melts and refreezes in a solid block. It continued this cycle over and over until it burned out its fan. Multiple calls to Samsung have gotten me nowhere except that I have now spent nearly \$1000 trying to fix a \$2500 appliance that is still brand new.

Helpful? YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=32; website last visited on February 17, 2017.

12.

Steve of Highlands Ranch, CO on Feb. 19, 2015

Satisfaction Rating

Samsung RF267aeep refrigerator - Water collects and freezes below the pantry cupboard at bottom of fridge. After cleaning it out, within a week or so more water is pooled there. My son has the same problem with his fridge. Same model. It's quite apparent this is a common problem and a Samsung design flaw. What's been done About it? Is there a class action suit yet?

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=32; website last visited on February 17, 2017.

13.

greg of The Villages, FL on Feb. 20, 2015

Satisfaction Rating

Bought a Samsung french door refrigerator from Home Depot in Sept 2014, model RF263BEAESR. Ice maker promptly froze over and ice making stopped. Customer service told us to turn off the ice maker, let it defrost and it would start working. This was true but then it froze over again, and again. In Jan 2015, Samsung authorized repair service, Charika Appliance Repair of Inverness, FL came out to install a new ice maker unit. They punctured the sealed coolant system and the refrigerator stopped working!! Samsung offered to exchange the broken refrigerator with the same model or a refund.

On Jan 10, 2015, I emailed Samsung the Home Depot invoice and register receipt, and on Jan 11th a list of spoiled food. We were told that a refund was in process and we would be contacted within 24-48 hours by the refund department. Today, Jan 20th, I called for a refund status and they had not started it yet. They DO NOT refund the \$105 sales tax we paid, even though the Home Depot receipt says FULL REFUND. They also DO NOT refund over \$250 for spoiled food. BEWARE OF SAMSUNG REFRIGERATORS!!! They are a piece of GARBAGE. Their customer service department is terrible.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=32; website last visited on February 17, 2017.

14.

holly of Dayton, OH on March 17, 2015

Satisfaction Rating

I purchased a Samsung RF263BEAESR refrigerator 3 years ago because I thought I'd get quality and good service. While the ice maker froze and the service person fixed it by using a steam gun it happened again. Easy fix though, since I have a hair dryer. Last week the handle came off the freezer drawer. I had purchased a store warranty that is still in effect; however when I called for service the representative said handles are not included in the warranty.

I called the Authorized Service Company who sent a repairman out charging us \$75+tax. He said that this model has no way to replace the handle and the only solution is to replace the whole freezer drawer at a cost of \$465 and another service charge which means a total cost of \$625. The repairman said older models had an access at the top of the drawer which would allow such a repair, but the new models do not have this handy option. To me this is a design flaw that requires the customer excess cost.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=30; website last visited on February 17, 2017.

15.

angie of Alpharetta, GA on June 10, 2015

Satisfaction Rating



We purchased a French Door Samsung Refrigerator - model number RF4287HARS/XAA 2.5 years ago. We paid nearly \$3000 for it at Best Buy. A little over two weeks ago the ice maker went out and soon to follow was the freezer and fridge. We called Samsung and after three phone calls of escalation they finally agreed to cover the diagnostic as an "accommodation" since we did not purchase the extended warranty.

The repair guy has been here twice and has finally deemed it as "non repairable." Each visit was over two hours and most of the time was spent with him on the phone with Samsung tech support. They replaced the CFAN and the main PCB but it still will not work. The repair company has sent 11 pictures to Samsung showing the error codes still coming up despite the repairs. Samsung is giving us the run around saying that they want the repair company to come

back out. Not only are we out a very expensive appliance, \$100's of food plus having to eat out mostly, we have lost countless hours on the phone back and forth as well as waiting on the repair guy. At what point does a company stand behind their product and actually take care of their customers? Samsung should be ashamed.

Helpful?YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=26; website last visited on February 17, 2017.

16.

Terry of Hindsville, AR on June 15, 2015

Satisfaction Rating

We purchased our Samsung RF26XAEWP new in 2012, since then we have had nothing but trouble with it. The ice maker stopped work while under warranty. The service tech came out to work on it several times and then finally replaced the unit. He told us the Samsung ice makers were junk. The ice maker stopped working again shortly after the warranty expired. The condensation catch pan at the bottom of the refrigerator repeatedly overflows leaving large puddles on the kitchen floor. Now it has stopped cooling due to it icing up. I have defrosted it, throwing away a lot of food in the process, and now it appears one of the fan motors has stopped working. I spoke with a salesman at the store where we purchased this Samsung. He said his Samsung freezes up and stops working all the time. I wish I still had my old Rogers brand refrigerator, that thing worked for over 20 years with no problems. This Samsung is junk.

Helpful?YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=25; website last visited on February 17, 2017.

17.

Sandra of Woodstock, GA on July 8, 2015

Satisfaction Rating

We have model #RF263BEAESR. Major problems for such a costly fridge. Water pours out SLOW, ice would stop producing, ice would come out in pieces or cubes, ice shoots out on floor, ice maker freezes up... Now water valve needs replacement.

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=24; website last visited on February 17, 2017.

18.

William of Colorado Springs, CO on July 8, 2015

Satisfaction Rating

RF24FSEDBSR - For the second time, the ice maker is not functioning correctly. The first time it was 4 months out of warranty and service was \$160. Service tech walked in the door and quoted the price of the service call as he knew what the problem was since he has serviced "a lot" of units with the same problem. Now the ice maker is dripping water inside the refrigerator. Great looking and good features, but never would buy it again or any other Samsung product. Reading reviews, this is not a unique problem - why don't they step up and fix or redesign the ice maker unit??

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=24; website last visited on February 17, 2017.

19.

Ilia of Orlando, FL on July 14, 2015

Satisfaction Rating

I purchased the Samsung RF263BEAESR. I purchased in 2012. A year ago the ice machine began freezing to the point where the machine would not make ice. Now the motor is making a loud noise. It keeps me up at night and it's began a week ago. I called Samsung customer service and they were so nasty. It left me with such a bad impression. I spent \$3000 on a refrigerator and just 3 years later it's giving my family problems. I don't have the money to purchase another refrigerator and I think it's just not fair. Samsung should care about their customers and fix the problems people are having with these refrigerator. These products should last me at least 8 years problem free!

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=23; website last visited on February 17, 2017.

20.

Grace of Spring Branch, TX on July 22, 2015

Satisfaction Rating

Samsung Refrigerator RF31FMedbsr/aa - Nothing but problems with the ice maker. Have had it work on it once already. It freeze up and makes no ice. Too expensive of a product to recommend.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=22; website last visited on February 17, 2017.

21.

Crissi of Hartsville, SC on July 28, 2015

Satisfaction Rating

I was so happy to be able to afford to finally be able to buy this refrigerator for my family (model RF323TEDBSR). Mine was manufactured Apr 2012, but we did not buy it until Feb 2013. I used to drool over the commercials of the big, happy family that was loading their shiny refrigerator with lots of groceries and pine for the day where I could actually afford that refrigerator for my family. We have 8 children, 6 who are still home full time, and this was touted as a big refrigerator for big families.

Initially, I was very happy with my purchase. It definitely lives up to all the space. The first grocery trip that I was able to fit everything into our new fridge prompted me to put pictures on social media. I was so tickled with it. Unfortunately, the honeymoon was a short one and my relationship with this refrigerator quickly soured. I had issues with a code that kept alarming that was repaired under warranty. The lower ice maker quit working altogether, but it was also repaired. That is all well and good, but it's harder than you think to find an appliance repairman who works on Samsung products at all, but especially the refrigerator. It's apparently even harder to actually get parts for the poor thing.

As of today, my fridge is a total piece of junk that is a daily reminder of how I was ripped off for over \$2500 (and I got a huge discount by being a smart shopper and combining discounts and a coupon). As of today, I am missing 4 of the door bins. All of the bigger ones on the right side where there should be lots of space for condiments, milk and more, they are broken and unusable. I have not been able to obtain any replacements for them at all. Even when narrowing them down on Samsung's website (do you know how many different door bins there are?!), I could not possibly spend the exorbitant prices they are asking... Keep in mind, it's still under extended warranty, but the warranty does not cover such things.

There is no handle on the freezer. The replacement one fell off, too. I usually have to open a fridge door to open the freezer. The bin inside the freezer has cracked and one has been pulled out because it was not staying in place anymore. The pantry door is gone. It was replaced once, but the second cracked in the same manner and it has not been replaced. The pantry drawer itself is also damaged and comes off the track much too easily.

The upper ice maker is completely dead. It stopped making ice awhile ago, though the water still worked. The water used to be fun to try and see if it wanted to work that day. Some days you'd push the dispenser down, the light would come on and nothing would happen for awhile. It eventually stopped dispensing water at all. So now no ice or water up top. The repairman fixed it once, but it's now broken again. And yes, the filter has been replaced with a genuine Samsung filter. When it was fixed, the entire apparatus that holds the filter was replaced. But again, no ice up top and no water. There is a crack on the white plastic on one shelf portion over the crisper on one side and a larger chunk cracked out on the other, to the point the glass shelf edge is partially exposed. So much for humidity control.

More recently, the fridge seems to be running warmer and my produce is dying off at an alarming rate. I am now looking at replacing a 2.5 year old fridge (which is still under an extended warranty!) that I feel totally duped into believing was actually meant for a family. I used to love this thing, now I hate it, and that makes me sad.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=22; website last visited on February 17, 2017.

22.

Rolf of Weston, FL on Aug. 11, 2015

Satisfaction Rating

Purchased a Samsung model #RF263TEAESR French door model with bottom freezer December 2014. After 3 months they replaced compressor. Took 7 days for them to get a replacement. Now ice maker quit working after 9 months in use and started freezing over and leaking water. Serviceman said to unplug the refrigerator. He would be back in the morning. Called Brandsmart where I purchased the Samsung Refrigerator. Said they have to order the part. Will take 1-2 weeks. I have read all the reviews with some of the same problems. I think a class action law suit is warranted especially since these are design defects from the start. I purchased Samsung TV in the past. Good quality. Running over 5 years with no problem. I don't believe they know how to built good quality appliance.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=21; website last visited on February 17, 2017.

23.

Maureen of Winthrop, MA on Aug. 22, 2015

Satisfaction Rating

I bought a fridge on 09/06/2013. This is a double door with ice maker and water on the door. So far I have had to call service for the ice maker 3x, it keeps freezing up. When I called on it, they suggested it needed a new filter - when the fridge needs a new filter it lights up on the panel, not lit. Also the water stream has lessened. Yesterday I noticed the rubber around one of the doors was ripped.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=20; website last visited on February 17, 2017.

24.

Cheryl of Milwaukie, OR on Aug. 29, 2015

Satisfaction Rating

I purchased the RF28HMEDBSR/AA 15 MONTHS AGO. Of course just after 12-month warranty I start to have problems with ice maker. The build up of ice on the outside of ice tray prevents the ice from dropping down. Chatted with Samsung rep and not helpful. I need to PAY for a service rep to come fix. I paid \$2500 for this product from Sears and I would not recommend this product unless you want to spend more money and pay for extended warranty. When you purchase an appliance that is this expensive you should be able to assume it will not have issues so soon!

Helpful? YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=20; website last visited on February 17, 2017.

25.

Sandra of Vienna, VA on Sept. 10, 2015

Satisfaction Rating

French Door Counter Depth Refrigerator with Deli Drawer RF24FSED - Like those before me, I am hoping others can benefit from my mistake. My Samsung refrigerator is less than two years old and the ice maker doesn't work. We have done all the recommended fixes several times. Both Best Buy and Samsung will not do anything to help. Reliable appliance repairmen won't work on Samsung appliances and say they can't even get parts. Also the interior design isn't very good. The door shelves have an extra metal trim and there is space between it and the plastic wall. If something spills and gets between the metal and the plastic wall it is a nightmare to clean. I also find removing the plastic vegetable bins to clean a big hassle. I will never purchase a Samsung product again

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=20; website last visited on February 17, 2017.

26.

L of Midlothian, TX on Sept. 16, 2015

Satisfaction Rating

I will NEVER buy another Samsung product after the experiences I have had with this refrigerator model #RFG298HDBP. Water from the door dispenser would drip enough to fill up the reservoir and it had to be constantly maintained. While during the warranty period, the lower icemaker never worked properly or regularly. Samsung sent out a repairman who replaced the

icemaker at no charge (under warranty). The replacement was of equal poor quality as it operated for a month or so before problems started. Water would overflow and spill into the ice bin... Finally, we decided to shut off the lower icemaker. The warranty had expired and I was not going to pay for a service call because I was beginning to see more problems on the horizon.

The upper icemaker would produce ice at a much slower pace, but we survived. Then the water leaking into the meat/cheese drawer began. Puddles of clean water that you could splash in the drawer... I started keeping a hand towel at the back to absorb the water and every few days I would replace the water soaked towel with a dry one. Sometimes the wet towel is frozen stiff. Then, a layer of ice was developing under the meat drawer! Water was dripping under it and freezing up. If the layer built up enough over a week's time, you would have difficulty sliding the drawer in and out and closing the drawer. As a new "maintenance routine" I take contents from the drawer, pull the drawer completely out of the refrigerator, scrape out the ice on the bottom of the refrigerator cabinet, then put the drawer back in. Can you believe this?

Many of my fresh vegetables are freezing (ruining) in the refrigerated section... not in the drawers but sitting on the shelf. At least once a week I have to go through the de-icing routine, maybe more often depending on the ice build up. As of yesterday, the door dispenser of ice and water has stopped operating. Nothing comes out of the dispenser. Zero.

Like everyone else on ConsumerAffairs, I called Samsung who referred me to their service center. I do not care to put anymore money into this lousy lemon. I would feel so guilty to sell this second hand to anyone else! But I don't want it anymore! I have never, never, never had such a terrible appliance. When we spent several thousand dollars to buy this Samsung refrigerator, I had waited a long time to buy something that would last a while and be maintenance free. This has been anything but what I had hoped for. Where's some help from our government to act upon the company that is stealing from consumers???

Helpful? YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=19; website last visited on February 17, 2017.

27.

Diane of Greer, SC on Sept. 26, 2015

Satisfaction Rating

RF263BEAESR/AA - We bought this fridge less than two years ago. I agree with the other reviews that it is a bit noisy but that's not the worst problem we have. The ice maker is awful! The ice remains in the chute (in the door) and then melts and leaks out of the dispenser! We end up with water dripping down the front as well as inside the fridge, in the door shelves and under the produce drawer. We have to keep a folded paper towel under the dispenser constantly! We also have to open the door and reach inside the ice chute with a small spoon to scoop out whatever left over ice remains there or else it will melt and leak everywhere! HOW can we all start a class action suit?

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=19; website last visited on February 17, 2017.

28.

Chris of Oak Ridge, TN on Oct. 1, 2015

Satisfaction Rating

Bought this RF261 French door/bottom drawer fridge and dishwasher in same style in Sept 2012. Within a month or so we found accumulated water in the drip pan under at the bottom of the fridge. Now the ice maker has failed and consumer service fix (reset button) did not work. Dishwasher does not clean well even with pre-rinse and accumulates sludge under door. No more Samsung products for me!

Updated on 12/28/2015: We found only two appliance technicians in our area who would work on a Samsung; one had to come 70 mi. one-way, and the other was Sears. The Sears technician quoted a price of nearly \$900 to repair these two problems. We also bought a matching Samsung dishwasher, and although it works, it doesn't clean well, and the door gasket collects food debris and stinks. Since both are out of the warranty period, Samsung won't do anything. I will, though: I'll never buy a Samsung product again.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=19; website last visited on February 17, 2017.

29.

Richard of Henderson, NV on Oct. 6, 2015

Satisfaction Rating

Model RF31FMESBSR/AA Horrible unit. Icemaker will not work. Replaced it and the 2 main circuit boards and no one can figure out what's wrong. VERY, VERY POOR PERFORMANCE and VERY, VERY POOR SUPPORT. Bad choice. Will get a Whirlpool next time. Samsung should stick to phones and TVs and stay away from appliances altogether. My appliance repairman says SAMSUNG SUCKS!

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=18; website last visited on February 17, 2017.

30.

Dena of Cincinnati, OH on Jan. 5, 2016

Satisfaction Rating



Purchased a Samsung refrigerator 2 years ago and the first year fine. 2nd yr ice maker has caused us so many problems. We have to defrost the fridge like the olden days for it to work. Every 2 weeks are the whole ice maker stops and freezes up.

Helpful? YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=15; website last visited on February 17, 2017.

31.

Patti of Vista, CA on Feb. 3, 2016

Satisfaction Rating

We purchased the Samsung french door refrigerator Model RF267ABRS in May of 2009. We bought an extended warranty from Lowe's at the time of purchase which was a good thing!! Within 6 months we started having problems with ice forming underneath the deli drawer and out of the holes in the inside, back of refrigerator. We called the warranty company and they sent out a technician within 2 days. He informed us that this is a common problem with Samsung refrigerators as the drainage tube in the rear of the refrigerator is too small and ices up. He advised us to defrost the refrigerator and he would return IN 4 DAYS, once it was totally defrosted and run a line through the tube to check for blockages.

He advised me to call Samsung regarding this problem. I did call and the service rep told me they had NEVER had this problem with their refrigerators before and refused to do anything about it. I told her it was all over the reviews and she told me they don't read them. (HA-HA)!!! I requested to speak with a Supervisor and was told the same thing. Since that time, I have called them a total of 6 times with no resolution other than being told to DEFROST when this happens!!! I thought I was buying a FROST-FREE REFRIGERATOR but Samsung seems to

think otherwise, taking no responsibility for their product. Six months later, the same thing happened.

This time before the warranty company would not send anyone out until the refrigerator was DEFROSTED FOR 4 DAYS. He came out and again ran a line through the tube and left. Since then, this piece of junk freezes up every 4 months and has to be totally defrosted for 4 days to de-ice it. I will never buy anything from Samsung again as they do not stand behind their products. To have paid the amount of \$\$\$ on this and have them completely ignore the problem is poor business practice and tells a lot about the company and how it is run. NEVER AGAIN!

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=14; website last visited on February 17, 2017.

32.

Janice of Langston, AL on Feb. 4, 2016

Satisfaction Rating

We purchased our fridge Jan 2014 and at first happy with it. Year and a half later the noise started. I could see through the small holes on the inside back, it was frozen over. Ice was coming through the small holes. The noise was awful. Then it quit cooling and the top ice maker quit. Repairman said it had frozen up and the fan that blows the cold air out into the fridge had gone out. The ice maker had quit because it also was frozen over. He took the ice maker drawer out and it was a solid sheet of ice. He thawed it out and it began working again. Not sure for how long.

He told me this was a bad problem and it wasn't worth replacing if it didn't start back working after being thawed. Fortunately it did begin making ice again. I guess in the future I will just thaw the ice maker out when it quits again. He ordered another fan, and as a note it was on back order and it took them from Oct to Jan for the part to come in. Now a month later the noise has started again. So I will be calling a repairman again. Not sure what he will say this time. I would not recommend anyone buying a Samsung refrigerator. My brother had bought this same fridge around the same time I did, and it has done the same thing with them. Terrible noise and replacing the fan. His ice maker has gone out 3 times and they have replaced it each time. Why would they continue making this piece of junk? I can't believe I paid 2000 for such this crap. Stay away from Samsung refrigerators model RF28HFEDTSR/AA.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=14; website last visited on February 17, 2017.

33.

Rob of Senoia, GA on Feb. 16, 2016

Satisfaction Rating

When you spend over \$3,000.00 on a top of the line refrigerator, you have certain expectations. We bought a Samsung French Door Refrigerator about a year ago. Model RF31FMESBBSR/AA. Do not waste your money on this refrigerator. I spent two days searching and comparing. I wish I had instead spent 2 minutes on this site. Ice Master is what they call the ice maker. It is a piece of crap. Small cubes that dispense out painfully slow. After about 6 months, the ice compartment started getting cracks in it. Now, ice maker freezes and stops working about every other week. I have to melt the ice with a hair dryer to get it going again.

Also - door bins started breaking after 3 months. All but one are now broken. They tried to make these pretty, instead of functional. 3 pieces - plexiglass, plastic, and a metal band that holds the plexiglass in place. Once the cheap/thin plexi cracks and breaks, the band falls off. Warranty procedure is an absolute joke. Stay away from Samsung. It looks way better than it works.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=14; website last visited on February 17, 2017.

34.

Lori of Columbia, SC on April 7, 2016

Satisfaction Rating

I purchased the RF31FMEDBWW from hhgregg on 8/11/13. Ice maker broke, service date 1/28/14. Ice maker broke, service date 4/22/14. Ice maker broke 6/9/14. Gasket needed replacing 8/12/14. Ice maker broke, repairman coming 4/8/16. Also, the entire time we've had it, the appliance makes extremely LOUD knocks and banging sounds which can be heard throughout the house, and all the repairmen that have been here for other issues say it is "normal." I know several people that have the identical model, and none of them have this problem. Samsung refuses to replace this lemon due to warranty "limitations."

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=12; website last visited on February 17, 2017.

35.

Scott of Urbandale, IA on April 18, 2016

Satisfaction Rating

We bought a Samsung RF32FMQDBSR in April of 2014 and have had nothing but problems with the ice maker. It stops working periodically and then may restart from 1-5 days later. We have had numerous service calls, one of which including replacing the ice maker to get updated software. The software change had basically no effect on the poor operation.

This is a big (32 cu ft) 4-door unit that was very expensive. The ice maker design is very poor. The cooling and defrosting within the ice maker is deficient. The typical recommendation from service technicians is to turn the whole refrigerator off for 24+ hours and let it warm up and melt out completely. The ice drawer is very difficult to remove and sometimes cannot be put back in when it is frozen up. THIS IS A BAD DESIGN, and is not going to work correctly no matter how often it is serviced. Even when it is working, water drips from the ice spout and on the inside of the unit. You will rue the day you purchased a Samsung if you get one of these.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=12; website last visited on February 17, 2017.

36.

Gary of Forney, TX on April 29, 2016

Satisfaction Rating

Purchased a 4 door Samsung refrigerator (#RF25HMEDBSR/AA) in 9/03/14. It took almost 6 weeks to receive it. About 6 months after we purchased, two problems occurred. One with the flex temperature control drawer and the other was the ice maker. The ice maker started leaking every time ice was dispensed and would freeze up. We called customer service and a service man came out only to tell us that the ice maker was leaking water due to the humidity, which was totally ridiculous! A part was replaced, but in a month or so, same thing happened. A couple of months same thing. Again it was looked at (nothing was replaced), then on the fourth time, same issue.

By this time warranty is out and again same issues and we were told that we would be paying for parts and labor since it was. This made absolutely no sense since it was an ongoing issue. They finally told us that we would have to pay the diagnosis fee and the labor and this time Samsung would pay for the parts. That was in March of this year, when several parts were replaced, and this afternoon the ice maker had to be warmed up with the hair dryer again for the second time, since repairs, to melt the ice AGAIN! This is not an inexpensive refrigerator, so you would expect better service and a much better product! I am not happy that we had to pay for a service charge and labor since we had been having same issue almost from the beginning of purchase! Very, very disappointed in this product!

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=12; website last visited on February 17, 2017.

37.

Chuck & Katheryn of Vail, AZ on May 21, 2016

Satisfaction Rating

Bought Refrigerator Model # RF323IEDBSR/AA for \$2299.99 + tax. We had problems with the ice maker freezing up within a year. We had a service person come out & repair it 2 times & it still has problems. We had to put out \$218 & \$242,44. Air gets into the ice maker & the ice freezes as well as we cannot remove the ice maker as it is frozen. We called Samsung for the 3rd time speaking to an Executive Customer Relations person and he said could only will send someone out again at our expense again & if it cannot be repaired they'd decide what to do next. They will not reimburse us for our past charges & will not exchange the refrigerator. We decided not to have another service person out & have to pay out more money. We'll just wait until it breaks permanently & buy a new refrigerator. We will definitely never buy a Samsung Refrigerator again. I would not recommend a Samsung refrigerator to anyone.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=11; website last visited on February 17, 2017.

38.

Randy of Iowa, LA on July 7, 2016

Satisfaction Rating

Purchased Samsung fridge 2013, 3 door. Great unit for the first year. Since then I have to remove the ice maker every 3 months to thaw out and chip the ice off the compartment walls. The ice builds up around the ice maker and eventually blocking the ice from dropping. Ice backs up, freezes together forming an ice rock. Dealer can't help because it is a design flaw and Samsung will not admit it. Slap me if I ever purchase anything made by Samsung.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=9; website last visited on February 17, 2017.

39.

Kyle of Winter Springs, FL on Aug. 3, 2016

Satisfaction Rating

Samsung Refrigerator - Model # RF263BEAESP/AA. Purchased this new (4) years ago. Within the first year, the ice maker stopped working and the warranty covered it. Year and a half later, the replacement ice maker stopped working again (ice builds up & prevents the ice maker from making ice). Ok - I don't need ice that much. We learned the hard way that we couldn't count on this fridge to keep the meats/dairy cool enough to not spoil - so we depend on our (20+) year old non-Samsung fridge in the garage. We've lost plenty of food in the Samsung fridge because it was not cool enough - in spite of it being set to the coldest setting.

Now, just a week ago - the fan in the fridge compartment is making a loud buzzing noise - why, because ice is building up there too and hitting the fan blades. I've run the manual defrost mode several times - but it only works for a few hours before the ice comes back and the noise starts again. When we bought our home, we did our homework on each appliance. At the time, Samsung got very good reviews, so we wound up buying (4) Samsung appliances - washer, dryer, oven, and Fridge. Only the dryer hasn't needed to be repaired. I will never buy ANY Samsung appliance or product again!

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=8; website last visited on February 17, 2017.

40.

Larry of Greensboro, NC on Aug. 28, 2016

Satisfaction Rating

Samsung Refrigerator RF32FMQDBSR problems - After a year I noticed the ice maker bin getting harder and harder to remove and finally it froze up so solid it took 4 hours to thaw and remove the ice bin. It did this again within a month. After some researching I find this is a problem others are having also. Since that second thaw I have been removing ice build up under the ice bin weekly to keep it from freezing up again but it's getting worse. It does this months, I have concluded the drain line for the ice maker defrost has frozen up stopping the drain path of the ice maker defrost melt, which now overflows to under the ice bin and refreezes. This is an obvious bad design with no clear fix in sight. If I were to clear this drain line (don't know how) it will do it again in a year from buildup of ice. The other issue is that ice maker cannot dispense cubed ice, again poor design.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=8; website last visited on February 17, 2017.

41.

John of Hebron, KY on Sept. 21, 2016

Satisfaction Rating



Bought the Frig from Lowe's in 2014. It started dripping water about a year in from the water/ice dispenser. The ice has never dispensed very well, and the consistency of the ice varies greatly without any adjustment of the temperate. And then a week ago a plastic piece falls out of the ice maker into my glass. It broke off of something. Now the ice maker is frozen, no more ice. I see that there have been so many problems with Samsung frigs with a class action lawsuit. I can't believe Lowe's has these lemon products on the floor. Is my model in the class action?

Helpful? Yes No

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=6; website last visited on February 17, 2017.

42.

Jesse of Chandler, AZ on Sept. 28, 2016

Satisfaction Rating

We purchased the RF32FMQDBSR/AA 4 door flex zone fridge, from Conn's furnishings, in April 2014. We didn't even get 6 months of use from it by the time the ice maker quit working. I called Samsung support, if you want to call it that. They had me go through steps to defrost it and reset the ice maker. It worked for a few weeks, then did the same thing again. I tried to get them to send out a service tech to see if there was an actual problem, while the fridge was under warranty. They would not do it. They said it just needed to be maintained by us. I got tired of the

run around from Samsung, so I left it at that. We can live without an ice maker, because by the time Samsung actually wanted to do something about it, our warranty had expired. Imagine that!!!

Now, our new problem. A few weeks ago, we noticed milk and food spoiling in the fridge. We thought it had just expired or something, but it had not. The fridge was not cooling past 60 degrees. The front panel said it was 35 degrees, but when I reset the panel it showed the actual temp of 63. No wonder food is spoiling. I called a service tech myself, because I thought our warranty was out. They listened to the symptoms and didn't even send someone out. They told me to contact Samsung, as it was a problem with the sealed system, and it is still under the 5 year warranty.

So, I called Samsung. After 3 different phone calls and 3 different ticket numbers, they sent out their contracted service techs. The tech concluded, after a couple of hours of work, that the problem was in the sealed system. I asked him if it can be fixed, and he said he didn't know of anybody that can fix it, due to the flammable refrigerant they used in these systems. Now, I'm waiting on Samsung to get their head out of their collective **, and do something about this, as we've been without a fridge for going on 4 weeks now. I will never buy another Samsung product as long as I live.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=6; website last visited on February 17, 2017.

43.

L. C. of Mesquite, TX on Oct. 10, 2016

Satisfaction Rating

I ONLY GAVE IT ONE STAR BECAUSE I HAD TO!!! We bought our Samsung fridge model number RF263BEAESR/AA from Best Buy. We have had nothing but problems since the delivery. It consistently makes the loudest most annoying buzzing noise. We called the warranty department to have a tech, Young **, from NISI. The first order for repair was completed, by basically putting a bandaid on the hose to the condenser. This noise stopped for about an hour only to return worse. We set up for a second repair to be done. Same technician came out, took the back panel off and again put a bandaid to muffle the sound. Again the fridge made the buzzing noise, only this time it was so loud that you could hear it from our bedroom. This would be the third repair done in order to attempt to cover up a piece of ** product.

I then decided to call the customer service to speak to multiple service people all of which are foreign people, only to tell me that they need three ticket repairs, acknowledging this model has had multiple complaints for freezing up, to which the fan hits the frozen ice causing the buzzing sound. The only relief to stop the buzzing is to open and shut the door. This must be done on a repetitive basis all damn day. Who has time to open and close a fridge door to try and have some peace and quiet. The last time the technician came he said he would not create a ticket for this

final repair because he wanted \$80 for coming out in addition to parts. The former repairs were written up for condenser issues, and this visit he said he could not fix it due to no payment and because he did not know how to repair it.

This is poor, unacceptable customer service. We have recorded the noise along with images taken. The sound is so loud now it sounds like a damn jet plane. A supervisor at Samsung has said that we should be receiving a call to start a replacement or a refund, but due to high call volume have shut that department down for a week now. REALLY?! RIDICULOUS! Do not buy this product, nor take it if given to you for free. We will never purchase a Samsung product again and only hope that they stand by their word to refund our money. Apparently this is happening to almost every consumer who purchased this model. Get your ** together Samsung and take this off the market. When you spend this much for a product, it is under warranty, defective, you should recall it. BUYERS BEWARE!!

Helpful?YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=6; website last visited on February 17, 2017.

44.

jeanne of Simi Valley, CA on Oct. 23, 2016

Satisfaction Rating

Bought our Samsung RF23J9011SR/AA refrigerator approximately one year ago. Ice maker malfunctioned. Samsung seemed familiar with the problem. The repairman mentioned a design flaw with regard to the small fan. They did quickly repair the problem for hundreds of dollars. It seems to me if they knew of the design flaw they should make the adjustments at their cost.

Helpful?YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=5; website last visited on February 10, 2017

45.

GEORGE of Coconut Creek, FL on Nov. 5, 2016

Satisfaction Rating

I bought the RF263beasr/aa. Junk, junk and junk. Problem is plain and simple and should never occurred on a new Fridge. Icing problem on the back at the point that you can hear the fans hitting and scraping the ice. And the Ice maker also develops ICE. Read instructions and forums and I leveled the fridge. I made sure that the gaskets of the doors are fully closed and the gasket of the ice maker fully closes and seals the ice maker when door is closed. Fridge is 3 years old and it still has the same problems. I have to get the ice maker every month and use my hair dryer

to deice the ice maker. I also once a week I force a defrost cycle plus turn the fridge off for 4 hours to let the coils defrost. My old previous fridge was a GE 15 years old. Nothing wrong with my old fridge (NOTHING, no ice maker problems nor icing problems).

I made the big mistake of remodeled the kitchen and bought new appliances. I bought Frigidaire stove, Microwave and dishwasher. My wife insisted on the SAMSUNG Fridge because of the looks and I pampered her... BIG MISTAKE!!!! NEVER AGAIN WILL BUY A SAMSUNG PRODUCT AGAIN!!!! SUPPORT SUCKS. Customer service SUCKS!!! One thing I love though: I am an IT Manager and I get to say and approve what Technology to buy in my office with 800 users and guess what!!!! I turn down everything Samsung!!! From printers, PCs, laptops, faxes, TVs, monitors, etc, etc, etc!!! Nothing Samsung ever again... And any other agency that I do business with I spread the word!!!

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=4; website last visited on February 10, 2017

46.

Peggy of Hindsville, AR on Dec. 29, 2016

Satisfaction Rating

We built a new retirement home and decided to buy all new appliances. We figured we wouldn't ever need to replace them. French door refrigerator RF263BEAESR has been a nightmare. It has been serviced at least 5 times and still doesn't work right. We have to buy ice. I will never buy any Samsung appliance again. We got the appliance in 2014 around November. December was the first service call. I called and complained several times to Samsung and Metro Appliances where we purchased the item. Beings the warranty has expired I will buy ice from now on. I have spent enough money on repairs. I should have bought a good refrigerator. Never again...

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=2; website last visited on February 10, 2017.

47.

Colleen of Laguna Niguel, CA on Jan. 6, 2017

Satisfaction Rating

Same continuous issue with our Samsung refrigerator model RF28HMEDBWW. At least 3 service calls (maybe more) and now we have been waiting for 3 weeks to get the ice maker part replaced. Ice maker continuously freezes up and won't dispense ice... frustrating! Customer service is terrible. No one calls back from the service company or the warranty company to let us

know the status. Waiting now to see if the part can even be ordered... maybe not available any longer, not sure. Luckily I purchased the extended warranty. We'll see what happens. I do not recommend this refrigerator.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html?page=2; website last visited on February 10, 2017.

48.

herb of Wappingers Falls, NY on Jan. 11, 2017

Satisfaction Rating

This is an attractive fridge, and came in cabinet depth. It has ice and water through the door, left side. Unfortunately every 2 to three weeks, the ice maker freezes up and does not allow ice to be produced. To free it up is an involved process, and annoying also. A hair dryer is used along the side of box in the upper left of the fridge. And then the front cover must be pried off, even as the release button is being pushed up. A flat knife is used for prying in addition to much smacking and hitting the side of the box. The process takes approximately 30 to 45 minutes. Once the cover is removed the hair dryer is then pointed into the ice maker and with the flat knife the ice is chipped off. I really have better things to do with my time, but I do like my ice.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html; website last visited on February 10, 2017.

49.

Alpa of Schaumburg, IL on Jan. 12, 2017

Satisfaction Rating

Within months of purchasing my RF23J9011SR counter depth 4 door fridge...ice maker stopped working. I defrosted it several times and it did work but you can hear the gear (auger) clicking. Then 1.5 yr later, it completely stopped working. I believe the design is flawed as the ice maker sits in the refrigerator section and not the freezer area. Having different temperatures, plastic gears, etc...are probably the root cause. Fortunately, Samsung did honor a one time warranty so that it wouldn't cost me the \$610 to replace the case auger and ice maker via the authorized repair place.

*Helpful?*YesNo

https://www.consumeraffairs.com/homeowners/samsung_refrigerator.html; website last visited on February 10, 2017.

50.



1 out of 5

Good Fridge, Poor Ice Maker Design

ByBob

onNovember 3, 2016

Purchased this unit in Oct. 2014, had continuous problems with the ice maker dripping water while dispensing ice. It stopped producing ice several times because it froze up inside. After 11 service calls and two total ice maker replacements the warranty company refunded my purchase. I will never have another fridge with the ice maker in the refrigerator section. Just flat out poor design..

No, I would not recommend this to a friend.

Written by a customer while visiting lowes.com



<http://www.samsung.com/us/home-appliances/refrigerators/french-door/36-wide-23-cu-ft-capacity-french-door-refrigerator-white-rf23hcedbww-aa-reviews>; website last visited on February 10, 2017.

51.



2 out of 5

Ice Maker is Poor Design

Bysmjmm



Additional information about smjmm could not be loaded.

onJanuary 23, 2017

from St. Louis, MO, USA

I have used this product for:2-5 years

Expertise:expert

of SAMSUNG products I own:3-5

Cons: Poor quality

1. The ice maker does not produce enough ice.
2. The internal components frost over and ice gets stuck. Stops producing ice frequently

(weekly).

3. When you press for ice water squirts out first.
4. Problems started one year after purchase.
5. Had it serviced and problem continues.
6. Motor for ice maker makes a loud noise.

Features



Performance



Design



Value

<http://www.samsung.com/us/home-appliances/refrigerators/french-door/36-wide-23-cu-ft-capacity-french-door-refrigerator-white-rf23hcedbww-aa-reviews>; website last visited on February 10, 2017.

52.

See also: “The Invisible Blog” at <http://www.theinvisibleblog.com/2016/08/fixing-samsung-ice-maker.html> dated August 29, 2016, January 6, 2016. This website was last visited on February 6, 2017.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
RONALD BIANCHI AND DEBRA BIANCHI, on behalf of themselves and all others similarly situated,

(b) County of Residence of First Listed Plaintiff Suffolk, Virginia
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, Email and Telephone Number)

SIMMONS HANLY CONROY LLC, 112 Madison Avenue, 7th Floor
New York, NY 10016 - mbreit@simmonsfirm.com - 212-784-6400

DEFENDANTS
SAMSUNG ELECTRONICS AMERICA, INC.
AND SAMSUNG ELECTRONICS CO., LTD.

County of Residence of First Listed Defendant Bergen County
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
PTF DEF
1 1 Incorporated or Principal Place of Business In This State
2 2 Incorporated and Principal Place of Business In Another State
3 3 Foreign Nation
4 4
5 5
6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Real Estate, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation - Transfer
8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. 1332(d)
Brief description of cause:
Unjust enrichment, breach of implied warranty, consumer fraud, strict liability, and fraudulent concealment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 02/23/2017 SIGNATURE OF ATTORNEY OF RECORD s/ Mitchell M. Breit

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of New Jersey

RONALD BIANCHI AND DEBRA BIANCHI,
on behalf of themselves and all others similarly

Plaintiff

v.

SAMSUNG ELECTRONICS AMERICA, INC.,
AND SAMSUNG ELECTRONICS CO., LTD.

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) SAMSUNG ELECTRONICS AMERICA, INC.
85 Challenger Road
Ridgefield Park, New Jersey 07669

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you
are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ.
P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of
the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,
whose name and address are:

Mitchell M. Breit
SIMMONS HANLY CONROY LLC
112 Madison Avenue, 7th Floor
New York, New York 10016-7416

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint.
You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify):* _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of New Jersey

RONALD BIANCHI AND DEBRA BIANCHI,
on behalf of themselves and all others similarly

Plaintiff

v.

SAMSUNG ELECTRONICS AMERICA, INC.,
AND SAMSUNG ELECTRONICS CO., LTD.

Defendant

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Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) SAMSUNG ELECTRONICS CO., LTD.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Mitchell M. Breit
SIMMONS HANLY CONROY LLC
112 Madison Avenue, 7th Floor
New York, New York 10016-7416

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: