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2010 FEB 26 AM 7:43

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Mesa AZ [REDACTED]

NHTSA – U.S. Department Of Transportation  
Washington, D.C. 20590

RE: SAFETY DEFECTS – Brakes and Acceleration

Nine days ago I was almost killed in a head – on Collision. I was driving my 2004 Pontiac Vibe – which is a car that Toyota made for Pontiac. I somehow managed to avoid a collision by turning my car into a curb and an open area. I have contacted Pontiac Several Times and went To Toyota where I was told it's not their car. While it's a Twin made for Pontiac.

I have been complaining about a break/accelerator problem for over 3 years. For the brakes I threw out the floor mats, but the acceleration has been going on since at least, 2007. I have taken the car in so many times and written so many letters to Pontiac I am tired of these lies. This last acceleration was the worse, but there have been at least 10-12 major problems with the acceleration. Dozens of minor problems. At no time has anything ever been done to my car to repair it, accept removing the mats. Service technician's laughed at me, ridiculed me and used such saying as the car that flies. Believe me 9 days ago it just about did. There boss encouraged his workers to tease me and completely deny a problem existed. This car was brought brand new over 5 years ago. It has a 6 year 72,000 mile warranty. Pontiac has never performed any of its defects – denying they exist – although I have written proof it does. The Pontiac Manger has said you can take it to another Pontiac Dealer – But I will make sure they won't fix it. The magic Break Pedal has not arrived at Pontiac and never will.

Toyota has spent millions of dollars on newspaper ads, commercials and lobbyist efforts to try and ask for help. If you build a defective car, and in 2007 I tell you the accelerator is huge problem and so does the insurance companies – waiting 3 years and doing nothing is totally irresponsible. Now they are producing even more bad cars. They avoided their fiduciary duties

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in 2007, and now the company is in big trouble. Don't bail out fools who build bad cars knowingly. Plenty of car makers can produce cars that work and that won't accelerate. If you can't build safe cars, then go out of business, that's the way it is.

I am sick of just about being killed and hearing some nitwit excuse – Pontiac Points at Toyota and Toyota Points at Pontiac. Meanwhile I paid an extra 1400 Plus dollars for a useless warranty. My car as of this date has less than 50,000 miles. For 3 years you made me drive a car you knew was dangerous.

I worked in the Legal Field for about 20 Years as a paralegal and extensive did trial work where in some cases there was over 1,000,000 ( 1 million documents – 150 million in damages. I am by experience and further education a qualified neutral, for mediation, arbitration and Alternative Dispute Resolution. I have actual experience of working for 3 Months on a multi-party litigation resolution. Auditoriums were rented at Hotels so all companies, parties, attorneys and witnesses were present. Executives of companies had mandatory presence to insure full understanding of all party views and what litigation costs would be concerned. I think I am extremely qualified to present clear facts in this matter.

The last response from Pontiac is we don't care, spend a couple of hundred dollars and we will look at it. You can't detect intermittent acceleration – there are no tests for this.

I have suffered thousands of dollars in damages in this matter. I have been sold a known defective car, which is undoubtedly dangerous. Toyota knew I had a real problem, there offer; we'll give you a good break on your Trade-in. Good, another defective car – just what I need. The same man at Pontiac has done everything to tell Pontiac there is no problem. I am sure when I went in nine days ago after I was almost killed, enraged, he did not try to tell me another bullshit story about the acceleration problem. He said they could look at it and try to fix it, for a fee, but they did not have the parts to put in the magic break.

Its time you stepped in and I get a car that I can really drive, and is safe. I paid cash for that car, and got a warranty – in return I got a car that has intermittent accelerator failure. I drove my car up to the car to unload the groceries inside. There was a mild noise from the engine running. I come

out after putting the eggs in the refrigerator and the car is running like someone has just pushed the accelerator to the floor. That's defective.

Do something before I get killed. I will gladly take the car the head mechanic at Pontiac has, or its equivalent. (It has to be an automatic) In return this man must use only my Vibe to transport his children and grand children – they can ride in no other car. Since there is no defect – his children can ride in it, safely – just like he told me I have.

This car has defects that need fixing, and I am owed many thousands of dollars in legal damages. These defects are long standing. Class Action lawsuits with punitive damages should be filed. Its time the big corporations pay what they owe – don't recall and you will be severely penalized – not be put in a situation that its OK to spend huge attorney fees, fight to the hilt and only get compensatory damages. I do ask for compensatory damages, not the punitive damages that I am really entitled to. They were warned by me in 2007. That's sufficient legal warning – along with the insurance warnings.

Very Truly Yours,

[REDACTED]

I am sorry for any spelling or grammar problems. I have bad arthritis and this letter is a huge effort on my part

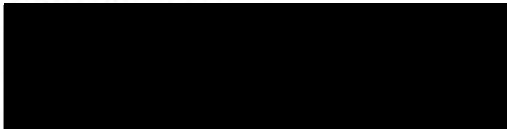
## ADDENDUM TO NHTSA LETTER

In reviewing my letter I realized that I not stressed the 10-12 Major Problems with the Accelerator. Since the Purpose of the letter is to address Safety Issue dealing with a crash, injury or death I will specifically identify 4 more instances of this accelerator problem.

In the first three cases there was a pattern that did occur. In all 3 cases I was making a left turn in the intersection. My intent was to turn into a strip mall. In all cases there were five lanes, 2 east – 2 West and a middle turn lane. I would turn left, ease into the center lane with the idea of transitioning into the Center turn lane. I just tapped my gas pedal and the car rapidly accelerated. I went way past my turn and was moving way to fast to execute a U Turn. My only option was to turn left into traffic and either be in a head on or side crash accident – The cars on these roads all traveled above 50, which is excessive, but only 5-10 miles above the speed limit. I almost got hit on all 3 occasions.

1. Case 1 – there was a car in the center lane stopped, ready to turn, if I hit it it was definitely a head on crash. It was between 1-2 City blocks ahead, and I was accelerating out of control of the car. I tried turning into a driveway, but I went in the wrong way and hit those steel roadway stops. My car wheel was destroyed, but I had beaten death.
2. Case 2 - the scenario is very similar except the car coming at me in the center lane was moving very rapidly, and was about 2 -3 blocks away, it was a head on, so again I chose to turn left. My passenger tire hit the entrance ok, but my driver's side wheel was literally ripped-off as the side wheel of the car hit the curb. There was a huge hole in the tire.
3. Case 3 - We again have a car rapidly approaching me in the center, lane. He was less than 3 blocks away so I had a little more time. I found a driveway and successfully turned into it. No flat tires, but my car hit a huge speed bump and I almost slammed into fence or the manned entrance booth.
4. I was coming down a road that was a dead end and the entrance to "Freeway Type" Road at this point was only a left turn. Turn right and you hit concrete. There was a dirt/ gravel type area that I went into. It was steep and not meant for driving on. I could have easily flipped over. Again, I was riding the break and just tapped the gas pedal and I accelerator out of control- very fast.

I have had it with this death trap of a car. Pontiac and Toyota owe me a safe car. I warned them in 2007 and I was mocked and treated with total disrespect. The dealership refused to fix a defective car. The Insurance companies warned them in 2007. In my case Pontiac sent down a rep, but there is no way I can have the car do a random accelerator problem. So I was just made out to be some "Nut Case," These cars are killers – replace my car now!!!!



[Redacted]  
Mesa, AZ

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