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**INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)**

May 29, 2010

Edison, New Jersey [REDACTED]

CL-10319812-8342

Toyota Motor Sales, U.S.A., Inc.
19001 South Western Ave.
Dept. WC11
Torrance, CA 90501

Dear Customer Service,

Re: Accident due to faulty traction control

We were in an accident driving a 2004 Lexus ES330 (VIN: JTHBA30G745 [REDACTED]) in cold conditions where the anti-lock braking system (ABS), faulty traction control, vehicle stability control (VSC), calipers, brake lines, pads, rotation sensors, piston, or other source caused the car to skid off the road into the guard rail. No other vehicle was involved. A slight application of the brakes caused the wheels to freeze and car to skid into the side rail as indicated in a submitted police report of the event.. I took the car to Lexus of Edison and spoke with the following people: Donna Coleman (service consultant), Joseph Rattino (service coordinator), and Ralph Bencivenga (service manager) to determine if the vehicle was safe to drive. Diagnostic testing could only confirm that the internal computer was not reporting a system error. I was advised that road testing in similar conditions would be required to verify a safe vehicle. We have no means of conducting this type of evaluation. We believe that Toyota determined there was a glitch in the antilock brake system software referred to as "traction control" or "vehicle stability control" software. Toyota decided to make a change to its production line to address the problem, but moved to a recall after receiving more complaints on similar vehicles; but did not address the 2004 Lexus ES330. To our knowledge no recall or adjustments has been made on this vehicle. We sustained damages in excess of \$ 12,000 as a direct result of the failure of Toyota to make the necessary corrections and we are requesting an evaluation of the safety of this vehicle. We are afraid to drive in similar conditions and request of full review of the accident. We have heard once from Toyota on April 9, 2010 from Carolyn at Lexus Customer Satisfaction and she indicated a Mr. William Bergen would contact us within 30 days. No such person has made any contact.

Very truly yours,
[REDACTED]

✓ cc: National Highway Traffic Safety Administration
NHTSA Headquarters
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

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