


# INFORMATION Redacted PURSUANT TO THE FREEDOM OF

## INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

 U.S. Department of Transportation National Highway Traffic Safety Administration		DOT Auto Safety Hotline <b>Vehicle Owner's Questionnaire</b> To Report Vehicle Safety Defects 1-888-DASH-2-DOT (1-888-327-4236) INTERNET:www.nhtsa.dot.gov/hotline		FOR AGENCY USE ONLY 100148 Date Received AUG 16 2010 16-JUN-2010		Repository <input type="checkbox"/> Reference No. 10336649							
<b>OWNER INFORMATION (Type or Print)</b>													
Name		Address		City		State		Zip Code		Daytime Telephone Number		E-mail Address	
[REDACTED]		[REDACTED]		SPOONER		WI		[REDACTED]		[REDACTED]		[REDACTED]	
Evening Telephone Number		The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).											
<b>VEHICLE INFORMATION</b>													
17 digit Vehicle Identification Number Located at bottom of windshield on driver's side				Make		Model		Model Year					
1NXBR32E67Z [REDACTED]				TOYOTA		COROLLA		2007					
Date Purchased		Dealer's Name and Telephone Number				Engine:		Fuel Type:					
6-15-07		Markwart Toyota 800-254-1644				No: Cylinders							
Original Owner		Dealer's City		State		Zip Code							
<input checked="" type="checkbox"/>		Eau Claire		WI		54701							
Transmission Type		<input type="checkbox"/> Antilock Brakes		Powertrain		Multiple Failure:		Incident Date(s)					
		<input type="checkbox"/> Cruise Control						21-FEB-2010					
<b>FAILED COMPONENT(S)/PART(S) INFORMATION</b>													
Vehicle Component Code: 180000 VEHICLE SPEED CONTROL								Failure Mileage		Failure Speed			
										0			
<b>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE</b>													
Tire Make			Tire Model (Name or Number)				Tire Size (Example P215/65R15)						
DOT No. (Example: DOTM9ABC036)			<input type="checkbox"/> Original Equipment		Failure Location:								
			<input type="checkbox"/> Prior Repair										
Tire Component Code						Tire Failure Type:							
<b>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE</b>													
Make:				Date Manufactured:				Model No./Name:					
Seat Type:				Installation System:									
Child Seat Component Code:				Failed Part:									
<b>APPLICABLE INCIDENT INFORMATION</b> (Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies).)													
Crash		Fire		Number of Persons Injured		Number of Deaths		Reported to Police					
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						N					
<b>Narrative Description of Incident(S), Crash(es), and Injury(ies).</b> Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).													
TL* THE CONTACT OWNS A 2007 TOYOTA COROLLA. THE CONTACT STATED WHILE PULLING OUT OF A DRIVEWAY ON A SMALL INCLINE, THE CONTACT DEPRESSED THE BRAKES AND THE VEHICLE ABNORMALLY ACCELERATED. THE CONTACT WAS ABLE TO STOP THE VEHICLE BY BRAKING WITH BOTH FEET ON THE BRAKE PEDAL AND PLACING THE VEHICLE INTO NEUTRAL. THE DEALER WAS UNABLE TO DUPLICATE THE FAILURE. THE FAILURE MILEAGE WAS UNKNOWN AND THE CURRENT WAS 18,080.													
Include, if available: Police/Fire Department Report, Photos, and Repair Invoice. ATTACH ADDITIONAL SHEETS IF NECESSARY													
The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.													

[REDACTED]

Spooner Wasi [REDACTED]  
H- [REDACTED] W- [REDACTED] [REDACTED]

U. S. Dept. of Transportation  
National Highway Traffic Safety Administration

Enclosed are 2 consumer complaints - one for 2005 Toyota Corolla + the second for 2007 Toyota Corolla. I don't own the 2005 Corolla anymore, but it was giving me the same exact problems, as the 2007 Corolla is giving me. I traded the 2005 Corolla in, on 6-15-07 because, I felt very unsafe driving the 2005 Corolla. I have been dealing with Toyota on & off the past five years trying to get the problem resolved - 1st on the 2005 + now on the 2007 Corolla.

Enclosed also are copies, of the action, I have taken, thus far. My letters to Toyota were sent to the main office: Toyota Motor Sales U.S.A. Inc. -  
19001 So. Western Ave.  
Dept. WC11  
Torrance California 90501

Thank You so very kindly for your time.  
[REDACTED]



Department of Agriculture, Trade and Consumer Protection

Consumer Complaint

Please attach two sets of copies (both sides) of all documentation that supports your complaint, such as: Invoices, receipts, contracts, cancelled checks, advertisement/catalog page showing item ordered, lease documents, telephone bills.

1. How do we contact you?

Name: (Mr. Mrs. Miss (Ms.)) [redacted] (circle one) [redacted] (first) [redacted] (middle) [redacted] (last)

Phone: Home [redacted] Work [redacted] ext. [redacted] Cell [redacted]

Phone me between 8:00 A.M. and 4:00 P.M. at: (circle one) Home Work Cell Email: [redacted]

Address: [redacted] Apt.# [redacted] PO Box: [redacted]

City: Spooner State: WI Zip: [redacted] County: Washburn

2. What business is your complaint against?

Name of business: Markquart Toyota

Address: 1111 West Clairemont Ave. Ste.# [redacted] PO Box: [redacted]

City: Eau Claire State: WI Zip: 54701 County: [redacted]

Phone: (715) 834-4440 Name of person you talked to: Jeff Weber Title: Service Dept Manager

Information about your complaint

3. Which of the following best describes your first contact with the business: (check one)

- Person from business came to my home [ ] I went to the business [X] Internet [ ]
Person from business called me [ ] I telephoned the business [X] Email [ ]
Business sent me information in the mail [ ] I responded to a radio or TV ad [ ]
I attended a convention or trade show [ ] I responded to a printed advertisement [ ]

4. When did the first contact occur? month: called Feb went to Markquart day: March 3rd year: 2010

5. How old is the person who had contact with the business? Age: (circle one) 0-17 18-61 62 or older

6. What product or service did you buy? (please be specific) 2007 Toyota Corolla

7. Was it advertised? (circle one) No Yes Date: 6-15-07 Where: Markquart Toyota - Eau Claire

8. Did you sign a contract? (circle one) No Yes Date: 6-15-07 Number on contract, policy or receipt [redacted]

9. If yes, where were you when you signed the contract? Markquart Toyota - Eau Claire

10. Amount paid: \$ 18360.40 by: (circle one) cash check credit card financed other plan

11. Where did you pay the business: (check one)

- At my home [ ] At the company's place of business [ ] Internet [ ]
Over the telephone by credit card [ ] Away from company's place of business [ ]
By mail [X] At a convention or trade show [ ]

12. Did you contact the business about your complaint? [X] Yes When? Feb 2010 What happened? checked car out on 3-3-10

Also contacted Head Toyota Office California

13. Have you filed this complaint with another agency? [X] Yes Agency name? Safety Administration What happened? Recorded my complaint

14. Have you contacted a private attorney? [X] Yes Have you started court action? [X] No

15. Describe your complaint in detail. When I put my foot on the brake, it will accelerate.

1st time: 10-14-08 5:45 AM - backing into parking place at work - had foot on brake & it accelerated.

Didn't report this occurrence to Margaret Toyota, thinking it may be caused from the Toyota factory floor mat, as they were saying at the time. I removed the factory floor mat.

2nd time: 2-21-2010 4:40 PM driving down driveway forward - put on brake - it accelerated - had to put both feet on brake to stop it.

3rd time 6-5-2010 5:45 PM put on brake - it accelerated

4th time 7-21-2010 6:39 AM putting on brake - it accelerated

At Margaret Toyota they checked car over & said they could find nothing wrong.

16. How do you feel your complaint should be resolved? (please be specific) I deserve a 100% car to drive - I want full credit value of the 2007 Toyota when I purchased it in June of 2007 - fulfillment on Toyota's part of warranty.

Also I want cost I paid out when I traded 2005 Toyota for 2007 Toyota, as it had the same problem

This complaint and the information you provide will be used in efforts to resolve your problem and will typically be shared with the party complained against. It may also be used to enforce applicable state laws. Under Wisconsin's Open Records Law, this complaint will be available for public review upon request, after this department's action is completed.

The above information is true and accurate to the best of my knowledge.

Your signature: 

Date: 8-2-10

Return this form and two copies of your papers to:

BUREAU of CONSUMER PROTECTION  
2811 Agriculture Drive  
PO Box 9911  
Madison WI 53708-8911

Toll-free in WI: (800) 422-7128

EMAIL: DATCPHotline@Wisconsin.gov  
(608) 224-4976  
FAX: (608) 224-4939  
TDD: (608) 224-5058

WEBSITE: www.datcp.state.wi.us



sent  
3-15-10

(1)

Spoooner Wisc. [REDACTED]

H- [REDACTED]

W- [REDACTED]

Toyota - To whom it may concern -

And, I do hope it will concern someone!!!

Enclosed is the previous letter, I had written to Toyota, concerning my 2005 Toyota Corolla & its history, of accelerating, when I braked. I ended up trading the 2005 in for a 2007 Corolla - I did not know what else I could do - I wanted a safe car.

It put a large financial burden on me & I felt, it should have been covered under the warranty. I was very concerned that the 2005 would be sold, without the problem being solved & it was sold. I went for many nights, not being able to sleep, because I felt there was something seriously wrong with the 2005 vehicle.

Enclosed, also is a copy, from carfax, concerning that very same 2005 Corolla. As you can see, it was owned by two other individuals - the 2nd owner only had it one month, the 3rd owner had it for two years and seven months & had two accidents with it. Now, in my mind, it is very questionable, that those accidents could have been caused, by the very same acceleration problem, that I had, had.

Now, to the point, of this letter - the 2007 Corolla I purchased has done the exact malfunction on

(2)

at 5:45 AM. I was backing into parking place, at work - put foot on the brake & it accelerated. The 2nd time was Feb. 21<sup>st</sup> 2010 at 4:40 PM. I was driving down my driveway & when I put on my brake, it accelerated - had to put both feet on brake. I took it back to Marquest Toyota, where the car was purchased & AGAIN, they could not find anything wrong. I am in the same dilemma with the 2007 Corolla as the 2005.

I do not want to trade in the 2007 Corolla. Financially I cannot afford it, and I don't want it to be sold, as the 2005 car was. I feel it morally wrong, to take the chance, of someone else getting a malfunctioned vehicle.

I am curious of your moral values, to your so called valuable customers).

I do want some answers & I want them now.

I do not feel, at all satisfied & I feel you owe me.

I am in danger every time I get in that car & I feel very limited, in driving this vehicle, because of the safety factor. It is my only source of transportation.

I want to feel safe & I do not.

If I don't get a response immediately, I will pursue another way, of action. I am responsible for my life & those I may encounter & I will take measures to provide my safety & that of others).

I am appalled, I was even allowed to drive this car off

the lot on March 3rd 2010 when I made my

(3)

I recently saw an advertisement for Toyota. At the end of the ad, the guy said, "Thank you for standing by us." Now I need, Toyota to stand by, me.


Sincerely



Times it accelerated when  
brake was applied

Oct 14 108	AREA CODE
5:45 AM	AREA CODE
backing into parking place at work	AREA CODE
had ft on brake it accelerated	AREA CODE
Feb 21 of 2010	AREA CODE
4:40 PM	AREA CODE
driving down driveway snow covered	AREA CODE
had put on brake - it accelerated	AREA CODE
put both feet on brake when pushing down - it accelerated	AREA CODE
June 5th	AREA CODE
5:45 PM	AREA CODE
driving down driveway put on brake - it accelerated + when pushing down on brake it accelerated	AREA CODE
July 21 - 2010 6:39 AM	AREA CODE
coming down driveway	

For Personal Use Only  
For Personal Use Only










## CARFAX® Vehicle History Report™

An independent company established in 1986

**Vehicle Information:**  
**2005 TOYOTA COROLLA CE/LE/S**  
 VIN: 1NXBR32E15Z  
 SEDAN 4 DR  
 1.8L L4 FI DOHC 16V  
 FRONT WHEEL DRIVE  
Standard Equipment | Safety Options


Search for other 2005 TOYOTA COROLLA vehicles in Forest Lake, MN

-  Accident / Damage reported
-  3 Previous owners
-  Personal vehicle
-  Last owned in Wisconsin
-  12 Detailed records available
-  13,203 Last reported odometer reading



This CARFAX Vehicle History Report is based only on information supplied to CARFAX and available as of 2/20/10 at 1:13 PM (EST). Other information about this vehicle, including problems, may not have been reported to CARFAX. Use this report as one important tool, along with a vehicle inspection and test drive, to make a better decision about your next used car.

<b>CARFAX</b> Ownership History	Owner 1	Owner 2	Owner 3
The number of owners is estimated			
Year purchased	2005	2007	2007
Type of owner	Personal	Personal	Personal
Estimated length of ownership	1 yr. 8 mo.	1 month	2 yrs. 7 mo.
Owned in the following states/provinces	Wisconsin	Wisconsin	Wisconsin
Estimated miles driven per year	---	---	---
Last reported odometer reading	325		13,203

<b>CARFAX</b> Title History	Owner 1	Owner 2	Owner 3
CARFAX guarantees the information in this section			
<b>Salvage   Junk   Rebuilt   Fire   Flood   Hail   Lemon</b>	Guaranteed No Problem	Guaranteed No Problem	Guaranteed No Problem
<b>Not Actual Mileage   Exceeds Mechanical Limits</b>	Guaranteed No Problem	Guaranteed No Problem	Guaranteed No Problem
 <p><b>GUARANTEED</b> - None of these major title problems were reported by a state Department of Motor Vehicles (DMV). If you find that any of these title problems were reported by a DMV and not included in this report, CARFAX will buy this vehicle back. <a href="#">Register</a>   <a href="#">View Terms</a></p>			

**CARFAX** Detailed History


Glossary

<b>Owner 1</b>		<b>Date:</b>	<b>Mileage:</b>	<b>Source:</b>	<b>Comments:</b>
Purchased:	2005	07/04/2005		NICB	Vehicle manufactured and shipped to original dealer
Type:	Personal				
Where:	Wisconsin				
Est. miles/year:	---	08/30/2005		Wisconsin Motor Vehicle Dept. Spooner, WI	Registered as personal vehicle
Est. length owned:	8/30/05 - 5/4/07 (1 yr. 8 mo.)	08/30/2005	325	Wisconsin Motor Vehicle Dept. Spooner, WI Title #05250C2250081	Odometer reading reported
		09/07/2005		Wisconsin Motor Vehicle Dept. Spooner, WI Title #05250C2250081	Title issued or updated First owner reported Loan or lien reported
		04/07/2006		Wisconsin Motor Vehicle Dept. Spooner, WI	Registration issued or renewed Vehicle color noted as Gray

<b>Owner 2</b>		<b>Date:</b>	<b>Mileage:</b>	<b>Source:</b>	<b>Comments:</b>
Purchased:	2007	05/04/2007		Wisconsin Motor Vehicle Dept. Spooner, WI	Registration issued or renewed New owner reported Vehicle color noted as Gray
Type:	Personal				
Where:	Wisconsin				
Est. miles/year:	---				
Est. length owned:	5/4/07 - 6/22/07 (1 month)				

<b>Owner 3</b>		<b>Date:</b>	<b>Mileage:</b>	<b>Source:</b>	<b>Comments:</b>
Purchased:	2007	06/22/2007	13,203	Wisconsin Motor Vehicle Dept. Cadott, WI Title #07178C2250082	Odometer reading reported
Type:	Personal				
Where:	Wisconsin				
Est. miles/year:	---	06/27/2007		Wisconsin Motor Vehicle Dept. Cadott, WI Title #07178C2250082	Title issued or updated Registration issued or renewed New owner reported Loan or lien reported Vehicle color noted as Gray
Est. length owned:	6/22/07 - present (2 yrs. 7 mo.)	04/14/2008		Wisconsin Motor Vehicle Dept. Cadott, WI	Registration issued or renewed Vehicle color noted as Gray
		06/10/2008		Wisconsin Police Report Case #080601422	Accident reported in Chippewa County It hit a motor vehicle Minor damage reported
		03/21/2009		Wisconsin Police Report Case #090307113	Accident reported in Chippewa County It hit a deer Severe damage reported


Airbags often deploy in this type of accident. Airbags are expensive to replace and difficult to visually inspect, increasing the risk of fraud. Have the airbags inspected



during your pre-purchase inspection. Airbag Tips

04/03/2009

Wisconsin  
Motor Vehicle Dept.  
Cadott, WI



Registration issued or renewed  
Vehicle color noted as Gray

**SmartBuyer Checklist** - I've created a checklist of specific questions for you to ask the seller about this 2005 Toyota Corolla CE/LE/S.

**Print this CARFAX Report and take it to your pre-purchase inspection**

Tell us what you know about this vehicle

Have Questions? Please visit our Help Center at [www.carfax.com](http://www.carfax.com).



## Glossary

[View Full Glossary](#)

### Accident / Damage Indicator

CARFAX receives information about accidents in all 50 states, the District of Columbia and Canada. Different information in a vehicle's history can indicate an accident or damage, such as: salvage auction, fire damage, police-reported accident, crash test vehicle, damage disclosure, collision repair facility and automotive recycler records. Not every accident or damage event is reported and not all reported are provided to CARFAX. Details about the accident or damage event when reported to CARFAX (e.g. severity, impact location, airbag deployment) are included on the Vehicle History Report. CARFAX recommends you obtain a vehicle inspection from your dealer or an independent mechanic.

- According to the National Safety Council, Injury Facts, 2007 edition, 7% of the 245 million registered vehicles in the U.S. were involved in an accident in 2005. Over 75% of these were considered minor or moderate.
- CARFAX depends on many sources for its accident / damage data. CARFAX can only report what is in our database on 20.Feb.2010 12:13:39. New data will result in a change to this report.

### Wisconsin Police Reports:

- Provide an estimate of the extent of damage in its accident reports for the following:

- **SEVERE:** The vehicle cannot be driven from the accident scene due to severe damage or an injury. This level of damage often results in a Salvage or Junk title.
- **MODERATE:** The accident damage affects the operation of the vehicle and/or its parts. Examples include broken windows, trunk lids, doors, bumpers and tires.
- **MINOR:** The accident damage does not affect the operation of the vehicle. Examples include dented bumpers, fenders, grills and body panels. This level of accident should not compromise vehicle safety.
- **NO DAMAGE:** The vehicle was not damaged.

- Are required if the estimated damage exceeds \$1000
- Are released to CARFAX approximately 3 months after the accident date

### First Owner

When the first owner(s) obtains a title from a Department of Motor Vehicles as proof of ownership.

### New Owner Reported

When a vehicle is sold to a new owner, the Title must be transferred to the new owner(s) at a Department of Motor Vehicles.

**Ownership History**

CARFAX defines an owner as an individual or business that possesses and uses a vehicle. Not all title transactions represent changes in ownership. To provide estimated number of owners, CARFAX proprietary technology analyzes all the events in a vehicle history. Estimated ownership is available for vehicles manufactured after 1994 and titled solely in the US including Puerto Rico. Dealers sometimes opt to take ownership of a vehicle and are required to in the following states: Maine, Massachusetts, New Jersey, Ohio, Oklahoma, Pennsylvania and South Dakota. Please consider this as you review a vehicle's estimated ownership history.

**Title Issued**

A state issues a title to provide a vehicle owner with proof of ownership. Each title has a unique number. Each title or registration record on a CARFAX report does not necessarily indicate a change in ownership. In Canada, a registration and bill of sale are used as proof of ownership.

**Are You Paying Too Much For Auto Insurance?**

Powered By: [InsWeb.com](http://InsWeb.com) ZIP Code where you park at night:

[Get Quotes](#)

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 © 2010 CARFAX, Inc., an R.L. Polk & Co. company. All rights reserved. Patents pending. 2/20/10 1:13 PM (EST)

**CARFAX**

**VEHICLE HIGHLIGHTS**

**2005 Toyota Corolla CE/LE/S**  
 VIN: 1NXBR32E15Z [REDACTED]  
 Body Style: SEDAN 4 DR  
 Engine Size: 1.8L L4 FI DOHC 16V  
 Drivetrain: Front Wheel Drive


**Original Manufacturer's Warranty:**  
 Basic Warranty Expired  
 Please confirm remaining factory warranty and extended warranty options with your dealer!  
 The original manufacturer's warranty includes:  
**36 months or 36,000 miles**

**OWNERSHIP HISTORY:**

Number of Owners:	3
Last owned in the following state/province:	Wisconsin

**STATE DMV-REPORTED TITLE PROBLEMS:**

None of these major title problems were reported by a state Department of Motor Vehicles:

Salvage, Junk, Rebuilt, Fire, Flood, Hail, Lemon	 Guaranteed No Problem
Not Actual Mileage, Exceeds Mechanical Limits	Guaranteed No Problem

**ACCIDENTS AND OTHER ISSUES:**

No issues reported to CARFAX on the following:

Total Loss	<input checked="" type="checkbox"/> No Issues Reported
Structural / Frame Damage	<input checked="" type="checkbox"/> No Issues Reported
Airbag Deployment	<input checked="" type="checkbox"/> No Issues Reported
Odometer Rollback	<input checked="" type="checkbox"/> No Issues Reported

Accident reported on this vehicle. Please see the full CARFAX Vehicle History Report for more details.

Customer Number: 42299

Invoice No: 451542

\*INVOICE\*



PAGE 1

1111 W. Clairemont Avenue, Eau Claire, WI 54701
Phone: (715) 552-4440 (800) 254-1644
Fax: (715) 834-6410
www.markquart.com

SPOONER, WI

Home: Bus:

Cell:

SERVICE ADVISOR: 40 PAT HEIMSTADT

Table with columns: COLOR, YEAR, MAKE/MODEL, VIN, LICENSE, MILEAGE IN/OUT, TAG. Includes details for 1E3/GRAYM 07 TOYOTA COROLLA 1NXBR32E6 7Z...

Table with columns: LINE, OPCODE, TECH, TYPE, HOURS, LIST, NET, TOTAL

A CUSTOMER STATES VEHICLE ACCELERATES ON IT'S OWN AT TIMES
TENGL ENGINE DIAGNOSIS/LIGHT REPAIR
PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE A: 0.00

17237 TECHLINE CASE #100620091 TALKED TO NATE. HE INFORMED ME TO
INSTALL FACTORY CARPET MAT, TEST DRIVE TO TRY TO DUPLICATE CONCERN,
CHECK ACCELERATOR MOVEMENT DATA WITH TECHSTREAM TO MAKE SURE NO ISSUES
WITH DATA. IF FINE RETURN VEHICLE TO CUSTOMER. I PERFORMED ALL
INSPECTIONS PRIOR TO CALLING TECHLINE AND COULD NOT DUPLICATE CONCERN.

B INSPECT DRIVERS FLOOR MAT FOR PROPER INSTALLATION
TMAT INSPECT DRIVERS FLOOR MAT FOR PROPER
INSTALLATION
PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00

17237 REMOVED AFTERMARKET RUG AND FLOOR MAT FROM VEHICLE AND
INSTALLED FACTORY CARPET FLOOR MAT IN VEHICLE. VACUUMED FLOOR.

C POLISH AND TOUGH UP LT 1/4 PANEL
TAB PAINT SEALANT REAPPLICATION
PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE C: 0.00

Table with columns: DESCRIPTION, TOTALS. Includes rows for LABOR AMOUNT, PARTS AMOUNT, GAS, OIL, LUBE, SUBLET AMOUNT, MISC. CHARGES, TOTAL CHARGES, ADJUSTMENT, SALES TAX, PLEASE PAY THIS AMOUNT.

ON BEHALF OF SERVICING DEALER, I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. SERVICES DESCRIBED WERE PERFORMED AT NO CHARGE TO OWNER. THERE WAS NO INDICATION FROM THE APPEARANCE OF THE VEHICLE OR OTHERWISE, THAT ANY PART REPAIRED OR REPLACED UNDER THIS CLAIM HAD BEEN CONNECTED IN ANY WAY WITH ANY ACCIDENT, NEGLIGENCE OR MISUSE. RECORDS SUPPORTING THIS CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT NOTIFICATION AT THE SERVICING DEALER FOR INSPECTION BY MANUFACTURER'S REPRESENTATIVE.

Motor vehicle repair trade practices are regulated by chapter ATCP 132, Wis. Adm. Code, administered by the Bureau of Consumer Protection, Wisconsin Dept. of Agriculture, Trade and Consumer Protection, P.O. Box 8911, Madison, Wisconsin 53708-8911
STATEMENT OF DISCLAIMER
The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.
NOTICE: You are entitled to inspect or receive any components, parts, or accessories replaced or removed by the shop.

DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (SIGNED)
DATE

CUSTOMER SIGNATURE

MATERIALS: ALL PARTS NEW UNLESS SPECIFIED
U - USED C - RECONDITIONED
R - REBUILT Y - RECYCLED



Toyota Motor Sales, U.S.A., Inc.  
Chicago Regional Office  
2350 Sequoia Drive  
Aurora, IL 60506-6212  
630 907-0150  
630 907-6326 Fax

April 19, 2010

[Redacted]  
[Redacted]  
Spooner, WI [Redacted]

*Received this 4-21-10*

Re: VIN: 1NXBR32E67Z [Redacted]  
Vehicle's Year and Model: 2007 COROLLA

Dear [Redacted]

Toyota Motor Sales, U.S.A., Inc. ("TMS") received a phone call from you on 04/13/2010, seeking relief under the Wisconsin Lemon Law. Your request has been forwarded to me at our Chicago Regional office to ensure efficient handling and a prompt response.

We understand that you seek Lemon Law relief based on following concerns:

- 1. Driveability - Floor Mat Interference

If this is not an accurate description of your concerns, please contact us immediately.

We will also need to review the following information which you may have in your possession:

- 1. Legible copies of any and all documents relating to the purchase or lease of the subject vehicle;
- 2. Legible copies of any and all documents relating to any prior debts which were rolled into the purchase price or lease terms of this vehicle;
- 3. Legible copies of any and all documents relating to the purchase and installation of any after-market equipment added to the vehicle on or after the date of purchase;
- 4. Legible copies of any and all maintenance records for the subject vehicle, including non-Toyota repair facilities; and,
- 5. Legible copies of any and all documents relating to any accidents involving the vehicle.

Please send this information to the following address:

Toyota Chicago Regional Office  
2350 Sequoia Dr.  
Aurora, IL 60506

In the meantime, we will compile our records on this matter. Depending on the underlying facts, we may want to conduct an inspection of your vehicle.

Because Toyota values retaining you as a customer, we would like to inform you that the National Center for Dispute Settlement (NCDS) program is available to you. This program is part of Toyota's commitment to provide its customers with an impartial non-affiliated organization to promptly and equitably resolve their concerns. To obtain more information about this process please contact the Toyota National Customer Assistance Center at 1-800-331-4331, Monday through Friday, 6:00 a.m. to 6:00 p.m., Pacific time.

We appreciate the opportunity to lend our assistance. Please be assured that we will be contacting you after our investigation is completed with hopes of amicably resolving this matter.

Sincerely,

Wendy Lutzow  
Dispute Resolutions Administrator, Sr.

*Wendy Lutzow*

*wendy called returned my 2:03 PM  
back call 4-22-10  
630-907-6213*

*Basically said there was nothing they could do cuz it was not on the recall list.*



Toyota Motor Sales, U.S.A., Inc.  
Chicago Regional Office  
2350 Sequoia Drive  
Aurora, IL 60506-6212  
630 907-0150  
630 907-6326 Fax

April 23, 2010

[REDACTED]  
Spooner, WI [REDACTED]

Re: Claim of: [REDACTED]  
VIN: 1NXBR32E67Z [REDACTED]  
Vehicle's Year and Model: 2007 COROLLA

Dear [REDACTED]

Thank you for providing us with the opportunity to evaluate your Lemon Law claim. Specifically, you reported the following concerns to us:

1. Driveability - Floor Mat Interference

In order to investigate your concerns, we did the following:

1. Reviewed the Toyota warranty history for the subject vehicle;
2. Reviewed all known repair orders from Toyota authorized repair facilities;
3. Reviewed the documentation you sent us;
4. Inspected the vehicle;
5. Test drove the vehicle

After accomplishing the above, we believe that all of the reported concerns have been repaired. Therefore, we cannot offer you any assistance with respect to your claim.

Although we do not wish to suggest any particular course of action, we would like to re-introduce the National Center for Dispute Settlement (NCDS) program. Again, this program is part of Toyota's commitment to provide, free of charge, an impartial and non-affiliated organization to promptly and equitably address your concerns. If you would like more information, please contact the Toyota National Customer Assistance Center at 1-800-331-4331, Monday through Friday, 6:00 a.m. to 6:00 p.m., Pacific time.

Very Truly Yours,

Wendy Lutzow  
Dispute Resolutions Administrator, Sr.



26855 CL7035

Dealer Number: 48027

Account Number:

Buyer (and Co-Buyer) - Name(s) and Address(es) (include County and Zip Code)

Creditor (Seller) - Name and Business Address

**MARKQUART TOYOTA**  
1111 WEST CLAIREMONT AVE  
EAU CLAIRE, WI 54701

**SPOONER, WASHBURN, WI**

"Your" and "yours" refer to the Buyer and Co-Buyer, if any. The word "Creditor" refers to the Creditor (Seller) named above and, after assignment, subsequent assignee.

**Meaning of Words.** In this contract, the words "you," "your," "yours" refer to the Buyer and Co-Buyer, if any. The word "Creditor" refers to the Creditor (Seller) named above and, after assignment, subsequent assignee.

**Who is Bound.** You may buy the vehicle described below for cash or on credit. The cash price is shown below as "Cash Price." The credit price is shown below as "Total Sale Price." By signing this contract, you choose to buy the vehicle on credit under the terms on the front and back of this contract and you are individually liable to the Creditor for any amount due.

**Description of Vehicle.** You agree to buy and the Creditor agrees to sell the following vehicle:

New, Used or Demo	Year	Make	Model	Body Type	Vehicle Identification No.	Odometer Miles	Primary Purpose
NEW	2007	TOYOTA	COROLLA	4DR	1NXBR32E67Z	180	<input checked="" type="checkbox"/> Personal, Family or Household <input type="checkbox"/> Business or Commercial <input type="checkbox"/> Agricultural

FEDERAL TRUTH-IN-LENDING DISCLOSURES

**ANNUAL PERCENTAGE RATE**

The cost of your credit as a yearly rate.

5.85 %

**FINANCE CHARGE**

The dollar amount the credit will cost you.

\$ 770.42

**Amount Financed**

The amount of credit provided to you or on your behalf.

\$ 4859.98

**Total of Payments**

The amount you will have paid after you have made all payments as scheduled.

\$ 5630.40

**Total Sale Price**

The total cost of your purchase on credit, including your down-payment of \$ 12750.00

\$ 18380.40

**Your Payment Schedule Will Be:**

Number of Payments:	Amount of Each Payment:	When Payments Are Due:
One Deferred Downpayment of	N/A	Monthly, beginning 07/30/2007
59 Regular Payments of	93.84	<b>DUE ON: 06/30/2012</b>
One Final Payment of	93.84	

**Prepayment.** If you pay off all your debt early, you will not have to pay a penalty.

**Security.** You are giving a security interest in the vehicle being purchased.

**Other Terms.** Please read this contract, including the reverse side, for additional information about security interests, nonpayment, default, any required repayment in full before the scheduled date, and penalties.

**ITEMIZATION OF THE AMOUNT FINANCED**

1 Cash Price (including any accessories, services, and taxes) \$ 16874.25

2 Downpayment				
A Trade-in Vehicle	2005	TOYOTA	COROLLA	\$ 10000.00
	Year	Make	Model	
Gross Trade-in Value				\$ N/A
B Payoff of Existing Lien or Lease Balance on Trade-in Vehicle				\$ 10000.00
C Net Trade-in Value (A - B) (indicate if negative number)				\$ N/A
D Remaining Cash Downpayment (including Deferred Downpayment of \$ first regularly scheduled payment)				\$ 2000.00
E Rebates and Non-Cash Incentives				\$ 750.00
F Subtotal (C + D + E)				\$ 12750.00
G TOTAL DOWNPAYMENT (if Subtotal is negative, Total Downpayment is \$0.00)				\$ 12750.00

3 Unpaid Balance of Cash Sale Price (1 minus 2)				\$ 4124.25
4 Other Amounts Paid to the Creditor:				\$ N/A
A Price of Optional Mechanical Breakdown Protection Contract or Vehicle Service Agreement Purchased from the Creditor - Covering Certain Mechanical Repairs				\$ N/A
B Other Charges Paid to the Creditor (Creditor must describe purpose)				\$ N/A
FOR	N/A			\$
FOR	N/A			\$
Total Other Amounts Paid to the Creditor				\$ N/A

5 Amounts Paid to Others on Your Behalf (Seller may retain, or receive a portion of these amounts)				\$ N/A
A Price of Optional Mechanical Breakdown Protection Purchased from the MBP Company Named Below - Covering Certain Mechanical Repairs				\$ N/A
B Price of Required Physical Damage Insurance Purchased from the Insurance Company Named Below - Covering Damage to the Vehicle				\$ 289.15
C Price of Optional Credit Insurance Purchased from the Insurance Company or Companies Named Below - Life \$ Disability, Accident and Health \$	107.86	181.29		\$
D Price of Optional Guaranteed Auto Protection ("GAP") Purchased from the GAP Company Named Below -				\$ N/A
Covering a Waiver of Deficiency upon Total Loss of Vehicle after Receipt of GAP Payment				\$ 378.08



# Department of Agriculture, Trade and Consumer Protection

## Consumer Complaint

Please attach two sets of copies (both sides) of all documentation that supports your complaint, such as: invoices, receipts, contracts, cancelled checks, advertisement/catalog page showing item ordered, lease documents, telephone bills.

1. How do we contact you?

Name: (Mr. Mrs. Miss Ms.) [redacted] (first) [redacted] (middle) [redacted] (last)

Phone: Home [redacted] Work [redacted] ext. [redacted] Cell [redacted]

Phone me between 8:00 A.M. and 4:00 P.M. at: (circle one) Home Work Cell Email: \_\_\_\_\_

Address: [redacted] Apt.# \_\_\_\_\_ PO Box: \_\_\_\_\_

City: Spoooner State: Wis Zip: [redacted] County: Washburn

2. What business is your complaint against?

Name of business: Marquart Toyota

Address: 1111 West Clairemont Ave Ste.# \_\_\_\_\_ PO Box: \_\_\_\_\_

City: Eau Claire State: WI Zip: 54701 County: \_\_\_\_\_

Phone: 800-254-1644 Name of person you talked to: Jeff Weber Title: Service Dept. Manager

### Information about your complaint

3. Which of the following best describes your first contact with the business: (check one)

- Person from business came to my home
- I went to the business
- Person from business called me
- I telephoned the business
- Business sent me information in the mail
- I responded to a radio or TV ad
- I attended a convention or trade show
- I responded to a printed advertisement
- Internet
- Email

4. When did the first contact occur? month: \_\_\_\_\_ day: \_\_\_\_\_ year: \_\_\_\_\_

5. How old is the person who had contact with the business? Age: (circle one) 0-17 18-61 62 or older

6. What product or service did you buy? (please be specific) 2005 Toyota Corolla

7. Was it advertised? (circle one) No Yes Date: \_\_\_\_\_ Where: Marquart Toyota - Eau Claire

8. Did you sign a contract? (circle one) No Yes Date: \_\_\_\_\_ Number on contract, policy or receipt \_\_\_\_\_

9. If yes, where were you when you signed the contract? Marquart Toyota - Eau Claire

10. Amount paid: \$ 17575.20 by: (circle one) cash check ~~credit card~~ financed other plan

11. Where did you pay the business: (check one)

- At my home
- At the company's place of business
- Over the telephone by credit card
- Away from company's place of business
- By mail
- At a convention or trade show
- Internet

12. Did you contact the business about your complaint? X Yes When? August 2005? & checked car out ~~could~~ found nothing wrong

13. Have you filed this complaint with another agency? X Yes Agency name? \_\_\_\_\_ What happened? \_\_\_\_\_

14. Have you contacted a private attorney? X Yes Have you started court action? X No

Also contacted Head Toyota office California

15. Describe your complaint in detail. When I put foot on brake it will accelerate.

- 1st time - August? 2005 going down my driveway & again at stop sign - same day - put foot on brake & it accelerated
- 2nd time - Nov 2nd 2005 - put foot on brake - it accelerated
- 3rd time - Dec 20, 2005 - " " " " " "
- 4th time - Dec 30, 2005 + <sup>car in park - clearing snow off</sup> it accelerated while outside car  
~~5th time~~ NO one was inside car.
- 5th time - March 21, 2007 - put foot on brake - it accelerated  
had to put both feet on brake to stop.
- 6th time - May 22nd 2007 - accelerated when brake was applied.
- 7th time - June 12, 2007 - " " " "

16. How do you feel your complaint should be resolved? *(please be specific)* I deserve a new car to drive (not a Toyota) I want cost I paid out, when I traded 2005 Toyota for the 2007 Toyota & full credit value of the 2007 Toyota (full purchase price) when I purchased it in June of 2007 - fulfillment Toyota's part of warranty

This complaint and the information you provide will be used in efforts to resolve your problem and will typically be shared with the party complained against. It may also be used to enforce applicable state laws. Under Wisconsin's Open Records Law, this complaint will be available for public review upon request, after this department's action is completed.

The above information is true and accurate to the best of my knowledge.

Your signature:  Date: 8-2-10

Return this form and two copies of your papers to:

**BUREAU of CONSUMER PROTECTION**  
2811 Agriculture Drive  
PO Box 8911  
Madison WI 53708-8911  
Toll-free in WI: (800) 422-7128

**EMAIL:** DATCPHotline@Wisconsin.gov  
(608) 224-4976  
**FAX:** (608) 224-4939  
**TDD:** (608) 224-5058  
**WEBSITE:** www.datcp.state.wi.us

Spoooner Wisc. [REDACTED]

H. [REDACTED]

W [REDACTED]

Toyota - To whom it may concern -

I have been a loyal customer, of Toyota, for many years, because of the quality and reliability. I started out, with 2<sup>nd</sup> hand Toyota vehicles. In 1995, I purchased my 1<sup>st</sup> brand new Toyota, from Markquart Toyota, in Eau Claire, Wisc. In the summer of 2005, I purchased my 2<sup>nd</sup> new Toyota - again at Markquart Toyota.

Shortly, after I had the 2005 Toyota, I started having problems - it seemed to accelerate, when I applied the brakes.

Enclosed is a copy, of the dates & what occurred, starting shortly after purchasing the car in 2005, & the last date recorded was June 12<sup>th</sup> 2007. At the early stages, of the problem, I called Markquart Toyota, & then took it in, to be checked out. The car was checked over, but nothing was found. A whole year passed, with no troubles. Then March 21<sup>st</sup>, of 2007, the car did it again, only to a more severe degree. Again I called Markquart & took it back, to be checked out & again, nothing was found. After the last incident, recorded June 12<sup>th</sup> 2007, I

took it, the following Wednesday, June 13<sup>th</sup>, 2007, back to Markwart. I told them, I wouldn't drive it anymore, because of the seriousness & danger, of the problem.

I questioned the warranty, because it was still valid, & the car only had some 13,000 miles on it. It wasn't covered under warranty, because they couldn't find the cause, of the malfunction & it only happened on occasion, with no pattern, to it.

I had no intention, of purchasing a new Toyota, at this time, but chose to trade the 2005 in for a 2007, because I did not know what else to do.

I feel it a moral obligation, to write this letter, because I don't know that they really believed my complaints, & I do not feel comfortable, knowing that someone may purchase the car, without anything being solved, in its' present condition.

Enclosed also, are copies, of the purchase agreements, for the 2005 Toyota & the 2007 Toyota. As you can see, I ended up paying \$2000.00 down & taking out a loan, for the remaining \$4570.83. I do believe the 2005 vehicle had a malfunction, & should have been covered, under the warranty. I did agree to pay the difference tho - I

felt at a loss, of what to do, at that given moment. In my opinion, it would be in your best interest, to recall this vehicle. I hope you can assure me, that the 2005 car wasn't sold, before the problem was solved. I look forward to your response.

Sincerely,



May 22<sup>nd</sup> 2007

accelerated, when  
brake was applied

June 12 2007

out of my driveway  
tried to stop - car  
accelerated & pushed  
me forward - had a car  
been coming, I would  
have hit it. slid on  
my gravel driveway  
trying to stop it

August ? 2005

going down driveway  
hit break - didn't stop  
right away.

later some day - stopping  
at highway - end of my road  
some thing happened

Nov 2<sup>nd</sup> 2005

didn't stop it away  
at end of drive.

went to Eggmont &  
some thing happened.

Dec 20 14° 10:00 AM  
11:30 AM

did errands in town - drove to  
Shell Lake - Warren's dentist app.  
at 9:00 - left at 10:00 - at driveway  
when it on gas it accelerated. →

Made some stops on way home  
20°

at 11:30 when I tried to  
stop, at my driveway, it  
accelerated again.

Dec 30<sup>th</sup> 2005

after work 3:00 30°  
started car - brushed snow  
off - car warmed up well  
backed into driveway - car  
in park - was cleaned wheels  
etc off - car running - it  
accelerated again

gas cap

It's dead It's car they come on  
sooner

March 21 2007

35 - 110° went to Rice Lake  
at stop sign had to use both feet to brake

it reved up



**RETAIL INSTALLMENT CONTRACT – SIMPLE INTEREST**



Dealer Number: 48027

Account Number:

Buyer (and Co-Buyer) – Name(s) and Address(es) (include County and Zip Code)

Creditor (Seller) – Name and Business Address

[Redacted]  
SPOONER, WASHBURN, WI

MARKQUART TOYOTA  
1111 WEST CLAIREMONT AVE  
EAU CLAIRE, WI 54701

**Meaning of Words.** In this contract, the words "you," "your" and "yours" refer to the Buyer and Co-Buyer, if any. The word "Creditor" refers to the Creditor (Seller) named above and, after assignment, to Toyota Motor Credit Corporation ("TMCC") and any subsequent assignee.

**Who is Bound.** You may buy the vehicle described below for cash or on credit. The cash price is shown below as "Cash Price." The credit price is shown below as "Total Sale Price." By signing this contract, you choose to buy the vehicle on credit under the terms on the front and back of this contract and you are individually liable to the Creditor for any amount due.

**Description of Vehicle.** You agree to buy and the Creditor agrees to sell the following vehicle:

New, Used or Demo	Year	Make and Model	Body Type	Vehicle Identification No.	Primary Use for Which Purchased
NEW	2005	TOYOTA COROLLA	4DR	1NXBR32E15Z [Redacted]	<input type="checkbox"/> personal <input type="checkbox"/> agricultural <input checked="" type="checkbox"/> business <input type="checkbox"/>
<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If business use is checked, Buyer is: <input type="checkbox"/> an individual <input type="checkbox"/> a corporation <input type="checkbox"/> a partnership
<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Other – Describe					Odometer Miles 325

**FEDERAL TRUTH-IN-LENDING DISCLOSURES**

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	Amount Financed	Total of Payments	Total Sale Price
The cost of your credit as a yearly rate.	The dollar amount the credit will cost you.	The amount of credit provided to you or on your behalf.	The amount you will have paid after you have made all payments as scheduled.	The total cost of your purchase on credit, including your downpayment of \$ 9000.00.
2.90 %	\$ 381.50	\$ 8193.70	\$ 8575.20	\$ 17575.20

**Your Payment Schedule Will Be:**

Number of Payments:	Amount of Each Payment:	When Payments Are Due:
One Deferred Downpayment of	N/A	N/A
35 Regular Payments of	238.20	Monthly, beginning 10/14/05
One Final Payment of	238.20	09/14/08

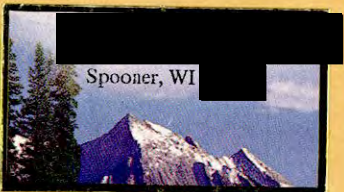
**Prepayment.** If you pay off all your debt early, you will not have to pay a penalty.

**Security.** You are giving a security interest in the vehicle being purchased.

**Other Terms.** Please read this contract, including the reverse side, for additional information about security interests, nonpayment, default, any required repayment in full before the scheduled date, and penalties.

**ITEMIZATION OF THE AMOUNT FINANCED**

- 1 Cash Price (including any accessories, services, and taxes) \$ 16023.25 (1)
- 2 Total Downpayment = Net Trade-in \$ 0.00 + Cash Downpayment \$ 9000.00 (including deferred downpayment of \$ N/A payable before the due date of the first regularly scheduled payment)  
Your Trade-in is a NO TRADE Year Make Model \$ 9000.00 (2)
- 3 Unpaid Balance of Cash Sale Price (1 minus 2) \$ 7023.25 (3)
- 4 Other Amounts Paid to the Creditor:
  - A Price of Optional Mechanical Breakdown Protection Contract or Vehicle Service Agreement Purchased from the Creditor – Covering Certain Mechanical Repairs \$ N/A
  - B Other Charges Paid to the Creditor (Creditor must describe purpose)  
FOR  
FOR
  - Total Other Amounts Paid to the Creditor \$ (4)
- 5 Amounts Paid to Others on Your Behalf (Seller may retain, or receive a portion of these amounts)
  - A Price of Optional Mechanical Breakdown Protection Purchased from the MBP Company Named Below – Covering Certain Mechanical Repairs \$ N/A
  - B Price of Required Physical Damage Insurance Purchased from the Insurance Company Named Below – Covering Damage to the Vehicle \$ N/A
  - C Price of Optional Credit Insurance Purchased from the Insurance Company or Companies Named Below – Life \$ N/A Disability, Accident and Health \$ 230.67
  - D Price of Optional Guaranteed Auto Protection ("GAP") Purchased from the GAP Company Named Below – Covering a Waiver of Deficiency upon Total Loss of Vehicle after Receipt of GAP Payment \$ N/A
  - E Taxes Paid to Government Agencies (not included in Cash Price) \$ 881.28
  - F Government License and/or Registration Fees \$ 23.50
  - G Government Certificate of Title Fees \$ 35.00
  - H Other Charges (Creditor must identify who will receive payment and describe purpose)



7009 0080 0001 8529 9592

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL™**



7009 0080 0001 8529 9592



U.S. Department of Transportation  
National Highway Traffic Safety Administration  
Office of Defects Investigation, NVS-2  
1200 New Jersey Ave. S.E.  
Washington, D.C.

W48-226

20077-9382

