

NVS-300

JUL 06 2010

To Mr. David Strickland, NHTSA Administrator
NHTSA Headquarter
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

From:

[REDACTED]

Subject: Auto safety of the 2004, Lexus Es 330 automobile

Date: June 21, 2010

Dear Mr. Strickland:

I am [REDACTED] I am writing this letter on behalf of my father, [REDACTED]
[REDACTED]

My father purchased the Lexus ES 330, 2004 automobile on or about
February 5, 2004.

This car has had a lot of manufacturing defects such as breaks charging
system is not working properly, loosing left strut upper mount bolt, and
defective wiring system.

Two days after my father bought the car, he drove the car to pick up his
relatives in Los Angeles Airport. While he was driving on the San Diego
freeway (405) north, he had to use the brake when the car in front of him
slow down to stop, and his foot while pressing the brake pedal touched the
floor. This incident warned him of the malfunction of the brake charging
system. The next day my father brought the car to the Westminster Lexus
Dealer to report the malfunction of the brake. After checking the car by the
auto mechanics, the Manager, Mr. Tripp Andrew said, the brakes was ok

2010 JUN 29 10:25
FEDERAL GOVERNMENT

EXECUTIVE SECRETARIAT

In the first week of June 2010, my father used the car to go shopping. When he returned, he parked the car in the garage. The next day my father opened the hood of the car to check the oil, and discovered that the car caught fire and burned the hood carpet, oxygen sensor wires, radiator hose. My father brought the car to the Lexus of Westminster service center for an inspection. Upon the completion of the inspection, the technician concluded that no conclusive cause to underhood fire was found, no oil or fuel leaks are present and do not appear to be a contributing factor, all burns appear on the outside of the individual components; and it does not appear that an electrical short was the cause of the underhood fire. (Copies of the documents are enclosed)

My father believes that this fire occurred as the result of a manufacturing defect since that car was used in an ordinary manner. The fire would not have happened but for the existence of a manufacturing defect. My father feels that our family was very lucky that the fire was extinguished by itself; and did not have an explosion that would have caused serious injuries to the driver and the passengers in the car.

I hope that you might be able to help us as well as the public to make sure that the vehicle is safe for the public.

Thank you for your assistance in this matter.

Respectfully submitted,

[REDACTED]

[REDACTED]

[REDACTED], Seal Beach, CA [REDACTED]

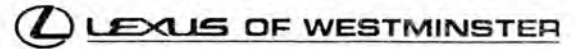
[REDACTED]

[REDACTED]

E-mail: [REDACTED]

CUSTOMER #: 155413

262550



Service Center
7600 Westminster Blvd.
Westminster, CA 92683-3202
(714) 882-5500
www.lexuswestminster.com

WORKORDER

PAGE 1

HUNTINGTON BEACH, CA
HOME: [REDACTED] BUS:

SERVICE ADVISOR: 559 TRIPP, ANDREW

BAR # AK 236131 EPA # CAL000059410

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
	04	LEXUS ES 330	JTHBA30G440 [REDACTED]		2111/	T400	
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
05FEB04 IS			17:00 13JAN05		0.00	CASH	
R.O. OPENED	READY	NOTES: ENG: 3MZ-FE					
13JAN2005 15:23							

LINE	OP CODE	TECH.	TYPE	DESCRIPTIONS/INSTRUCTIONS
#	A		WL	PERFORM SSC 4LI "SEAT BELT BUCKLE SWITCH"

*Andrew worked fresh Brake system
He stated that it is OK
4PM, 7:11 01/13 05*

EXCLUSION OF WARRANTIES

Any warranties on the parts and accessories sold hereby are made by the manufacturer. The undersigned purchaser understands and agrees that dealer makes no warranties of any kind, express or implied, and disclaims all warranties, including warranties of merchantability or fitness for a particular purpose, with regard to the parts and/or accessories purchased; and that in no event shall dealer be liable for incidental or consequential damages or commercial losses arising out of such purchase. The undersigned purchaser further agrees that the warranties excluded by dealer, include, but are not limited to any warranties that such parts and/or accessories are of merchantable quality or that they will enable any vehicle or any of its systems to perform with reasonable safety, efficiency, or comfort.

AUTHORIZATION FOR REPAIRS

I hereby authorize the repair work hereinafter set forth to be done along with the necessary material and agree that you are not responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft or any other cause beyond your control or for any delays caused by unavailability of parts or delays in parts shipments by the supplier or transporter. I hereby grant you and/or your employees permission to operate the vehicle herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above vehicle to secure the amount of repairs thereto.

PRELIMINARY ESTIMATE \$ _____

AUTHORIZED BY X

REVISED ESTIMATE (1)	DATE	TIME	BY
REVISED ESTIMATE (2)			
REVISED ESTIMATE (3)			

I HEREBY ACKNOWLEDGE THAT I WAS NOTIFIED & GAVE ORAL APPROVAL OF THE ABOVE REVISED ESTIMATES:

X

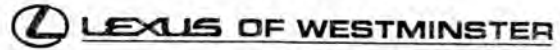
CUSTOMER SIGNATURE

NOTICE TO CONSUMER: PLEASE READ IMPORTANT INFORMATION ON REVERSE SIDE

CUSTOMER COPY

155413

315940



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INVOICE

PAGE 1

HUNTINGTON BEACH, CA
HOME: BUS:

SERVICE ADVISOR: 872 TODD LIPPS

BAR # AK 236131 EPA # CAL000059410

Table with columns: COLOR, YEAR, MAKE/MODEL, VIN, LICENSE, MILEAGE IN / OUT, TAG, DEL. DATE, PROD. DATE, WARR. EXP., PROMISED, PO NO., RATE, PAYMENT, INV. DATE. Includes details for LEXUS ES 330, VIN JTHBA30G440, and service dates.

Table with columns: LINE, OPCODE, TECH, TYPE, HOURS, LIST, NET, TOTAL. Contains a customer complaint about the car not starting and a list of battery parts and labor.

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE A: 0.00

PERFORM BATTERY AND CHARGING SYSTEM LOAD TEST AND REMOVE AND REPLACE FAILED BATTERY ASSEMBLY.

*****WARNING*****
PROPOSITION 65 COMPLIANCE STATEMENT
IT IS THE RESPONSIBILITY OF THIS BUSINESS TO WARN ITS CUSTOMERS & EMPLOYEES THAT PRODUCTS SOLD OR USED ON THESE PREMISES MAY CONTAIN CHEMICALS KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER OR BIRTH DEFECTS.

ADDITIONAL REPAIRS AUTHORIZED: I ACKNOWLEDGE NOTICE AND ORAL APPROVAL OF AN INCREASE IN THE ORIGINAL ESTIMATED PRICE.
ESTIMATE \$ TIME PM
ADDITIONAL \$ DATE
TOTAL \$ OK'D

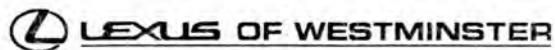
DISCLAIMER OF WARRANTIES
The seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products.
ALL PARTS INSTALLED ARE NEW UNLESS SPECIFIED OTHERWISE AS BEING USED OR REMANUFACTURED

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

CUSTOMER COPY

CUSTOMER #:155413

3 1 5 9 4 0



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WORKORDER

PAGE 1

HUNTINGTON BEACH, CA
HOME: BUS:

BAR # AK 236131 EPA # CAL000059410

SERVICE ADVISOR: 872 LIPPS, TODD

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
	04	LEXUS ES 330	JTHBA30G440		5798/	T4592	
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
05FEB04 IS			17:00 10JUL06		0.00	CASH	
R.O. OPENED	READY	NOTES: ENG: 3MZ-FE					
10JUL2006 14:47							

LINE	OP CODE	TECH.	TYPE	DESCRIPTIONS/INSTRUCTIONS
#	A		WL	CUSTOMER STATES AFTER THE CAR SITS APPROX 2 WEEKS IT WILL NOT START, HAD TO BE JUMP STARTED

EXCLUSION OF WARRANTIES

Any warranties on the parts and accessories sold hereby are made by the manufacturer. The undersigned purchaser understands and agrees that dealer makes no warranties of any kind, express or implied, and disclaims all warranties, including warranties of merchantability or fitness for a particular purpose, with regard to the parts and/or accessories purchased; and that in no event shall dealer be liable for incidental or consequential damages or commercial losses arising out of such purchase. The undersigned purchaser further agrees that the warranties excluded by dealer, include, but are not limited to any warranties that such parts and/or accessories are of merchantable quality or that they will enable any vehicle or any of its systems to perform with reasonable safety, efficiency, or comfort.

AUTHORIZATION FOR REPAIRS

I hereby authorize the repair work hereinafter set forth to be done along with the necessary material and agree that you are not responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft or any other cause beyond your control or for any delays caused by unavailability of parts or delays in parts shipments by the supplier or transporter. I hereby grant you and/or your employees permission to operate the vehicle herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above vehicle to secure the amount of repairs thereto.

PRELIMINARY ESTIMATE \$ _____

AUTHORIZED BY X

REVISED ESTIMATE (1)	DATE	TIME	BY
REVISED ESTIMATE (2)			
REVISED ESTIMATE (3)			

I HEREBY ACKNOWLEDGE THAT I WAS NOTIFIED & GAVE ORAL APPROVAL OF THE ABOVE REVISED ESTIMATES:

X

CUSTOMER SIGNATURE

NOTICE TO CONSUMER: PLEASE READ IMPORTANT INFORMATION ON REVERSE SIDE

CUSTOMER COPY

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4 2 8 8 9 0



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INVOICE

PAGE 1

BAR # ARD 236131 EPA # CAL000288963

HUNTINGTON BEACH, CA
HOME: BUS:

SERVICE ADVISOR: 872 TODD LIPPS

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
	04	LEXUS ES 330	JTHBA30G440		14575/14575	T418	
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
05FEB04 IS			17:00 09DEC09		0.00	CASH	08DEC09
R.O. OPENED	READY	NOTES: ENG: 3MZ-FE					
10:58 08DEC09	16:08 08DEC09						

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
A CUST STATES THAT THERE IS A LOUD CLUNK NOISE FROM THE LEFT FRONT SUSPENSION AREA OF VEHICLE. PLEASE DIAGNOSE AND CORRECT AS NECESSARY. PER SVC MGR, OK TO GOODWILL REPAIR DUE EXTREMELY LOW VEHICLE MILES.							
SPA FOUND LOOSE LEFT FRONT STRUT UPPER MOUNT. RE-TORQUED UPPER STRUT MOUNT FASTENERS TO CORRECT CONCERN.							
PARTS:	863	CL	0.50			0.00	0.00
	0.00	LABOR:	0.00	OTHER:	0.00	TOTAL LINE A:	0.00

EST: 0.00 08DEC09 10:58 SA: 872

*****WARNING*****

PROPOSITION 65 COMPLIANCE STATEMENT
IT IS THE RESPONSIBILITY OF THIS BUSINESS TO WARN ITS CUSTOMERS & EMPLOYEES THAT PRODUCTS SOLD OR USED ON THESE PREMISES MAY CONTAIN CHEMICALS KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER OR BIRTH DEFECTS.

ADDITIONAL REPAIRS AUTHORIZED: I ACKNOWLEDGE NOTICE AND ORAL APPROVAL OF AN INCREASE IN THE ORIGINAL ESTIMATED PRICE. ESTIMATE \$ _____ TIME _____ PM <input type="checkbox"/> ADDITIONAL \$ _____ DATE _____ TOTAL \$ _____ OK'D _____	DISCLAIMER OF WARRANTIES The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products. ALL PARTS INSTALLED ARE NEW UNLESS SPECIFIED OTHERWISE AS BEING USED OR REMANUFACTURED	DESCRIPTION	TOTALS
		LABOR AMOUNT	0.00
		PARTS AMOUNT	0.00
		GAS, OIL	0.00
		SUBLET AMOUNT	0.00
		MISC. CHARGES	0.00
		TOTAL CHARGES	0.00
		LESS DISCOUNT	0.00
		SALES TAX	0.00
(SIGNED) DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (DATE)	CUSTOMER SIGNATURE	PLEASE PAY THIS AMOUNT	0.00

CUSTOMER COPY

CUSTOMER #:155413

4 2 8 8 9 0



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WORKORDER

PAGE 1

HUNTINGTON BEACH, CA
HOME: BUS:

BAR # ARD 236131 EPA # CAL000288963

SERVICE ADVISOR: 872 LIPPS, TODD

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
	04	LEXUS ES 330	JTHBA30G440		14575/	T418	
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
05FEB04 IS			17:00 09DEC09		0.00	CASH	
R.O. OPENED	READY	NOTES: ENG:3MZ-FE					
08DEC2009 10:58							

LINE #	OP CODE	TECH.	TYPE	DESCRIPTIONS/INSTRUCTIONS
A			WL	CUST STATES THAT THERE IS A LOUD CLUNK NOISE FROM THE LEFT FRONT SUSPENSION AREA OF VEHICLE. PLEASE DIAGNOSE AND CORRECT AS NECESSARY. PER SVC MGR, OK TO GOODWILL REPAIR DUE EXTREMELY LOW VEHICLE MILES.

EXCLUSION OF WARRANTIES

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NOTICE TO CONSUMER: PLEASE READ IMPORTANT INFORMATION ON REVERSE SIDE

PRELIMINARY ESTIMATE \$ 0.00

AUTHORIZED BY X

REVISED ESTIMATE (1)	DATE	TIME	BY
REVISED ESTIMATE (2)			

I HEREBY ACKNOWLEDGE THAT I WAS NOTIFIED & GAVE ORAL APPROVAL OF THE ABOVE REVISED ESTIMATES:

X

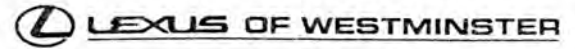
CUSTOMER SIGNATURE
 DESIGNATION OF PERSON TO AUTHORIZE ADDITIONAL WORK OR PARTS
 I hereby designate the individual named below to authorize any additional work not specified or parts not included in the original written estimated price for parts and labor.
 Name of Designee: _____ Phone Number: _____
 Fax Number: _____ E-Mail Address: _____

CUSTOMER COPY

(Customer's Signature)*

CUSTOMER #:155413

4 4 4 2 3 2



WORKORDER

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PAGE 1

HUNTINGTON BEACH, CA
HOME: BUS:

SERVICE ADVISOR: 872 LIPPS, TODD

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
SILVER	04	LEXUS ES 330	JTHBA30G440		15535/	T465	
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
05FEB04	IS01SEP03	05FEB2008	17:00 14JUN10		0.00	CASH	
R.O. OPENED	READY	NOTES:					
14JUN2010 10:51		ENG:3MZ-FE					

LINE	OP CODE	TECH.	TYPE	DESCRIPTIONS/INSTRUCTIONS
# A			CL	CUST STATES THAT THERE WAS AN UNDERHOOD FIRE NEAR THE FRONT VALVE COVER AND OVER EXHAUST SYSTEM. PLEASE PULL TOP ENGINE COVER AND LOOK FOR ANY OBVIOUS SIGNS OF SOURCE OF FIRE, PERFORM D.P.R. AND ADVISE SERVICE MANAGER.

EST: TOTAL 0.01

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PRELIMINARY ESTIMATE \$ 0.01

AUTHORIZED BY X

REVISED ESTIMATE (1)	DATE	TIME	BY
REVISED ESTIMATE (2)			
REVISED ESTIMATE (3)			

I HEREBY ACKNOWLEDGE THAT I WAS NOTIFIED & GAVE ORAL APPROVAL OF THE ABOVE REVISED ESTIMATES;

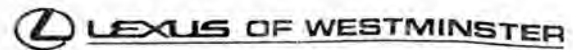
X

CUSTOMER SIGNATURE

NOTICE TO CONSUMER: PLEASE READ IMPORTANT INFORMATION ON REVERSE SIDE **CUSTOMER COPY**

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4 4 4 2 3 2



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INVOICE

PAGE 1

BAR # ARD 236131 EPA # CAL000288963

HUNTINGTON BEACH CA
HOME: [REDACTED] BUS:

SERVICE ADVISOR: 872 TODD LIPPS

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
SILVER	04	LEXUS ES 330	JTHBA30G440 [REDACTED]	[REDACTED]	15535/15535	T465	
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
05FEB04	IS01SEP03	05FEB2008	17:00 14JUN10		0.00	CASH	14JUN10

R.O. OPENED	READY	NOTES:
10:51 14JUN10	16:16 14JUN10	ENG: 3MZ-FE

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A CUST STATES THAT THERE WAS AN UNDERHOOD FIRE NEAR THE FRONT VALVE COVER AND OVER EXHAUST SYSTEM. PLEASE PULL TOP ENGINE COVER AND LOOK FOR ANY OBVIOUS SIGNS OF SOURCE OF FIRE, PERFORM D.P.R. AND ADVISE SERVICE MANAGER.
SPA SEE BELOW FOR DETAILS.

PARTS:	0.00	LABOR:	0.00	OTHER:	0.00	TOTAL LINE A:	(N/C) 0.00
--------	------	--------	------	--------	------	---------------	---------------

TECHNICIAN PERFORMED INSPECTION OF CENTER UNDERHOOD AREA AND DISCOVERED EVIDENCE OF SOME BURNING IN FRONT OF ENGINE COVER ALTHOUGH NO IGNITION SOURCE WAS FOUND. PERFORMED HEALTH CHECK AND NO CODES ARE PRESENT, INCLUDING THE FRONT OXYGEN SENSOR WHICH HAS VISIBLE BURN DAMAGE TO OUTSIDE OF CABLE SHEATH. IN ORDER TO RESTORE VEHICLE TO CONDITION BEFORE INCIDENT TECHNICIAN RECOMMENDS REPLACEMENT OF: HOOD SILENCER, LOWER RADIATOR HOSE, AIR FUEL SENSOR, CMP WIRING HARNESS, ENGINE COVER. TOTAL COST PARTS AND LABOR IS 861.03 + TAX. NO CONCLUSIVE CAUSE TO UNDERHOOD FIRE WAS FOUND. NO OIL OR FUEL LEAKS ARE PRESENT AND DO NOT APPEAR TO BE A CONTRIBUTING FACTOR. ALL BURNS APPEAR ON THE OUTSIDE OF THE INDIVIDUAL COMPONENTS AND IT DOES NOT APPEAR THAT AN ELECTRICAL SHORT WAS THE CAUSE OF THE UNDERHOOD FIRE.

JUN 14 2010

EST: 0.01 14JUN10 10:51 SA: 872

*****WARNING*****

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ADDITIONAL REPAIRS AUTHORIZED: I ACKNOWLEDGE NOTICE AND ORAL APPROVAL OF AN INCREASE IN THE ORIGINAL ESTIMATED PRICE. ESTIMATE \$ _____ TIME _____ PM <input type="checkbox"/> ADDITIONAL \$ _____ DATE _____ TOTAL \$ _____ OK'D _____	DISCLAIMER OF WARRANTIES The seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products. ALL PARTS INSTALLED ARE NEW UNLESS SPECIFIED OTHERWISE AS BEING USED OR REMANUFACTURED	DESCRIPTION	TOTALS
		LABOR AMOUNT	0.00
		PARTS AMOUNT	0.00
		GAS, OIL	0.00
		SUBLET AMOUNT	0.00
		MISC. CHARGES	0.00
		TOTAL CHARGES	0.00
		LESS DISCOUNT	0.00
		SALES TAX	0.00
(SIGNED) DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (DATE)	CUSTOMER SIGNATURE	PLEASE PAY THIS AMOUNT	0.00

CUSTOMER COPY

FROM: [REDACTED]
[REDACTED]
SEAL BEACH, CA [REDACTED]



To: Mr. David Strickland, NHTSA Administrator
NHTSA Headquarters
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

