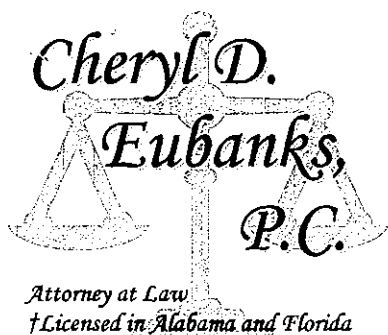


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INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

22787 U.S. Highway 98, Suite C-3

Fairhope, AL 36532

(251) 928-1555

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cheryl@cheryleubanks.com

September 13, 2010

Acura Client Services
1919 Torrance Blvd. M/S 500-2N7E
Torrance, CA
90501-2746

Duval Acura
11225 Atlantic Blvd
Jacksonville, FL 32225

NHTSA Headquarters
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

Dear Ladies and/or Gentlemen:

I have the pleasure of representing [REDACTED] in regard to injuries their son, [REDACTED] sustained as the result of what we feel is a defective and/or improperly designed seatbelt in their 2006 MDX Acura. Please direct all future correspondence concerning this matter to my attention.

On or about June 11, 2010, the [REDACTED] family was traveling from Savannah to St. Simons Island, Georgia via I-95. [REDACTED] was driving the family vehicle, [REDACTED] was a front seat passenger, and their two sons, [REDACTED] and [REDACTED] were secured in their child seats in the back seat. At some point, [REDACTED] looked up at his rear view mirror and discovered that [REDACTED] his 4 year old, had wrapped the overhead seat belt around his neck and appeared to be choking. [REDACTED] immediately hit the break, and much to his horror, the seatbelt began constricting. [REDACTED] jumped to the back seat and wedged her fingers between [REDACTED] neck and the noose created by the seatbelt. The [REDACTED] had nothing in their vehicle with which they could cut the seatbelt, so [REDACTED] exited the interstate at the first exit, rushed to the nearest gas station, retrieved a pair of scissors, and cut the seat belt which had continued to tighten upon application of the breaks. Fortunately, [REDACTED] did not lose consciousness, and thankfully, only suffered abrasions and contusions to his neck. It certainly could have been much worse, and the mental anguish this poor child and his family endured is immeasurable.

Although we certainly hope that this defect has not caused any other child harm, it is only a matter of time that something more tragic occur, unless the design and placement of the seatbelt are modified. Interestingly, it is my understanding that the dealership that sold the vehicle to the [REDACTED] is required to instruct purchasers of this vehicle on the use of the seat belts, among other things. However, this was not done.

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Acura
Dual
NHTSA
September 13, 2010
Page 2

In any event, I would appreciate the opportunity to speak with someone regarding this incident. I look forward to hearing from someone soon.

Very truly yours,

Cheryl D. Eubanks

Cheryl D. Eubanks

CDE

Cc:

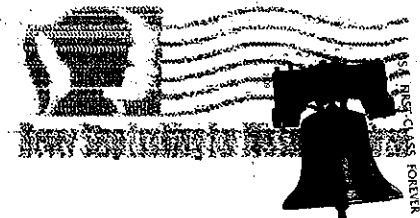
[REDACTED]
Macon, Georgia [REDACTED]

**Cheryl D.
Eubanks,
P.C.**

*Attorney at Law
†Licensed in Alabama and Florida*

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Fairhope, AL 36532

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