

FEB 8 8 2011

February 15, 2011

At around 10:15 a.m. on January 6, 2011, I started my 2011 Toyota Avalon which had been parked overnight in our garage. I let the engine run about one minute and then I placed the transmission shift lever in reverse and began to back my car out of the garage. I had only traveled approximately 40 feet in my driveway, just reaching the street when all of a sudden my car lurched forward at a rapid rate of speed. I want to emphasize that my car was still in reverse when the car on its own accord started to accelerate forward very fast. As my foot was already on the brake, I began to press very hard in an attempt to stop the car, but to no avail. I hurt my arm and hand trying to avoid hitting my husband's 1997 Ford Ranger that was parked in our driveway. I had to wrestle with and turn the steering wheel hard left which kept me from hitting my husband's truck. My car continued forward very quickly and it did not stop until it hit a chain link fence that is located on our property. My car pushed in our fence and the front portion of it went partially under the fence. Immediately afterwards, I put the car in park and just sat there for a couple of minutes to collect myself. After calming down somewhat, I again put the transmission shift lever in reverse and this time the vehicle operated appropriately, moving slowly in a rearward direction. As I approached the street, I placed the vehicle in park and turned the engine off by pushing the start/stop button. At that point I got out of my car and summoned my husband. After he came to the door I told him what had happened. We noticed that our fence was pushed in and that there were scratches on my hood, headlight and front bumper. I did not think to call the police as I had to keep my appointment at the hairdresser.

Later that afternoon at about 1:30 p.m., I took my vehicle to Spirit Toyota which is where I had purchased it. I explained to the customer service representative about the incident earlier that morning. He took my car keys and printed up a ticket which I signed. At about 5:00 p.m. that same day, I received a phone call from the Customer Service Manager, Jim, who asked me why my vehicle was in their facility. I explained to him that I told the customer service representative about my vehicle lurching forward and hitting the fence and that a ticket had been generated. Jim proceeded to tell me that I would have to contact Toyota to report the incident to them. He said that until I contacted Toyota that there was nothing that they [Spirit Toyota] could do.

The same day I called Toyota at the toll free number that Jim had given me. I was told that I would receive a call from an appropriate Toyota representative within 48 hours. On Monday morning, January 10, 2011, I received a follow-up telephone call from a Barbara with Toyota. I told her about the sudden acceleration problem that I had experienced and she said that no one else had reported a problem of that sort with that particular year and model vehicle. At that point I asked Barbara if I could get a car to drive while Toyota figured out what was going on with my car. She informed me that they would not supply me with a loaner car or repair my car. She told me that I would have to contact my insurance company in order to get my car repaired and that she was going to turn the whole matter over to their legal department. I immediately contacted my insurance agent at Allstate to make a claim. The Allstate insurance agent collected information from me about the accident. He also told me that their representative would be contacting me to gather additional information and arrange for my car to be towed to an auto body shop. Several days later I received a call from Allstate advising me that they had contacted Lonero's Auto Body Shop to pick up my car from Spirit Toyota and to do the body work.

KC
030211
RW

Additionally, Allstate said that I would be getting a call from Loneró's Auto Body advising me when they would pick up my car from Spirit Toyota. Early the next morning, I received a call from Loneró's advising me that they would pick up my car from Spirit Toyota the next day. The Loneró's representative also advised me that they would have to order some parts which would take a couple of days. Loneró's told me that they would have my car ready either Wednesday or Thursday of the following week. On Tuesday I received a call from Loneró's saying that my car had been repaired and that it would be delivered back to Spirit Toyota on Thursday. That same day, I received a phone call from Toyota's inspector advising that he was going to Spirit Toyota on Thursday to inspect my 2011 Toyota Avalon. The inspector explained that he would be sending data to the Toyota Company and that they would get back to me with an inspection report.

During the week of February 7th, 2011, I received a letter from the Toyota Company stating that from their inspection they had determined that this incident was not a result of any type of manufacture design or defect. A copy of their report is attached.

I paid Enterprise Leasing \$160.00 for a rental car for 7 days. Allstate paid Enterprise \$120.00 on my behalf. I paid Loneró's Auto Body Shop \$500 as that was my deductible on my car insurance policy. It is my understanding that Allstate paid Loneró's Auto Body approximately \$3500.

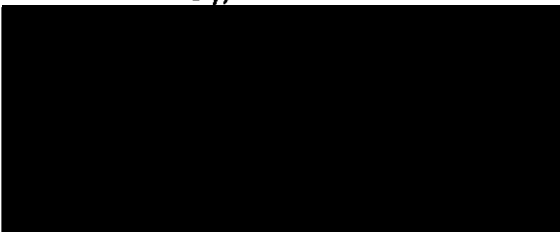
After repairs and inspection had been completed I noticed that the mileage on my car was 4250. When I first took the vehicle to Spirit Toyota immediately after this incident I believe that it had approximately 3300 miles on it. I did call Spirit Toyota to ask about the nearly 1000 miles that had been put on my car and they told me that it had almost 4250 miles on it when I brought it to them on Jan 6. I knew that that was not true but I could not prove it as Spirit Toyota did not give me a copy of their original ticket.

On February 4, 2011 I took my vehicle to a different dealership, Pappas Toyota for the 6 month service. The service advisor asked me if I had a warranty after putting information on my vehicle in their computer. I told her that it was a new car and that it was in for the 6 month service. They did not charge me for that service. After that worked was completed I noticed that the ticket said that the warranty had expired January 10, 2011. This made no sense to me. A copy of Pappas Toyota's ticket is attached.

Just as Toyota is taking no responsibility for the incident neither am I. I know I did nothing wrong that day in January, 2011. I would like to have the issue of the expired warranty worked out and I am asking for reimbursement for damages incurred from Toyota along with an apology. I would like to end by saying that as of the date of this letter I have only had that one incident of sudden acceleration with my car and I hope to God that it does not happen to me again. It was a very freighting experience and I am very upset and frustrated with both Spirit Toyota and Toyota Motor Corporation's reaction to my plight.

Thank you for taking the time to read my report and for any help that you may render to me.

Sincerely,



Lanero Auto Body Inc
3776 Pershall Rd
Ferguson, MO 63135

TERMINAL I.D.: 067600

MERCHANT #: 27370027194601

MASTERCARD
XXXXXXXXXX

SALE

BATCH: 000419

DATE: JAN 20, 11

RRN: 04180001

INVOICE: 000001

TIME: 14:40

AUTH NO: 045018

TOTAL \$500.00



CUSTOMER COPY

RENTAL AGREEMENT REF#
107417 8VSTBN

RENTER

DATE & TIME OUT
01/14/2011 02:08 PM
DATE & TIME IN
01/20/2011 02:23 PM

BILLING CYCLE
CALENDAR DAY

VEH #1 2010 TOYO CORO LE
VIN# 1NXBU4EE5AZ
LIC#
MILES DRIVEN 277

BILL TO ACCOUNT
ALLSTATE INS-OMAHA ARMS**
ATTN: SPIRES, JEFFERY
2717 N 118TH CIRCLE
OMAHA, NE 68164

CLAIM INFO

INSURED:
LOSS DATE: 01/06/2011
INSURED
SHOP: LONERO'S AUTO
BODY/PERSHALL
PHONE: (314) 524-8006
ATTN: GEARON, JOE

SUMMARY OF CHARGES

Charge Description	Date	Quantity	Per	Rate	Total
TIME & DISTANCE	01/14 - 01/20	7	DAY	\$22.83	\$159.81
DW	01/14 - 01/20	7	DAY	\$12.99	\$90.93
PAI	01/14 - 01/20	7	DAY	\$3.00	\$21.00
REFUELING CHARGE	01/14 - 01/20				\$0.00
YOUNG DRIVER FEE (18-99)	01/14 - 01/20			WAIVED	
				Subtotal:	\$271.74
Taxes & Surcharges					
VEHICLE LICENSE FEE RECOVERY	01/14 - 01/20	7	DAY	\$1.17	\$8.19
				Total Charges:	\$279.93
Bill-To / Deposits					
ALLSTATE INS-OMAHA ARMS**					
TIME & DISTANCE	01/14 - 01/19	6	DAY		
VEHICLE LICENSE FEE RECOVERY	01/14 - 01/19	6	DAY		
				Subtotal:	(\$120.00)
DEPOSITS					(\$30.00)
Total Amount Due					\$0.00

PAYMENT INFORMATION

AMOUNT PAID	TYPE	CREDIT CARD NUMBER
\$129.93	American Express	XXXXXXXXXX ENDING
\$30.00	Visa	XXXXXXXXXX

U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET: www.nhtsa.dot.gov/hotline

Date Received

10-JAN-2011

Repository

Reference No.
10375409

OWNER INFORMATION (Type or Print)

Name

Address

City FLORISSANT

State MO

Zip Code

Daytime Telephone Number

E-mail Address

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).

VEHICLE INFORMATION

17 digit Vehicle Identification Number located at bottom of windshield on driver's side
4T1BK3DB58U

Make
TOYOTA

Model
AVALON

Model Year
2011

Date Purchased

Dealer's Name and Telephone Number

Engine:
No: Cylinders

Fuel Type:

Original Owner

Dealer's City

State

Zip Code

Transmission Type

Antilock Brakes

Powertrain

Multiple Failure:

Incident Date(s)
06-JAN-2011

Cruise Control

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Code: 180000 VEHICLE SPEED CONTROL

Failure Mileage
3000

Failure Speed

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make

Tire Model (Name or Number)

Tire Size (Example P215/65R15)

DOT No. (Example: DOTM19ABC036)

Original Equipment
 Prior Repair

Failure Location:

Tire Component Code

Tire Failure Type:

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:

Date Manufactured:

Model No./Name:

Seat Type:

Installation System:

Child Seat Component Code:

Failed Part:

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)

Crash

Yes No

Fire

Yes No

Number of Persons Injured

1

Number of Deaths

Reported to Police

N

Narrative Description of Incident(s), Crash(es), and Injury(ies).

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 2011 TOYOTA AVALON. THE CONTACT WAS INVOLVED IN A CRASH. THE CONTACT SUSTAINED MINOR BRUISES TO THE ARM AND KNEE. THE CONTACT ATTEMPTED TO PLACE TO VEHICLE INTO REVERSE WITH THE BRAKE DEPRESSED WHEN THE VEHICLE SUDDENLY ACCELERATED FORWARD WITHOUT WARNING CAUSING HER TO CRASH INTO A FENCE. THE CONTACT WAS INJURED. THE VEHICLE WAS TAKEN TO THE DEALER WHO DID NOT PERFORM A DIAGNOSTIC TEST YET REFERRED THE CONTACT TO THE MANUFACTURER. THE MANUFACTURER INFORMED THE CONTACT THAT THEY WOULD BE SENDING OUT AN INVESTIGATOR TO INSPECT THE VEHICLE WITHIN THE NEXT THIRTY DAYS. THE CURRENT AND FAILURE MILEAGE WAS APPROXIMATELY 3,000.

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.

INVOICE



10011 Spencer Rd. • St. Peters, MO 63376
 (Between Cave Springs & Mid Rivers Dr)
 (636) 928-1212 • Fax (636) 928-1744

FLORISSNAT, MO
 HOME: CONT:N/A
 BUS: CELL:

PAGE 1

SERVICE ADVISOR: 324 MICHELLE WAGNER

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/OUT	TAG
WHITE	11	TOYOTA AVALON	4T1BK3DB5BU		4462/4462	T2313

DEL DATE	PRGD DATE	WARR EXP	PROMISED	PO NO.	RATE	PAYMENT	INV DATE
10JAN11 DD		10JAN2011	18:00 04FEB11		0.00	CASH	04FEB11

R.O. OPENED	READY	OPTIONS:
14:07 04FEB11	14:53 04FEB11	DLR:24036 ENG:3.5_Liter

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
A	PAPPAS TOYOTA VEHICLE INSPECTION						
	CI-VIS PAPPAS TOYOTA VEHICLE INSPECTION						
	INSPECTION						
		326	CA			0.00	0.00

PARTS:	0.00	LABOR:	0.00	OTHER:	0.00	TOTAL LINE A:	0.00
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 B PERFORM OIL AND FILTER CHANGE, TIRE ROTATION, LUBRICATE KEY CHASSIS POINTS, 51 POINT INSPECTION
 CAUSE: MAINT PLAN
 P0N005 PERFORM OIL AND FILTER CHANGE, TIRE ROTATION, LUBRICATE KEY CHASSIS POINTS, 51 POINT INSPECTION

	326	WCX				(N/C)
	1	04152-YZZA1	REPLACEABLE ELEMENT			(N/C)
	7	OIL CONVENTIONAL OIL				(N/C)

FC: PART#: COUNT:
 CLAIM TYPE:
 AUTH CODE: TAC2CB1370

PARTS:	0.00	LABOR:	0.00	OTHER:	0.00	TOTAL LINE B:	0.00
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"THANK YOU" FOR CHOOSING PAPPAS TOYOTA

WE NOW HAVE REAL TIME APPOINTMENT SETTING ON LINE AT WWW.PAPPASTOYOTA.COM

NO MORE WAITING ON THE PHONE DO IT ON LINE



On the Internet at
www.pappastoyota.com

or E-mail us at
pappastoyota.com

Service Hours:

Mon - Fri
 7:30 - 5:00

Thank You!

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.

CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	0.00
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	0.00
LESS AMOUNT	0.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

CUSTOMER COPY

January 21, 2011

[REDACTED]
Florissant, MO [REDACTED]

Re: 2011 Toyota Avalon – 4T1BK3DB5BU [REDACTED]

Dear [REDACTED]

Enclosed is the flash drive containing the Event Data Recorder (EDR) results for your Toyota vehicle.

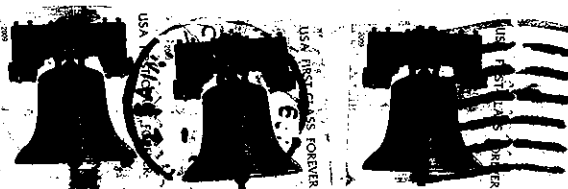
Toyota will contact you directly regarding your vehicle inspection results. If you have any further questions, please contact Toyota at 800-331-4331.

Sincerely,



C. A. Fischer
EAA Field Coordinator

██████████
██████████
Florissant, MO ██████████



U.S. Department of Transportation
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE
Washington, DC 20590
Attention: Randy Reid

