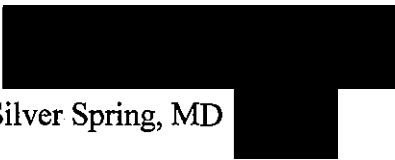


 DOT Auto Safety Hotline Vehicle Owner's Questionnaire To Report Vehicle Safety Defects 1-888-DASH-2-DOT (1-888-327-4236) INTERNET: www.nhtsa.dot.gov/hotline				FOR AGENCY USE ONLY 100148	
				Date Received 03-FEB-2011	
OWNER INFORMATION (Type or Print)					
Name		Address		Daytime Telephone Number	E-mail Address
City		State	Zip Code	Evening Telephone Number	
SILVER SPRING		MD			
<i>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).</i>					
VEHICLE INFORMATION					
17 digit Vehicle Identification Number Located at bottom of windshield on driver's side JTDKB20U750			Make TOYOTA	Model PRIUS	Model Year 2005
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 ☐ Cruise Control	Powertrain	Multiple Failure:	Incident Date(s) 10-JAN-2011	
FAILED COMPONENT(S)/PART(S) INFORMATION					
Vehicle Component Code: 120000 EXTERIOR LIGHTING				Failure Mileage 126500	Failure Speed 35
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: DOTMAL9ABC036)		☐ 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	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 2005 TOYOTA PRIUS. THE CONTACT WAS DRIVING 35 MPH WHEN THE HEAD LIGHTS FAILED. THE CONTACT WAS ABLE TO REACTIVATE THE HEADLIGHTS BY TOYING WITH THE ACTIVATION SWITCH UNTIL THE LIGHT RE-ILLUMINATED. THE VEHICLE WAS TAKEN TO THE DEALER WHO ADVISED THE CONTACT THAT THERE WERE NO RECALLS FOR THE FAILURE AND REPAIRS WOULD BE AT THE EXPENSE OF THE CONTACT. THE MANUFACTURER WAS CONTACTED AND OFFERED NO ASSISTANCE. THE FAILURE MILEAGE WAS 126,500.					
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.					


Silver Spring, MD

March 2, 2011

US Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NVS-210
1200 New Jersey Avenue SE
Washington, DC 20077-9382

Dear Sir or Madam:

Re: 1. Ref # 10380053
2. DOT Vehicle Owner's Questionnaire

I have attached copies of emails to / from Toyota concerning this claim, as well as, information about the HID Headlight Class Action settlement and the problem with HID headlights on 2006 – 2009 Toyota Prius vehicles (atch. 1). Although my vehicle is a 2005, I experienced the same problem.

Mr. Spencer's comments (see highlighted area in atch. 3) in response to my email were:
"In case of an aged bulb, the output and illumination may be shut off temporarily due to the "fail-safe" function of the headlight control Electronic Control Unit (ECU). The bulb may illuminate temporarily when turned on again."

The class action covered this exact problem (see the first paragraph of atch. 1). In addition, another of Toyota's responses advised me that my vehicle's warranty coverage had expired. Many if not most of the vehicles in the settlement were no longer covered by a warranty, and this is a defect not a warranty problem.

The fact remains that my vehicle experienced the exact same problem as the vehicles involved in the class action suit (atch. 2). The dealer's work order (atch. 4) confirms the repair.

Call or email me if you need additional information.

Sincerely


Class Action Suit:

Toyota Prius HID Headlight Class Action Settlement

Girard Gibbs and lawyers from other firms filed lawsuits alleging that Toyota failed to tell its customers about a problem with the HID headlights on 2006-2009 Toyota Prius vehicles. According to the lawsuits, the headlights prematurely fail by flickering or turning off intermittently, often requiring costly repairs. Although Toyota has denied these claims, Girard Gibbs LLP is pleased to announce that the parties reached a proposed settlement that has been granted preliminary court approval.

Among other things, the settlement will provide:

- A **free warranty extension** for HID headlight bulb and electronic control units (through the earlier of 5 years and 50,000 miles); and
- **Cash reimbursements** to many class members who paid for headlight repairs.

Settlement Notice, containing a [headlight advisory](#) and more details about the settlement and class members' rights, will be mailed to [class members](#) and posted here at the end of February. After class members have had a chance to read the Settlement Notice, we will return to court on August 1st to ask the Court to grant final approval of the settlement. Although the warranty extension will go into effect by March 1, 2011, cash reimbursements will not be made until after the settlement receives final Court approval and any appeals are resolved.

Toyota Prius Class Action Lawsuit: Class Members

Class members are defined as:

All purchasers and/or lessees of any 2006, 2007, 2008, or 2009 model year Toyota Prius vehicle originally factory equipped with genuine high intensity discharge ("HID") headlights who reside in the United States.

Toyota Prius Class Action Suit: Settlement Benefits

(1) Warranty Extension

Beginning no later than March 1, 2011, Toyota will extend its New Vehicle Limited Warranty to cover repairs and replacements of HID bulbs and HID electronic control units (ECUs). This means class members can take their 2006-2009 Prius to any Toyota dealership for free repairs

under warranty of those parts until 5 years or 50,000 miles pass from the car's original purchase or lease date. This warranty extension is subject to the terms in class members' Owner's Warranty Information booklet.

If your Prius will already be beyond 5 years or 50,000 miles by March 1, 2011, warranty coverage may be available in [limited circumstances](#).

(2) Cash Reimbursements

Class members who spent money on an HID bulb or HID electronic control unit (ECU) repair for their 2006-2009 Prius should save their receipts and be ready to file their claim when they receive the Settlement Notice in late February or early March.

HID Bulbs

Class members who spent money replacing HID bulbs will be eligible to submit a claim for reimbursement of their costs. For vehicles within 5 years and 50,000 miles of the original purchase or lease date at the time of repair, full reimbursement will be provided for valid claims. For vehicles outside either 5 years or 50,000 miles at the time of repair, reimbursements will be provided for claims on a [case-by-case basis](#).

The [deadline](#) to mail in your claim will be May 30, 2011.

HID Electronic Control Units (ECUs)

Class members who spent money replacing an electronic control unit (ECU) before March 1, 2011, will be eligible to submit a claim for full reimbursement (including parts and labor). Instructions on how to submit a claim for reimbursement will be listed in the Settlement Notice which will be mailed to class members and posted here at the end of February.

The [deadline](#) to mail your claim will be May 30, 2011.

Toyota Prius Class Action: What to do Now

NOW: Save your HID headlight repair receipts and related documents (including any estimates or diagnostics). Repair receipts will be required for submitting a claim. If you no longer have these documents, you should contact your mechanic to see if you can obtain copies.

To learn more about the settlement or to receive periodic email updates on the settlement's progress, please fill out the form on the right.

2

A CIV USAF AMC 89 OSS/OSOF

From: Ask Toyota [toyota_cares@toyota.com]
Sent: Wednesday, January 26, 2011 1:36 PM
To: [REDACTED] A CIV USAF AMC 89 OSS/OSOF; [REDACTED]
Subject: Re: Incident: 110121-000188 [Incident: 110125-000019]

Recently you contacted Toyota. Below is a summary of your contact message and our response.
Thank you for allowing us to be of service to you.

<http://toyota.custhelp.com/app/account/questions/detail/i_id/1061351>

Subject
Re: Incident: 110121-000188

Discussion Thread
Response (Joanne Hahn) 01/26/2011 10:35 AM
Dear [REDACTED]

Thank you for contacting Toyota Motor Sales, U.S.A., Inc.

We apologize to hear the concerns you have experienced with the HID lights on your 2005 Prius.

The warranty coverage for the headlights are 3 years or 36,000 miles, whichever comes first from the vehicle's date of first use. Once the vehicle is outside of these warranty guidelines the cost of repairs becomes the owner's responsibility.

In the interest of customer satisfaction, Toyota may review individual requests even when the factory warranty has expired.

We have reviewed your circumstances, taking into consideration such factors as the vehicle's age and mileage in comparison to the manufacturer's original warranty, and the nature of the repair. While we regret that you incurred this expense, your request for reimbursement has been declined.

We again apologize for the situation you encountered with your vehicle and we are sorry for any inconvenience or expense you have incurred.

Your email has been documented at our National Headquarters under file #1101211825. If we can be of further assistance, please utilize the following link to find a variety of avenues to contact our offices, <http://www.toyota.com/help/>.

Joanne Hahn
Toyota Customer Experience
Customer By Web Form [REDACTED] 01/25/2011 04:47 AM

The problem with my vehicle's headlights is exactly the same problem that caused the class action suit to be filed. I took my vehicle to Darcars for inspection, and they replaced the headlights for \$593.75. The parts (2 headlights) were approximately \$175 each. Isn't this a little exorbitant?

Since this was caused by the exact same problem as the problems with the class action suit, Toyota should do the right thing and cover it. I shouldn't have to sue Toyota to recoup the amount for a faulty problem especially based on Toyota's track record recently. That is what Customer Service is all about. I will be glad to send you copies of the bill. Please reimburse me for the faulty lights.

[---001:001869:59298---]

A CIV USAF AMC 89 OSS/OSOF

From: Ask Toyota [toyota_cares@toyota.com]
Sent: Friday, February 18, 2011 6:22 PM
To: [REDACTED] A CIV USAF AMC 89 OSS/OSOF; [REDACTED]
Subject: Re: Incident: 110121-000188 [Incident: 110125-000019]

Recently you contacted Toyota. Below is a summary of your contact message and our response.
Thank you for allowing us to be of service to you.

<http://toyota.custhelp.com/app/account/questions/detail/i_id/1061351>

Subject
Re: Incident: 110121-000188

Discussion Thread
Response (Jay Spencer) 02/18/2011 03:21 PM
[REDACTED]

We again apologize for the concerns you are experiencing with the headlights on your 2005 Prius.

HID bulbs are unlike Halogen light bulbs which simply stop working at the end of their useful life. As an HID bulb nears the service end-of-life it may exhibit a condition where the bulb may flicker or intermittently be inoperable similar to a fluorescent light bulb.

In case of an aged bulb, the output and illumination may be shut off temporarily due to the "fail-safe" function of the headlight control Electronic Control Unit (ECU). The bulb may illuminate temporarily when turned on again.

At this time Toyota has no information regarding any possible class-action lawsuits related to the HID headlights. More specific information will be mailed to the involved vehicle owners later this spring. Once that occurs we would be able to provide more specific information regarding what coverage may or may not be available.

Your case is documented at our National Headquarters under file #1101211825.

Jay Spencer
Toyota Customer Experience
Customer By Email (Dan Weiss) 01/27/2011 09:12 AM
Ms. Hahn -

I know that there have not been any Special Service Campaigns or recalls for this problem. However, had someone at Toyota carefully read my previous e-mails, it would be evident that there was a class action suit for 2006 - 2009 Prius models (that Toyota lost) concerning the exact same problem. Toyota is covering that.
The \$593.75 that it cost me to have the lights repaired is a significant amount of money, but covering would be an investment by Toyota. People always want to do business with a company that backs its products.
Although my 2005 vehicle, like those in the class action suit, is no longer under warranty, based on the results of the class action suit, there was obviously enough evidence to find a flaw in Prius models. As I said, based on the class action suit and Toyota's maintenance

problems over the past few years, I would expect that Toyota would do the right thing and cover this.

Sincerely,

From:

Ask Toyota [mailto:toyota_cares@toyota.com]

Sent: Wednesday, January 26, 2011 5:01 PM

To: [REDACTED] A CIV USAF AMC 89 OSS/OSOF; [REDACTED]

Subject: Re: Incident: 110121-000188 [Incident: 110125-000019]

Recently you contacted Toyota. Below is a summary of your contact message and our response. Thank you for allowing us to be of service to you.

Subject

Re: Incident: 110121-000188

Discussion Thread

Response (Joanne Hahn)

01/26/2011 02:00 PM

[REDACTED]
We appreciate your response and taking the time to write.

We do not show a Special Service Campaign or recall for the condition you described, we apologize; we would not be able to provide any further assistance in this matter.

Your email has been documented at our National Headquarters under file #1101211825.

Joanne Hahn

Toyota Customer Experience

Customer By Web Form [REDACTED]

01/26/2011 10:52 AM

I know that tmy Prius

is no longer covered by the warranty. However, as I mentioned this is the exact same problem as Toyota is covering because of the class action suit.

I would think (hope) the in the interest of Customer Satisfaction and future sales, Toyota would look favorably upon my request.

Response (Joanne Hahn)

01/26/2011 10:35 AM

Dear [REDACTED]
Thank you for contacting Toyota Motor Sales, U.S.A., Inc.
We apologize to hear the concerns you have experienced with the HID lights on your 2005 Prius.
The warranty coverage for the headlights are 3 years or 36,000 miles, whichever comes first from the vehicle's date of first use. Once the vehicle is outside of these warranty guidelines the cost of repairs becomes the owner's responsibility.
In the interest of customer satisfaction, Toyota may review individual requests even when the factory warranty has expired.
We have reviewed your circumstances, taking into consideration such factors as the vehicle's age and mileage in comparison to the manufacturer's original warranty, and the nature of the repair. While we regret that you incurred this expense, your request for reimbursement has been declined. We again apologize for the situation you encountered with your vehicle and we are sorry for any inconvenience or expense you have incurred.
Your email has been documented at our National Headquarters under file #1101211825. If we can be of further assistance, please utilize the following link to find a variety of avenues to contact our offices, <http://www.toyota.com/help/> .
Joanne Hahn
Toyota Customer Experience
Response (Joanne Hahn) 01/26/2011 02:00 PM
[REDACTED]

We appreciate your response and taking the time to write.

We do not show a Special Service Campaign or recall for the condition you described, we apologize; we would not be able to provide any further assistance in this matter.

Your email has been documented at our National Headquarters under file #1101211825.

Joanne Hahn
Toyota Customer Experience

[---001:004339:41915---]

DARCARS

12210 Cherry Hill Rd., SILVER SPRING, MD 20904
301/622-0300

TOYOTA MASTER DEALER

SERVICE HOURS
MONDAY - FRIDAY 7:00 AM - 9:00 PM
SATURDAY 7:00 AM - 6:00 PM

MULTI YEAR SERVICE EXCELLENCE AWARD WINNER

www.darcars.com



PARTS HOURS

MONDAY - FRIDAY 8:00 AM - 6:00 PM
SATURDAY 8:00 AM - 4:00 PM

CELL: [REDACTED]

CUSTOMER NO. 198013	ADVISOR KWOK PING BONG	TAG NO. 134 9699	INVOICE DATE 01/22/11	INVOICE NO. TOCS459228
[REDACTED] SILVER SPRING, MD	LABOR RATE	LICENSE NO.	COLOR SALSA RED P	STOCK NO. 581802
	YEAR / MAKE / MODEL 05/TOYOTA/PRIUS/5 DOOR LIFTBACK	MILEAGE 126,306	DELIVERY DATE 10/06/04	DELIVERY MILES 6
	VEHICLE I.D. NO. J T D K B 2 0 U 7 5 0	SELLING DEALER NO.	PRODUCTION DATE	
	F.T.E. NO.	P.O. NO. EDGAR	R.O. DATE 01/21/11	
RESIDENCE PHONE	BUSINESS PHONE	COMMENTS		

MO: 126307

[DARCARS PACKAGE] 581802

JOB# 1 CHARGES

LABOR
J# 1 10TOZ ELECTRICAL REPAIR UNITS: 1.80 TECH(S): 771 195.99
C/S EITHER HEAD LIGHT ON AND OFF WHILE DRIVING AND
COME BACK ON WHEN TURN SWITCH ON AND OFF
REPLACE BOTH HEAD LIGHT BULBS

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	
	2	90981-20007	BULB, HID	175.00	350.00
				TOTAL - PARTS	350.00

MISC	CODE	DESCRIPTION	CONTROL NO	
		TSS SHOP SUPPLIES		19.60
				TOTAL - MISC

JOB# 1 TOTALS		LABOR	195.99
		PARTS	350.00
		MISC	19.60

JOB# 1 JOURNAL PREFIX TOCS JOB# 1 TOTAL 565.59

JOB# 2 CHARGES

LABOR
J# 2 01TOZ15 FREE 24 PT INSPECT UNITS: 0.00 TECH(S): 771 0.00
CUSTOMER STATES TO PERFORM THE FREE 24 POINT INSPECTION
PERFORMED FREE 24 POINT INSPECTION

JOB# 2 TOTALS		LABOR	0.00
JOB# 2 JOURNAL PREFIX TOCS		JOB# 2 TOTAL	0.00

JOB# 3 CHARGES

LABOR
J# 3 01TOZ14 FLOOR MAT INSPECTION UNITS: 0.00 TECH(S): 771 0.00
COMPLETED FLOOR MAT COURTESY INSPECTION
INSPECTED FLOOR MAT TO TOYOTA SPECIFICATION

JOB# 3 TOTALS		LABOR	0.00
JOB# 3 JOURNAL PREFIX TOCS		JOB# 3 TOTAL	0.00

MISC	CODE	DESCRIPTION	CONTROL NO	
JOB # A		DRC DOCUMENT RETENTION CHARGE		1.99
JOB # A		MHZM ENVIRONMENTAL FEE		4.00
				TOTAL - MISC

ESTIMATE
CUSTOMER HEREBY ACKNOWLEDGES RECEIVING
ORIGINAL ESTIMATE OF \$0.00 (+TAX)
APPROVED REVISED ESTIMATE (# 1) OF \$595.00 (+TAX) ON 01/22/11 AT 08:15am
BY DANIEL A WEISS COMMENTS

Thank You. We appreciate your business!

ZFOR YOUR INFORMATION AND ACKNOWLEDGEMENT:

TERMS: CASH ON DELIVERY

Prices are based on flat rate manual unless specified otherwise. Mechanical check out time on vehicles will be a minimum of one half hour at the current hourly rate if work is declined on vehicle.

Environmental & Materials: A charge equivalent to 10% of total repair order charges is included for environmental and disposal and materials used on your vehicle. Applicable supply items are nuts, bolts, washers, pins, aero sprays, solvent, battery cleaners, wheel weights etc.

UNLESS OTHERWISE SPECIFIED, LABOR TIME BILLED IS FLAT RATE TIME ESTIMATED FOR EACH JOB IN INDUSTRY MANUALS AND NOT ACTUAL TIME SPENT.

X

CUSTOMER'S SIGNATURE

NO CLAIMS WITHOUT THIS INVOICE
THANK YOU

MONTGOMERY COUNTY REG. NO. 0163B

THE TOYOTA SERVICE PART WARRANTY COVERAGE IS IN EFFECT FOR 12 MONTHS FROM THE DATE THE PART(S) WERE INSTALLED ON THE VEHICLE, OR THE REMAINDER OF ANY APPLICABLE NEW VEHICLE WARRANTY, WHICHEVER PROVIDES GREATER COVERAGE. GENUINE TOYOTA PARTS PURCHASED OVER-THE-COUNTER (NOT INSTALLED ON A VEHICLE) ARE WARRANTED FOR 12 MONTHS FROM THE DATE OF PURCHASE.

DARCARS

12210 Cherry Hill Rd., SILVER SPRING, MD 20804
301.622-0300

TOYOTA MASTER DEALER

SERVICE HOURS

MONDAY - FRIDAY 7:00 AM - 9:00 PM
SATURDAY 7:00 AM - 6:00 PM

MULTI YEAR SERVICE EXCELLENCE AWARD WINNER

www.darcars.com



PARTS HOURS

MONDAY - FRIDAY 8:00 AM - 6:00 PM
SATURDAY 8:00 AM - 4:00 PM

CELL: [REDACTED]

CUSTOMER NO. 198013	ADVISOR KWOK PING BONG	TAB NO. 134	INVOICE DATE 01/22/11	INVOICE NO. TOCS459228
[REDACTED]	LABOR RATE	LICENSE NO. [REDACTED]	MILEAGE 126,306	COLOR SALSA RED P
SILVER SPRING, MD	YEAR/MAKE/MODEL 05/TOYOTA/PRIUS/5 DOOR LIFTBACK	VEHICLE I.D. NO. J T D K B 2 0 U 7 5 0	DELIVERY DATE 10/06/04	STOCK NO. 581802
	F.T.E. NO.	R.O. NO. EDGAR	DELIVERY MILES 6	PRODUCTION DATE
RESIDENCE PHONE [REDACTED]	BUSINESS PHONE [REDACTED]	COMMENTS	MO: 126307	

COMMENTS.....
LISA DROP OFF FRI NIGHT

RECOMMENDATIONS.....
REPL WATER PUMP \$565
REPL T-STAT \$175

TOTALS.....

TOTAL LABOR..... 195.99
TOTAL PARTS..... 350.00
TOTAL SUBLET... 0.00
TOTAL G.O.G.... 0.00
TOTAL MISC CHG. 25.59
TOTAL MISC DISC 0.00
TOTAL TAX..... 22.17

TOTAL INVOICE \$ 593.75

COMPLETE DETAILS OF OUR WARRANTY ARE PRINTED ON YOUR FINAL INVOICE.

THANK YOU FOR ALLOWING US TO SERVICE YOUR VEHICLE TODAY!
PLEASE CALL TOM CHILCOATE AT 301.622.0300
PATRICK POWER 240.494.5000 FOR THE BODYSHOP
WE WILL NOT BE HAPPY UNTIL YOU ARE COMPLETELY SATISFIED

CUSTOMER SIGNATURE

DUPLICATE INVOICE

ZFOR YOUR INFORMATION AND ACKNOWLEDGEMENT:

TERMS: CASH ON DELIVERY

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UNLESS OTHERWISE SPECIFIED, LABOR TIME BILLED IS FLAT RATE TIME ESTIMATED FOR EACH JOB IN INDUSTRY MANUALS AND NOT ACTUAL TIME SPENT.

X

CUSTOMER'S SIGNATURE

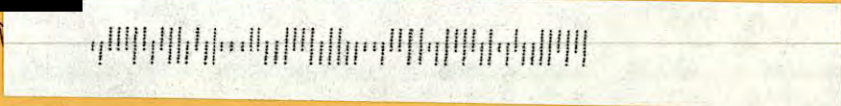
NO CLAIMS WITHOUT THIS INVOICE
THANK YOU

MONTGOMERY COUNTY REG. NO. 01630

THE TOYOTA SERVICE PART WARRANTY COVERAGE IS IN EFFECT FOR 12 MONTHS FROM THE DATE THE PART(S) WERE INSTALLED ON THE VEHICLE, OR THE REMAINDER OF ANY APPLICABLE NEW VEHICLE WARRANTY, WHICHEVER PROVIDES GREATER COVERAGE. GENUINE TOYOTA PARTS PURCHASED OVER-THE-COUNTER (NOT INSTALLED ON A VEHICLE) ARE WARRANTED FOR 12 MONTHS FROM THE DATE OF PURCHASE.

Thank You. We appreciate your business!

Silver Spring MD



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1200 New Jersey Avenue SE
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