

1/20/13 CORRECTED VIN NOV 27 2013 CL-103634816964 FOR NCDS USE CASE NUMBER

# CUSTOMER CLAIM FORM LEXUS

**CUSTOMER NAME AND ADDRESS**

Mr. Mc First Name: [REDACTED] MI: [REDACTED] Last Name: [REDACTED]  
 Street Address: [REDACTED]  
 City: HO-HO-KUS State: NJ Zip Code: [REDACTED]  
 Day Phone: [REDACTED] Evening Phone: [REDACTED] FAX: [REDACTED]  
 Email address: [REDACTED] Preferred method of contact: [REDACTED]

**VEHICLE INFORMATION**

Name(s) that appears on vehicle title: [REDACTED]  
 If vehicle is used for business: [REDACTED] What percentage of time is vehicle used for business purposes? [REDACTED] % How many other vehicles are owned or leased by the business? [REDACTED]  
 Make: LEXUS Model: IS430 Year: 2002 Current Mileage: 160,000  
 Vehicle Identification Number: J T H B N 3 0 F X 2 0 [REDACTED]  
 Selling Dealer and Address: Prestige Lexus of Ramsey 1000 Rt 17 N Ramsey NJ 07446  
 Dominant Servicing Dealer: Prestige Lexus

**IF VEHICLE WAS PURCHASED, COMPLETE THE FOLLOWING** **IF VEHICLE WAS LEASED, COMPLETE THE FOLLOWING**

Purchase Date: 1/14/03 Mileage at Purchase: 5672  
 Purchased as (check):  New  Used  Demo  Fleet  
 Are your loan payments current?  Yes  No  
 Is the vehicle in your possession?  Yes  No  
 Lienholder's Name and Address: car paid off  
 Account Number: \_\_\_\_\_  
 Lienholder's Phone Number: (\_\_\_\_) \_\_\_\_\_

Lease Date: \_\_\_\_\_ Mileage at Lease: \_\_\_\_\_  
 Purchased as (check):  New  Used  Demo  Fleet  
 Are your lease payments current?  Yes  No  
 Is the vehicle in your possession?  Yes  No  
 Leasing Company's Name and Address: \_\_\_\_\_  
 Account Number: \_\_\_\_\_  
 Leasing Company's Phone Number: (\_\_\_\_) \_\_\_\_\_

**VEHICLE PROBLEM(S)**

Indicate problem.	List dealer(s) that have repaired or attempted repair (include city and state).	List date, mileage and repair order number for each repair attempt.	Does the problem currently exist? (circle)	
Example: A/C won't cool properly	Autoworld, Inc. Anytown, VA	4/23/05 3,500 miles #B73540	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Trunk gas cylinder failure.		Both gas cylinders were replaced	<input type="radio"/> Yes	<input type="radio"/> No
			<input type="radio"/> Yes	<input type="radio"/> No

Has the vehicle been involved in an accident?  Yes  No  
 If yes, date of accident: \_\_\_\_\_ Area of vehicle damaged: \_\_\_\_\_  
 Resolution sought:  Repurchase  Replacement  Repair  
 Trunk lid landed on [REDACTED] head causing severe bleeding  
 Additional Comment: ATTACHMENT  
 Signature(s): [REDACTED] Date: 11/11/13

Return all copies of this form to:  
 National Center for Dispute Settlement  
 P.O. Box 688  
 Mt. Clemens, MI 48046  
 (866) 272-4872

ET  
112913  
SMD

9/16/2013

Ho-Ho-Kus NJ

I have purchased four Lexus automobiles in the past 20 years and I found good and bad features with all of them. I purchased a 1990, 1993 LS 400. A 2002 LS430 and a 2010 LS 460.

My main complaint is about the gas cylinders that hold the hood and trunk lid up on my wife's 2002 Lexus, LS 430. VIN: JTHBN30FX20 With 120,000 miles on the auto. Her gas cylinders had failed.

On 10/30/10, my wife opened the trunk and without warning the trunk lid promptly came down on her head and her blond hair turned bright red due to the bleeding. Yes, it was pretty tragic, fortunately she survived the accident.

Shortly after the accident, we got in touch with everybody that could be involved with this problem. I called the dealer who sold us the auto:

Prestige Lexus, 1000 Route 17 North, Ramsey NJ 07446, 201-825-5200.

Fax 201-825-1004, The service manager said that it was not their problem, Sales Consultant was Warren Port.

On 2/28/11, I Called Jim 800-255-3987x3, Fax 310-468-2992, about my problem. Never got any results from him. Address Lexus, PO Box 2991, Mail Drop L202, Torrance CA 90509-2991.

On 12/28/10, I called Bergen County Consumer Affairs, 1 B.C. Plaza, Hackensack NJ 07601, 201-336-6400, Case # BO100858. They said that this case was not in their jurisdiction.

On 11/24/10 I sent a letter to The Office of Attorney General, PO Box 45025, Newark NJ 07101, 973-504-6200, 800-242-5846. I think somebody said that the auto is too old.

Finally I contacted the Highway Traffic Safety Administration, (NHTSA)

12000 New Jersey Avenue S.E. Washington DC 20590. 888-327-4236

Safecar.gov. ODI # 10363481. They sent me forms to fill out. I called them, spoke to the manager and he said that the only time they can give me the results is when they deal with the manufacture which they did not, and they do not have enough manpower to give me an explanation.

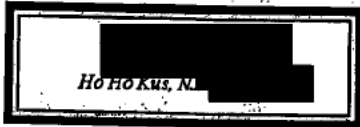
My 93 LS 400 used springs to hold the trunk up, and I had no problems with it. The Lexus service manager said that there was no room to put in the springs. I am sure that is not true. All the Lexus have gas cylinders holding up the hood. When they failed on my 93 LS 400, I complained to everybody to no avail. Those cylinders cost about 140.00 each. It is just a ripoff. Other manufactures use them too. I have a 70 Cadillac with springs on hood and trunk lid and they never failed. I must say that the hood on LS 460 is made of aluminum, which will lessen the blow, when it comes down on your head..

Another ripoff is the wear sensors for the brake pads. Once they show signs of wear you throw them away. They cost 45.00 each. The first Lexus used scrapers attached to the pads that warn you to replace the pads soon.

I see Toyota is presently having a \$1 Billion plus settlement with the Fed, over defects.

I wish retribution for my wife's agony. Thank you

I was referred the FTC by Congressman Garrett's office

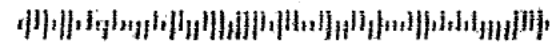


NNJ METRO NJ 076

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NHTSA Office of Defects Investigation (VS-210)  
West Building  
1200 New Jersey Ave SE  
Washington DC 20590





U.S. Department  
of Transportation

National Highway  
Traffic Safety  
Administration

1200 New Jersey Avenue, SE  
Washington, DC 20590

August 14, 2013

The Honorable Scott Garrett  
Member, U.S. House of Representatives  
266 Harristown Road, Suite 104  
Glen Rock, NJ 07452

NVS-216 et  
Ref. No. 10384142

Dear Congressman Garrett:

Thank you for your correspondence on behalf of your constituent, [REDACTED] who wrote concerning his wife's model year (MY) 2002 Lexus LS430 vehicle. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation (ODI) is pleased to respond.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair motor vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect trend may exist. However, we do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

[REDACTED] indicates the gas cylinders that support the hood and trunk lid in his wife's MY 2002 Lexus LS430 failed. On October 30, 2010, the trunk lid came down without warning and struck [REDACTED] on the head resulting in an injury. [REDACTED] reported this incident to NHTSA in November 2010 (ODI No. 10363481, enclosed). [REDACTED] recommends that Lexus replace the gas cylinders with spring supports that are more reliable. In addition, he requests compensation for the agony his wife endured because of her injury.

ES13-00307R

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The Honorable Scott Garrett

We have reviewed our database in an effort to identify whether a safety defect trend exists with regard to gas-filled struts that support the hood and the trunk lid in MY 2002 Lexus LS430 vehicles. At this time, there is insufficient evidence to warrant opening a safety defect investigation or to initiate a recall. We have enclosed a brochure for [REDACTED] information explaining the NHTSA investigation and recall process which is also on our web site at [www-odi.nhtsa.dot.gov/recalls/recallprocess.cfm](http://www-odi.nhtsa.dot.gov/recalls/recallprocess.cfm).

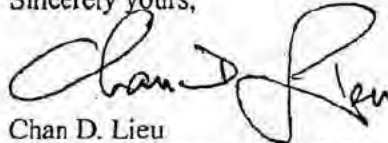
In addition to [REDACTED]'s report in November 2010, he filed another report concerning this problem in February 2011 (ODI No. 10384142, enclosed). Also, he filed a report with NHTSA regarding a similar problem with his MY 1993 Lexus LS400 in August 2006 (ODI No. 10165699, enclosed). All of [REDACTED] information was entered into our complaint database. Under our regular procedures, NHTSA staff contacts the vehicle owner only if we require additional information, not in every one of the 50,000 complaints we receive in an average year. His information will be considered with future reports to identify any safety defect trends that may require our attention.

[REDACTED]'s request for compensation for his wife's injury does not fall under our jurisdiction. [REDACTED] may ask his dealership for a meeting with a Lexus district manager regarding his problem. In addition, the Federal Trade Commission (FTC) has jurisdiction over defects, paint, fraud or deception, warranty and dealership problems, remuneration matters, and fair trade practices. There are three ways to contact the FTC: by toll free telephone at 1-877-FTC-HELP (1-877-382-4357); by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at [www.ftccomplaintassistant.gov](http://www.ftccomplaintassistant.gov).

Your constituent may also consider contacting the Better Business Bureau (BBB) Auto Line. The BBB offers free mediation/arbitration to resolve disputes under guidelines established by the FTC. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. [REDACTED] can visit their web site at [www.bbb.org](http://www.bbb.org) to file a complaint and review eligibility information, or call the BBB Auto Line at 1-800-955-5100.

I hope this information is helpful. If you have any questions, please contact me or Ms. Nancy L. Lewis, Associate Administrator for Enforcement, at (202) 366-3217.

Sincerely yours,



Chan D. Lieu  
Director, Governmental Affairs,  
Policy and Strategic Planning

Enclosures

cc: Washington Office