



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

CL-10496693-8629

MAR 25 2013

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DIVISION OF ECONOMIC JUSTICE
CONSUMER FRAUDS & PROTECTION BUREAU

March 20, 2013

[REDACTED]
Rockville Centre, NY [REDACTED]

Our File Number: **2013-1106255**
Company: Toyota Motor Sales U.S.A. Inc.

Dear [REDACTED]

On behalf of Attorney General Eric T. Schneiderman, I am writing to notify you that we have received your correspondence.

We appreciate your alerting us to this matter. We believe the organization shown below may be able to assist you and we are forwarding your correspondence there.

If you do not receive a response in the near future, please follow up directly with that organization. I suggest you attach a copy of this letter or, if appropriate, mention that you are adding new information.

Thank you for writing to our office. We will keep your correspondence on file for future reference.

Very truly yours,

John Van Voris

John VanVoris
Bureau of Consumer Frauds and Protection

cc: National Highway Traffic Safety Administration
Office of Defects Investigation
1200 New Jersey Avenue SE West Bldg.
Washington, DC 20590

NM
32713
SMD

February 26, 2013

[REDACTED]
Rockville Centre, NY [REDACTED]

RE: Date of Loss: February 5, 2013
Vehicle: 2013 Toyota Camry
VIN: 4T1BF1FK8DU [REDACTED]

Dear [REDACTED]

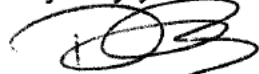
This letter is in response to your contact with Toyota's Customer Experience Center in regards to the above referenced incident.

It is our understanding that you rented the vehicle from Toyota of Vero Beach, Florida. The report is that you experienced unintended acceleration while driving. When entering the Ocean Village community the vehicle accelerated and struck a landscaping Van.

The vehicle was inspected on February 11, 2013 at Vero Beach Toyota by one of our field technicians in regards to your concerns. The inspection revealed that there were no defects found. The accelerator pedal was thoroughly inspected and found to move smoothly with restrictions or binding. It was properly mounted and connected. There was no interference or obstruction found with the operation of the accelerator pedal. Each time the accelerator pedal was released, it returned to the idle position. The vehicle was road tested at various speeds with several accelerating and braking maneuvers being conducted and it performed properly with no unusual or unexpected reactions observed.

We are very sorry to hear about this unfortunate incident; however based on our inspection of your vehicle it has been determined it was not the result of any type of manufacturing or design defect. Thank you for allowing us to address your concerns.

Very truly yours,



Donald Beierschmitt
Legal Claims Administrator
Toyota Motor Sales, U.S.A., Inc.

March 3, 2013

RECEIVED
NYS Office to the Attorney General
MAR 06 2013
Consumer Frauds Bureau
Albany, New York

Eric T. Schneiderman
Office of Attorney General
The Capitol
Albany, NY 12224-0341

Dear Eric T. Schneiderman,

Attached is a letter describing an accident in Fort Pierce on 02/05/13 and the response letter from Toyota.

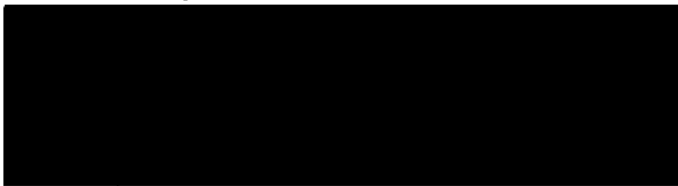
The incident was precipitated by our having to use a loaner car from Vero Beach Toyota because our lease car from Millennium Toyota in Hempstead accelerated at three consecutive stops.

The attached letter gives a general outline of the problems we have experienced with our Toyotas. We get no satisfaction from Toyota and are very nervous driving our present Highlander. We turned in the leased Camry two months early (making the final two payments) because we were tired of dealing with the acceleration problems.

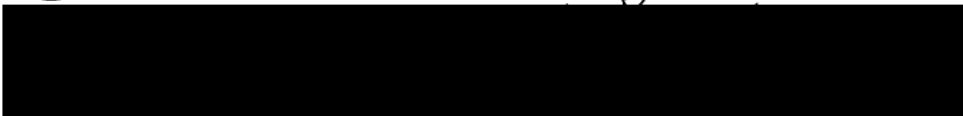
I don't know what you can do but perhaps you can refer this to a department concerned with consumer safety. At the very least we would like to terminate the lease on the Highlander.

Thank you for your attention to this matter.

Yours truly,



Rockville Centre, N.Y.



Mr. Donald Beierschmitt
Legal Claims Administrator
Toyota Motor Sales
19001 South Western Avenue
Torrance, CA 90501

Dear Mr. Beierschmitt:

My husband and I have leased four Highlanders and one Camry. The first two Highlanders were fine. The third was involved in the national acceleration recall.

We were in Vero Beach, FL when the Highlander accelerated while coming to a red light. My husband turned off the ignition. We brought it to Vero Beach Toyota where they fixed the problem.

We leased our present 2012 Highlander because we thought the problem was fixed. After driving to Florida from New York we experienced three consecutive accelerations after coming to stops. We again brought the Highlander to Vero Beach Toyota where on 02/05/13 they loaned us a 2013 Camry with six miles on it. We drove it under twenty miles and heard a slight noise at a Stop sign. The engine did not accelerate and we continued on where we stopped behind a landscaper trailer. Without warning the engine got very loud and accelerated so rapidly that it over rode the brake and rammed into the back of the trailer. It was most fortunate that no one was in front of the Camry.

To make a point I want you to know that we just turned in our leased Camry to Millennium Motors in Hempstead two months early because we have been experiencing acceleration problems with that car. We paid off the last two months because we were tired of dealing with the acceleration issue. With that Camry when we came to a stop and it started to accelerate we could turn off the ignition before the acceleration got out of control. The acceleration problem started within a few months of the start of the lease. We brought it back to Millennium numerous times and they kept it for days sometimes driving it back and forth. They kept telling us they couldn't find any problem.

By the way Vero Beach Toyota could find nothing wrong with the present Highlander we are leasing.

There is no pattern to the acceleration. You can't find the problem by driving it a few days or a number of miles. We drove over 5000 miles before driving to Florida from New York without a problem. The acceleration happened after four days in Florida.

There is nothing wrong with the pedal in the car as the acceleration always happens when the car is stopped.

I am sending you the car VIN #'s. You need to find the problem before you sell the cars to someone who could be injured or killed because of the acceleration issues.

You need to look at the engine itself or the computer system. Are they coming from the same plant?

You just got your reputation back but I am hearing of other acceleration instances. If you continue to cover up this problem I think it will be a lot harder to establish your reputation.

This was not, as you say, an unfortunate incident. It was caused by some problem that Toyota is not correcting.

What is really maddening is that the Vero Beach spokesperson implied that it was driver error. Let me assure you that it was not.

Yours truly,

2010 Highlander	VIN# 5TDZK3H7AS	[REDACTED]
2012 Highlander	VIN#5TDBK3EH5CS	[REDACTED]
2010 Camry	VIN#4T1BF3EKXAU	[REDACTED]
2013 Camry	VIN#4T1BFK8DU64	[REDACTED]

cc: US DOT NHTSA	Attorneys General - New York & Florida
State Farm Insurance	Truman Lewis-Consumer Affairs

Rockville Centre, NY

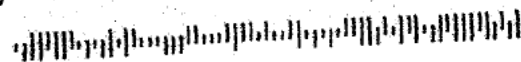
MID-ISLAND NY, NY 117

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Attorney General Eric P. Schneiderman
Office of the Attorney General
The Capitol
Albany, N.Y. 12224-0341

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OFFICE OF THE
THE CAPITOL
ALBANY, NY 12224-0341



National Highway Traffic Safety Administration
Office of Defects Investigation
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