

DEC. 19 2013

ATTN:

RANDY REID CHIEF

DEC 26 2013

CORRESPONDENCE RESEARCH DIVISION

OFFICE OF DEFECTS INVESTIGATION

ENFORCEMENT.

PLEASE ADD THE FOLLOWING DOCUMENT TO
MY COMPLAINT #10543792 INVOLVING MY
2004 TOYOTA TACOMA VIN# 5TEWM72N94Z [REDACTED]

I WAS NEVER NOTIFIED OF THE "RECALL" INVOLVING
FRAME RUST.

I HAVE FOUND SEVERAL SIMILAR COMPLAINTS
ON YOUR OWN WEB SITE, WHICH REVEALS THIS
TO BE A WIDE SPREAD & ON GOING SAFETY
THREAT. I HAVE BEEN DRIVING THIS TIME
BOMB WITH NO KNOWLEDGE OF THE DANGER
TO MYSELF & FAMILY.

PLEASE HELP ME.

[REDACTED]
North Bridgton, Me

NM
122713
SMD

1205 WESTLAKES DRIVE
SUITE 330
BERWYN, PA 19312
TEL: (610) 964 1900
FAX: (610) 964 1981

TWO PENN CENTER PLAZA
SUITE 200
PHILADELPHIA, PA 19102
TEL: (215) 564 0160
FAX: (610) 964 1981

BRYAN D. McELVAINE
(610) 964-6381
bmcelvaine@campbell-trial-lawyers.com

Please direct all correspondence and deliveries to the Berwyn, PA office.

December 5, 2013

To Dick Ryan

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Dennis M. Crowley, III, Esquire
Apollo Security, Inc.
2150 Boston Providence Highway
Walpole, MA 02081

Re: [REDACTED] v. Toyota Motor Sales, U.S.A., Inc.
Vehicle: 2004 Toyota Tacoma
VIN: 5TEWM72N94Z [REDACTED]

Dear Mr. Crowley:

This office represents Toyota Motor Sales, U.S.A., Inc. ("TMS"). We are in receipt of your letter to TMS dated November 5, 2013. Please consider this letter the formal response of TMS thereto.

We have factually investigated this matter. Customer satisfaction is of the highest priority at TMS and TMS takes seriously the promises made by it as contained in the New Vehicle Limited Warranty provided by it. TMS also, is well aware of its responsibilities under the Maine Unfair Trade Practices Act.

Pursuant to the terms of the New Vehicle Limited Warranty which accompanied the above-referenced vehicle at the time of original delivery, TMS promised that during the coverage period of the New Vehicle Limited Warranty, it would make repairs and adjustments needed to correct defects in materials or workmanship of any parts supplied by TMS, subject to certain exceptions which are set forth in the New Vehicle Limited Warranty. During the warranty period, TMS never failed to make any needed repairs or adjustments. In fact, our factual investigation indicates that at no time during the term of the New Vehicle Limited Warranty did your client ever complain of, or request inspection for, perforation from corrosion to the vehicle's frame. Thus, TMS has not breached the New Vehicle Limited Warranty.

Moreover, in its continuing efforts to assure the best in customer satisfaction, TMS initiated a Customer Support Program ("CSP") which, subject to certain exceptions and conditions, extended the warranty coverage on the frames of certain Toyota Tacomas for perforation of the vehicle's frame caused by rust corrosion for a period of 15 years with no

mileage limitation from the vehicle's date of first use. With respect to the vehicle referenced above, the Customer Support Program required as a condition of the warranty extension inter alia, that the vehicle be inspected by a Toyota Dealer by June 30, 2011 and that appropriate corrosion-resistant treatment be applied to the vehicle by that date. All registered owners of applicable vehicles were notified in writing by mail of the Customer Support Program, its terms, conditions and deadlines.

Our investigation has revealed that the vehicle referenced above did not have the appropriate corrosion-resistant treatment application prior to June 30, 2011. TMS initiated a Customer Support Program as part of its continuing effort to provide superior customer satisfaction. It is unfortunate that your client failed to comply with the terms and conditions of the "CSP".

While TMS is sympathetic to your client's dilemma, it firmly believes that it has gone well above its legal responsibilities in an effort to satisfy its customers, and thus, it rejects the suggestions of improper conduct implied in your letter.

Should you have any questions, please contact me.

Very truly yours,



Bryan D. McElvaine

BDM/dml

[REDACTED]
North Bridgton, ME
[REDACTED]

SO. MAINE P&DC 041

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U.S. DEPARTMENT OF TRANSPORTATION
NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION
1200 NEW JERSEY AVE S.E.
WASHINGTON, D.C. 20590

ATTN: RANDY REID 