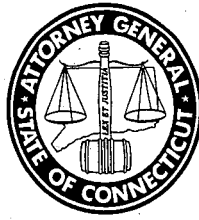


CL-10549101-1227

GEORGE JEPSEN
ATTORNEY GENERAL



MacKenzie Hall
110 Sherman Street
Hartford, CT 06105-2294

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

Office of the Attorney General
State of Connecticut

Tel: (860) 808-5420
Fax: (860) 808-5587

December 10, 2013

DEC 18 2013

[REDACTED]
Southbury, CT [REDACTED]

RE: Branch Toyota
PI # 463509

Dear [REDACTED]

This is to acknowledge receipt of your correspondence and to thank you for contacting our Office in connection with the above-captioned matter.

By copy of this letter, we are forwarding your correspondence to the National Highway Traffic Safety Administration. We sincerely apologize for any delay this transfer may cause, but the subject matter of your letter can best be reviewed by that agency. If you have any questions concerning your inquiry, please contact the NHTSA at (888) 327-4236.

Please do not hesitate to contact this Office in the future if we can be of further assistance to you on any other matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "M.G. Alonzo".
M.G. Alonzo
Assistant Attorney General

MGA/pb

cc: NHTSA Headquarters
1200 New Jersey Ave., SE
West Building
Washington, DC 20590

ET
12/19/13
SMD

STATE OF CONNECTICUT

ATTORNEY GENERAL GEORGE JEPSEN
OFFICE OF THE ATTORNEY GENERAL



55 ELM STREET
HARTFORD, CONNECTICUT 06106
<http://www.ct.gov/ag>

1. PLEASE TYPE OR PRINT CLEARLY IN DARK INK.
2. PLEASE COMPLETE THE ENTIRE FORM. INCOMPLETE OR UNCLEAR FORMS MAY DELAY THE PROCESSING OF YOUR COMPLAINT.
3. ATTACH COPIES OF SUPPORTING DOCUMENTS. DO NOT SEND ORIGINALS.
4. IF YOU HAVE QUESTIONS ABOUT THIS FORM, PLEASE CALL THE CONSUMER ASSISTANCE UNIT AT 860-808-5420.

CONSUMER

NAME [REDACTED]	HOME TELEPHONE NUMBER [REDACTED]	DAYTIME TELEPHONE NUMBER [REDACTED]
STREET ADDRESS [REDACTED]		E-MAIL ADDRESS [REDACTED]
CITY/TOWN Southbury	STATE ct	ZIP [REDACTED]
ARE YOU AGE 60 OR OLDER? ☒ Yes ☐ No		

COMPLAINT

BUSINESS/PERSON YOUR COMPLAINT IS ABOUT Branch Toyota		OTHER BUSINESS/PERSON YOUR COMPLAINT IS ABOUT (If any) Toyota Corporate	
STREET ADDRESS 832 Straits Turnpike		STREET ADDRESS	
CITY/TOWN Watertown	STATE CT	ZIP 06795	
TELEPHONE NUMBER 800-896-8018		TELEPHONE NUMBER	
DATE OF TRANSACTION 2011	COST OF PRODUCT OR SERVICE \$ 15,000	HOW PAID (check those which apply) ☐ Cash ☐ Check ☐ Credit Card ☒ Other	
DID YOU SIGN A CONTRACT? ☒ Yes ☐ No	WHERE CONTRACT WAS SIGNED Watertown, CT	DATE SIGNED	
WAS PRODUCT OR SERVICE ADVERTISED? ☒ Yes ☐ No	WHERE WAS IT ADVERTISED (if known)? Car Dealership	DATE ADVERTISED (if known)	

BRIEFLY DESCRIBE YOUR COMPLAINT (Attach additional pages, if necessary.)

See Attached.

DATE AND MANNER BY WHICH YOU COMPLAINED TO THE BUSINESS/PERSON

☒ By Mail ☒ By Telephone ☒ In Person

CONTACT PERSON

JOB TITLE

NATURE AND DATE OF BUSINESS' RESPONSE TO COMPLAINT

See Attached.

HAS MATTER BEEN SUBMITTED TO ANOTHER AGENCY OR ATTORNEY? (If "Yes", give name and address) ☐ Yes ☒ NoIS COURT ACTION PENDING? (Please describe) ☐ Yes ☒ No

WHAT RESOLUTION ARE YOU SEEKING? (I.E., EXCHANGE, REPAIR, MONEY BACK, ETC.)

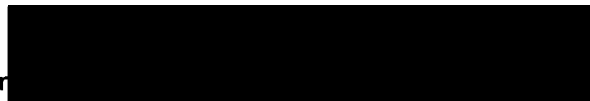
Money back / have them take the car.

READ THE FOLLOWING BEFORE SIGNING BELOW

In filing this complaint, I understand that the Attorney General is not my private attorney, but represents the State in enforcing laws designed to protect the public from deceptive or unfair practices. I also understand that if I have any questions concerning my legal rights or responsibilities, I should contact a private attorney. I also understand that information submitted to the Office of the Attorney General may be considered public information subject to disclosure under the Connecticut Freedom of Information Act, Connecticut General Statutes Section 1-200 et. seq. I further understand that I may be asked to testify in the event that the Office of the Attorney General takes formal legal action in connection with my complaint. The above complaint is true and accurate to the best of my knowledge.

By filing this complaint form, I am authorizing the Attorney General's Office to speak about my complaint with the person or business I am complaining about. By filing this complaint, I am also authorizing the Attorney General's Office to send a copy of this completed form and any attached documents to the person or business about whom I am complaining.

Signature



Date: 11/11/2013

HAVE YOU ENCLOSED COPIES OF IMPORTANT PAPERS?

RETURN TO: OFFICE OF THE ATTORNEY GENERAL
55 ELM STREET
HARTFORD, CT 06106
ATTN: PUBLIC INQUIRY

11/11/2013

Mr. Robert A. Scungio, President, Owner
Branch Toyota
832 Straits Turnpike
Watertown, CT 06795

Dear Mr. Scungio,

I'm writing to you as the Owner of Branch Toyota and the dealership this car was purchased. As you may be aware my Mother, [REDACTED] the owner of this car, my Brother [REDACTED], and myself have been working to share documented issues the Toyota Corolla has with unintended Acceleration.

Ken Esposito your Service Manager has made it clear that your organization will defer, and follow what Toyota Corporate tells him to do. Toyota Corporate keeps pointing us to Branch Toyota. Toyota Corporate, Marluce has been less than responsive to the situation. It would appear they really aren't interested in the facts of this car accelerating.

Since the letter attached dated 9/30/2013, which was mailed to your organization and to Toyota Corporate, let me summarize the facts.

This car was brought to your dealership for service on October 1st. We've been told by Ken and Toyota Corporate that Corporate look at the cars diagnostics via computer. The phrase that has been used repeatedly is "we see nothing wrong with the car." The car did get a new computer, and "optional software patch". We were told. No one was able to provide any reassurance that the software patch will fix the unintended acceleration issue. Neither Mr. Esposito, or Marluce at Corporate. (Why a software patch is optional on a car with acceleration issues—that puzzles me.)

Trusting that Toyota would not put anyone back in a car that still accelerates, in spite of our concerns my Mother continued to drive the car best on the reassurances that Toyota "sees nothing wrong with the car" and the software had been updated as well as this new computer "patch".

Last Wednesday November 6th, the car was being returned to my mother by a local Service mechanic, after routine maintenance. Upon arriving at her home, he described the car as accelerating aggressively, in spite of the fact that his foot was clearly not on the gas pedal. The drive from the service station to her house is only a few miles.

My mother has stated this acceleration has also occurred to her, since the car was in for service.

Toyota Corporate does not seem to have any concern for the facts, the situation, what the driver has experienced. No one has asked for details, no one seems to care.

6

At this point, since there is no software fix for un-intended acceleration. It would seem pointless to have you work on the car. Am I mistaken in this? Is it true the only one who can apply software code changes to this car is Toyota corporate?

We have taken this car off the road, as the safety hazard that it is. We are now incurring expenses to purchase her a new car, while we try to figure out what to do with a documented unsafe Toyota.

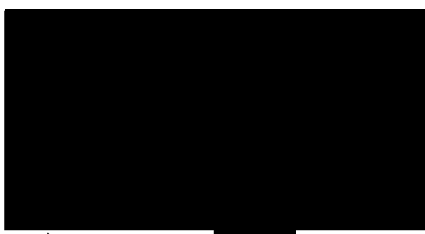
This letter does not include all the documentation we have about this car, but with the last letter, and now—an independent car professional first hand experiencing the same issue that was documented in my mother's letter, this is no question in any of our minds that this car has a "bug" with Accelerating even when the pedal is not pressed or some other un-diagnosable mechanical issue.

Toyota Corporate continues to show a minor concern and attitude to this problem. They have shown only superficial interest in ensuring that a car that is clearly documented as unsafe, has the issues addressed in a timely fashion or even to understand the issues. (Takes days to get a call back from Marluce, or to get him on the phone.)

I am truly surprised by the lack of concern that we have a Toyota Corolla automobile that continues to demonstrate proven unsafe behavior, and Toyota doesn't have a fix.

I look forward to any assistance you can provide to ensure safety.

Sincerely,


Southbury, CT


CC: Toyota Corporate USA, Christopher P. Reynolds

DMV Connecticut

Attorney General State of CT

National Highway Traffic Safety Administration, Office of Defects Investigation

Southbury, Connecticut

9/30/2013

Branch Toyota

832 Straits Turnpike.

Watertown, CT 06795

To Whom It May Concern:

I own a '09 Toyota Corolla Vin # 2T1BU40E59C that was purchased from your dealership.

Last Wednesday, September 25, in the Heritage Village Meeting House parking lot in Southbury at Approximately 3 PM. I was trying to park on a curve and had backed and gone forward twice when I felt the right back tire go over the water grate in the parking lot. The car made the shifting sound and started to loudly race forward out of control. Fortunately, I was again going slowly or I could have ended in the lake at the end of the grassy area.

I heard what sounded like a gear shifting. Unexpectedly, the motor starts loudly/ forcefully racing, and the speed of the engine is increasing rapidly, as if someone is pushing on the gas pedal. I had to put both feet on the brake as hard as I could in an effort to control the increasing speed. Luckily I was able to shift to neutral, and then shut off the motor—without hurting anyone or myself. There was a witness to this event.

This is not the first time this has happened.

The First time this happened, I was on I84 in Danbury going east. Since it was just before Exit 8, I was able to steer it off I84 while trying to stop it with both feet on the brake. I shifted into Neutral when I couldn't get it into Park. Then while the motor was still increasing in revs I slowed the car enough to pull into Robert Buick parking lot and turned off the engine using the key. After I stopped shaking, I restarted the car and went home. I brought the car into you and your diagnosis was "loose floor mat." I knew that wasn't so.

The second instance of this malfunction: I was backing out of a parking spot in Danbury after lunch at Union Buffet, 16 Newtown Road. The right front tire went against the curb and then I heard the shift of gears and luckily my one foot was on the brake so I brought the other up to joint it and managed to stop the forward motion in another parking spot near the road, shifted to neutral and turned off the engine. Again my car was brought to you and you found "nothing wrong".

This car has a problem that is seriously affected my desire to drive it. Ordinarily, I drive to many activities and take passengers, including my grandsons, to museums and other amusements.

For the third time in 3 years this is what happened:

I hear what sounds like a gear shifting

The motor starts loudly/ forcefully racing, the speed increasing rapidly

I put both feet on the brake in an effort to control the increasing speed

I steer frantically to avoid hitting something while shifting into Neutral

Once in neutral, I can stop the forward motion and turn off the engine.

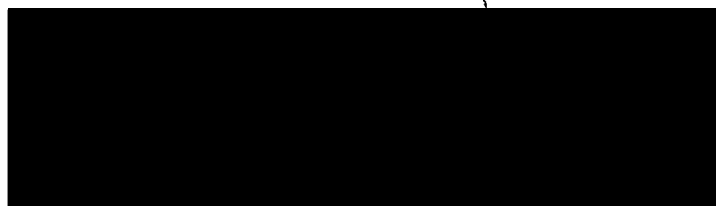
I wish to bring the car in for inspection to give you one more chance to find the problem.

I am documenting this so anything should happen, this is a clear set of evidence should I or someone else be injured.

My son will drive me because it is frightening when this happens. Luckily my grandchildren were not with me at these times of malfunction and therefore not injured nor frightened.

Please let me know how we can fix this problem, and ensure my safety and everyone around me.

Sincerely yours,



CC: Toyota Corporate USA

DMV Connecticut

Attorney General State of CT

National Highway Traffic Safety Administration, Office of Defects Investigation

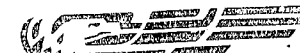


State of Connecticut

ATTORNEY GENERAL
MACKENZIE HALL
110 SHERMAN STREET
HARTFORD, CONNECTICUT 06105-2294



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NHTSA Headquarters
1200 New Jersey Ave., SE
West Building
Washington, DC 20590

Defects
PM