

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

CERTIFIED MAIL

January 12, 2017

**National Highway Safety Administration
1200 New Jersey Avenue, SE
Washington DC 20590**

RE: COMPLAINT AGAINST TOYOTA-USA/ **Toyota Case #** [REDACTED]

JAN 24 2017

This pertains to Toyota Corolla 2008 model, with

VIN 1NXBR32E38Z [REDACTED]

This is the story of my complaint:

On or around January 19, 2016, I – along with a passenger [REDACTED] a visitor nurse from Florida -- was driving eastbound along Orangethorpe Avenue and Stanton Street, Buena Park, CA 90621, coming from Knotts Street where we bought food for lunch, and while passing a construction site at the corner of Stanton Street and Orangethorpe Avenue, named Clark Commons, my Corolla 2008 suddenly and unintendedly, suffered a **Sudden Unintended Acceleration** while passing an electrical line that crossed the Orangethorpe Avenue from the other side of the street.

From my perspective, I knew that there was a possibility of an electromagnetic interference on the electronic ignition module of the car I was driving. As a result, the brake would not work, and secondly, the car just moved on and accelerated by itself without my feet hitting the accelerator pedal. While the car was accelerating by itself, I hit something, like another car's mirror, or a fence. The passenger side mirror of my car was broken by the impact. It was my quick wit that made me to use the handbrake to control the vehicle and bring it home. After bringing the vehicle home, I called up my auto insurance to report what happened.

The first thing that my auto insurance did was to file a claim for a rental car [see attached **Exhibit "A"**]. As per my insurance coverage, I am to pay about half of the cost of the rental.

Then the insurance sent a towing vehicle to bring the vehicle to a Toyota facility nearby, which the facility adamantly accepted as it was a legal-case incident for which it was not accustomed to. The facility gave us a number to call to report the incident.

The following day, the insurance company sent an investigator to assess the extent of the damage to my car [**Exhibit "B"**]. As the side mirror and labor was less than \$300.00, I had to pay for the repair.

I asked my office administrator to call up the phone given by the Toyota facility. He had to do it for so many times, as Toyota would not assist us file the complaint.

After I threatened them, it was only that time they replied [**Exhibit C**]. As you see, the date on the email is January 25th. We had to call them every day, morning and afternoon, and they kept on promising to send us the paper works to be able to file a complaint for a case.

The case was assigned to Bosch Automotive Aftermarket, Automotive Service Solutions, 5800 Enterprise Drive, Warren, MI 48092.

We were told that, through the help of the black box of the 2008 Toyota Corolla, the problem could be understood, and that we would be apprised of the problem, and that we just had to wait until the entire investigation would be completed.

However, I knew that Toyota was not serious about assisting us. After days of inactivity, and with the rental car being charged to us continuously, we called up Toyota to inform them that we could not afford to be renting cars throughout their investigation.

We were told that we would hear "very soon" from Toyota about the investigation being made.

As we could not afford to be renting a car indefinitely, with no initiative from Toyota to pay for it, and with Toyota's promise of a quick investigation that saw nothing in sight for a quick result, we were – against our will -- forced to trade in the 2008 Toyota Corolla for a Nissan Rogue.

Out of curiosity why nothing has arrived from Toyota, on August 3, 2016, I emailed the investigator to inquire what happened to their investigation [Exhibit "D"].

The investigator replied on the same date [Exhibit "E"], stating that the investigation results had already been forwarded to Toyota-USA.

Unfortunately, to this date Toyota would not reply what happened to the investigation.

I would like to file this complaint against Toyota-USA:

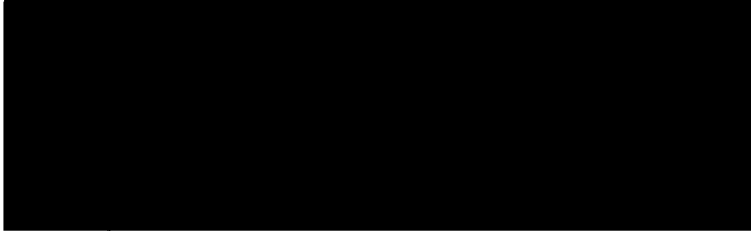
1. Toyota-USA never showed seriousness in assisting Toyota car owners filing a complaint possibly for defective ignition circuitry design for the Corolla 2008 that could have been disrupted by an electromagnetic interference from a nearby on-going construction;
2. Toyota never had any intention of refunding us for the rental car we leased while Toyota's investigation was on-going, and had no interest to pay us for the damage caused by the Sudden Unintended Acceleration;
3. Toyota passed on responsibility of replying to us to their investigating agency, and with such passing buck, Toyota was hoping the complainant would lose interest in the case.

We waited for one year for Toyota to assist us to no avail.

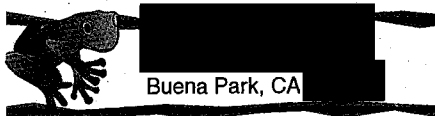
I hope I do not have to send a copy of this complaint to the US Attorney General so I would know what happened why my 2008 Toyota Corolla suffered Sudden Unintended Acceleration.

I hope to get nothing from this case but the knowledge why that Sudden Unintended Acceleration happened, and to get from them, the payment for the damage caused by the Sudden Unintended Acceleration, and for the lease we paid while the investigation was happening. We deserved this re-payment refund as we could not use the car while the investigations were ongoing. The way we were treated by Toyota was inhuman from our perspective.

Hoping for your kind early action on this case.



Enclosed: exhibits as so stated.



Buena Park, CA

Subject: Enterprise Rent-A-Car Rental Information for claim number: [REDACTED]

From: DONOTREPLY@ERAC.COM (DONOTREPLY@ERAC.COM)

To: [REDACTED]

Date: Tuesday, January 19, 2016 5:55 PM

Dear [REDACTED]

Please be advised that FARMERS GRP has made a rental car reservation on your behalf with Enterprise Rent-A-Car.

Confirmed Reservation Number: [REDACTED]

Enterprise looks forward to assisting you with your rental at:

ENTERPRISE RENT-A-CAR
6731 BEACH BLVD
BUENA PARK, CA - 906213451

Please contact the rental branch at (714) 562-8400 with any questions or if you need additional information.

Sincerely,
FARMERS GRP

This email is an automated notification, which is unable to receive replies.

Exhibit
"A"

Subject: Claim Unit No. [REDACTED], Claim Resolution Letter, Ref. No. [REDACTED]

From: myclaim@21st.com (myclaim@21st.com)

To: [REDACTED]

Date: Wednesday, January 20, 2016 3:11 PM

A new claim document is available for you to view [here](#)

If you have questions concerning your claim, please contact your assigned Claims Representative (CR). The latest assigned CR name/phone number/e-mail contact information may be found online at Find My Claims Representative or by using the QR code below on your smart phone.



Whenever you send us documents, take advantage of our secure method by clicking [here](#) and please include your claim number on the first page. Also, we encourage you to visit our website to learn more about your claim and policy self-service options that may be available to you.

Thank you,

21st Century Insurance Company



Exhibit
"B"

To unsubscribe from this service, click [here](#). If you received this e-mail in error, please notify us at privilegetoserve@21st.com

This is an automated e-mail. Please do not reply.

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Attachments

Subject: Event Data Recorder Consent Form - Toyota Case # [REDACTED]
From: Toyota_Customer_Experience@toyota.com (Toyota_Customer_Experience@toyota.com)
To: [REDACTED]
Date: Monday, January 25, 2016 2:59 PM

Dear Mr. Chen,

Thank you for taking the time to share your experience with me. As we discussed, based on your concerns, Toyota would like the opportunity to inspect your 2008 Toyota COROLLA, Vehicle Identification Number (or "VIN") 1NXBR32E38Z [REDACTED]

In order to complete the inspection, we will need your written consent to download data from the vehicle's Event Data Recorder, as well as any other available computer memory in the vehicle. This data helps explain the dynamics of a crash and informs future efforts to improve vehicle safety. To that end, enclosed please find the Toyota EDR consent form.

Please fill out and sign the consent form and either email it to Toyota_CEC@Toyota.com or fax it to 310-381-6065 at your earliest convenience. Please return the consent form to the attention of Karma P. and include the case number in the subject line of your email or the cover page of your fax. A representative on behalf of Toyota will contact you within 5 business days from the receipt of the signed EDR consent form to coordinate an inspection date. As a reminder, to minimize the potential need to reschedule, we will not schedule the inspection until your completed consent form has been received.

If you require further assistance, please contact me directly at 1-800-331-4331, select option 3 and enter extension 73854, Monday through Friday, 7:30 a.m. to 4:00 p.m., Pacific Time. Your contact has been documented at Toyota Headquarters under your name and case number [REDACTED]

*Customers residing in Oregon or Arkansas: In order to access vehicle data, all registered owners are required to sign the EDR consent form.

Sincerely,

Karma P.
Case Manager
Toyota Customer Experience

Please do not attempt to respond to this message. We cannot accept electronic replies to this e-mail.

Attachments

- Toyota EDR Image Authorization and Consent Owner Lessor Lessee V3.3.pdf (69.46KB)

Exhibit
"C"

From: [REDACTED]
Sent: Wednesday, August 03, 2016 7:41 AM
To: Ware Cynthia (AA-AS/TSS6-NA)
Subject: Fw: Event Data Recorder Consent Form - Toyota Case # [REDACTED]

This month is already August and up to this writing, we have not received any written copy of the investigation on the Unintended Acceleration Problem of our 2008 Toyota Corolla. As we intend to file a case against Toyota for the dally-dallying of the case, we suggest that you send us immediately a copy of your investigative result.

[REDACTED]
Vehicle Owner

Exhibit
"D"

— Forwarded Message —

From: "Toyota Customer Experience@toyota.com" <Toyota_Customer_Experience@toyota.com>
To: [REDACTED]
Sent: Tuesday, January 26, 2016 6:59 AM
Subject: Event Data Recorder Consent Form - Toyota Case # [REDACTED]

Dear Mr. Chen,

Thank you for taking the time to share your experience with me. As we discussed, based on your concerns, Toyota would like the opportunity to inspect your 2008 Toyota COROLLA, Vehicle Identification Number (or "VIN") 1NXBR32E38Z [REDACTED]

In order to complete the inspection, we will need your written consent to download data from the vehicle's Event Data Recorder, as well as any other available computer memory in the vehicle. This data helps explain the dynamics of a crash and informs future efforts to improve vehicle safety. To that end, enclosed please find the Toyota EDR consent form.

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extension 73854, Monday through Friday, 7:30 a.m. to 4:00 p.m., Pacific Time. Your contact has been documented at Toyota Headquarters under your name and case number [REDACTED]

*Customers residing in Oregon or Arkansas: In order to access vehicle data, all registered owners are required to sign the EDR consent form.

Sincerely,

Karma P.
Case Manager
Toyota Customer Experience

Please do not attempt to respond to this message. We cannot accept electronic replies to this e-mail.

Subject: RE: Event Data Recorder Consent Form - Toyota Case [REDACTED]
From: Ware Cynthia (AA-AS/TSS6-NA) (cynthia.ware@us.bosch.com)
To: [REDACTED]
Cc: cynthia.ware@us.bosch.com;
Date: Wednesday, August 3, 2016 5:28 AM

We are the inspection company for Toyota. All data gathered from the inspection has been sent to Toyota. Please contact Toyota at 800-331-4331. Thank you

Mit freundlichen Grüßen / Best regards

Cynthia Ware

Bosch Automotive Aftermarket
Automotive Service Solutions
Customer Contact (AA-AS)

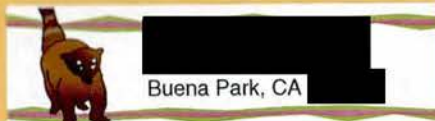
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National Highway
Safety Administration
1200 New Jersey Avenue, SE
Washington DC 20590

W41

Company Name

To: W41- 306

Mailstop: 4 West

Department: NEC, NOA, NIA

Phone:

Purchase Order PRIORITY
(ItemVarName4)