

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sent: Thursday, October 25, 2018 5:37 PM

To: DataQuality, DataQuality (NHTSA) <DataQuality@dot.gov>

Subject: 2015 Toyota Highlander Unintended Acceleration which cause Accident on 08-31-2018.

To whom it may concern,

I am updating my statement using a detail email (copying and paste to this email to you) that I sent to Mr. Lentz the CEO of Toyota Headquarters. I received bad news from Toyota Legal Claim Analyst (on 10-24-2018) that the cause of the accident wasn't Unintended Acceleration which is clearly not true. Please read the below detail information. Here are some corrections, the accident occurred on 08-31-2018 not 04-01-2017 and the damages were extensive. Another correction the speed was extremely low because the Highlander was being parked. The Highlander was towed to Lakeside Toyota Collision Center not to diagnose the Throttle but for the Toyota Company to retrieve information from the EDR or Electronic Data Recorder, the Highlander hasn't been repaired as of yet. The correct mileage wasn't 42,094 but about 68,000. Why is there so many inaccuracies?

I am attaching the Letter sent to Mr. Lentz which can explain or give a much clearer picture of what happen on 08-31-2018 the day our 2015 Toyota Highlander Unintended Acceleration Accident that accelerated on its own causing an accident.

Hi Mr. Jim Lentz,

This is my second email to you (I got your email address off the Toyota Headquarters Website) and we are hoping and praying and appealing to you again for help. I am giving you a brief summary with additional information of the accident that occurred on 08-31-2018, an Unintended Acceleration or (UA) occurred with our 2015 Toyota Highlander.

Mr. Lentz, after I sent you that email, immediately someone was sent to retrieve the Event Data Recorder or the (EDR). The accident occurred on 08-31-2017 and almost a month later the data got retrieved on 09-27-2018 only as the results of your intervention, (Thanks). I was sent a copy of the Event Data Recorder report and looked at the data but I can't decipher or make heads or tails of the data, it's like reading Greek. I will continue to try and decipher the information,

hopefully I can get some help from someone. I sent the Event Data Recorder information provided by Toyota to someone locally but they said due to legal issues the information they found can only be given to a Lawyer of my choosing, it appears to me that the person saw something but can't share their findings but only through a Lawyer.

My wife is an extremely very, very cautious alert Driver all the time but as a results of the Unintended Acceleration of our 2015 Toyota Highlander she had an accident on 08-31-2018 a Friday afternoon about 1415hrs on a clear warm sunny day. The Highlander had an Unintended Acceleration while she was parking even though she was applying the brakes at the time in order to park to no avail, the Highlander accelerated at a rapid speed. She pressed the brakes very hard to no avail but the Highlander continued to travel rapidly in a very short span of time across a Yellow Cement Block (those type that are found in parking lots), then hit a parked Public Transportation Van which stopped the Highlander from going forward. This accident occurred near a High School and lots of Students were walking toward the Highlander and the Public Transportation Van prevented the Highlander from continuing going forward at a very high rate of speed. My wife and myself (Thanked "GOD") for that Van being parked where it was park which prevented possible numerous injuries or deaths, Thank "GOD" Again, also that only the Van Driver was on the Van with no Passengers and wasn't hurt.

My wife received the blunt of injuries along her chest area and lower side where the seat belt crossed over. Her on going injuries that are presented today which are physically and emotionally distress, frighten, extremely nervous and she was so upset to the point she started crying uncontrollably. My wife is still very much shaken, hurting and upset and even today she is still recovering from the trauma and she is still suffering as of the results of our 2015 Toyota Highlander unbelievable Unintended Acceleration or (UA) accident. Note the Airbags didn't deploy during the accident.

I found out about Toyota's Vehicles Unintended Acceleration or (TUA) by chance from the Toyota Collision Center in Metairie LA (@ 504-833-0012 ask for Craig), where we had the Highlander towed too for some extensive damage repairs. My insurance company State Farm (@ 480-842-4031 ask for John Keegan my Claims Agent and my Claim Number is [REDACTED] wanted to immediately start the repairs but like I said when our Highlander was taken to Toyota Collision Center for the repairs to start and I told them about what happen that our Highlander accelerated at a very high rapid speed without my wife pressing the accelerator, they immediately told me that they can't touch our Highlander until Toyota sends a team to look at our Highlander and check the Event Data Recorder or the (EDR). I informed State Farm about what was happening concerning the repairs being completely shutdown and stopped.

We Thanked "GOD" again because if I hadn't explain to the Toyota Collision Center about what happen I wouldn't have known about Toyota Vehicles Unintended Accelerations or (TUA) and if I had taken our Highlander to another repair shop, I probably wouldn't have mentioned to them what happen and if I had they may not had known about Toyota's Vehicles Unintended Accelerations or (TUA) and started repairing our Highlander.

We were given a number from Toyota Collision Center to call. When we called we were assigned a Toyota Case Manager (name Mina Ravis (@ 1-800-331-4331 EXT. 73822 and the Case Number: [REDACTED]). We haven't heard from our Case Manager Mina either by a courtesy call or a fellow up or an email to keep us informed on the status of our Highlander, because it's going on the second month since the accident. By contrast State Farm is constantly calling or emailing us very courtesy, wanting to know what Toyota tends to do and keeping us informed on what they are doing, great feedback.

We are still very surprised and disappointed with Toyota Company for not providing us with a Rental Vehicle after our State Farm rental coverage was exhausted due to the facts that Toyota stopped the repairs in order to check the Event Data Recorder and is still looking at the Data. We have been without a Rental Vehicle since 09-28-2017.

In an attempt to learn more about Unintended Acceleration or (UA), I did some extensive research on Toyota's Vehicles and found a tremendous amount of information on Toyota's Vehicles accelerating without pressing the accelerator which was name Toyota's Unintended Acceleration or (TUA). One of my biggest concerns among others that I found and it's very disturbing and unnerving is that the Event Data Recorder or the (EDR) results will most likely come back showing no problems or failures because during my extensive research, I found that there is a problem in Toyota Computer Processing Unit that controls all aspects of the Vehicle and that the Toyota Computer Processing Unit can resets itself

leaving no traces of a malfunction or traces of "TASKS" that the Computer assign the Task to do (will explain later). I reviewed numerous material on Toyota Vehicles Unintended Acceleration or (TUA), especially articles and findings from two Software Experts Professor Mr. Phillip Koopman and Software Specialist Mr. Michael Barr (who spent 20 months studying Toyota's Unintended Accelerations in a very confined strict environment) and many others. In one of my research I found via the Website: [REDACTED]/toyota/highlander/car-accelerates-on-its-own-problems.php) on this Website it describe different accidents that has occurred over the years with Toyota's Highlanders. One particular accident almost mirrors my wife 2015 Toyota Highlander Unintended Acceleration accident on 08-31-2018.

The ARTICLE from the above Website: TITLE: Car Accelerates On Its Own Problem of the 2015 Toyota Highlander 2

Failure Date: 04/04/2018 "I was involved in an accident that I believe was caused by sudden acceleration (sua). I was pulling into a diagonal parking space on a city street, proceeding at a very slow speed, when there was a sudden surge in acceleration accompanied by a grinding sound. I hit the brake to no effect, and the vehicle jumped the curb and hit a pole (not connected to anything). The air bags did not deploy, and we were shaken up but not injured. The car was not drivable and was towed to a body shop."

My wife accident and this accident above are similar somewhat but the difference was my wife was injured from our 2015 Toyota Highlander Unintended Acceleration.

If you need to find some more information just type in the search engine Toyota's Unintended Acceleration and you will get numerous Website to read with lots of research information about (TUA). Software Expert Mr. Phillip Koopman has a great Video on Toyota's Unintended Accelerations that is so simple and understandable that just about anyone can understand. My wife who isn't mechanical incline watched the video with me a few times and could understand a majority of what was said, along with me explaining certain aspect of the technical parts of the video. Also some other information on the Website Titled: Toyota Unintended Acceleration and the Big Bowl of Spaghetti Code which address spaghetti code-badly written and badly structured source code (www.safetyresearch.net/bog/articles/Toyota-unintended-acceleration-and-big-bowl"spaghetti"-code). Testimony by Mr. Koopman and Mr. Barr assessment about software errors as a possible UA root cause go a long way in explaining so much: how Toyota's system could fail and leave no trace: why we are still seeing UAs in late model Toyota Vehicles and why Toyota can't seem to fix it with floor mats and pedal recalls.

Mr. Barr states: Just because your car has the latest version of the firmware-that is what we call embedded software-doesn't mean it is safer necessarily than the older one...And that conclusion is that the failsafes are inadequate. The failsafe that they have are inadequate. The failsafe they have contains defects or gaps. But on the whole the safety architecture is a house of cards. It is possible for a large percentage of the failsafes to be disabled at same time that the Throttle control is lost.

Mr. Lentz, below is the additional information concerning my 2015 Toyota Highlander which can shed much light on my 2015 Toyota Highlander accelerating on its own.

I had been so intense trying to resolve this situation in a Very Fair Settlement with your Company Toyota that I forgot until my wife reminded me that I told her on two occasions that the Highlander sped up on it's own. About a year and a half ago while I was traveling on Interstate (I-10), my Highlander accelerated rapidly and with me hitting / tapping the brakes a few times slowed the Highlander down this occurred on 04-03-2017 and again on 04-10-2017 and afterward on 04-12-2017, I immediately took the Highlander to Lakeside Toyota Service Department to be checked out, this is where I have all my services done on our Highlander. I have a copy of my Receipt for the Service Date, also you can request a copy from Lakeside Toyota in Metairie, LA (@ 504-833-3311), you have my permission to request all my maintenance records. The reason I remembered after my wife reminded me about those two dates was because the incidents were so close together and when my Highlander accelerated on its own, also a second memory jogger was that my Highlander wasn't slowing down, it got very scary. I started thinking back that prior to those two incidents we had slight surges

before the incidents where the Highlander speed increased slightly but the Highlander corrected itself. (I assumed after my research that there was only one "TASKS " not a lot of task before the command to address the accelerator speed to slow down (will explain later). I wasn't concerned because it was only a very slight increases at that time and I didn't think it was a problem. The reason I was concerned about those two incidents was because my Highlander wasn't slowing down which alarmed me at the time, still not knowing about Toyota's Unintended Acceleration or (TUA).

I told the Lakeside Toyota Service Advisor what happened about the two acceleration of my Highlander on its own but (I didn't mention the other slight increases in acceleration while driving because like I said I didn't think it was a problem). The Service Advisor sent my Highlander to the Repair Shop. After coming from the Repair Shop my Service Advisor informed me that they cleaned the Throttle Body and I was also charged a fee. The Service Advisor said all was ok but didn't mention anything about Unintended Acceleration to me. At that time I thought this was normal procedures that Toyota, cleaned the Throttle to stop my Highlander from accelerating on its own. I wasn't made aware of Unintended Acceleration or (UA) at the time by the Service Advisor and if I had I would have taken immediately action via contacting Toyota Company asking about Unintended Acceleration and doing some intensive research to better learn more about Toyota's Vehicles Unintended Accelerations or (TUA).

I recently called another Toyota Service Department other than Lakeside Toyota like this past week, asking some questions. Questions: First question concerning the information that was written on my Receipt that happened a year and a half ago was what did [148 @B*Clean Throttle] mean, their reply was that means that they clean your Throttle. Second question I asked is if my 2015 Highlander accelerated or sped up on its own, would that be a reason for cleaning my Throttle and the answer was most definitely "YES", with great emphasis on the word yes, almost shouting the word "YES"!!! through the phone.

I do intense research on anything that I am unfamiliar with, especially with safety issues, and especially if I had known a year and a half ago about my Highlander (UA), I would have done that intense research.

In my intensive research after Lakeside Collision Center informed me about Unintended Acceleration after I mentioned my Highlander accelerating on its own, didn't point to the Throttle but all of my research pointed to the Highlander Computer Processing Unit or (CPU) as the unsafe dangers related to "TASKS" (will explain later).

Toyota first blame Toyota's Unintended Accelerations on the Floor Mats and they address the floor mats problems but the (TUA) kept happening. Toyota then blame the (TUA) on the pedal sticking and they addressed the sticking pedal but the problem still exists. Two Software Experts Professor Mr. Phillip Koopman and Software Specialist Mr. Michael Barr did extensive research and found the problems weren't the Floor Mats or the pedal but the Computer Processing Unit that still existed today with my 2015 Toyota Highlander, as a matter of fact they testified and demonstrated about Unintended Accelerations in a lawsuit filed against a Toyota Vehicle that had an Unintended Acceleration that was involved in a horrible accident that resulted in deaths but Toyota and the Plaintiffs settled out of court for 3 million before a jury could determine punitive damages. According to the two Software Experts the problems with the Computer Processing Unit "TASKS" Commands still exist even at the time when we purchased our brand New 2015 Toyota Highlander (we had a ticking Time Bomb until it exploded on 08-31-2018, we are or my wife is fortunate that our 2015 Toyota Highlander wasn't on the highway and her pathway was blocked by a Transportation Van keeping our Highlander from causing unimaginable harm).

Even though the other Toyota Service Department pointed to the Throttle but my intense research pointed directly to the Computer Processing Unit Rigid No Deviation from "TASKS" Commands (will explain later).

I didn't know if to be relieved after checking my Receipt and finding this Unintended Acceleration from the two incidents which occurred a year and a half ago but I became extremely angry because since we purchased our 2015 Toyota Highlander we have been driving an UNSAFE Highlander with Computer defects in the Computer Processing Unit, with a Time Bomb ready to explode anytime and the Highlander possibly accelerating or speeding up causing a very serious accident which could have resulted in serious injuries or possible death like some other Toyota Vehicles that this has

happened to. I was extremely fortunate a year and a half ago that tapping on the brakes slowed my 2015 Highlander down in those two incidents.

I am pointing everything back to the Computer Processing Unit or CPU in relationship to Toyota's Computer orientated "TASKS" commands. In my research I found that Toyota's Computer Processing Units sends out "TASKS" from the Computer to performed the Tasks. The flaws that I found through my research on Toyota's CPU is that "TASKS" assigned by the Computer are done in a very strict Task form with no deviation, whatever Task is assigned it goes from the first Task that has to be done first then the next then to the last Task with no deviation regardless even if an unsafe condition is involved, the first Task must be completed before it goes to the next Task regardless of what's happening in between, it could be a safety issue but that first Task then the second Task and then the next, so on must be completed before the safety issue is addressed. The only way the unsafe Task is addressed first is that it occurs first in the Task list.

For example if a Toyota Vehicle is accelerating very rapidly but there are six or seven Tasks before the acceleration Task commands to slow down the Toyota Vehicle, the "TASKS" before for slowing down the Vehicle will have to be satisfied or completed before the Computer "TASK" or commands for the Toyota Vehicle to slow down, regardless of the unsafe conditions, which in many cases is to late even though the brakes are being applied the Toyota's Vehicles will continue to accelerate and this all happens in a very short span of time. According to my research the Toyota's Computer Processing Unit works on Tasks and whatever task that is entered first in the CPU has to completed first regardless of anything else before performing any other task even if it's a "SAFETY TASK", the Computer Processing Unit or (CPU) will take care of whenever the "TASKS" that it sees and then the next and so on.

I Thanked "GOD" again on those two incidents a year and a half ago that I mentioned above that the CPU probably had only one task ahead of it and not many and was able to send the task to the my Highlander Accelerator slowing the Highlander down while allowing me to apply the brakes so that the Highlander didn't continued to speed up but if my Highlander had about 6 or 7 "TASK" it would have kept speeding up in very short span of time which would have put my life and others on the highway in extremely graved danger.

It's extremely amazing about the Toyota's CPU "TASKS" on the braking system because if a Toyota Vehicle was speeding up because this happens so rapidly and in a majority of the cases it's to late to prevent an accident because the Task to slow the Vehicle down may have 6 or 7 or more "TASKS" to be performed in the CPU before sending a command to slow the Vehicle down. Simply hitting the brakes wouldn't slow the Toyota Vehicle down until all the Tasks were completed then letting a Command Task to be sent to Throttle to slow the Vehicle down according to my extensive research which in just about in all cases it's to late and an accident has happened with accelerated speed involved probably going from 60MPH to possible 120MPH in milliseconds.

After reviewing our Service Record a year and a half ago where our Highlander kept speeding up twice in the same week and the slight acceleration increases that we didn't think it was problem because it corrected itself we feel that the Highlander from the day that we purchased the Highlander, has been very unsafe because the Computer Processing Unit possibly malfunctioning causing an Unintended Acceleration. By the Grace of "GOD" we were spared but an accident with injuries did occurred on 08-31-2018 with our 2015 Toyota Highlander known as Toyota Unintended Acceleration or (TUA).

We are hoping to settle this in a Simple Very Fair Settlement, with Toyota refunding the amount that we purchased the 2015 Highlander for (\$44,066) and paying off the balance of the loan that is left to be paid starting on the date the accident occurred 08-31-2018 which is \$13,096 and \$35,000 for my wife continuing pain and sufferings. After we reach a settlement we are willing to sign documents drawn up by Toyota agreeing to this settlement taking no other actions, this would be a sealed deal between the two parties.

We contacted our State Attorney General Office and made them aware of what happen. They wanted us to keep them updated. I told my contact person at the AG Office about what I proposed and was told that they could not get involve at this time but said in an opinion only that the settlement I proposed sounded like a great and fair settlement for both sides.

We haven't retained a Lawyer as of this Email writing hoping to settle with a Very Fair Settlement, I am at this time being my own Lawyer.

Mr. Lentz, I am not an Engineer but the information I researched was so clear and understandable that a Layperson like myself can read and understand this information. I think I did an excellent clarification on explaining everything. Also I am not a Lawyer but I think I have presented a very compelling case on our behalf. Mr. Lentz, my wife and I are retired and very Humble Christians, living on Social Security, not living extravagantly but very modestly and within our budget with no extras, just making ends meet and we are humbly appealing to you in settling this situation.

A very prompt reply would be extremely appreciated and very helpful.

Thank You [REDACTED], we can be reached either by Phone: [REDACTED] or by Email Address:
[REDACTED]

Sincerely Yours

Thanks and "GOD" Bless!!!
[REDACTED]

Sent from my iPad