INFORMATION REDACTED PURSUANT TO THE FREEDOM

OF INFORMATION ACT (FOIA), 5 U.S.C.552(B)(6)

From: [redacted]
To: EVOQ (NHTSA); [redacted]
Cc: NHTSA ODI CRD; [redacted]
Subject: ODI-11482908
Date: Tuesday, September 20, 2022 4:39:01 PM
Attachments: [redacted]

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

[redacted]
Subject: Notice of and Invitation to Attend Vehicle Inspection (Vehicle Identified in NHTSA Complaint No. 11482908) in Austin, Texas on Wednesday, September 21, 2022 at 9 am
To: nhtsa.webmaster@dot.gov, jeffrey.eyres@dot.gov, kerry.kolodziej@dot.gov
Cc: [redacted], gary@burgerlaw.com

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear NHTSA:

My co-counsel and I represent plaintiff [redacted] in a lawsuit against Ferrari North America and Robert Bosch companies, [redacted] v. FERRARI NORTH AMERICA, INC. et al., Case No. [redacted], pending in federal court in the District of New Jersey [redacted] complaint to NHTSA is Complaint No. 11433534 (submitted September 18, 2021).

We have been in touch with another complainant [redacted] who recently submitted NHTSA Complaint No. 11482908, a copy of which is attached. In order to investigate our case, we are conducting an inspection of [redacted] vehicle this Wednesday, September 21, 2022 at [redacted] shop in Austin Texas, beginning at 9 am. We hereby invite NHTSA and its engineers to attend this inspection. We have invited Ferrari and Bosch to attend as well. The inspection will be videotaped.

The inspection will take place at 7 Applegate Circle #400, Round Rock, Texas 78665.

Best regards,

Michael J. Flannery, Esq.
Cuneo Gilbert & LaDuca, LLP
500 North Broadway
Suite 1450
St. Louis, MO 63102
Phone (work): (314) 226-1015 (direct)
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Thank you,

[redacted]
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NHTSA

Complaint Number: 11482908, submitted electronically to NHTSA on 9/5/2022, 1:56:18 PM.

1. Vehicle Information

Vehicle Identification Number (VIN)

ZFF79ALA0H0[redacted]
2017 FERRARI 488 GTB

2. Incident Information

Problem Parts

Which parts of your vehicle were affected?

- [x] Brakes

What happened?

In your own words, tell us what happened.

On Sunday Sept 4th, while attending an Edge Addicts track day event at Circuit of the Americas in Austin, My 2017 488 Was parts of the run group, 2 laps were completed prior to the brake pedal failing completely to the floor and causing my driver to loose all braking capability and slamming into a wall. We have in car video from Go Pro footage, footage from another vehicle from behind my 488 and also footage from the control room of the track. This vehicle was purchased 3 months ago, the brake fluid is at the correct level and the new "Recalled" Brake fluid cap is installed. There is some sort of serious manufacturing defect with this system, this is a car designed for this type of use. This needs a serious investigation before others are hurt or killed.

[redacted]

Additional Details

When did this happen?
9/4/2022

Was there a crash?
Yes

Was there a police report?
No

Were vehicles towed?
Yes

Was there a fire?
No

Was there an injury or fatality?
Yes

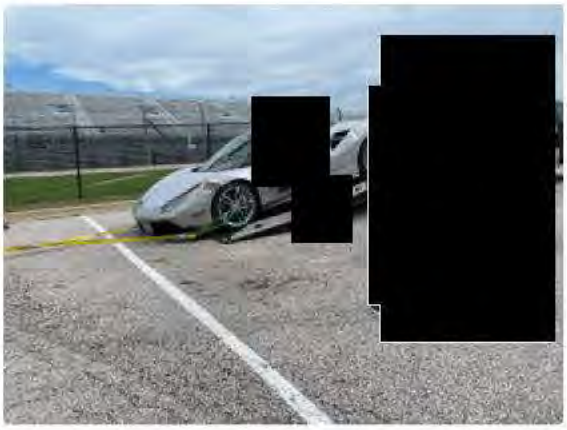
Number of fatalities, if any?
0

Number of people injured, if any?
2

Medical attention required?
Yes

How fast were you going?
(in mph) (optional)
70

About how many miles were on the vehicle at the time of the incident? (optional)
12000



3. Personal Information

This information is necessary in case we need to contact you for additional data or to clarify your entries.

Name:

Email:

Address:

Austin , TX

Phone:

Information Sharing Notice

NHTSA may share your complaint, including your name and contact information, with the vehicle or equipment manufacturer in the interest of safety. You can opt-out of this sharing below. However, NHTSA may still share your complaint with the manufacturer (even if you opt-out) if there is an official safety investigation or safety recall.

- [ ] **DO NOT share my personal information with the manufacturer prior to the start of a safety investigation or recall.**

Safety Recall Alerts

NHTSA will use the email address in this form to alert you if your vehicle could be subject to a safety recall.

- [ ] **I DO NOT wish to receive safety recall alerts from NHTSA.**

If you have questions regarding your complaint, please contact NHTSA's Vehicle Safety Hotline at 888-327-4236 (TTY: 888-424-9153), Monday-Friday, 8 a.m. to 8 p.m. ET. You can also email us (hyperlink nhtsa.webmaster@dot.gov) — be sure to include your complaint number in the email.