

[REDACTED]
[REDACTED]
Fort Wayne IN [REDACTED]
20 February 2024

VIA PRIORITY MAIL

Legal Claims Department
Toyota Motor North America, Inc.
6565 Headquarters Drive
Plano TX 75024

Re: Case # [REDACTED]

Dear Ms. LeBron:

Thank you for your Claim response dated January 31, 2024 (copy attached).

In your response you report that after examination, Toyota's Claims Department did "not find any evidence of an issue or defect with your vehicle that may have contributed to this incident." Although this finding may reassure Toyota Motor of North America concerning my vehicle, it does nothing to address my overwhelming fear of it.

Claims "explained" that the Data Recorder time stamps showed the vehicle went from full acceleration at -0.65 seconds, to the brake being applied at -0.15 seconds (both times presumably indexed prior to full stop). Although this difference of half a second indicates that I have excellent emergency reflexes in applying the brake after the unintended full acceleration, it says exactly nothing about how the car got to full throttle at the -0.65 seconds time stamp.

Asserting these times as some kind of proof that it was I pressing the accelerator while parking the vehicle (rather than a voltage spike, an inadequate voltage fault interrupter sequence, or some other glitch in the engine control unit) is in the category of pseudo-science. These time stamps do nothing to convince me that the car did anything but accelerate to full throttle by some means other than by my foot. As such, your so-called evidence calls into question your analysis and heightens my concern about ever driving this car again.

I'm not an engineer of any stripe, but I do have ample common sense, years of operating a machine by foot pedal and decades of safe driving experience. The unintended acceleration caused soft tissue damage in my right foot and was so unnerving that I am no longer able to trust the vehicle because of apprehension that a similar event may reoccur. Despite your belief, bolstered by the physical inspection, that the car is fine, Toyota has given me no



assurance that there won't be a reoccurrence. Additionally, I have been unable to drive the vehicle for over three months and have had to rent replacements, or use a ride service.

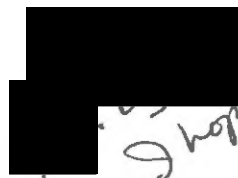
Consequently, my experience prevents me from driving the car, and my morals prohibit me from selling it to a third party. However, since Toyota thinks the car is fine, I am willing to sell it to you.

In order to resolve this matter, my demand is that Toyota management authorize a customer accommodation to repurchase my vehicle for \$38,000 given its current NADA valuation range of \$37,100 - \$40,550, plus reimbursement of my cost of \$2500.00 (to date – this may of course increase as time drags on) to rent replacement vehicles and use them, plus any storage fees which may be imposed by Toyota of Erie.

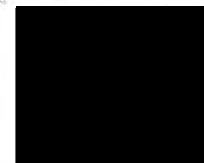
Thank you for your anticipated favorable consideration of this settlement.



Cc w/att: Toyota of Erie
Evans Toyota, Fort Wayne
✓ NHTSA (Case #11560030)
[REDACTED]



I hope the engineers + IT professionals at Toyota can figure this out, because they have a serious problem here. The EV was an absolute joy to drive - until this incident.
Thanks for your help.



TOYOTA

Delve LeBron
(409) 292-8935

Toyota Motor North America, Inc.
8500 Headquarters Dr.
Plano, TX 75024

January 31, 2024

Sent via e-mail to: [REDACTED]

[REDACTED]
Fort Wayne, IN [REDACTED]

Re: Date of Incident : November 10, 2023
Vehicle : 2023 Toyota bZ4X
VIN : JTMABACXP [REDACTED]

Dear [REDACTED],

Thank you for contacting Toyota's Brand Engagement Center regarding the incident that occurred on November 10, 2023. You reported that while you were driving your 2023 Toyota bZ4X, you experienced an unintended acceleration incident causing a collision to occur. You stated that while you were going uphill, your vehicle accelerated on its own colliding with a tree stump. You expressed concern that this incident resulted from a defect with your vehicle, and you requested an inspection be performed.

In response to your concerns, Toyota Motor North America, Inc. had one of our Field Technical Specialists (FTS) perform an inspection and the read out of the Event Data Recorder (EDR) of your vehicle. On November 30, 2023, your vehicle was inspected at Toyota of Erie in Erie, PA. The odometer registered 9,895 miles at the time of the inspection. The read out of the EDR was conducted and it revealed that the brake pedal application was initiated at -0.15 seconds prior to impact. Furthermore, the EDR recorded full pressure being applied to the accelerator pedal at -0.65 seconds prior to the accident.

When inspected, the vehicle damage was localized to the right front. The accelerator pedal was tested and operated as expected, smoothly from idle to wide open throttle. The accelerator pedal returned to idle promptly when released with no sticking or binding observed. The brake system was also inspected and found to be operational. The brake system components were in good condition and undamaged. The brake lines and hoses were properly connected and free of any brake fluid leaks. Your vehicle was test driven and there were no issues or concerns observed with the vehicle's performance. The brakes were effective at slowing and stopping your vehicle according to the amount of pressure applied to the brake pedal. Based on the inspection and the EDR read out of your vehicle, we did not find any evidence of an issue or defect with your vehicle that may have contributed to this incident.

We are so sorry to learn about this unfortunate incident and appreciate the opportunity to address your concerns.

[REDACTED]
Delve LeBron
Legal Claims Analyst
Toyota Motor North America, Inc.

Fort Wayne IN

NFF-107
received 2/20

Derrell Lyles, Consumer Engagement
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