

|                                                                                                                                                                                                                                                                                                                                            |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p style="text-align: center;">-AUTO SAFETY HOTLINE<br/> <b>VEHICLE OWNER'S QUESTIONNAIRE</b><br/>         NATIONALWIDE 1-800-424-9393<br/>         DC METRO AREA 202-366-0123</p>                                                                       |                                                                                                   | <p style="text-align: center;">FOR AGENCY USE ONLY</p> <p>DATE RECEIVED <b>RECEIVED</b><br/> <b>COPIED</b> <b>POSTED</b><br/> <b>551606</b><br/>         OFFICE DEFECTS INVESTIGATION<br/>         REFERENCE NO. _____<br/>         DAY TIME TELEPHONE NO. (AREA CODE) _____</p>                                         |                                                                                                                                                       |
| OWNER INFORMATION (TYPE OR PRINT)                                                                                                                                                                                                                                                                                                          |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| NAME and ADDRESS<br><div style="background-color: black; width: 100%; height: 40px;"></div>                                                                                                                                                                                                                                                |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/><br>In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer.                                                           |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| SIGNATURE OF OWNER<br><div style="background-color: black; width: 100%; height: 20px;"></div>                                                                                                                                                                                                                                              |                                                                                                   | DATE <b>3/14/2000</b>                                                                                                                                                                                                                                                                                                    |                                                                                                                                                       |
| VEHICLE INFORMATION                                                                                                                                                                                                                                                                                                                        |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| VEHICLE IDENTIFICATION NO.*<br><b>Y5ZCK58W2K4355443</b>                                                                                                                                                                                                                                                                                    |                                                                                                   | VEHICLE MAKE<br><b>ISUZU</b>                                                                                                                                                                                                                                                                                             | VEHICLE MODEL<br><b>TRUCK</b>                                                                                                                         |
| MODEL YEAR<br><b>1999</b>                                                                                                                                                                                                                                                                                                                  |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| *LOCATED AT BOTTOM OF WINDSHIELD ON DRIVER'S SIDE                                                                                                                                                                                                                                                                                          |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| CURRENT ODOMETER READING<br><div style="border: 1px solid black; width: 100px; height: 20px;"></div>                                                                                                                                                                                                                                       | DATE PURCHASED<br><b>6/15/99</b>                                                                  | DEALER'S NAME, CITY & STATE<br><b>WALSER ISUZU</b><br><b>Richfield, MN.</b>                                                                                                                                                                                                                                              |                                                                                                                                                       |
| <input checked="" type="checkbox"/> NEW <input type="checkbox"/> USED                                                                                                                                                                                                                                                                      |                                                                                                   | ENGINE SIZE (CID/CC/L)<br><b>6</b>                                                                                                                                                                                                                                                                                       | <input type="checkbox"/> TURBO<br><input checked="" type="checkbox"/> DIESEL<br><input type="checkbox"/> GAS<br><input type="checkbox"/> FUEL INJECTN |
| TRANSMISSION TYPE<br><input type="checkbox"/> MANUAL<br><input checked="" type="checkbox"/> AUTOMATIC                                                                                                                                                                                                                                      | ANTILOCK BRAKES<br><input type="checkbox"/> YES<br><input type="checkbox"/> NO                    | RESTRAINT SYSTEM<br><input checked="" type="checkbox"/> DRIVERSIDE AIRBAG <input type="checkbox"/> MOTORBELT<br><input checked="" type="checkbox"/> PASSENGERSIDE AIRBAG<br><input type="checkbox"/> 3-POINT BELT <input type="checkbox"/> 2-POINT BELT                                                                  | CRUISE CONTROL<br><input checked="" type="checkbox"/> YES<br><input type="checkbox"/> NO                                                              |
|                                                                                                                                                                                                                                                                                                                                            |                                                                                                   | DRIVETRAIN<br><input type="checkbox"/> FRONT<br><input checked="" type="checkbox"/> REAR<br><input type="checkbox"/> 4-WHEEL                                                                                                                                                                                             | BODY STYLE<br>STAWAG _____ HATCH BK _____<br>4 DR _____ VAN _____<br>2 DR _____ PK UP TRK _____<br>OTHER <b>SUV</b>                                   |
| FAILED COMPONENT(S)/PART(S) INFORMATION (REPORT TIRE INFORMATION ON BACK)                                                                                                                                                                                                                                                                  |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| COMPONENT<br><b>Brakes</b>                                                                                                                                                                                                                                                                                                                 | PART NAME(S)<br><b>Brakes</b>                                                                     | LOCATION (UNKNOWN)<br><input type="checkbox"/> LEFT <input type="checkbox"/> RIGHT<br><input type="checkbox"/> FRONT <input type="checkbox"/> REAR                                                                                                                                                                       | FAILED PART(S)<br><input checked="" type="checkbox"/> ORIGINAL<br><input type="checkbox"/> REPLACEMENT                                                |
| NO. OF FAILURES<br><b>1</b>                                                                                                                                                                                                                                                                                                                | DATE(S) OF FAILURE(S) <b>Complete failure 12/01/99</b><br><b>Other failure about 2 wks. prior</b> |                                                                                                                                                                                                                                                                                                                          | MANUFACTURER CONTACTED<br><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO<br><b>(see back p.)</b>                                 |
|                                                                                                                                                                                                                                                                                                                                            | MILEAGE AT FAILURE(S) <b>8000</b><br><b>(2-3 mph 85)</b>                                          |                                                                                                                                                                                                                                                                                                                          | NHTSA PREVIOUSLY CONTACTED<br><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO<br><b>92nd inquiry</b>                              |
|                                                                                                                                                                                                                                                                                                                                            | VEHICLE SPEED AT FAILURE(S) <b>2-3 mph (at stop 1999)</b>                                         |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| APPLICABLE ACCIDENT INFORMATION                                                                                                                                                                                                                                                                                                            |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| ACCIDENT<br><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO                                                                                                                                                                                                                                                            | FIRE<br><input type="checkbox"/> YES <input type="checkbox"/> NO                                  | NUMBER PERSONS INJURED<br><b>(3) OTHER CAR</b>                                                                                                                                                                                                                                                                           | NUMBER OF FATALITIES<br><b>0</b>                                                                                                                      |
|                                                                                                                                                                                                                                                                                                                                            |                                                                                                   | PROPERTY DAMAGE EST. <b>\$000+</b>                                                                                                                                                                                                                                                                                       | POLICE REPORTED<br><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO                                                                |
| NARRATIVE DESCRIPTION OF FAILURE(S), ACCIDENT(S), INJURY(IES)                                                                                                                                                                                                                                                                              |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| <p><b>* (SEE ATTACHMENT/ENCLOSURE FOR DETAILS)</b></p> <p><b>Complete brake failure at low speed at stop sign; truck moved forward into fast moving traffic and was hit on driver side front end by northbound car. (Brake failure being the only cause of rear traffic accident), also had one other brake failure prior to this.</b></p> |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| CONTINUE ON BACK IF NEEDED                                                                                                                                                                                                                                                                                                                 |                                                                                                   |                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                       |
| The Privacy Act of 1974<br>Public Law 93-579<br>This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may                                                                           |                                                                                                   | be used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action. |                                                                                                                                                       |

Fold to show Return Address (no stamp needed) Fasten with tape or staple and mail

INFORMATION ON TIRE FAILURE(S) (IF APPLICABLE)

TIRE IDENTIFICATION NO.\*

D O T

MANUFACTURER/TIRE NAME

SIZE

\* The identification number consists of 7 to 10 letters and numerals following the letters DOT. It is usually located near the rim flange on the side opposite the whitewall or on either side of a blackwall tire.

NARRATIVE DESCRIPTION (CONTINUED)

(Inquiries - myself, Christy, Lynn - cannot get me, 2 passengers claim vs. myself)

Major contacts by: (John)

- ✓ myself - had meeting with mfg. rep., letters to customer relation & a phone call flat denied; THEN letters to Iugan head office (California) CEO with no response, most recent letter was on 3/10
- ✓ STATE of MN. Attorney General's office (a mediator) - was turned down by Iugan in writing (see enclosed)
- ✓ Lemon Law / Better Business Bureau - they called Iugan on 3/25 and I was just informed (3/25) that Iugan would not arbitrate the case

PLEASE NOTE: I had a brake failure, one during the life threatening complete failure accident. The dealer acted 2 or more Rodco brake failures on their principal & customer complaints with other failures. PER your booklet this certainly would indicate a serious problem in the Rodco (+ also blonde passported by Iugan) that would merit an investigation regarding a recall. THE Rodco although repaired on 1/20/00 has not been driven again by me and is being stored by THE dealer. I first rented & now have a short term lease on a car.

☆ U.S. G.P.O.: 1994 - 524-392

(PLEASE SEE ENCLOSED)

U.S. Department of Transportation

National Highway Traffic Safety Administration

400 Seventh St., S.W.  
Washington, D.C. 20590

Official Business  
Penalty for Private Use \$300

**BUSINESS REPLY MAIL**

FIRST CLASS PERMIT NO. 73173 WASHINGTON, D.C.

POSTAGE WILL BE PAID BY NATL HWY TRAFIC SAFETY ADMIN.

U.S. Department of Transportation  
National Highway Traffic Safety Administration  
Auto Safety Hotline, NEF-11 HL  
400 7th Street, SW  
Washington, DC 20590



**PRIORITY!**

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

[REDACTED]

Memo/Fax

Priority

DATE: 3/17/2000

TIME:

TO: NHTSA

PHONE:  
FAX:

FROM: [REDACTED]

PHONE: [REDACTED]  
FAX: [REDACTED]

RE: 99 ISUZU RODEO BRAKE FAILURE/ACCIDENT N-24-99

CC:

NUMBER OF PAGES:

Message

As suggested in my phone conversation with you I am enclosing a complaint questionnaire and some relevant memos and other documentation from this file.

Per your guidelines this would appear to merit an investigation that would lead to a recall. It is not an isolated case and my Rodeo's brake failure caused a life threatening accident.

Now into the third month since the brake failure accident this is costing me dearly in \$, time and continuing trauma.

Please respond upon receipt indicating your course of action so I will know how I fared.  
Thank you

[REDACTED]

[Redacted]

*misdated  
data. com*

*9/20/00 cash*

DATE: 25 *February* 2000

PAGES: 2

TO: Robert Marcroft, State of Mn., Ofc. of Attorney Gen'l  
PHONE: FAX:

FROM: [Redacted]  
PHONE: [Redacted]  
FAX: [Redacted]

|                        |                            |                  |
|------------------------|----------------------------|------------------|
| Date: <i>2/25/00</i>   | To: <i>DOT</i>             | From: [Redacted] |
| Co./Dept: <i>NHTSA</i> | Co./Dept: [Redacted]       |                  |
| Fax: [Redacted]        | Fax: [Redacted]            |                  |
| Phone: [Redacted]      | Phone: <i>612 932 5560</i> |                  |
| Note: [Redacted]       | Note: [Redacted]           |                  |

RE: AMERICAN ISUZU FILE # RMJ/2000/210243/C, YOURS OF 2/23/2000

MY COMMENTS IN REGARD TO YOUR 2/17 RESPONSE FROM ISUZU CLAIMS ASSESSMENT UNIT FOLLOW:

- HER COMMENTS RE POLICE REPORT: PLEASE SEE AGAIN MY PAGE TWO HERE. THIS COVERS EACH OF HER COMMENTS ON THE REPORT.....IN REG ARD TO THE CITATION FOR FAILURE TO YIELD, THE BRAKES FAILED AND THE OFFICER SAID IT WAS A VIOLATION REGARDLESS. (I HAVE SINCE APPEARED IN COURT PLEADING NOT GUILTY, HAD TO PAY \$125 AND IT WAS NOT PUT ON MY DRIVING RECORD).
- INSPECTION OF VEHICLE ON 1/11 BY ISUZU ZONE REP. AND WALSER SERVICE MGR.: IN A MEETING WITH THE ZONE REP. ON JAN. 12, AS EXPECTED HE ALSO SAID THE BRAKES WERE OK. (BRAKE FAILURE IS MY COMPLAINT).... THEIRS WAS JUST A ROUTINE CHECK OF THE BRAKES THAT YOU OR I COULD DO. (ISUZU ENGINEERS WILL HAVE TO SOLVE THEIR BRAKE PROBLEM.) THE LIFE THREATENING BRAKE FAILURE DEFECT PROBLEM IN MY VEHICLE IS A "COLD" RODEO SYNDROME THAT APPARENTLY JUST HAPPENS, AS CONFIRMED BY WALSER ISUZU'S SERVICE MANAGER WHO WAS NOT AT ALL SURPRISED WHEN I INITIALLY REPORTED THE BRAKE FAILURE TO HIM..... (PLEASE SEE AGAIN PARAGRAPHS 2,3,4 OF MY 12/29/99 MEMO TO WALSER ISUZU AND PARAGRAPH 3 OF MY 1/11/2000 MEMO TO THE ISUZU REP FOR OUR MEETING ON 1/12.)
- THE GENERAL MANAGER OF WALSER ISUZU TOLD ME IN CONFIDENCE IN A MEETING THAT I HAVE TO BE PERSISTENT WITH ISUZU. HE CITED OTHER NON-ISUZU CUSTOMER COMPLAINTS (WITH BUICK FOR EXAMPLE) WHERE THE MANUFACTURER DID BUY BACK CARS WHEN THE CUSTOMER KEPT HARD AT THEM..... WALSER BEING SUPPORTIVE OF MY ACTIONS, HAS JUST NOW AGREED TO STORE MY BRAKE DEFECTIVE RODEO IN ONE OF THEIR LOTS. THIS HAS YET TO BE DONE. (I WILL NOT DRIVE IT OF COURSE AND HAVE TO SOMEHOW MAKE ARRANGEMENTS TO GET IT TO THEIR LOT) *done/stored at Walser lot*
- YOUR RESPONSE FROM ISUZU IS SIMILAR TO THE ONE I RECEIVED FROM THE CUSTOMER RELATIONS MGR. IN GREAT PLAINS, TX. (THEY BOTH MUST HAVE THE CHARGE FROM ISUZU TO KILL POTENTIAL CLAIMS AND ESPECIALLY ONE OF THIS NATURE.)..... SO I HOPE YOURS GOES UP THE LADDER.
- DIRECT CONTACT WITH MR. SUDO, CEO OF AMERICAN ISUZU- I SENT HIM A FAX AND A CERTIFIED MAIL LETTER WITH COPIES OF ALL RELEVANT PAGES ON 1/18 AND A FOLLOW-UP FAX AND A CERTIFIED LETTER AGAIN JUST LAST WEEK TO WHICH I HAVE HAD NO REPOSEN FROM ANYONE.

*Plf BBB  
Lamer  
how  
Isuzu  
with  
Arbitrate  
the  
case.*

I HAVE CALLED THE BBB AND WILL BE FILING A CLAIM UNDER THE LEMON LAW; THEY HAVE SET UP A FILE NUMBER AND ASSIGNED ME TO A CASE SPECIALIST AND ARE SENDING ME FORMS TO COMPLETE..... I HAVE ALSO TALKED TO NHTSA AND THEY HAVE SENT ME INFORMATION FOR FILING A COMPLAINT OR CLAIM. .... WITH THE INPUT FROM THE DEALER ON SIMILAR "COLD" RODEO BRAKE FAILURES, THE NATURE OF WHICH ARE DANGEROUS/VERY SERIOUS AND/OR LIFE THREATENING, THIS DOES APPEAR TO QUALIFY FOR A RECALL INVESTIGATION..... SO I AM CONSIDERING THIS ACTION, ALTHOUGH IT WOULD APPEAR TO BE A VERY LONG TERM RESOLUTION TO MY PROBLEM, IF ANY..... IN THE INTERIM MY COSTLY STORED RODEO JUST KEEPS ON DEPRECIATING IN VALUE..... I HAVE MOVED FROM A CAR RENTAL TO A SHORT TERM LEASE, SO ALL MY OUT OF POCKET EXPENSES KEEP MOUNTING..... I DO NOT WANT TO HINDER YOUR GOOD AND NECESSARY ASSISTANCE HERE, SO LET'S DISCUSS SOON..... PLEASE CALL UPON RECEIPT..... THANK YOU.

*NA  
STUCK OUT  
PER 2/13 CALL  
LAWYER SEVERAL LETTERS*

[Redacted]

**ISUZU**

February 17, 2000

**RECEIVED**

FEB 22 2000

Mr. Robert J. Marcroft  
STATE OF MINNESOTA  
Office of the Attorney General  
445 Minnesota St., Suite 1400  
St. Paul, MN 55101-2131

ATTORNEY GENERAL

Dear Mr. Marcroft:

Re: Mr. [REDACTED]  
File No. RJM/2000/210243/C

This will acknowledge receipt of your letter of February 3, 2000, regarding the above-referenced matter.

As you know, Mr. Abrahamson alleges the accident he was involved in was due to some malfunction of the brakes in his 1999 Isuzu Rodeo. The police report, however, indicates Mr. Abrahamson stated "my accelerator stuck."

NEED PG.  
SEE my  
comment  
and  
clarification  
of report

On or about January 11, 2000, our Zone Service & Parts Manager, in conjunction with the Service Manager of Walser Isuzu, inspected the vehicle while it was in the body shop for repairs. No nonconformity in the braking system or accelerator was found. We also note from the police report that Mr. Abrahamson "had no problem driving vehicle after accident. Driver felt it was o.k. to drive." Mr. Abrahamson was cited for failure to yield.

We certainly regret Mr. Abrahamson was involved in an accident; however, he has been advised this is an insurance matter and his demand for repurchase and compensation cannot be considered by American Isuzu Motors Inc.

Your understanding of our position is appreciated.

Sincerely,

  
KAREN HOUGHTON  
OM, Claims Assessment Mgr.

KH:ms

00011052/30

**Traffic Accident Report, 12/24/99**

**Review & corrections/clarification by driver #2/Robert Abrahamson**

- The report noted that I was stopped @ a stop sign and was going to turn right.

**(I was not stopped since when pushing hard on the brake pedal the Rodeo still kept moving forward; also I was going to turn left to do an errand in Wayzata, not right)**

- I did not pull out and hit driver #1 as noted by #1 on the report.

**(the Rodeo's brake failure kept me moving ahead through the stop sign and I was hit in the left front end by #1**

- quotation from driver #2 noted in the report.

**(even in my traumatic state resultant of the brake failure and accident, I was looking for a reason why my Rodeo did not stop as I was pushing as hard as possible on the brake pedal.....So I may have thought that possibly a "stuck accelerator" was a contributing factor to the Rodeo moving forward although I do not recall saying so..... Walser Janza's service manager has since confirmed to me by some examples that such brake failure is not uncommon to a "cold" Rodeo, such as mine was at the time it would not stop on 12/24 on a clear, dry day,..... See my statement page, paragraph 3 & my 12.28/99 fax to Walser which also noted a similar prior brake failure with my Rodeo.)**

- Per a witness I tried to beat the traffic.

**(The Rodeo would not stop. With my foot bearing down hard on the brake pedal I was trying in vain to stop, while seeing the fast approaching Northbound traffic.)**

- The comment on the report saying that I noted it was ok to drive the vehicle after the collision.

**(the Rodeo had been kept running all the time, was warmed and apparently somewhat driveable.....So my only intent was to move it a short ways onto 18<sup>th</sup>, park it, walk home and call a friend to come and drive it home for me, which was done.....See paragraph two on my separate statement on this.)**

- A citation was issued for failing to yield.

**(my vehicle kept moving forward and did not stop; if any then, it should have been a stop sign citation; so of course I have pleaded not guilty on the basis of my Rodeo's complete brake failure and will be meeting with the city attorney to review this.)**

NTV  
0004

[REDACTED]  
DATE: 10 March 2000

PAGES: 7

Confidential

TO: Yasuyuki Sudo, CEO  
American Isuzu Motors

PHONE: 562.229.5000  
FAX: 562.926.3082

FROM:

[REDACTED]  
PHONE: 612.933.5580  
FAX: 612.931.1147

RE: 99 RODEO BRAKE FAILURE/ACCIDENT 12/24/99 PRODUCT LIABILITY CLAIM

(DATE CORRECTION FROM 1/18/2000 TO 2/16 ON PRIOR FAX INCL. HERE)

Dear Sudo-san:

In regard to my claim for damages which have been ignored, the following is noted again:

- Cause of accident was brake failure- so as to clarify again, the dealer has confirmed to me that the brake failure in my "cold" Rodeo was not uncommon with Rodeos. Then they cited cases of similar brake failures in other cold Rodeos. (see again copies of my 12/29/99 letter to Walser Isuzu noting their cited cases of these brake failures; my letter to Walser also noted another brake failure that I had with my Rodeo prior to the complete brake failure and accident on 12/24/99; also see again a copy of my statement on the brake failure accident and other related pages which you already have.)
- My damages- they continue to grow; the Rodeo repair was completed on January 20 and it is being stored by the dealer. I have moved from a rental car into a short term lease arrangement. (an itemized list of my initial claim is included here again.)
- Claim assessment by Isuzu- it is readily apparent that your employee that performs this function is playing a somewhat similar role to your customer relations person in Texas ; that being to deny any claim of significance, regardless.
- Suggestion- that my claim be referred to the proper department (legal?) there. They then will recognize the very serious nature of my claim and will take the proper steps to move forward and settle it. ( To date I have had no response from you or anyone else there to my prior letters. )

Please confirm receipt of this letter noting your course of action here. Thank you.

Sincerely,

[REDACTED]

Statement of Robert Abrahamson

Re: Accident of 12/24/99, 1:30 pm, Plymouth, Mn.

Cause- Brake Failure of 1999 Isuzu Rodeo

While slowly approaching Vicksburg Ln. on 18th Ave. from the East in my 1999 Isuzu Rodeo (mileage 8,000) just a few blocks from home, I kept pushing hard on the brake pedal to stop. The brakes would not hold and I kept moving forward. This happened while seeing the rapidly approaching multiple car Northbound traffic coming towards me. (my intent had been a left turn since I was going to Wayzata). Then an unavoidable collision occurred, my Rodeo being struck in the front end by a car going North.

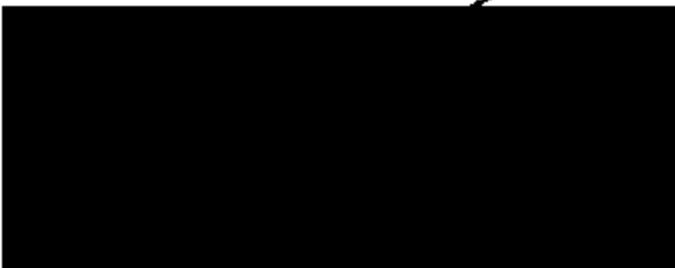
After moving to the East curbside, I stayed in the vehicle with the motor running while an officer finished his paperwork. When everyone had left the scene and no traffic was coming, I backed onto 18th and parked. Then I walked home and called a friend who came over to drive the Rodeo to my house. Later on 12/26 it was driven for me to an auto body shop a few miles away. (I was/am still traumatized from the brake failure accident and would not ever drive/ride in a Rodeo again.)

✓ I called Walser Isuzu's service manager on 12/28 to advise him of the complete brake failure and subsequent accident. He asked me if the Rodeo was "cold". I explained to him that on 12/24 I had driven just a few blocks in my just started surv. (this is what he meant by a cold vehicle). Then he cited other similar brake failures with cold Rodeos: one of their salesmen drove a cold Rodeo into the service bay, could not stop while pushing the brake pedal with "both feet" and hit a parked car; also when cold Rodeos were being moved in their parking lot and the brakes did not work; and with some of their Rodeo customers complaining about similar brake malfunctions when their vehicles were cold.

✱ Walser was also advised by me of a similar cold Rodeo brake malfunction in my surv that had occurred some weeks ago prior to the 12/24 complete brake failure. The service manager said that they would report all of this to Isuzu, to see what they would do. I was also told that Walser would try to help me with a rental car, which they have done. (Over and above taking care of me here, Isuzu must now consider brake failures with the Rodeo a very serious problem, so they can take corrective action.)

(In some respects maybe I should consider myself fortunate when I think of the severe bodily injury and/or death to myself and others that could have occurred here or also at another time while driving my Isuzu Rodeo.)

*The aforementioned is a statement of the facts relating to the cause of said accident.*





6110 Blue Circle Drive, Suite 235  
Minnetonka, Mn. 55343 USA

Memo/Fax

PRIORITY

DATE: 12/29/99 TIME:  
TO: Waiser Isuzu PHONE: 869.1492  
Myron Magstadt, Svc. Mgr. FAX: 798.2296  
FROM: [REDACTED] PHONE: 612.933.5560  
FAX: 612.931.1147

RE: 1999 RODEO, SERIOUS BRAKE PROBLEM, ACCIDENT OF 12/24/99 @12:30 PM

This is confirming our phone conversation of yesterday:

The accident: I was going west on 18th avenue a few blocks from my home in Plymouth. As I slowly approached Vicksburg Lane I applied my brakes to come to a stop. Even with the brake pedal pushed as hard as possible, I kept moving slowly forward. (a clear day with dry or semi dry roads and there was no sliding). Vicksburg is a 60 mph zone and there were multiple cars coming towards me. Then an unavoidable collision occurred with a car going North. I was struck in the left front end damaging my bumper, fender and hood. (the vehicle is now at Rogers Auto Body in Plymouth). In addition to the collision damage the other parties insurer has also reported bodily injury liability to my insurer.

Previously reported brake problem: Waiser had been advised by me of a potential brake safety problem soon after my purchase of the new Rodeo in June. (symptom- brake pedal had to be oftentimes pushed quite hard to the floor for the brakes to take hold)...At the end of July you checked the brakes. Then saying in a written service report "that I was to use the park brake often since this was the only way to adjust the rear brakes." I did follow this somewhat unusual advice, however it was of marginal help if any.

\* Recent Similar Brake Failure: As noted, my Rodeo's brakes had also malfunctioned upon leaving my home one morning a few weeks ago. This was in a somewhat similar manner as the complete malfunction on 12/24 that caused the accident. (so following that I even increased the use of the park brake as Waiser had recommended)

\* DALL  
before  
also

✓ My 12/25/99 call to you: You told me about similar Rodeo brake malfunctions that you were aware of, notably when one of your salesmen drove a "cold" rodeo into the service bay, applied the brakes hard and yet still moved forward hitting a parked car; also when Rodeos were being moved in the lot and the brakes did not work; and with some of your Rodeo customers calling complaining about similar brake malfunctions.

\*

Some of what I expect Waiser/Isuzu to do on an interim basis: 1. to provide me with a loaner vehicle (not an Isuzu Rodeo) until there is a final resolve of this problem. 2. to reimburse me for the the cost of my rental car.

I have had restless nites, etc. since the accident and it has also affected me adversely as regards the conduct of my business. It goes without saying that I would not feel safe driving the Rodeo upon repair of the collision damage. You said that upon receipt of my fax that you were going to contact Isuzu to see what they were going to do. A call will be appreciated upon receipt of this (ofc. \$33.5560) so I will know how to proceed. Thank you.

Robert Abrahamson

*Robert Abrahamson*

1/31/2000

.... Product Liability Claim....Rodeo Brake Failure/Accident 12/24/99

Actual and estimated damages (many of which are still ongoing)

What I expect of Isuzu:

- to be made whole (buy back) for the total purchase price- \$24,997.94 including the interest paid on the \$6000 financed (purchased on 6/18/99, first payment in August; interest of \$22.37 per month x 6 months = \$134.22 interest to date) Total cost to date- \$25,132.16
  - payment of all my rental car costs (26.95 per day plus tax) cost to date- 969.00
  - reimbursement for the collision damage deductible (damage est. \$3000) deductible- 240.00
  - payment for the failure to yield ticket (pleaded not guilty, not put on driving record) 125.00
  - owned business, disruption time (still on going)-\$135 per hour at 40 hours est. to date 5,400.00
- Total known direct damages to date- \$31,865
- the payment for any future increase in my auto insurance premiums (\$ unknown)
  - pain and suffering (ongoing)- includes but is not limited to the trauma caused by the brake failure accident, accident related stress, inability to get a good nights rest which are both trauma & chest injury related), concentration problems, etc. Estimated range- \$100,000

Note:

at this time, the visits to the doctor, etc. (other than my time and expense) are expected to be covered by my auto insurance per Minnesota no-fault laws.

6110 Blue Circle Drive, Suite 235  
Minnetonka, Mn. 55343 USA

Refused 3/10/2000

DATE CORRECTION

February  
DATE: 16 January 2000

PAGES: 4

**PRIORITY**

TO: Yasuyuki Sudo, CEO  
American Isuzu Motors

PHONE: 562.921.8825  
FAX: 229.5100

FROM:

PHONE:  
FAX:

RE: '99 RODEO BRAKE FAILURE/ACCIDENT 12/24/99, PRODUCT LIABILITY CLAIM

CC: (OTHERS)

Dear Sudo-san:

In regard to subject matter please note the following: (no response to mine of 1/31/2000)

- You were advised by a copy of an 8 page fax to customer relations dated 1/31/2000; and also via certified mail of the brake failure problem. This caused a serious accident and subsequent ongoing problems for me, the most unfortunate owner of a '99 Rodeo with defective brakes.
- What was once described by someone in our office as my dream suv, has caused a continuing living nightmare for me starting on 12/24/99.
- Please refer to page 2 here..... As noted: 1. the Attorney Generals office of the State of Minnesota has written you on the matter.....2. I expect to be filing a claim under the Lemon Law.....3. Law firm involvement (considering)..... 4. Per the National Highway Traffic Safety Administration/NHTSA office of investigation, my claim here appears to have sufficient merit to trigger an investigation that could lead to a recall..... As you know the implications here would be far reaching for Isuzu..... (I have this on hold with NHTSA and have not named Isuzu.).....This all continues to disrupt/create more problems in my work and personal life on a daily basis.
- My out of pocket costs (also other costs & damages) related to the brake failure accident continue to grow. (see page 2 with 1/31/2000 estimates on page 3.).....Last week I just got out of a 46 day rental car and am now leasing a car. I will never drive a Rodeo again and have no place to store it. (I ask you to suggest where to store it.) So it still is on the body shop premises along with possible storage costs. (see page 2) The damage was repaired almost a month ago. *now being stored by dealer*
- As your customer relations manager implied, it's your problem. (It is a very serious problem for me, but is one created by Isuzu.).....It's a problem which I do expect Isuzu to solve for me by a fair and just settlement. (see page 2, bullet above, etc.) .....Yes, it is a real problem for you too.

Again, I repeat this is for your attention, a prompt resolve and response. I want this trauma to end.

Sincerely,

Robert Abrahamson

(also sent by certified mail)

**Memo/Fax**

Priority

DATE: 2/10/2000 PAGES:

TO: Dale Schneider, Gen. Mgr. PHONE: 798 1196  
Wellsen Isuzu FAX:

FROM: Robert Abrahamson PHONE: 612.933.5560  
FAX: 612.931.1147

RE: RODEO BRAKE FAILURE/ACCIDENT 12/24/99, CLAIM VS ISUZU- UPDATE

CC: Yasuyuki Sudo, CEO American Isuzu

- The Attorney Generals office/AGO Sr. Mediator now dealing direct with the office of the President of American Isuzu Motors. (Yasuyuki Sudo, CEO) *HA struck out*
- The AGO said that I could also file a claim under the Lemon Law. (I am considering)
- Product Liability attorney- I'm keeping a prominent law firm advised on this.
- I have talked to the National Highway Traffic Safety Administration/NHTSA (Investigation Division) without naming Isuzu. They are interested in pursuing and want a formal submission from me. (I have this on hold for now.)

*PER 3RB CALL TO  
ISUZU. THEY WILL  
NOT REOPEN CASE  
CASE*

Please see notes below. Thank you.

February 7, 2000

*NOTICE I paid off my 46 day car rental  
today + turned in the car. I'm going into a  
short term lease today. (can you help?)  
with a lease*

Dear Robert Abrahamson:  
Subject: 1999 Isuzu Rodeo

As you know per our conversation on 1/20/2000 your Rodeo repairs are complete.  
You are also aware that you have a \$240.00 deductible to be paid. As well as a form to be signed for  
billing Farmers Ins. I would greatly appreciate it if you could pick up your truck within the next week.  
If you have not picked up your truck by 2/12/2000, we will be adding storage charges of \$10.00 per day.  
From the date of completion of 1/20/2000.

*I will not ever  
drive a Rodeo  
again.*

Steve Rogers

Master Collision Group LLC  
cc: Greg Martin (Farmers Insurance)

*I have no place to store  
the Rodeo. (can Walser help?)*

*I will follow-up this  
fax with a call.  
Thank you.*

*done  
2/14/2000*

*YES,  
NAD  
IS  
STORING  
@  
WALSER  
LOT*