

9. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Toyota. For each such action, provide the following information:
- Action title or identifier;
  - The actual or planned start date;
  - The actual or expected end date;
  - Brief summary of the subject and objective of the action;
  - Engineering group(s)/supplier(s) responsible for designing and for conducting the action;
- and
- A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

### **Response 9**

The 2007 model year ES 350 was a new model launched in \_\_\_\_\_, 2006. In order to meet the launch target of the new ES 350, development of the Lexus ES 350 All Weather Floor Mat (AWFM) began in August, 2005. The development process of the Lexus ES 350 AWFM involves analyses and tests related to material confirmation, dimensional verification, color, temperature distortion, elongation of the floor mat, etc.

#### **February, 2006 - "Fit Up Issue/Results"**

On February 28, 2006, an activity to verify the overall fit and function of the Lexus ES 350 AWFM was conducted in Torrance, CA. The objective was to measure overall fit and function in all seating positions as well as check the accelerator pedal clearance in the driver's seating position. The "Fit up" concluded on February 28, 2006, with no issues found.

#### **March, 2007**

On March 21, 2007, to investigate claims that the customers may be experiencing pedal interference from the Lexus ES 350 AWFM, a vehicle evaluation was conducted to determine if in fact pedal interference can occur. An ES 350 was equipped with a new Lexus ES 350 AWFM in the driver's position. Clearance between the bottom of the pedal and the Lexus ES 350 AWFM was confirmed adequate. Comparisons were also conducted between 2007 model year Camry and the ES 350. During this evaluation it was noted that the ES 350 carpet and the carpeted floor mat was slightly thicker than the Camry version, however this did not impact the operation of the accelerator or brake pedal. The Owner's Manual for the 2007 model year ES 350 was also confirmed to assure adequate cautions are stated in it.

The 2007 model year ES 350 Owner's Manual states:

*"Securely place a mat that matches the size of the space on the carpet. Secure the driver's floor mat using the hooks provided (diagram of carpeted floor mats being installed by retaining hooks.)"*

*This is accompanied by a Caution which states:*

*"When inserting the floor mat Make sure the floor mat is properly placed on the vehicle carpet. If the floor mat slips and interferes with the movement of the pedals during driving, it may cause an accident."*

In addition to these evaluations, a Lexus ES 350 AWFM was installed on top of the Lexus Carpeted Floor Mat. In this abused condition, Toyota confirmed that the Lexus ES 350 AWFM may cause some interference with the pedals. However, it was determined that the Lexus ES 350 AWFM was not being utilized as designed or instructed in the Owner's Manual.

10. Describe all modifications or changes made by, or on behalf of, Toyota in the design, material composition, manufacture, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:
  - a. The date or approximate date on which the modification or change was incorporated into vehicles production;
  - b. A detailed description of the modification or change;
  - c. The reason(s) for the modification or change;
  - d. The part numbers (service and engineering) of the modified component;
  - e. The part number (service and engineering) of the modified component;
  - f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
  - g. When the modified component was made available as a service component; and
  - h. Whether the modified component can be interchanged with earlier production components.

Also, provide the above information for any modification or change that Toyota is aware of which may be incorporated into vehicle production within the next 120 days.

11. State the number of subject components that Toyota has sold, either through service parts sales or through Port of Entry vehicle processing, that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale. State whether Toyota has prohibited wholesale or retail sale of any subject component part number and, if so, state the date of sales prohibition, and the reason the prohibition was implemented. For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone). Also identify by make, model and model year, any other vehicles of which Toyota is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.
12. Describe Toyota's vehicle ordering process that results in the subject vehicle having the subject component included with the vehicle during Port of Entry (POE) operations. Describe all POE processes that involve floor mats (including carpet or non-subject floor mats) and whether or not any process involves placing floor mats in the driver's footwell of the vehicle. State the location of each POE where subject vehicles are processed and for each provide contact details (name, title, company affiliation, and phone number) for an individual knowledgeable of subject vehicle POE operations.
13. Produce a copy of the installation instructions and any other documentation (including packing materials if pertinent) provided when the subject component is purchased as a service part. Also produce copies of any documents discussing the proper installation of floor mats in general (of any type, for subject and non-subject vehicles) especially any which include precautions or warnings regarding improper installation, and or any hazards or detrimental results that may occur if improper installation is performed. State the intended recipient of each document and how it is made available.