NHTSA report. Had BOS technology been installed, the engine would have depowered and slowed.

18. Similarly, on December 26, 2009, a 2008 Toyota Avalon crashed just outside of Dallas. A Southlake, Texas police officer said in an interview that "for undetermined reasons, the vehicle left the main roadway, and went through a metal pipe fence, striking a tree and causing the vehicle to flip and land upside down in a pond." All four people in the car died. There was no evidence that the driver attempted to hit the brake or slow down. Two weeks later, an NHTSA investigator visited Southlake to inspect the car, accompanied by a Toyota engineer. One factor the pair immediately ruled out was the floor mats, which were in the trunk—perhaps due to the decedent operator's awareness of Defendants' November 2009 floor mat-related recall.

19. A Minnesota owner of a new Toyota Camry was much luckier. The woman's Camry, which was new and had about 6,000 miles on it, kept accelerating after she passed a pick-up truck on the highway in May 2008, even after she took her foot off the gas pedal. The next 6 miles of her journey were terrifying. The car barely slowed down when she pressed the brake—she was only able to slow the car to 60 miles per hour. "The car wanted to go 80, or higher," the driver reported. Visualizing the remainder of her commute, which traversed winding roads with no shoulders, she decided to head for a major freeway, requiring a high-speed turn through an intersection. She hit the brake with both feet, squealing through the turn and managing to swerve onto the road without hitting anything. By the time she got the car stopped miles later—with the coaching of a 911 operator, she managed to turn the car off—smoke was filling the car. Her brakes were smoldering, and the tires had started to melt near the

TOY-TQ002-06-3D-00004330