

**PE04-040**

**TOYOTA**

**6/21/2004**

**ATTACHMENT 4**

**PART 1 OF 2**

**Attachment 4**

**Copies of written consumer complaint, field report and legal related claim**

Copy of written consumer complaint

**ID No. 200402040716**

## Case Report - 200402040716

## Customer/Caller Summary:

Customer Name/Address:

[REDACTED]  
[REDACTED]  
Embais, VACaller Phone:  
Caller Alt. Phone:

## Case Summary:

Case Title: Product; Abnormal Condition: Bushings/Ball Joints- Suspension; Other-Please Spec

Case Type: Priority

Contract Method: MISC

Char Description: No Personal Legal Act

Claim Type: Complaint

Category: Product

Problem Area: Abnormal Condition

Component: Bushings/Ball Joints- Suspension

Condition: Other-Please Specify

VIN: [REDACTED]

Ref: 02/28/2004

Current Mile: 0

Incident Mile: 0

Model Year: 2001

Model Name: Tacoma

Region: Denver

District: 7

Dealer 1: Present Toyota-Gac, 49829

Selling Dealer: Present Toyota-Gac, 49829

## Case History:

Customer Remarks: Regulated.  
CAC Status: DFR will follow-up with cust.

\*\*\* FROM LOD 02/04/2004 10:48:56 AM EStaples  
 \*\*\* FROM LOD \*\*\* Received via UPS first class mail 2/2 (Legal Dept - rec'd in CAC 2/4). Car. sta occurred with bushings/ball joints - p/c 2003E2171881 sta driver's side front ball joint fell out & dropped the veh to the ground. cust sta did report; cust sta was recently driving high & lost another ball joint on pass side.

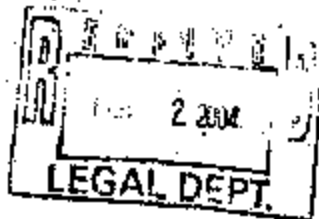
## Activity Summary:

Activity	Date/Time	Originator	Additional Information
Create	02/04/2004 10:44:01 AM	EStaples	Contact = [REDACTED] Priority = Lower Law, Status = Action CAC.
Phone Log	02/04/2004 10:49:55 AM	EStaples	Start = 02/04/2004 10:44:01 AM, End = 02/04/2004 10:48:56 AM, Contact = [REDACTED]

Toyota Motor Sales, USA, Inc.  
Legal Department  
19001 S. Western Ave.  
Torrance, CA 90509-2991

January 24, 2004

To Whom It May Concern:



RECEIVED

FEB 04 2004

CUSTOMER RELATIONS

Would you please send me a copy of the report that Joe Lane was to write after he inspected my 2002 Toyota Tundra that the overloaded ball joint with no grease in it, had broke out of the truck. He looked at the pickup on January 6th of this year, case number 260312171041. The only response I received was that I needed to have the front end checked often and keep an eye on it.

I am concerned because of the job the truck received when it abruptly hit the road on November 30, 2003, that there is quite a bit of damage and the pickup is no longer safe to drive. I have been told to repeatedly by the dealership, Fremont Toyota, and I am still awaiting to get the bent front axle replaced. I was assured no damaged parts were put back in but Joe found the bent axle. I feel there is a lot more front end and motor damage and I would like to see what Joe reported as I know this pickup's front end will bill again and maybe this time it will kill or hurt myself and my family and anyone who happens to be on the road at the same time. I would like to see Toyota buy this Tundra back due to it is not safe. The Fremont Toyota dealership where we bought the Tundra from, has big signs all over the show room that say Safety First, but that must be for another vehicle because mine is not safe nor will I ever feel safe in this Toyota Tundra that I only had for 16 months before the ball joint broke out.

I realize that the only concern Toyota has is for making money and if the factory gets in defective ball joints that does not seem to be your concern. I would like to avoid this catastrophe that is going to occur in the future with this Toyota Tundra pickup.

Please send a copy of the report to:

[REDACTED]  
Debbie, Wyoming [REDACTED]

Thank you for your help in this matter.

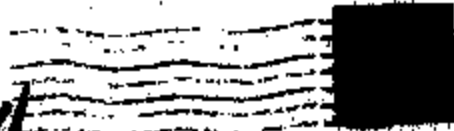
Sincerely  
[REDACTED]



Dubois, WY



1108



Toyota Motor Sales, USA, Inc.  
 Legal Department  
 19001 S. Western Ave.  
 Torrance, CA 90509-2991

9050181106



 Eolas Staples  
02/04/2004 11:22 AM

To: Denise Rice/TMS/Toyota,  
cc: Bob Ehmen/TMS/Toyota, Nancy Ward/TMS/Toyota, Cassanda Jamison/TMS/Toyota.

Subject: DVR - LEMON LAW DEMAND - MARY HAMMERS - CASE 200408040716

Customer notifying Toyota they want to pursue Lemon Law due to issues with Bushings/Ball Joints -  
Suspension.  
Customer seeks Repurchase.

N. Hammers



Digital\_pdf



**Copies of field report**

**Report No. 03TR/16**

**FIELD TECHNICAL REPORT**

Do not type in blue shaded fields - input data from Web page or FDM:

Repair Date 6/23/2003	Optional Ref. 03TR/16	Optional Approval
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**Condition Description****Left side lower Ball Joint separated while driving.****Diagnostic Steps**

Joint was badly damaged, so it was difficult to determine exact cause of failure. There was no evidence of grease leakage onto rubber protector (see photo#3).

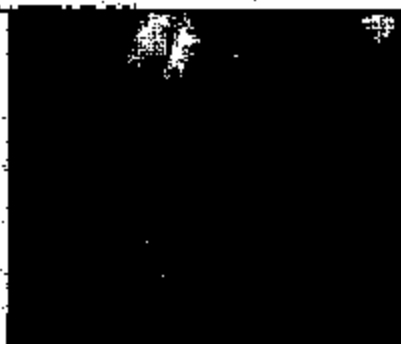
**Probable Cause****Excessive wear of ball and socket.****Repair Process****Replaced Lower Ball Joint. Also replaced right side Lower Ball Joint (unaffected side) for recovery and inspection.**

Photo #1

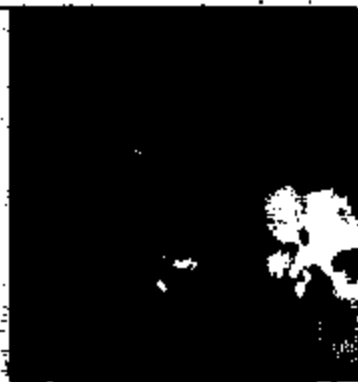


Photo #3



Photo #2

Photo #1: View into separated socket assy.

Photo #2: View of separated joint ball.

Photo #3: View of rubber protector and joint

Attachment 1: FROB



**FIELD TECHNICAL REPORT**



**Attachment 1: Parts Recovery Control Sheet**

Ship all parts to TMS - Parts Return Center. Do not type in SHADED fields  
If the First Destination field below is "none", properly dispose of the part.

Final Destination:		Address:	City:
		Part:	State:
		Tel:	Tel:
<small>Enter 1 if this field is checked, indicating that a credit is being requested covering VMI, production date, and/or meter</small>			<small>FOR CREDIT USE Must have date</small>
1	Comments:		
2	Comments:		
3	Comments:		
4	Part # &	Part Description	Qty. Used Part Value
			\$ .00
4	Comments:		
5	Part # &	Part Description	Qty. Used Part Value
			\$ .00
5	Comments:		
6	Part # &	Part Description	Qty. Used Part Value
			\$ .00
6	Comments:		
7	Part # &	Part Description	Qty. Used Part Value
			\$ .00
7	Comments:		
8	Part # &	Part Description	Qty. Used Part Value
			\$ .00
8	Comments:		

**Report No. FTR-5U1127531**



**FIELD TECHNICAL REPORT**



Do not type in blue shaded fields - input data from Web page or RDN:

Repair Date 09/22/03	Optional Ref.	Optional Approval
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Condition Description

Lower ball joint separated.

Diagnostic Steps:

The right front wheel was folded back into the wheel well.

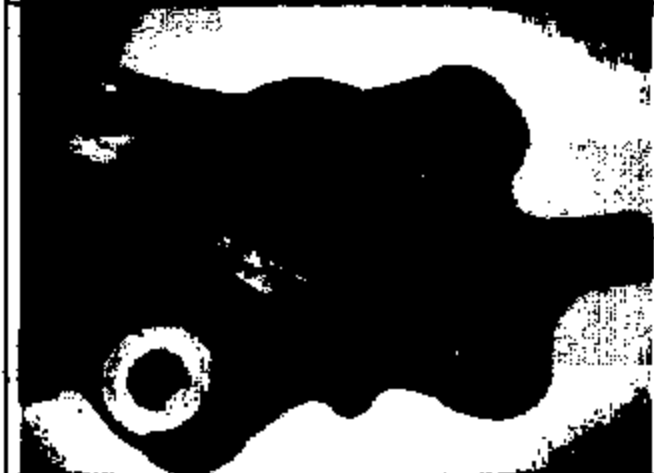
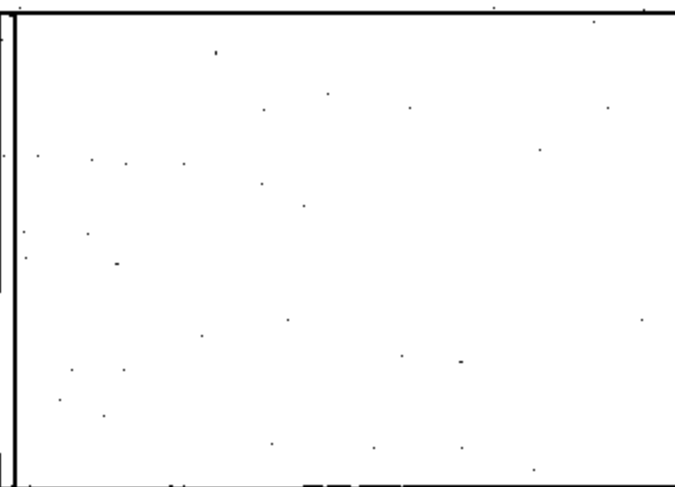
Probable Cause

Unknown



Repair Process

Replace lower ball joint, and align vehicle.



Ball set is dry, no grease.

Attachment 1: FRCS

**FIELD TECHNICAL REPORT****Attachment 1 : Parts Recovery Control Sheet**

Ship all parts to TMS - Parts Return Center. Do not type in SHADED fields  
 If the Final Destination field below is "scrap", properly dispose of the part.

Final Destination:		Deliver to:	住所:
		Attn:	宛先:
		Tel:	TEL:
<small>Note: If this PWR estimate were than one year, create a table in this report containing VIN, production date, and odometer</small>			<small>For Multiple Units Used Part Value</small>
1	Comments:		
2	Comments:		
3	Comments:		
4	Part # 4	Part Description	Qty. Used Part Value \$ .00
	Comments:		
5	Part # 5	Part Description	Qty. Used Part Value \$ .00
	Comments:		
6	Part # 6	Part Description	Qty. Used Part Value \$ .00
	Comments:		
7	Part # 7	Part Description	Qty. Used Part Value \$ .00
	Comments:		
8	Part # 8	Part Description	Qty. Used Part Value \$ .00
	Comments:		

**Copies of legal related claim**



**ID No. 2003-04-34061**

## Case Report - 200303250826

## Customer/Caller Summary:

## Customer Name/Address:

FOOTERS, CA

## Caller Phone:

## Caller Alt. Phone:

## Case Summary:

Case Title: Potential Arbitration; Abnormal Condition; Wheels- Rims; Other-Please Specify  
 Case Type: General  
 Contact Method: Phone  
 Cust Attitude: Concerned  
 Coding Type: Complaint  
 Category: Potential Arbitration  
 Problem Area: Abnormal Condition  
 Component: Wheels- Rims  
 Condition: Other-Please Specify  
 VIN: 5TAMM141424  
 Date: 12/01/2001  
 Current Miles: 32000  
 Incident Miles: 32000  
 Model Year: 2002  
 Model Name: Tundra  
 Region: Los Angeles  
 District: 6  
 Dealer 1: Family Toyota, 04183  
 Selling Dealer: Toy. Of San Bernardino, 04061

## Case History:

Customer Needs: Permanent repair of veh under warranty  
 CAC Stated: Not adv cust of region open and that he will be contacted in 3 bus days.

\*\*\* PHONE LOG 03/25/03 12:25:40 PM JMedalla

Cust sts 02 Tundra and front driver wheel came off the truck while cust was driving. Cust sts just prior to incident cust made a u-turn and noticed something didn't feel right. Cust pulled over and looked at veh and everything looked ok. Cust sts took veh to dlr and was adv this is not a warranty condition as the wheel was impacted. Cust sts spoke with Asst Srvc Mgr, Ishi Salazar and CRK James who adv this is not a warranty condition and no assistance.

\*\*\* NOTES 03/27/03 10:54:48 AM la5

RCR C.Villarín called and left a mess for cust. on voice mail with direct line to RCR

\*\*\* NOTES 03/27/03 01:33:41 PM la5

RCR Villarín spoke with cust. who sts wheel came off after cust. made u-turn. As cust. drove down street felt something fuzzy with steering while was driving down street wheel came off from ball joint fell under drv side of truck and slide across the street with wheel underneath. Only thing left connected was brake line. Had 30K Toyota of San Bernardino (Tony) three weeks ago. RCR called FTS and will look at veh ASAP.

\*\*\* NOTES 04/01/03 07:58:22 AM la5

FTS sent RCR photos of truck, RCR will review with FTS and TWS Legal

\*\*\* NOTES 04/01/03 10:50:12 AM la5

RCR C.Villarín forwarded case photos to M.Medalla

\*\*\* NOTES 04/02/03 09:53:52 AM la5

ATF>> Cust called RCR on 4/1/03 re: case and req. answer. RCR expl. sent photos to legal and waiting for decision from legal.

\*\*\* NOTES 04/03/03 10:11:09 AM la5

RCR forwarded NO's to M.Medalla

\*\*\* NOTES 04/09/03 10:27:48 AM la5

C.Villarín gave copy of case to RCR S.Burton to perform an PCR on veh. RCR called cust. and expl. that S.Burton would be mailing a letter with finding and results of inspect. Veh. has been inspected already by FTS.

\*\*\* CASE CLOSE 04/10/03 01:15:22 PM la5  
 Letter with inspection results sent to customer on 4/10/03. Region denied claim based on inspection results. Letter reviewed by M. Medalla in Legal Dept.

\*\*\* NOTES 10/15/2003 02:27:16 PM LRepinosa  
 Ray Conaco representing cust insurance no claiming product liability. Veh has already been inspected by region and all rprs have been completed. Ray Conaco aka claim status, not referred RConaco to legal and provided mailing address.

\*\*\* NOTES 11/24/2003 11:05:15 AM JRudner  
 Ray from Mercury insurance calling regarding status of claim for cust. MCR adv cust the region has reviewed file w/ the legal dept and has denied the claim based on inspection results of the veh. MCR adv Ray could write to legal dept for further assistance. MCR adv cust of legal dept address. MCR adv concerns have to be addressed in writing.

\*\*\* NOTES 01/21/2004 02:02:00 PM JCorona  
 Jennifer Lamb, from mercury sta has mailed several letters 11/24 & 12/8 & sta has not heard back from TMS legal. cust aka ncr spol & adv will need to fu in writing to TMS legal A107

\*\*\* NOTES 02/06/2004 09:30:51 AM PTimberlake  
 ++OUTGOING CUST CALL++ ncr returning v/m from Alicia - Mercury Insurance. caller wants denial ltr from legal. ncr spoke to Michael Medalla - legal who asked caller be transferred to him. ncr trans call.

Activity Summary:

Activity	Date/Time	Originator	Additional Information
Notes	02/06/2004 09:30:50 AM	PTimberlake	Log notes.
Create	03/25/2003 12:23:11 PM	JMueller	Contact = Robert Donnelly, Priority = Customer, Status = Action CAC.
Modify	03/25/2003 12:25:40 PM	JMueller	into WIP Default and Status of Action CAC.
Phone Log	03/25/2003 12:25:40 PM	JMueller	Start = 03/25/2003 12:23:11 PM, End = 03/25/2003 12:25:40 PM, Contact = Robert Donnelly.
Dispatch	03/25/2003 12:25:42 PM	JMueller	Action Region to Los Angeles.
Chg Status	03/25/2003 12:25:42 PM	JMueller	Case sent to region: Los Angeles
Notes	03/27/2003 10:04:48 AM	la5	Log notes.
NOTES	03/27/2003 01:33:41 PM	la5	Log notes.
Yanked	03/27/2003 01:51:49 PM	la5	Case grabbed from JMueller to la5's default WipBin.
Chg Status	03/27/2003 01:51:49 PM	la5	Action Region
Notes	04/01/2003 07:58:22 AM	la5	Log notes.
Notes	04/01/2003 10:50:12 AM	la5	Log notes.
Notes	04/02/2003 09:53:52 AM	la5	Log notes.
Notes	04/03/2003 10:11:09 AM	la5	Log notes.
Notes	04/09/2003 10:27:48 AM	la5	Log notes.
Case Close	04/10/2003 01:15:22 PM	la5	Status = Closed, Resolution Code = Full, State = Open.
Notes	11/24/2003 11:05:15 AM	JRudner	Log notes.
Notes	01/21/2004 02:01:39 PM	JCorona	Log notes.
Notes	10/15/2003 02:27:16 PM	LRepinosa	Log notes.



**MERCURY CASUALTY COMPANY**  
 P.O. BOX 1150  
 BREA CA 92622

83-7169

2/6/04

02/06/2004

Medical To: TOYOTA MOTOR SALES USA  
 19001 S WESTERN AVE DEPT A107  
 TORRANCE CA 90509

YOUR FILE NO: 200303260826  
 YOUR INSURED: FAMILY TOYOTA  
 DATE OF LOSS: 03/24/2003  
 OUR FILE NO: WM001A16-54  
 OUR INSURED: [REDACTED]

Dear LEGAL DEPT

Under the terms of a policy issued to the above named insured, we have paid for damage to our insured's property in the amount of \$ 5,297.11.

Our information indicates that the damage resulted from your insured's negligence. Therefore, we are expecting you to honor our subrogation claim for the above stated amount. Please return one copy of this letter with your payment.

- Enclosed for your review is a copy of our repair bill(s) and settlement draft(s).
- A supplement has been received in the amount of \$ \_\_\_\_\_ and the new total is \$ \_\_\_\_\_.
- Our insured's version of the loss is as follows:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Please call me if you have any questions. Thank you for your cooperation.

Sincerely,

ALICIA OCHOA  
 (656) 268-7287 Ext 2782

Date: 6/16/93 03:36 PM  
 Estimate #: VN801018-04  
 Estimate Version: 3  
 Supplement: 3 (P) 6/4/93 04:01:01 PM  
 Profile #: CUSTOMER

Labor Subtotal	Units	Rate	Adj'd Labor Amount	Subst Amount	Total
Body	25.3	34.00	20.00	0.00	852.50
Paint/Refin	18.3	34.00	05.00	0.00	658.50
Wires	1.8	34.00	0.00	0.00	34.00
Mechanical	8.3	34.00	0.00	100.00	282.00

Non-Taxable Labor 2,368.00  
 Labor Summary 85.5 2,368.00

Additional Costs	Amount
Taxable Costs	382.50
Sales Tax @ 7.750%	27.34
<b>Total Additional Costs</b>	<b>380.14</b>

B. Part Replacement Summary		Amount
Taxable Parts		2,434.30
Sales Tax @ 7.750%		188.74
Non-Taxable Parts		81.00
Parts Adjustments		18.00
<b>Total Replacement Parts Amount</b>		<b>2,730.07</b>

M. Adjustments		Amount
Insurance Deductible		500.00
Customer Responsibility		500.00

L. Total Labor	2,368.00
M. Total Replacement Parts	2,730.07
N. Total Additional Costs	380.14
<b>Grand Total:</b>	<b>5,478.11</b>

W. Total Adjustments:	500.00
Net Total:	4,978.11
Less Original Net Total:	1,500.00
Net Supplement Payment:	3,478.11

01: CASE NUMBER: 0079 3,079.96  
 02: CASE NUMBER: 0079 308.31

Point(s) of Impact  
 11-Left Front Corner (P)

Inspection Site  
 Address:  
 Inspection Date:

Body Shop: FAMILY TOYOTA  
 Address: 3008 CROWN CAPISTRANO  
 SAN JUAN CAPITRANO, CA 92076  
 Work Phone: (951) 933-0600

2,368.90+  
 2,738.07+  
 380.14+  
 500.00-  
 3,079.96-  
 1,508.84-  
 398.31\*

THIS IS NOT AN AUTHORIZATION TO REPAIR. THE UNDERSIGNED FACILITY AGREES TO REPAIR THIS VEHICLE USING INDUSTRY EQUIPMENT AND METHODS, AND TO COMPLETE AND GUARANTEE A PRICE OF \$ \_\_\_\_\_, INCLUDING ALL CHARGE WILL BE BORROWED WITHOUT PRIOR APPROVAL.

SIGNED: \_\_\_\_\_

ESTIMATE RECALL NUMBER: 4/10/93 00:12:03 VN801018-04

Microsoft Data Version: MAY 08\_A  
 Microsoft Version: 4.8.013  
 Microsoft is a trademark of Microsoft International  
 Copyright (C) 1994-1993 Microsoft International  
 All Rights Reserved

\*\*\*\*\*  
 NO SUPPLEMENTS WILL BE HONORED WITHOUT PRIOR INSPECTION OR APPROVAL  
 \*\*\*\*\*

\*\*\*\*\*CALL FILE ADJUSTER TO CONFIRM COVERAGE\*\*\*\*\*

Mercury Insurance Group  
 325 W. CENTRAL EXP. W95A, CA 95041  
 (714) 871-4700

Damage Assessed By: CHIEF FERRARELLA #1417  
 Supplemented By: GAGE RAMIREZ #0071

Adjuster: RAMIRO CORONA  
 (909) 580-7307 ext. 3706

Vehicle Code: FC8  
 Make of Loss: 200403  
 Make/Model: 2500S  
 Policy No: AC11944002  
 Type of Loss: Collision  
 Claim Number: [REDACTED]  
 Insured Address: [REDACTED] CA [REDACTED]  
 Telephone: Work Phone: [REDACTED] Home Phone: [REDACTED]

Michael Bartlett 811702

Damage Date: 2004 Toyota Tacoma  
 Reg State: 26-Plaza F East 132' WB  
 VIN: 9TDBL9641430 [REDACTED]  
 Weight: 25,370  
 Capacity: 0  
 Color: GREY  
 Remarks: ALLEGEDLY VEHICLE IN CONDITIONAL POWER WINDOWS, POWER DOOR LOCKS, CRUISE CONTROL, AUTOMATIC TRANSMISSION, AIR-FR. SEAT/ROOF RAILS (SEATBELT)  
 Vehicle Production Date: 11/91  
 Drive Train: 2.4L I4 4x4 2WD  
 Location: [REDACTED] CA  
 Search Code: None

Qty	Labor Type	Description	Line Item Description	Part Type/ Part Number	Dollor Amount	Labor Units
1	REPAIR	GLASS	REAR WINDOW			C 0.5
1	REPAIR	REMOVER/REPLACE	L FRONT PANEL	9900-0009	10.00	2.0 0
1	AUTO	REPAIR	L FRONT OUTSIDE			C 2.1
1	AUTO	REPAIR	L FRONT EDGE			C 0.6
1	REPAIR	REMOVER/REPLACE	WHEEL	4300-0026	14.44	0.3
1	REPAIR	REMOVER/REPLACE	TIRE CHASE AMERICAN TIRE SAC-280 275-60-18	20.00	0.0	
1	REPAIR	REPAIR	LINE MARKER WELD		15.00	
1	REPAIR	REPAIR	SHOCK & CALIPER	2614	15.00	0.0
1	REPAIR	ADD'L LABOR OF	WHEEL ALIGNMENT - 4 WHEEL	2614	20.00	0.0
1	AUTO	REMOVER/REPLACE	L FRT SHOCK COMPONENTS ONE SIDE DOES NOT INCLUDE ALIGNMENT			0.5 0
1	REPAIR	REMOVER/REPLACE	BLIND SPOT SYSTEM			0.3
1	REPAIR	REMOVER/REPLACE	STEER SHAFT LINK	None	10.00	0.0
1	REPAIR	REMOVER/REPLACE	L FRT SHOCK TOWER JAW	4900-8090	10.00	0.2 0
1	REPAIR	REMOVER/REPLACE	L FRT SHOCK BODY ASSEMBLY	5012-8004	13.00	0.2 0
1	REPAIR	REMOVER/REPLACE	L FRT SHOCK UPPER SPRING	5005-8071	20.00	0.2 0
1	REPAIR	REMOVER/REPLACE	L FRT SHOCK LOWER SPRING	4300-8071	41.00	0.0 0
1	REPAIR	REMOVER/REPLACE	L FRT SHOCK DAMPER	4770-8070	30.00	0.0 0
1	REPAIR	REMOVER/REPLACE	L FRT SHOCK LOWER HOUSING	5000-8070	20.00	0.0 0
1	REPAIR	REMOVER/REPLACE	L LOWER SHOCK BALL JOINT	4300-8070	24.00	0.2 0
1	REPAIR	REMOVER/REPLACE	L LOWER SHOCK CONTROL ARM ASSEMBLY	4800-8000	20.00	0.2 0

AGENCY SMALL NUMBER: 41000 001225 WRM2004-04

QTY	ITEM	DESCRIPTION	UNIT	PRICE	AMOUNT	LABOR	TOTAL
23	10002	REMOVEREPLACE	L LINE PRT GEAR BALL JOINT		4300-0000	95.00	95.00
24	10005	REMOVEREPLACE	L STEERING TIE ROD END		4007-0000	44.02	44.02
25	10007	REPAIR	L PRT DOOR SWELL		Existing		2.00
26	10008	REPAIR	L PRT DOOR SWELL				2.00
27	10009	REMOVEREPLACE	L PRT DOOR SWELL				2.00
28	10010	REMOVEREPLACE	L PRT OTR SWELL HANDLE		Existing		0.50
29	10011	REMOVEREPLACE	L PRT DOOR SWELL HOLDING		7870-0000-C1	34.11	34.11
30	10012	REMOVEREPLACE	L PRT OTR SWELL WINDOW HOLDING		Existing		0.50
31	10013	REMOVEREPLACE	L PRT DOOR SWELL NAMEPLATE		7007-0000	28.87	28.87
32	10014	REMOVEREPLACE	L PRT OTR SWELL HANDLE				0.50
33	10015	REPAIR	R REAR DOOR SWELL		Existing		2.00
34	10016	REPAIR	R REAR DOOR SWELL				2.00
35	10017	REPAIR	R REAR DOOR SWELL		Existing		2.00
36	10018	REPAIR	R REAR DOOR SWELL				2.00
37	10019	REMOVEREPLACE	R REAR DOOR SWELL HOLDING		7874-0000-C1	25.48	25.48
38	10020	REMOVEREPLACE	R REAR DOOR SWELL HOLDING		Existing		0.50
39	10021	REMOVEREPLACE	R REAR DOOR SWELL NAMEPLATE		7800-0000	15.00	15.00
40	10022	REMOVEREPLACE	R REAR DOOR SWELL HANDLE				0.50
41	10023	REMOVEREPLACE	R REAR DOOR SWELL GLASS		Existing		1.00
42	10024	REPAIR	R OTR WINDOW SWELL PANEL		Existing		10.00
43	10025	REPAIR	R REAR SWELL PANEL OUTSIDE				2.00
44	10026	REMOVEREPLACE	R WINDOW SWELL SWELL				0.50
45	10027	REMOVEREPLACE	R WINDOW SWELL SWELL		7809-0000-C1	72.02	72.02
46	10028	REMOVEREPLACE	R WINDOW SWELL SWELL		Existing		0.50
47	10029	REMOVEREPLACE	R REAR WINDOW SWELL SWELL		0100-0000	120.70	120.70
48	10030	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
49	10031	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
50	10032	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
51	10033	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
52	10034	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
53	10035	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
54	10036	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
55	10037	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
56	10038	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
57	10039	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
58	10040	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
59	10041	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
60	10042	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
61	10043	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
62	10044	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
63	10045	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
64	10046	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
65	10047	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
66	10048	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
67	10049	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
68	10050	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
69	10051	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
70	10052	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
71	10053	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
72	10054	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
73	10055	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
74	10056	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
75	10057	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
76	10058	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
77	10059	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
78	10060	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
79	10061	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
80	10062	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
81	10063	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
82	10064	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
83	10065	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
84	10066	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
85	10067	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
86	10068	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
87	10069	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
88	10070	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
89	10071	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
90	10072	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
91	10073	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
92	10074	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
93	10075	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
94	10076	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
95	10077	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
96	10078	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
97	10079	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
98	10080	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
99	10081	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50
100	10082	REMOVEREPLACE	R REAR WINDOW SWELL SWELL				0.50

\* - Judgment Bars  
 # - Labor Note Applies  
 C - Included in Clear Coat Calc

Category	Item	Qty	Rate	Amount	Notes
I. Labor Summary	Body	34.0	34.00	1156.00	
	Paint	52.4	34.00	1781.60	
	Glass	1.0	34.00	34.00	
	Electrical	0.0	00.00	0.00	
Non-Taxable Labor				2,211.60	
Labor Summary				2,211.60	
II. Additional Costs	Taxable Costs			331.00	
	Sales Tax @ 7.50%			24.83	
Total Additional Costs				355.83	
III. Part Replacement Summary	Parts			2,308.72	
	Sales Tax @ 7.50%			173.21	
Total Replacement Parts Amount				2,481.93	
IV. Adjustments	Insurance Deductible			600.00	
	Customer Responsibility			600.00	

Date: 07/20/03 07:10 AM  
 Estimate ID: W0001916-04  
 Estimate Version: 2  
 Supplement: 1 (P) 07/20/03 12:05:46 PM  
 Customer: 1  
 Profile ID: CUSTOMER

I.	Total Labor:	3,218.99
II.	Total Replacement Parts:	2,088.72
III.	Total Additional Costs:	388.78
	<b>Gross Total:</b>	<b>5,696.50</b>

IV.	Total Adjustments:	806.00
	Net Total:	4,890.50
	Less Original Net Total:	1,000.00
	Net Supplement Amount:	3,890.50
	BY: GARY HANSEN 08/7/03	3,890.50



Point(s) of Impact  
 11 Left Front Corner (P)

Inspection Site: FAMILY TOYOTA  
 Address: 3338 CARRASO CARPENTERS  
 SAN JUAN CAPSTR, CA  
 Inspection Date: 5/2003

Body Shop: FAMILY TOYOTA  
 Address: 3338 CARRASO CARPENTERS  
 SAN JUAN CAPSTR, CA 92076  
 Phone: (602) 488-9947

G. ACOSTA  
 MAY 21 2003  
 M.D. SUPV.

THIS IS NOT AN ESTIMATION TO REPAIR. THE UNDERSIGNED REPAIR FACILITY AGREES TO REPAIR THIS VEHICLE USING INDUSTRY ACCEPTED EQUIPMENT AND METHODS, AND TO COMPLETE AND GUARANTEE SAFE REPAIRS AS A PRICE OF \$ \_\_\_\_\_, INCLUDING ALL CHARGES. NO SUPPLIEMENTS WILL BE REQUIRED WITHOUT PRIOR APPROVAL.

SIGNED: \_\_\_\_\_

WARNING: Accidental air bag deployment is possible. Potential injury may result. Avoid area near steering wheel and instrument panel even if air bags have deployed. Dual-stage air bag modules may be present that could deactivate on undeployed stage. When disposing of a deployed dual-stage air bag, always treat it as a "live" module. See appropriate AIRBAGS AND SRS SERVICE & REPAIR MANUAL, or OEM information.

2.2 9.30+  
 2.509.72+  
 359.78+  
 500.00-  
 1.508.84-  
 3.079.96\*

ESTIMATE RECALL NUMBER: 4/10/03 08:12:33 W0001916-04

Estimate Data Version:  
 Estimate Version:

W0001916-04  
 4.2.012

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Page 2 of 3



No 0121

# LAIR & SON TOWING & STORAGE

1315 N. Eucalyptus - Platts, CA 92378  
(909) 820-0442

5 TO  
STAINHILL DR  
PA 972-05

Date <u>4-28-03</u>		
TIME	L.H. P.H.	RELEASE
Driver		Final Reading
Truck No.		Start Reading
		Miles Towed

1. Towing First  miles  day  night Collision  day  night

2. Towing Past \_\_\_\_\_ miles at \$\_\_\_\_\_ for \_\_\_\_\_ miles 33395 CAVING CHAOSTRHO

3. Daily Towing Family Toyota \$300

4. Winching  minimum \$\_\_\_\_\_  per hr. \$\_\_\_\_\_

5. Storage \_\_\_\_\_ days at \$\_\_\_\_\_ per day 5 HAS. 600

6. Service Call \_\_\_\_\_ miles radius \$\_\_\_\_\_ per mile after

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM LEGALLY  
ENTITLED AND ENTITLED TO TAKE POSSESSION OF THE VEHICLE  
REMOVED ABOVE AND ALL PERSONAL PROPERTY THEREIN, I HAVE  
RECEIVED VEHICLE IN SATISFACTORY CONDITION.

PRIVATE PROPERTY TOW AUTHORIZATION GIVEN BY:

SIGNED

SIGNED

Towed To Rialto Auto Body

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

make	<u>TOYOTA</u>
year	<u>2000</u>
Vehicle No.	<u>VIN</u>

TAX	
TOTAL	<u>\$300</u>

(Not Responsible for Minor Damage to Vehicle During Towing. Not Responsible for Damage to Altered Vehicles During Towing.)

Date: 4/10/03 08:12 AM  
 Estimate ID: WM001816-84  
 Estimate Version: 0  
 Committed:   
 Profile ID: CUSTOMIZED

\*\*\*\*\*  
 NO SUPPLEMENTS WILL BE HONORED WITHOUT PRIOR INSPECTION OR APPROVAL  
 \*\*\*\*\*  
 \*\*\*\*\*CALL FILE ADJUSTER TO CONFIRM COVERAGE\*\*\*\*\*

# MERCURY INSURANCE GROUP

355 W. IMPERIAL HWY, BREA, CA 92822  
 (714) 671-6700  
 Fax: (714) 255-5229

Damage Assessed By: CHRIS PENARANDA #1417

Adjustor: RAYMOND CONCHA  
 (888) 263-7287 ext. 2789

Condition Code: Fair  
 Date of Loss: 3/24/03  
 Deductible: 500.00  
 Policy No: AC11044593

Type of Loss: Collision

Claim Number: [REDACTED]

Insured: [REDACTED]  
 Address: [REDACTED]  
 Telephone: Work Phone: [REDACTED] Home Phone: [REDACTED]

Mitchell Service: 911752

Description: 2002 Toyota Tundra  
 Body Style: 2D Pickup Bed 128" WB  
 VIN: STERN341425 [REDACTED]  
 Mileage: 32,879  
 OEM/ALT: O  
 Color: GREY  
 Options: ALUM/ALLOY WHEELS, AIR CONDITIONING, POWER WINDOWS, POWER DOOR LOCKS  
 CRUISE CONTROL, AUTOMATIC TRANSMISSION, AM-FM STEREO/CDPLAYER(SINGLE)

Vehicle Production Date: 11/1  
 Drive Train: 3.4L Int 6 Cyl 2WD  
 License: [REDACTED] CA

Search Code: None

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/Part Number	Dollar Amount	Labor Units
1	108539	MCH*	REMOVE/REPLACE	WHEEL	42601-0C020	143.14	0.3
2	909500	MCH*	REMOVE/REPLACE	TIRE	Sublet	95.00*	0.0*
3				QUOTE AMERICAN TIRE 949 830 0260***			
4				LINE MARKUP %20.00		19.00	
5	900800	MCH*	REPAIR	MOUNT & BALANCE	Sublet	10.00*	0.0*
6	900900	MCH*	ADD'L LABOR OP	WHEEL ALIGNMENT -- 4 WHEELS	Sublet	90.00*	0.0*
7	AUTO	MCH	REMOVE/REPLACE	L FRT SUSP COMPONENTS ONE SIDE DOES NOT INCLUDE ALIGNMENT			5.5 #
8							
9	102760	MCH	REMOVE/REPLACE	L FRT SUSP WHEEL HUB -M	43302-0C010	156.00	INC #
10	100871	MCH	REMOVE/REPLACE	L FRT SUSP WHEEL BEARING -M	90080-36071	59.10	INC #
11	100881	MCH	REMOVE/REPLACE	L FRT SUSP STEERING KNUCKLE -M	43202-39071	412.92	INC #
12	100894	MCH	REMOVE/REPLACE	L FRT SUSP BRAKE HOSE -M	90080-94073	28.87	INC #
13	100810	MCH	REMOVE/REPLACE	L LWR FRT SUSP CONTROL ARM ASSY -M	48969-34020	243.04	INC #
14	186622	MCH	REMOVE/REPLACE	L LWR FRT SUSP BALL JOINT -M	43340-39356	95.05	INC #
15	100815	MCH	REMOVE/REPLACE	L STEERING TIE ROD END -M	45047-39295	44.42	0.3

ESTIMATE RECALL NUMBER: 4/30/03 08:12:23 WM001816-84

Mitchell Data Version: MAR\_03\_A  
 UltraMate Version: 4.8.003

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\* - Judgment Item  
 # - Labor Note Applies

I. Labor Subtotals						II. Part Replacement Summary	
	Units	Rate	Add'l Labor Amount	Sublet Amount	Total		Amount
Mechanical	6.1	85.00	0.00	100.00	618.50	Taxable Parts	1,184.54
						Sales Tax	91.80
						Non-Taxable Parts	95.00
						Parts Adjustments	19.00
Non-Taxable Labor					618.50	Total Replacement Parts Amount	1,390.34
Labor Summary	6.1				618.50		
III. Additional Costs						IV. Adjustments	
				Amount			Amount
Total Additional Costs				0.00		Insurance Deductible	500.00-
						Customer Responsibility	500.00-
						I. Total Labor:	618.50
						II. Total Replacement Parts:	1,390.34
						III. Total Additional Costs:	0.00
						Gross Total:	2,008.84
						IV. Total Adjustments:	500.00-
						Net Total:	1,508.84

Point(s) of Impact

Left Front Corner (P)

Inspection Site: FAMILY TOYOTA  
 Address: 33395 CAMINO CARISTRANO  
 SAN JUAN CAPISTRANO, CA  
 Inspection Date: 3/ 9/03

Body Shop: FAMILY TOYOTA  
 Address: 33395 CAMINO CARISTRANO  
 SAN JUAN CAPISTRANO, CA 92075  
 Work Phone: (805) 493-0040

THIS IS NOT AN AUTHORIZATION TO REPAIR. THE UNDERSIGNED REPAIR FACILITY AGREES TO REPAIR THIS VEHICLE USING INDUSTRY ACCEPTED EQUIPMENT AND METHODS, AND TO COMPLETE AND GUARANTEE SAFE REPAIR AT A PRICE OF \$ \_\_\_\_\_, INCLUDING ALL CHARGES. NO \$\_\_\_\_\_ WILL BE HONORED WITHOUT PRIOR APPROVAL.

618.50+  
 1,390.34+  
 500.00-  
 1,508.84\*

SIGNED: \_\_\_\_\_

# TOYOTA

Phone: (310) 468-4000 x-66776  
Fax: (310) 381-6298  
Email: michael\_medalla@toyota.com

Toyota Motor Sales, U.S.A., Inc.  
19001 South Western Avenue  
Torrance, CA 90501  
310 468-4000  
310 468-7608 Fax

February 6, 2004

VIA FACSIMILE (714) 672-4884  
AND U.S. MAIL

Ms. Alicia Ochoa  
MERCURY INSURANCE  
PO Box 1150  
Brea CA 92822

Your Insured: [REDACTED]  
Your Claim No.: [REDACTED]  
Date of Loss: March 25, 2003  
Subject Vehicle: 2002 Toyota Tundra  
VIN: 5TBRN34142S [REDACTED]

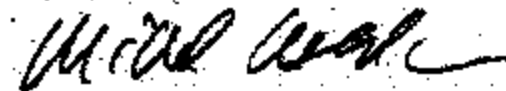
Dear [REDACTED]

In reference to our telephone conversation today we are responding to your request for a formal letter in response to your subrogation demand. I believe a similar letter was sent to your insured on or around April 9, 2003. Toyota investigated the single-vehicle accident that occurred on or around March 25, 2003. First and foremost, we are happy to hear that no one was injured in this accident. Your insured advised that the wheel fell off and caused the accident. At your insured's request we inspected the subject vehicle. We will attempt to summarize those findings.

Upon inspection we found a large split in the tire. This is indicative of a substantial impact-type event. In addition, behind the rear portion of the rear well associated with this tire we found witness marks indicative of the wheel contacting the rear portion of the wheel well. The physical items we were able to inspect indicated an impact-type accident event that falls outside the terms of Toyota's New Vehicle Limited Warranty. Given this we are unable to provide assistance at this time.

Sincerely,

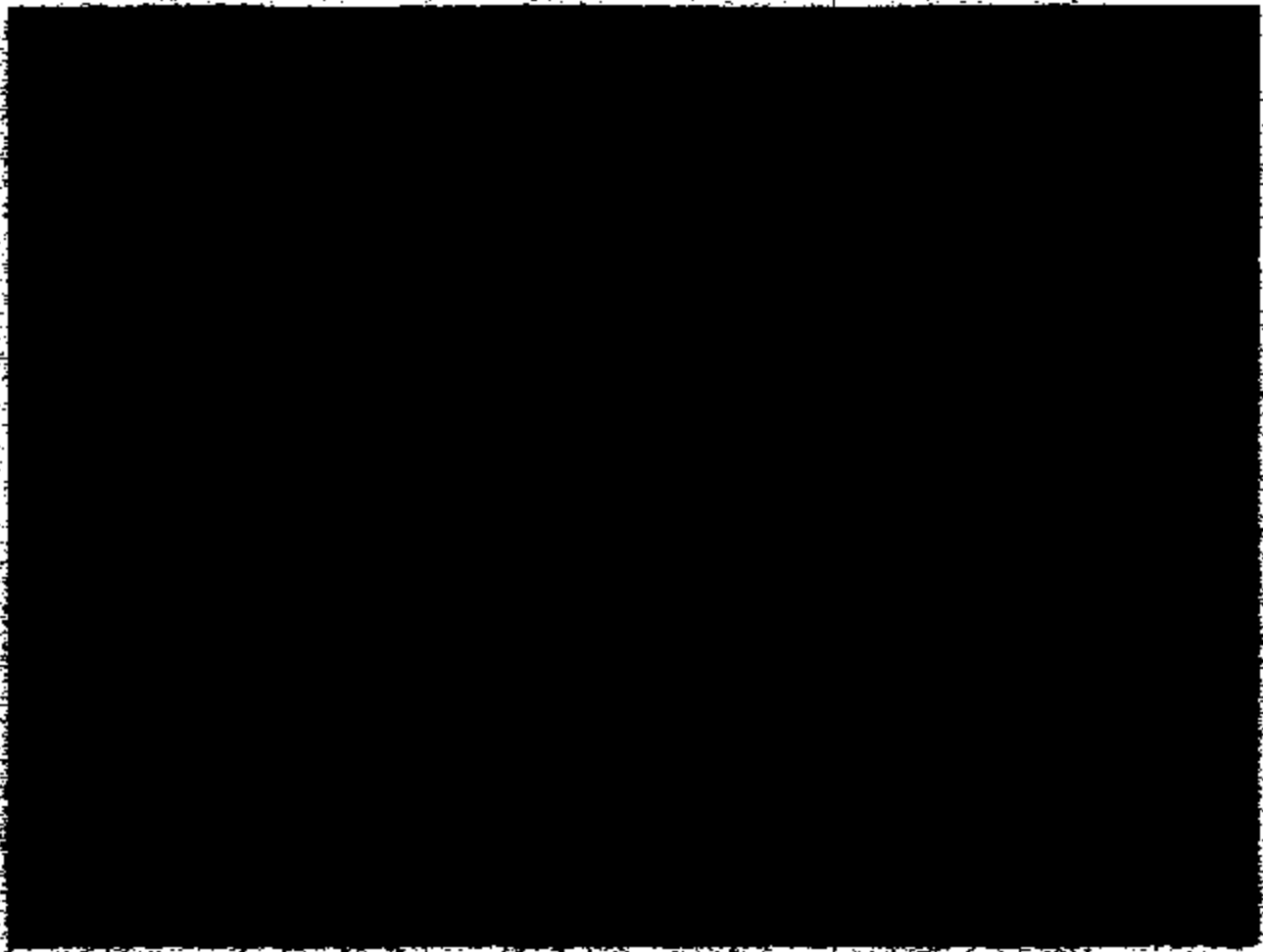
Toyota Motor Sales, U.S.A., Inc.

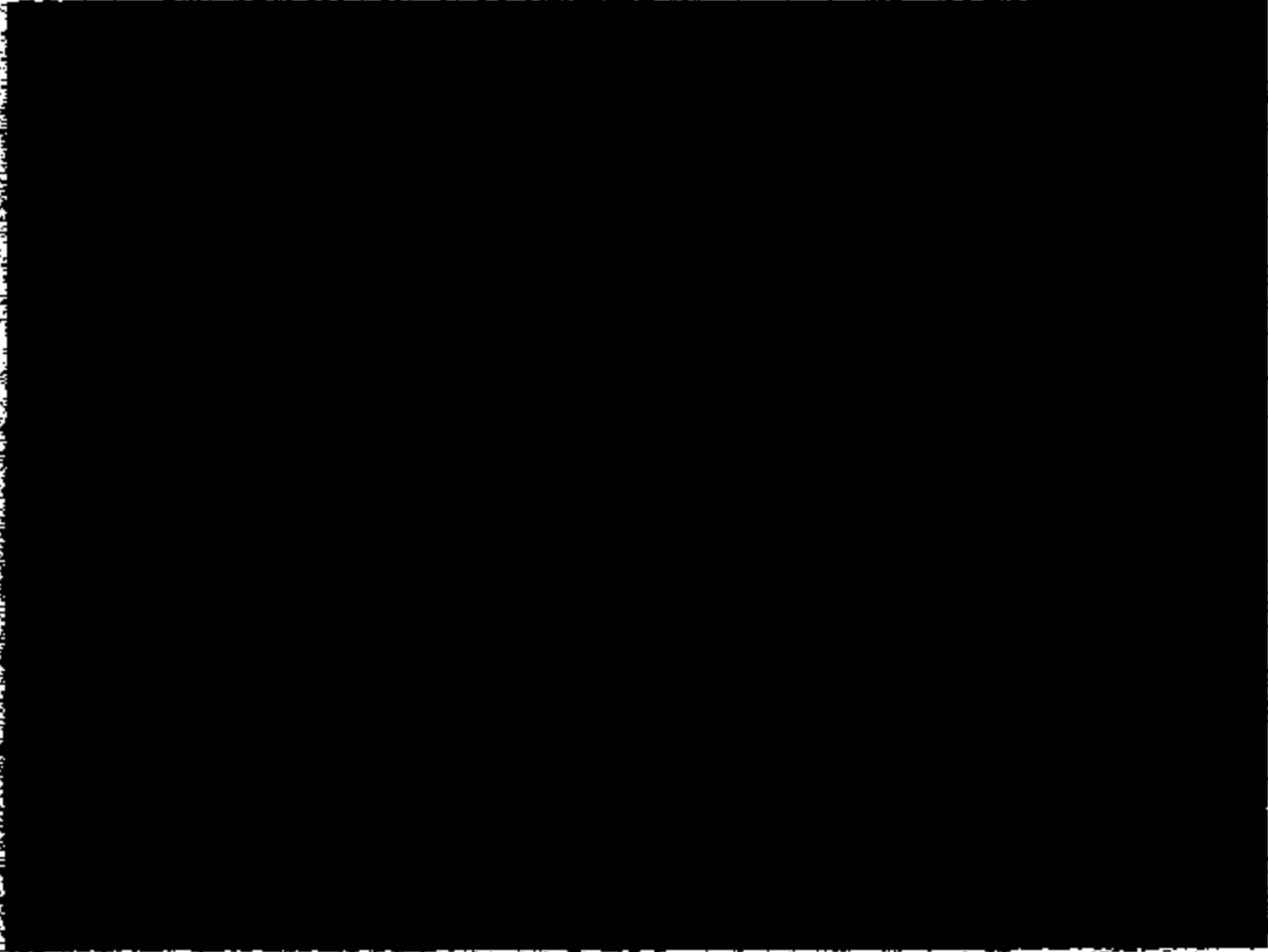


Michael Medalla  
Senior Legal Assistant

MRM/thm



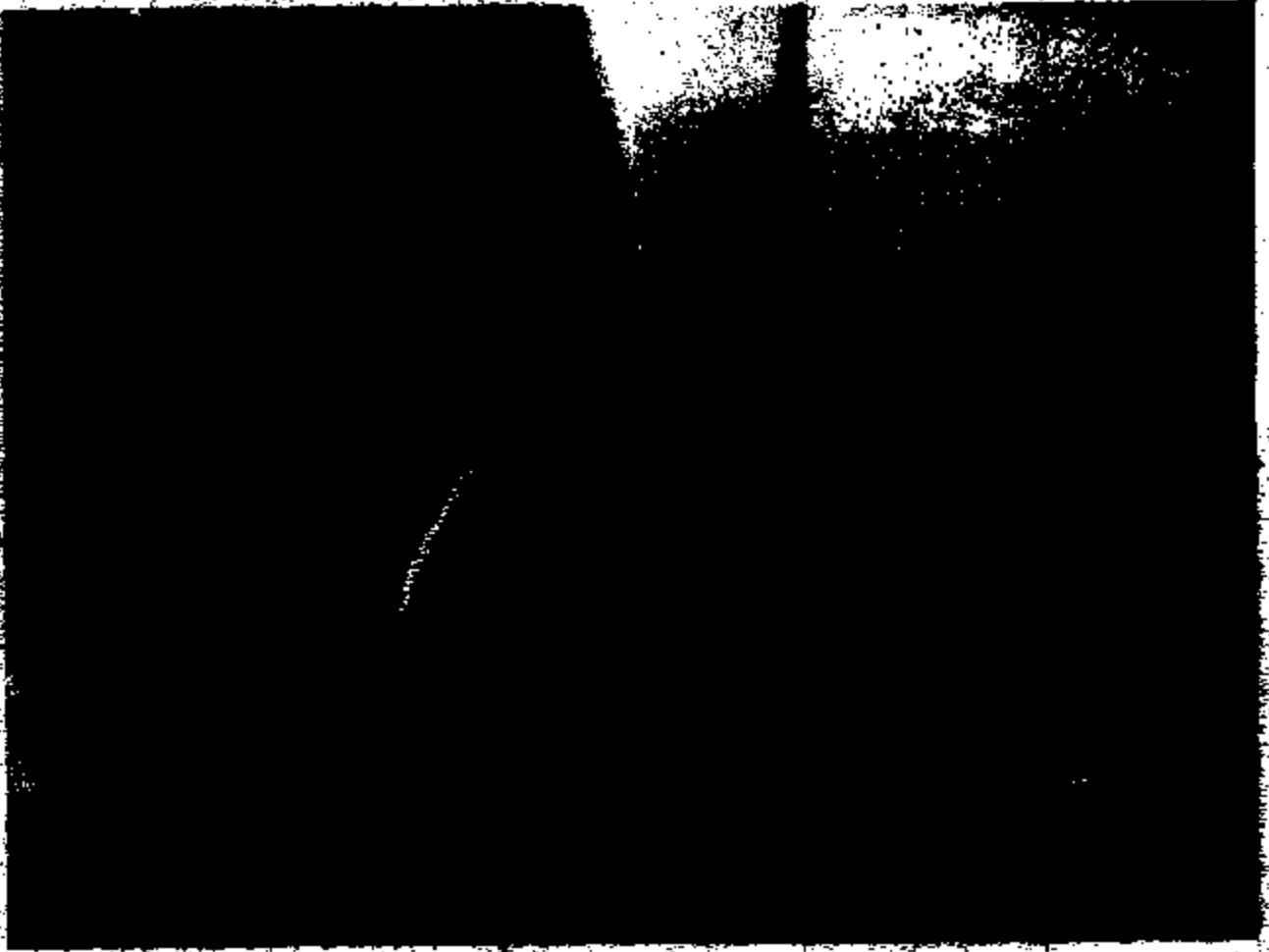












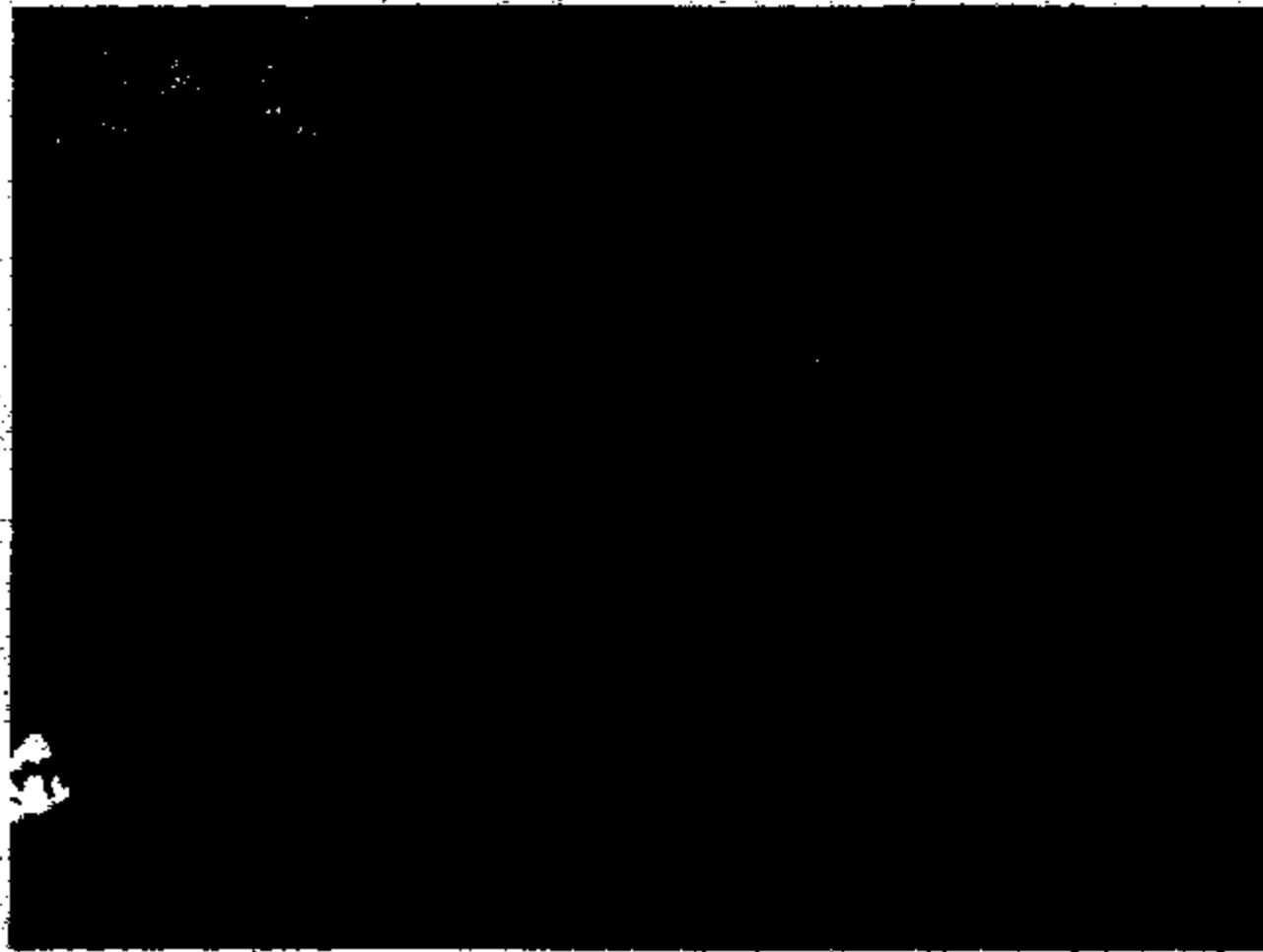






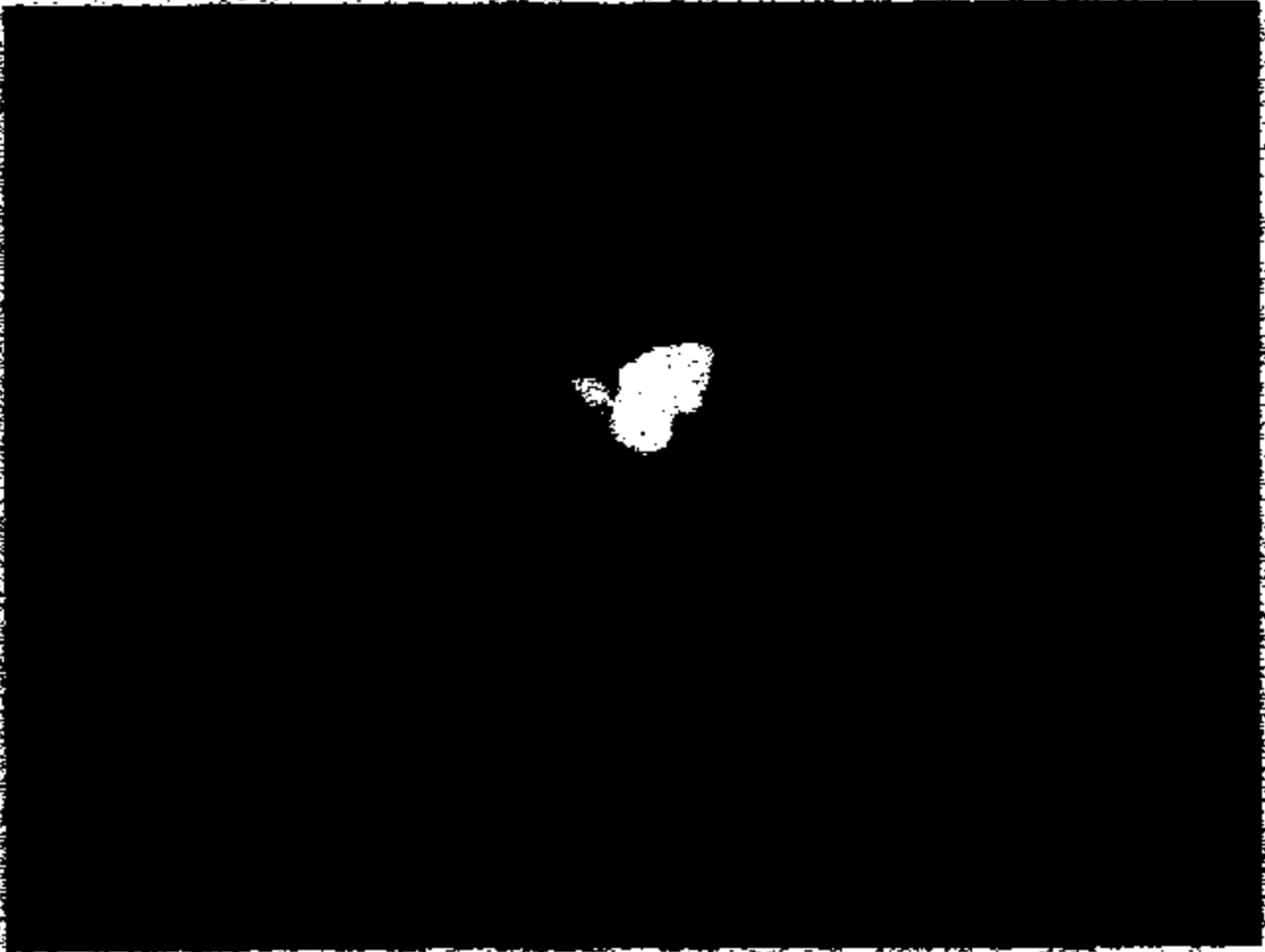






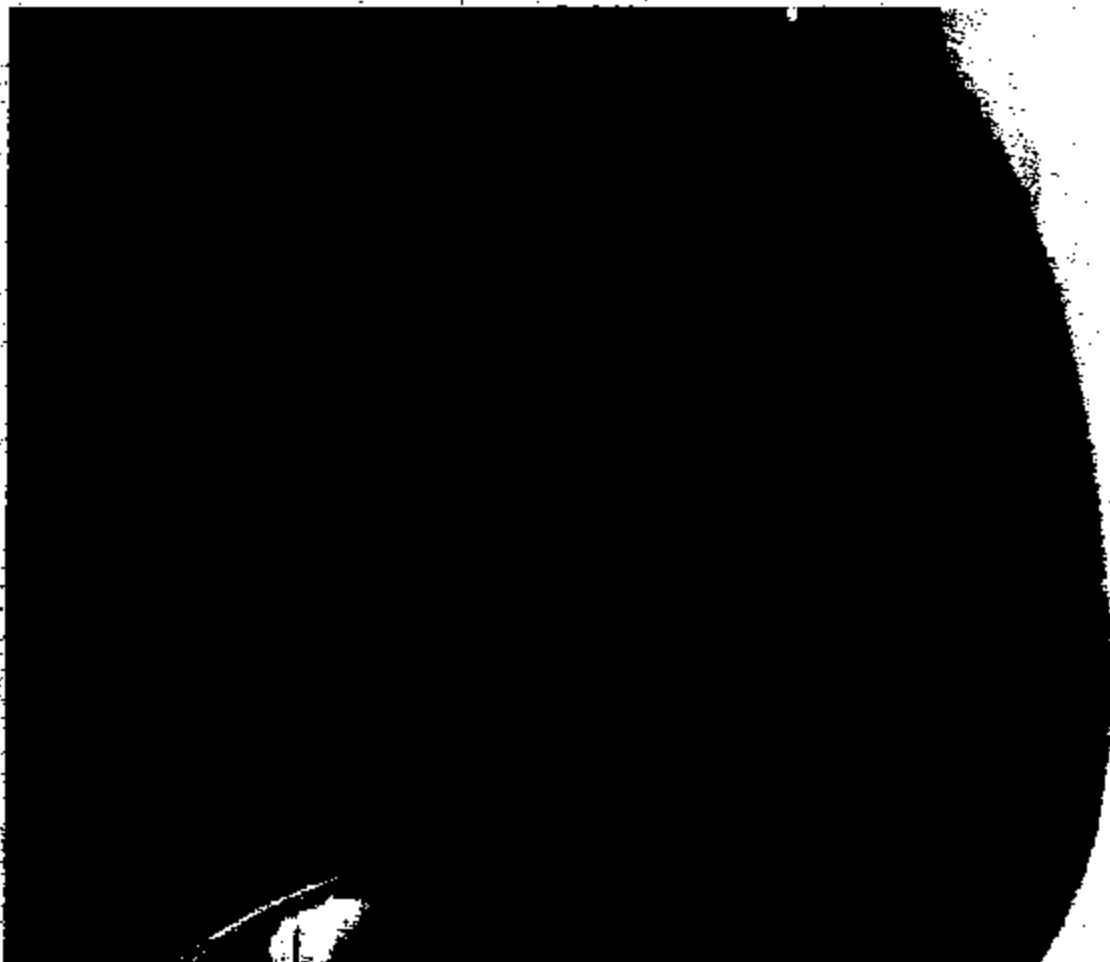


















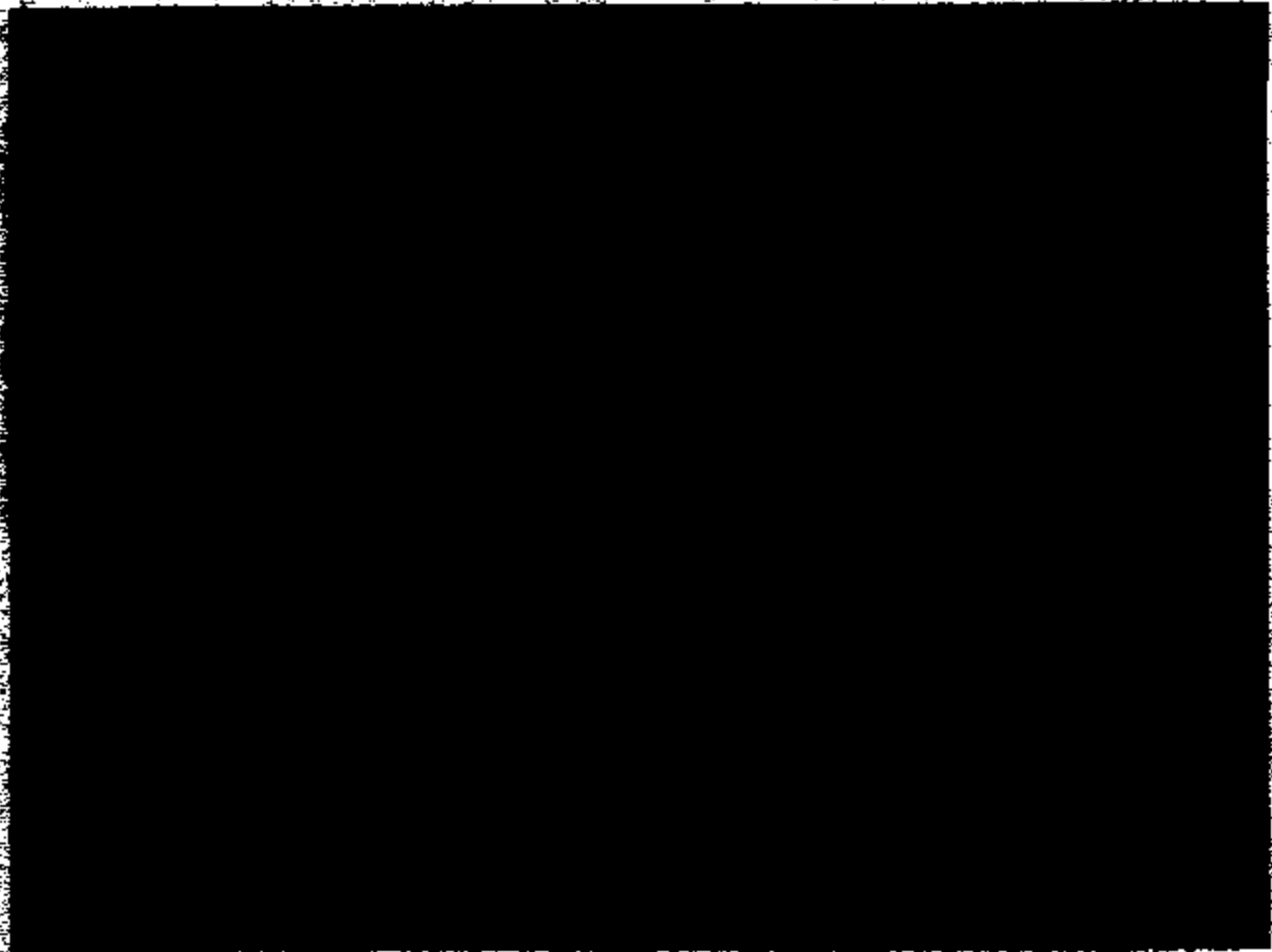












ID No. 2003-09-34877

## Case Report - 200307150956

## Customer/Caller Summary:

## Customer Name/Address:

Westmont, IL

## Caller Phone:

## Caller Alt. Phone:

## Case Summary:

Case Title: Product: PCRP; Bearings- Wheel; Damaged  
 Case Type: Accident  
 Contact Method: Written  
 Cust Attitude: Concerned  
 Coding Type: Complaint  
 Category: Product  
 Problem Area: PCRP  
 Component: Bearings- Wheel  
 Condition: Damaged  
 VIN: 5TBE7441628  
 Defu: 04/30/02  
 Current Miles: 30000  
 Incident Miles: 30000  
 Model Year: 2002  
 Model Name: Tundra  
 Region: Chicago  
 District: 0  
 Dealer 1: Chicago Region, 89310  
 Selling Dealer: Toyota Of Naperville, 12090

## Case History:

Customer Seeks: to know cause of why wheel came off on veh and sks compensation for deductible and payment  
 CAC Stated: ner spol and adv cust of prod liability process and adv will open file to region and region will contact cust in 3 bus days

\*\*\* PHONE LOG 07/15/2003 12:34:33 PM ASchwartz

==PCRP==

Cust works for [REDACTED] as service writer  
 cust sts previously was in to Toyota of Naperville for TSB on brakes 5/9/03 cust sts that dir locked through entire veh and adv that veh was fine.  
 cust sts was traveling 20-25 mph and the hub and wheel assembly went flying off veh and caused cust to strike another veh. cust sts is seeking to know why wheel came off on veh and sks compensation to pay \$500.00 deductible and payment while veh was in the shop. >>

\*\*\* NOTES 07/15/2003 12:34:33 PM ASchwartz

>>cust sts body shop inspected veh and adv that bolts were cracked, rusted apart, and broke off causing wheel to come off on veh. LEGAL REQUESTS FIELD CONTACT REPORT WITH MANY INTERIOR AND EXTERIOR PHOTOS

\*\*\* NOTES 07/15/03 01:43:34 PM chid

Called cust, message left at boths noted in file for cust to return call.

\*\*\* NOTES 07/17/03 03:00:58 PM chid

Returned cust call. spoke w/wife (alt#) - confirmed veh location. Cust understands TMS will send investigator to inspect veh.

\*\*\* NOTES 07/17/03 03:14:33 PM chid

Case forwarded to FTE Melvin New.

\*\*\* NOTES 07/17/03 03:17:25 PM chid

Spoke w/bodyshop, confirmed veh currently located at indep.

\*\*\* NOTES 07/19/2003 09:52:52 AM QHolmes

+INCOMING CALL+

cust l/m sks f/u from product liability (cac)-sts knows veh was inspected and sks to know the results

+OUTGOING CALL+

ner l/m at cust day# adv after veh inspected, cust will recvd response from toy legal dept w/in 30days. prov product liability #.

\*\*\* WORKS 07/29/03 11:54:17 AM chi4  
Field contact report fr PTS recvd & filed. Copy of docs forwarded to TMS Legal for review & response to cust.

\*\*\* CASE CLOSE 07/29/03 11:54:57 AM chi4  
Field contact report fr PTS recvd & filed. Copy of docs forwarded to TMS Legal for review & response to cust.

**Activity Summary:**

Activity	Date/Time	Originator	Additional Information
Create	07/15/03 12:31:58 PM	ASchwartz	Contact = William Braitung, Priority = Customer, Status = Action CAC.
Modify	07/15/03 12:34:33 PM	ASchwartz	into WIP default and Status of Action CAC.
Phone Log	07/15/03 12:34:33 PM	ASchwartz	Start = 07/15/2003 12:31:58 PM, End = 07/15/2003 12:34:33 PM, Contact = William Braitung.
Notes	07/15/03 12:34:33 PM	ASchwartz	Log notes.
Modify	07/15/03 12:36:57 PM	ASchwartz	into WIP default and Status of Action CAC.
Dispatch	07/15/03 12:36:57 PM	ASchwartz	Action Region to Chicago
Chg Status	07/15/03 12:36:57 PM	ASchwartz	Case sent to region: Chicago
Yanked	07/15/03 01:30:01 PM	chi4	Case grabbed from ASchwartz to chi4's default WipIn.
Chg Status	07/15/03 01:30:01 PM	chi4	Action Region
Notes	07/15/03 01:43:34 PM	chi4	Log Notes.
Notes	07/17/03 03:00:58 PM	chi4	Log notes.
Modify	07/17/03 03:08:59 PM	chi4	into WIP default and Status of Action Region.
Notes	07/17/03 03:14:33 PM	chi4	Log notes.
Notes	07/17/03 03:17:25 PM	chi4	Log notes.
Notes	07/29/03 09:52:52 AM	CHolmes	Log notes.
Notes	07/29/03 11:54:17 AM	chi4	Log notes.
Modify	07/29/03 11:54:43 AM	chi4	into WIP default and Status of Action Region.
Case Close	07/29/03 11:54:57 AM	chi4	Status = Closed, Resolution Code = Full, State = Open.



Writers Direct Telephone (310) 468-5027  
Writers Direct Fax (310) 381-6317

August 27, 2003

[REDACTED]  
Westmont, IL [REDACTED]

RE: Date of Loss: July 10, 2003  
Vehicle: 2002 Toyota Tundra  
VIN#: 5TBBT44162S [REDACTED]

Dear Mr. [REDACTED]

This letter is in response to your recent communication with our Customer Relations Department in regards to the above referenced incident.

It is my understanding that you were traveling 20-25 mph and the hub and wheel assembly separated from the suspension and caused your vehicle to hit another vehicle.

As you are aware we had a field technician inspect your vehicle. I also had one of our engineer's reviewed the findings of the field technician. It was determined that the lower ball joint member was overloaded by impact damage shearing the four bolts causing the wheel to separate from the vehicle.

We are very sorry about this unfortunate incident, however, it was not the result of any type of manufactures defect and we must therefore respectfully deny your claim.

Very truly yours,

Carole A. Hargrave  
Claims Manager  
Legal Department

