

PE04-040

TOYOTA

6/21/2004

ATTACHMENT 4

PART 2 OF 2

ID No. 2004-02-35667

Case Report - 200312171041

Customer/Caller Summary:

Customer Name/Address:

Dubois, WY

Caller Phone:

Caller Alt. Phone:

Case Summary:

Case Title: Product: PCRP; Bushings/Ball Joints- Suspension; Other-Please Specify
 Case Type: Accident
 Contact Method: Phone
 Cust Attitude: Concerned
 Coding Type: Complaint
 Category: Product
 Problem Area: PCRP
 Component: Bushings/Ball Joints- Suspension
 Condition: Other-Please Specify
 VIN: 5TBR441518
 Date: 05/28/02
 Current Miles: 60500
 Incident Miles: 60124
 Model Year: 2002
 Model Name: Tundra
 Region: Denver
 District: 0
 Dealer 1: Denver Region, 05999
 Selling Dealer: Fremont Toyota-Gac, 49029

Case History:

Customer Seeks: toyota to buy veh back.
 CAC Stated: ncr adv region will contact within 3 business days

*** PHONE LOG 12/17/2003 02:52:25 PM PTimberlake
 w/PCRP-cust sts the driver side front ball joint fell out & dropped the veh to the ground. cust sts dir
 spied; cust sts was recently driving 5mph & lost another ball joint on pass side; sts. luckily was only
 driving 5mph or would have been killed. cust sts toy to buy back veh no longer safe. sts Fremont Toyota
 -49029 fixed veh. (DAPH REQUESTED PCRP PER FILE# 200312100560)

*** CASE CLOSE 01/27/04 10:07:26 AM dvr4
 Rep FTS, Joe Lane, insp veh on 1/6/04. Owner was present. FTS states: Veh had been rprd, expt for body
 damage. Cust had old part to be insp -- 1st frnt lwr balljoint was worn (had excessive freeplay) & had
 come apart. The rt frnt lwr balljoint was worn and had excessive freeplay. Lower balljoints do wear over
 time, which is why Toyota's Maint. Guide for the veh w/ this type of driving cond rec insp of lower
 balljoints every 4 mo or 5K miles. Results of insp were communicated to cust on 1/6/04. Cust does not
 accept explanation of normal wear & tear and seeks resp from TMS legal. PCR will forward file to leg via
 UPS today, 1/27/04.

Activity Summary:

Activity	Date/Time	Originator	Additional Information
Create	12/17/03 02:29:21 PM	PTimberlake	Contact = Mary Emmons, Priority = Customer, Status = Action CAC.
Modify	12/17/03 02:52:25 PM	PTimberlake	into NIP default and Status of Action CAC.
Phone Log	12/17/03 02:52:25 PM	PTimberlake	Start = 12/17/2003 02:29:21 PM; End = 12/17/2003 02:52:25 PM, Contact = Mary Emmons.
Dispatch	12/17/03 02:52:26 PM	PTimberlake	Action Region to Denver
Chg Status	12/17/03 02:52:27 PM	PTimberlake	Case sent to region: Denver
Accept	12/17/03 03:02:41 PM	dvr4	from Queue Denver to NIP PCRP.
Case Close	01/27/04 10:07:26 AM	dvr4	Status = Closed, Resolution Code = Full, State = Open.



Toyota Motor Sales, U.S.A., Inc.
Denver Region
8876 Maroon Circle
Englewood, CO 80112
(303) 799-8776
(303) 799-7504 Fax

January 27, 2004

[Redacted]
Dubois, WY [Redacted]

RE: Your Vehicle: 2002 Toyota Tundra
VIN: STMBT441528 [Redacted]
Date of Loan: 11/19/03

Dear [Redacted]

We write in response to your inquiries to our National Customer Assistance Center in regard to the above referenced incident.

As you may know, on 1/6/04, a local Toyota representative performed a technical inspection of your vehicle. Based on our inspection, we found no manufacturer defect.

Again, we appreciate the opportunity to address your concerns. We understand you requested a response from our Legal Department. All responses from our Legal Department must be requested in writing at the following address:

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

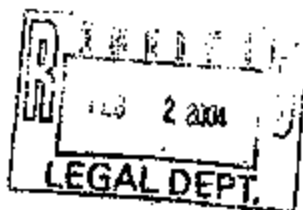
Sincerely,

Jennifer Hansen
Regional Customer Relations Administrator
Toyota Denver Regional Office

Toyota Motor Sales, USA, Inc.
Legal Department
10001 S. Western Ave.
Torrance, CA. 90509-2991

January 28, 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 make after he inspected my 2002 Toyota Tundra that the concealed ball joint with no grease in it, had broke out of the bracket. Joe looked at the pickup on January 8th of this year, case number 200512171041. The only response I received was that I needed to have the truck and 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 led to repeatedly by the dealership, Present Toyota, and I am still waiting to get the best front axle replaced. I was assured no damaged parts were put back in but Joe found the best axle. I feel there is a lot more front end and motor damage and I would like to see what Joe reported as I leave this pickup's front end will fall 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 Present 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 18 months before the ball joint broke out.

I realize that the only concern Toyota has is for making money and if the factory puts 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]
Dubois, Wyoming [REDACTED]

Thank you for your help in this matter.

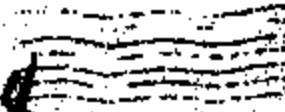
Sincerely,
[REDACTED]



Dubai, U.A.E.



1108



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

0000100100

0000100100

Case Report - 200402040716

Customer/Caller Summary:

Customer Name/Address:



Caller Phone:
Caller Alt. Phone:

Case Summary:

Case Title: Product: Abnormal Condition: wheel/wheel joints- Suspension; Other-Please Spec

Case Type: Priority

Contact Method: Written

Cost Attitude: To Pursue Local Act:

Coding Type: Complaint

Category: Product

Problem Area: Abnormal Condition

Component: Bushings/Ball Joints- Suspension

Condition: Other-Please Specify

VIN: 5T8B7441508

Date: 05/20/2004

Current Miles: 0

Incident Miles: 0

Model Year: 2002

Model Name: Tundra

Region: Denver

District: 7

Dealer 1: Fremont Toyota-Chev. 49029

Selling Dealer: Fremont Toyota-Chev. 49029

Case History:

Customer seeks: Repurchase.

CAC Stated: DWR will follow-up with cust.

*** PHONE LOG 02/04/2004 10:49:56 AM W3row3row
 == LEMON LAW == Received via UR's first class mail (front door - road in CEC 2/4). Car str concern(ed) with bushings/ball joints - p/o 2002(2/2004) and driver also front ball joint ball out & dropped the vch to the ground. cust str dir report cust str was concernedly advised both & lost another ball joint on pass side.

*** CASE CLOSE 03/03/04 01:57:34 PM W3row3row
 Lemon Law acknowledgement letter has been sent to customer on 2/7/04. As of 3/3/04 DWR has not received response from customer.

Activity Summary:

Activity	Date/Time	Originator	Additional Information
Create	02/04/2004 10:44:01 AM	W3row3row	Case Name = Mary Hammons, Priority = Lemon Law, Status = Action CAC.
Phone Log	02/04/2004 10:49:56 AM	W3row3row	Start = 02/04/2004 10:44:01 AM, End = 02/04/2004 10:49:56 AM, Contact = Mary Hammons.
Notify	02/04/2004 10:50:08 AM	W3row3row	Is a VED default and Status of Action CAC.
Dispatch	02/04/2004 10:58:09 AM	W3row3row	Action Item on to Denver
Chg Status	02/04/2004 10:59:09 AM	W3row3row	Case sent to system: Denver
Accept	02/04/2004 04:00:29 PM	W3row3row	First class Denver to WIP Lemon Law.
Case Close	03/03/2004 01:57:34 PM	W3row3row	Status = Closed, Resolution Code = Full, State = Close.
Rule Action	03/03/2004 01:57:46 PM	W3row3row	Action Notify Originator for Closed Case of rule 2002's Priority Closed Case fired



February 5, 2004

Toyota Motor Sales, U.S.A., Inc.
Denver Region
9678 Maroon Circle
Englewood, CO 80112
(303) 799-6778
(303) 799-7504 Fax

VIA CERTIFIED U.S. MAIL

Dubois, WY

Re: 2002 Toyota Tundra
5TBET441528

Dear

Toyota Motor Sales, U.S.A., Inc. ("TMS") is in receipt of your correspondence postmarked January 23, 2004 (received by TMS 02/02/04), wherein you are seeking relief under Wyoming Lemon Law. This correspondence has been forwarded to the Denver Region to ensure efficient handling and a prompt response.

We understand that you seek Lemon Law relief based on the following mechanical concerns:

1. Ball Joint concerns

If this is not an accurate description of your concerns please contact us immediately.

In order for us to properly evaluate your claim, we will need to review the following information, which you may have in your possession:

1. Legible copies of any and all documents relating to the purchase or lease of the subject vehicle;
2. Legible copies of any and all documents relating to any prior debts which were rolled into the purchase price or lease terms of this vehicle;
3. Legible copies of any and all documents relating to the purchase and installation of any after-market equipment added to the vehicle on or after the date of purchase;
4. Legible copies of any and all maintenance records for the subject vehicle, including non-Toyota repair facilities; and,

February 5, 2004
Page Two

5. Legible copies of any and all documents relating to any accidents involving the vehicle.

Please send this information to the following address:

Toyota Denver Region
9876 Maroon Circle
Englewood, CO 80112
ATTN: Gabrielle Anderson

In the interim, we will compile our records on this matter and as appropriate, we may request to inspect your vehicle. Also, because we value retaining you as a customer, we would like to inform you that The National Center for Dispute Resolution (NCDS) arbitration services are available to you. This program is part of Toyota's commitment to provide its customers with an impartial, non-affiliated organization to promptly and equitably resolve their concerns. To obtain more information about this process please contact the Toyota National Customer Assistance Center at 1-800-331-4331, Monday through Friday, 8:00 a.m. to 6:00 p.m., Pacific Time.

We appreciate the opportunity to lend our assistance. Please be assured that we will be contacting you shortly, upon receipt of the above listed documents, in hopes of amicably resolving this matter.

Very Truly Yours,


Gabrielle Anderson
District 7 Service and Parts Manager

dr

cc: Denise Rose, Arbitration Administrator

TOYOTA

Writer's Direct Line: (310) 466-4770
Writer's Direct Fax: (310) 381-6819

Toyota Motor Sales, U.S.A., Inc.
19001 S. Western Avenue
P.O. Box 3722
Torrance, CA 90509-3722
310 466-0000
310 466-7808 Fax

February 6, 2004

[REDACTED]
Dubois, WY [REDACTED]

Date of Loss: 11/29/03
Vehicle: 2002 Tundra
VIN: 5TBBT441528 [REDACTED]

Dear [REDACTED]

This letter is in response to your communication with our Customer Relations department. It is our understanding that you were traveling at approximately 5 mph when your vehicle's ball joint came out. Previously, a dealer replaced a separate ball joint on your vehicle.

Your vehicle was inspected to determine if your vehicle operated as designed. Our inspection confirms that your vehicle did in fact operate as designed. The ball joints required replacement due to normal wear and tear. It is our understanding that the maintenance guide recommends that the ball joints should be inspected every 4 months and/or 5,000 miles.

Due to your vehicle operating as designed, we are unable to assist you with this matter. Thank you for allowing us assist you with this matter.

Thank you,

Garrett Biggs
Claims Administrator
Legal Department

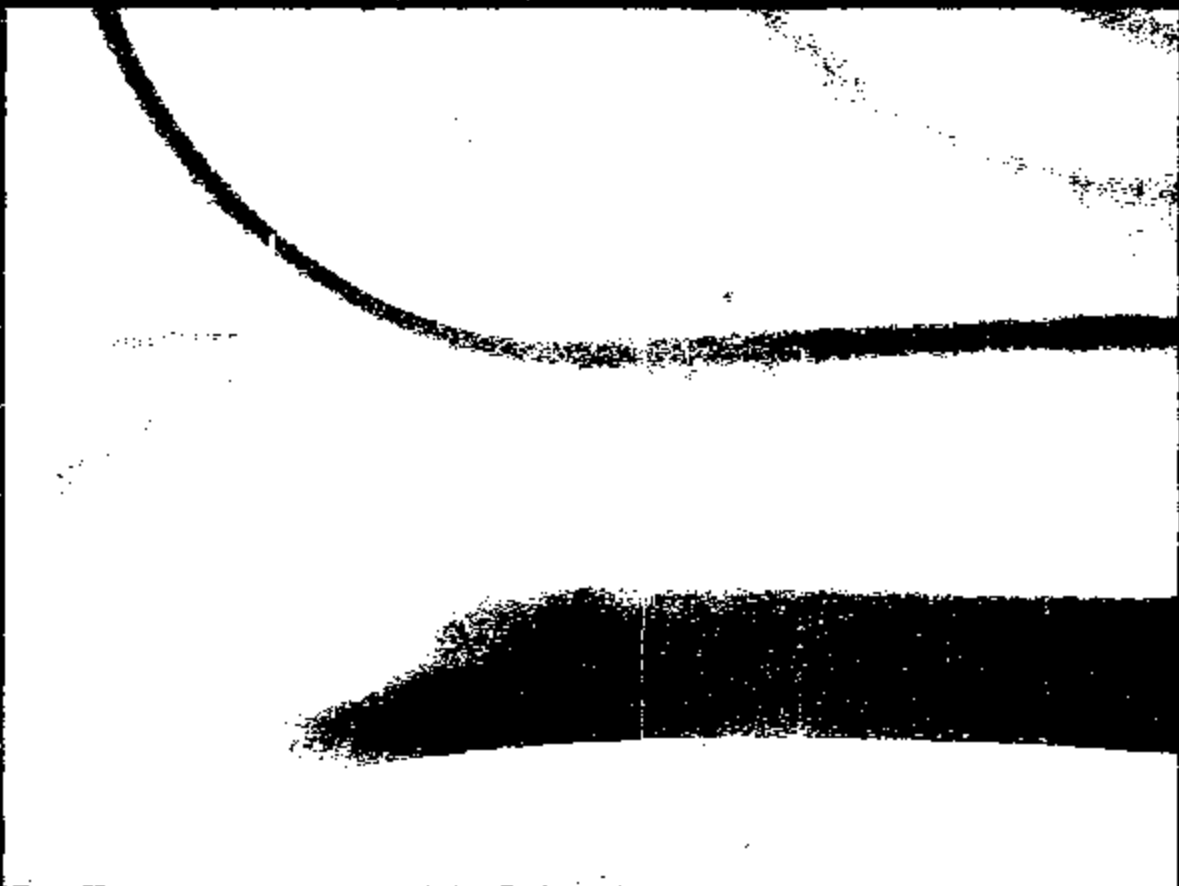
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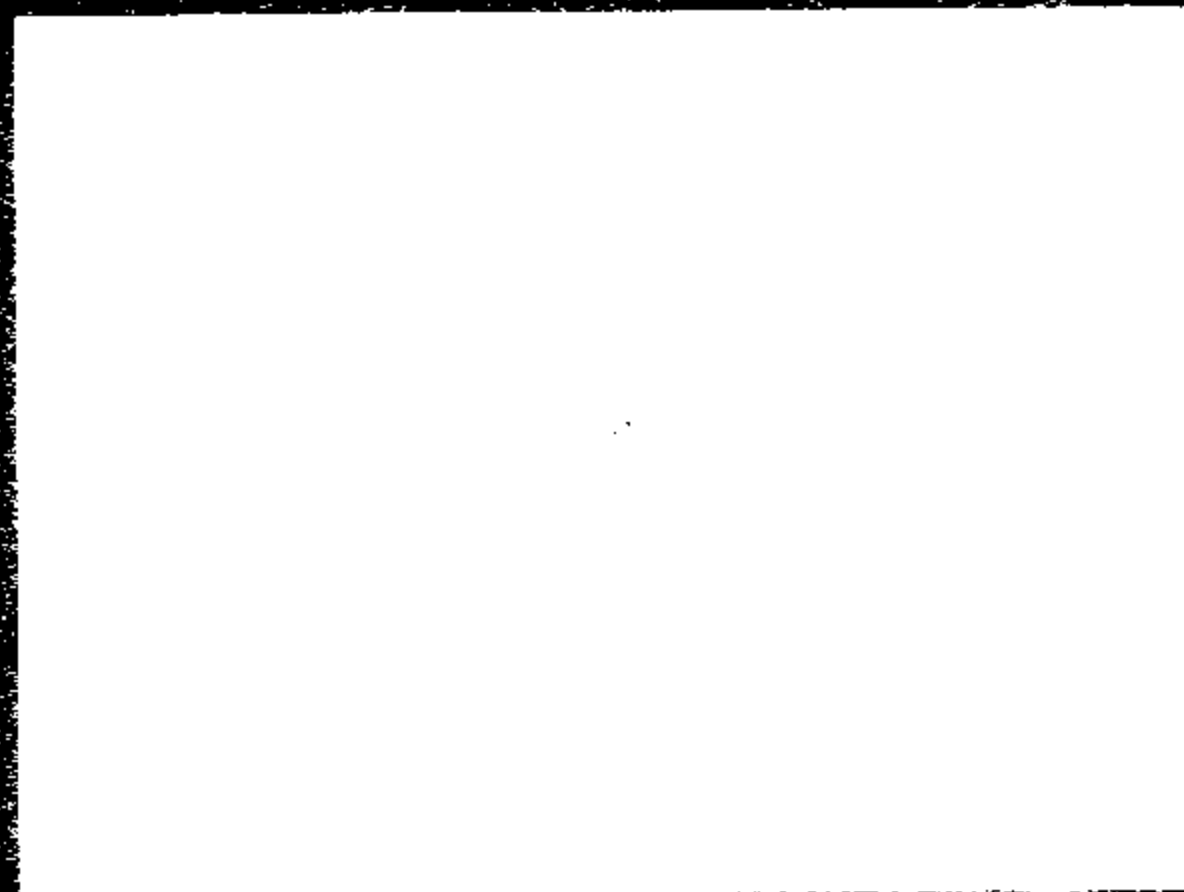
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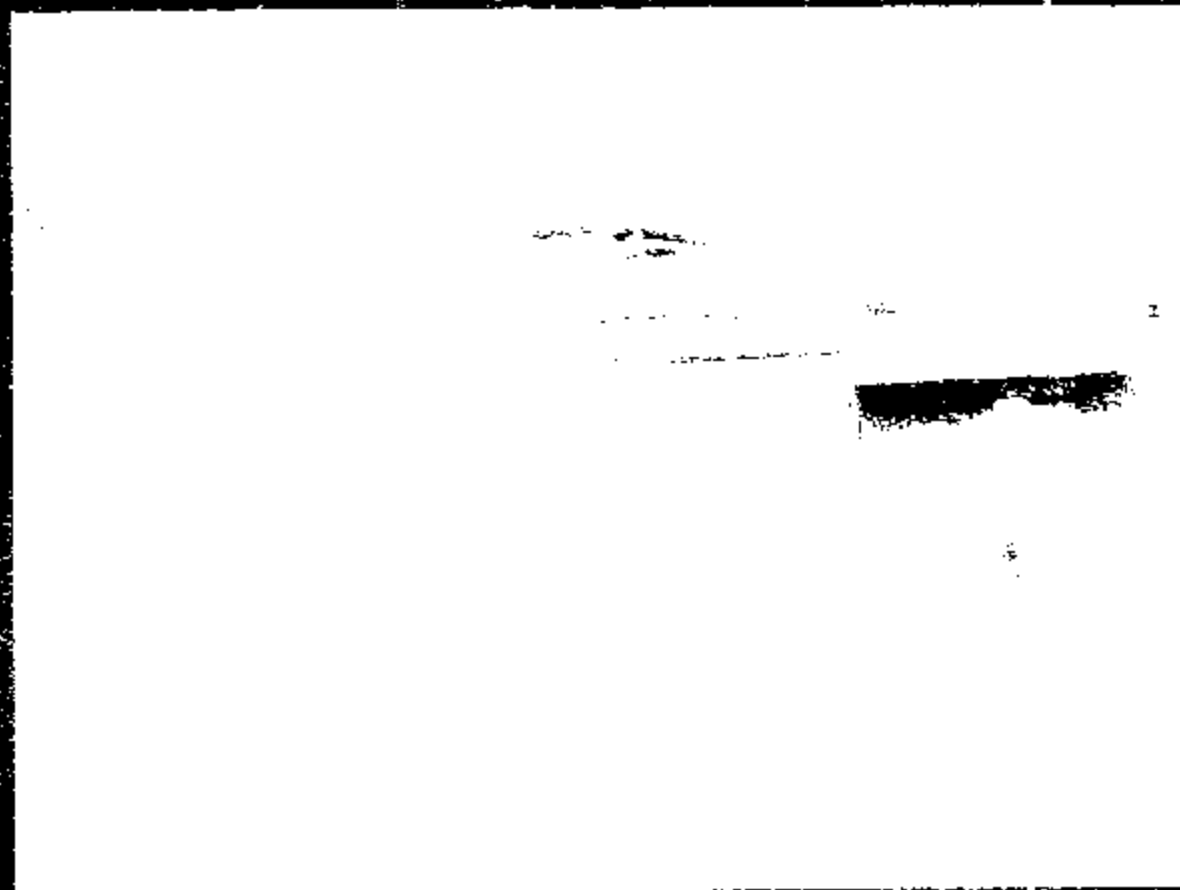
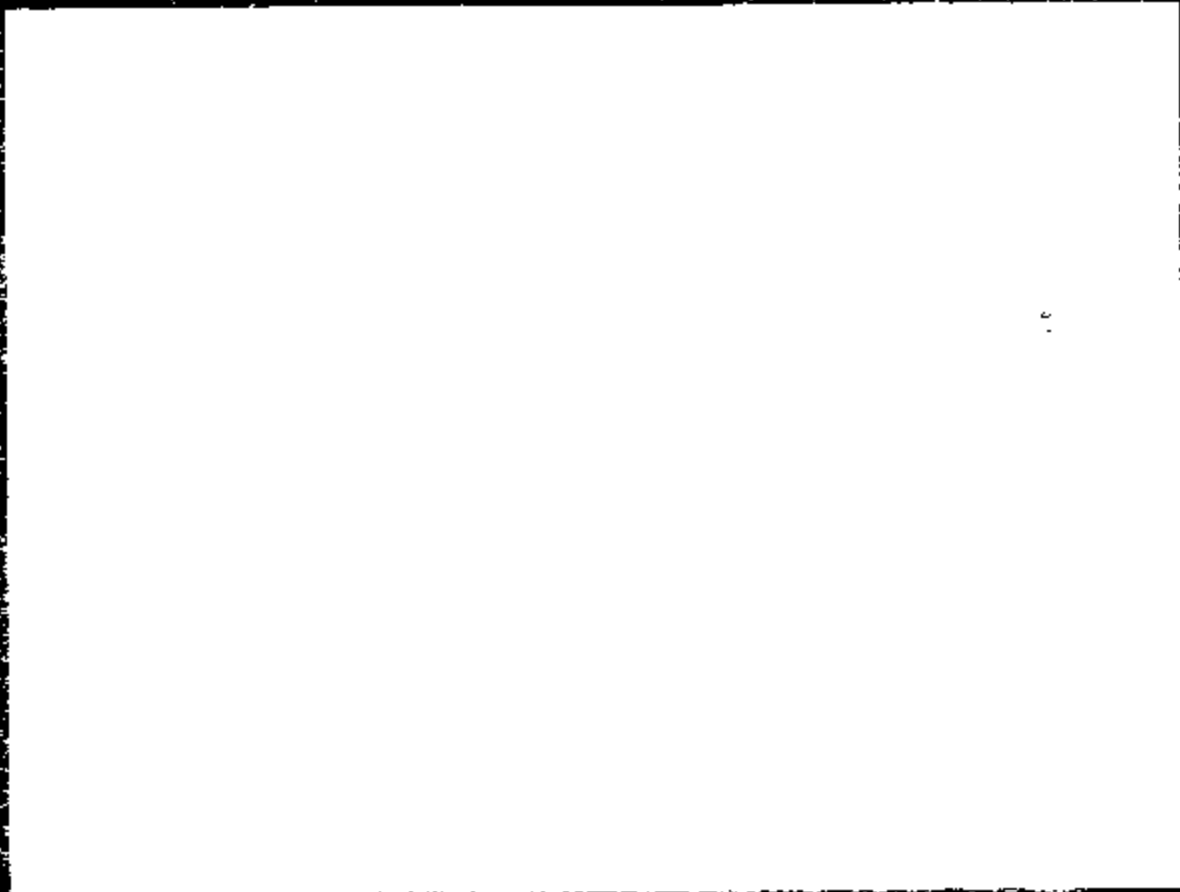
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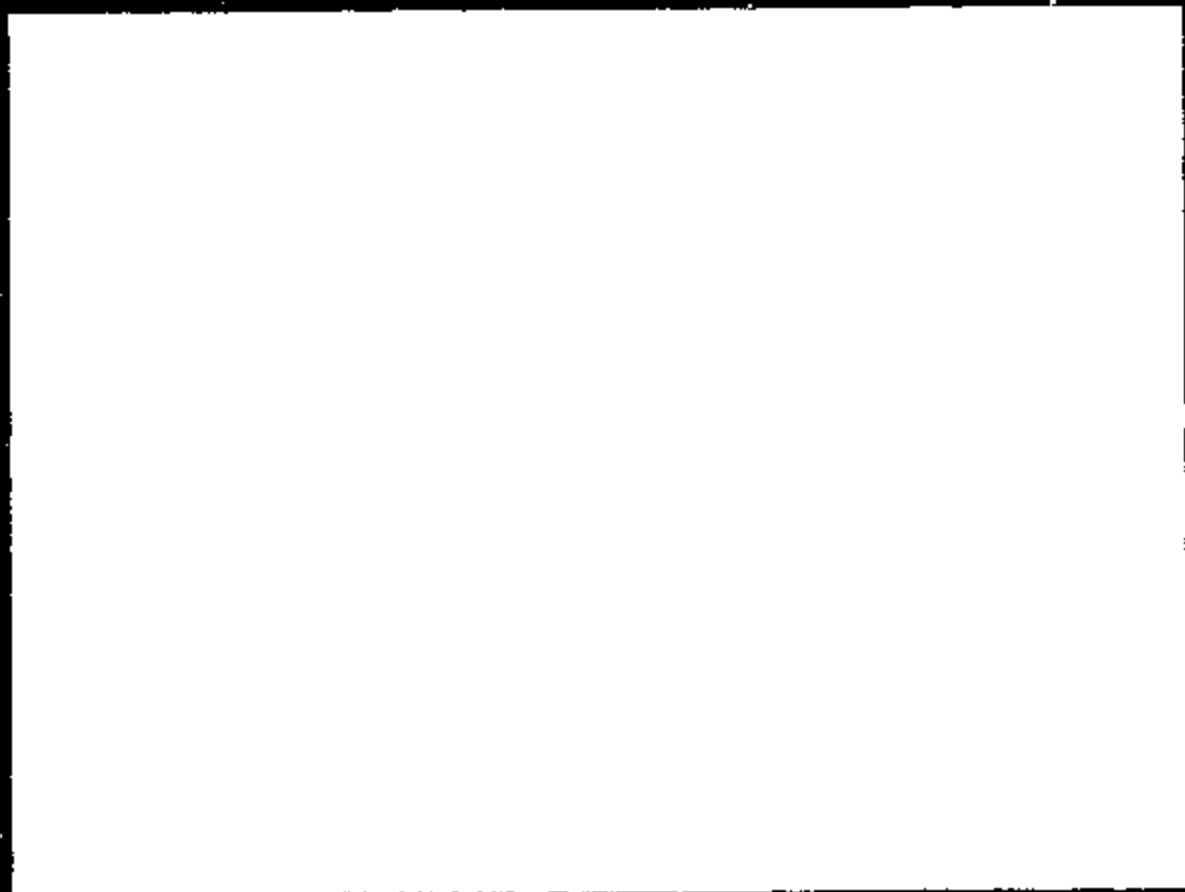
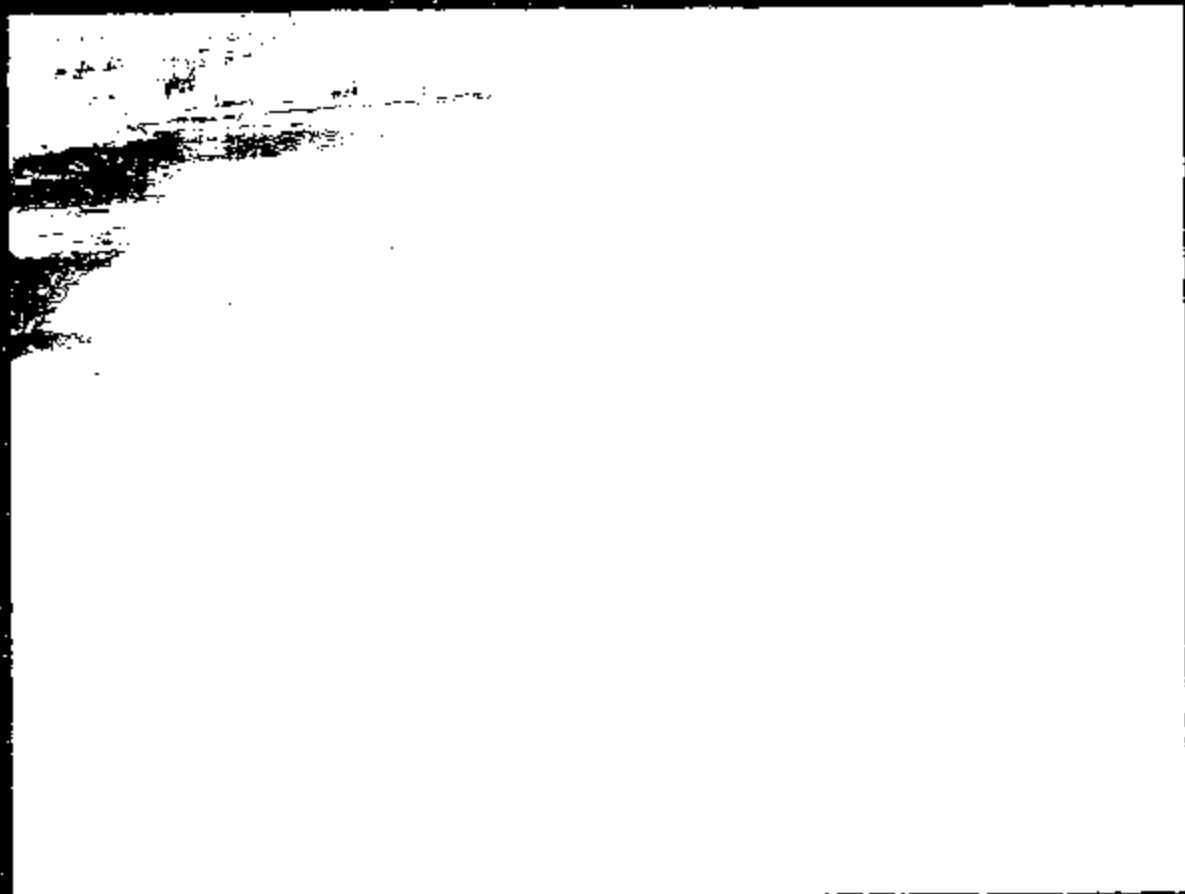


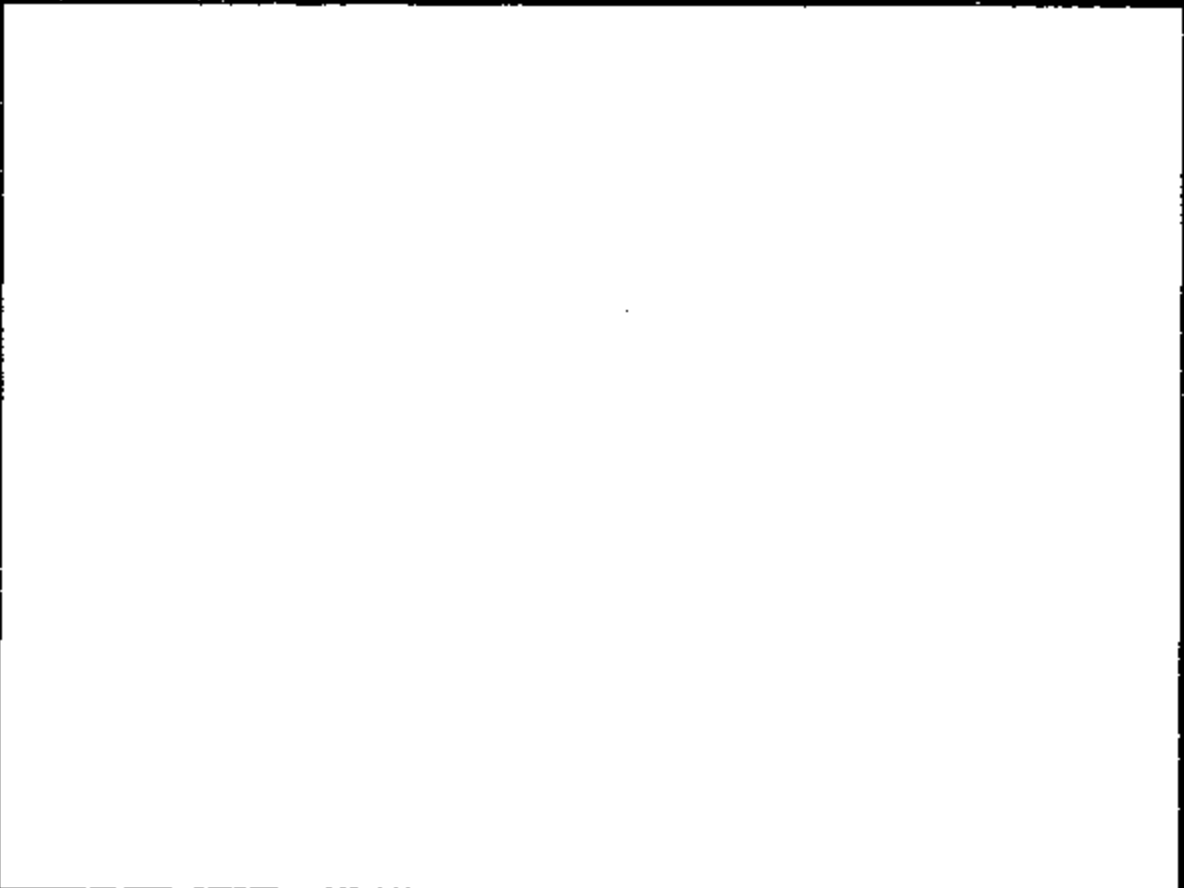
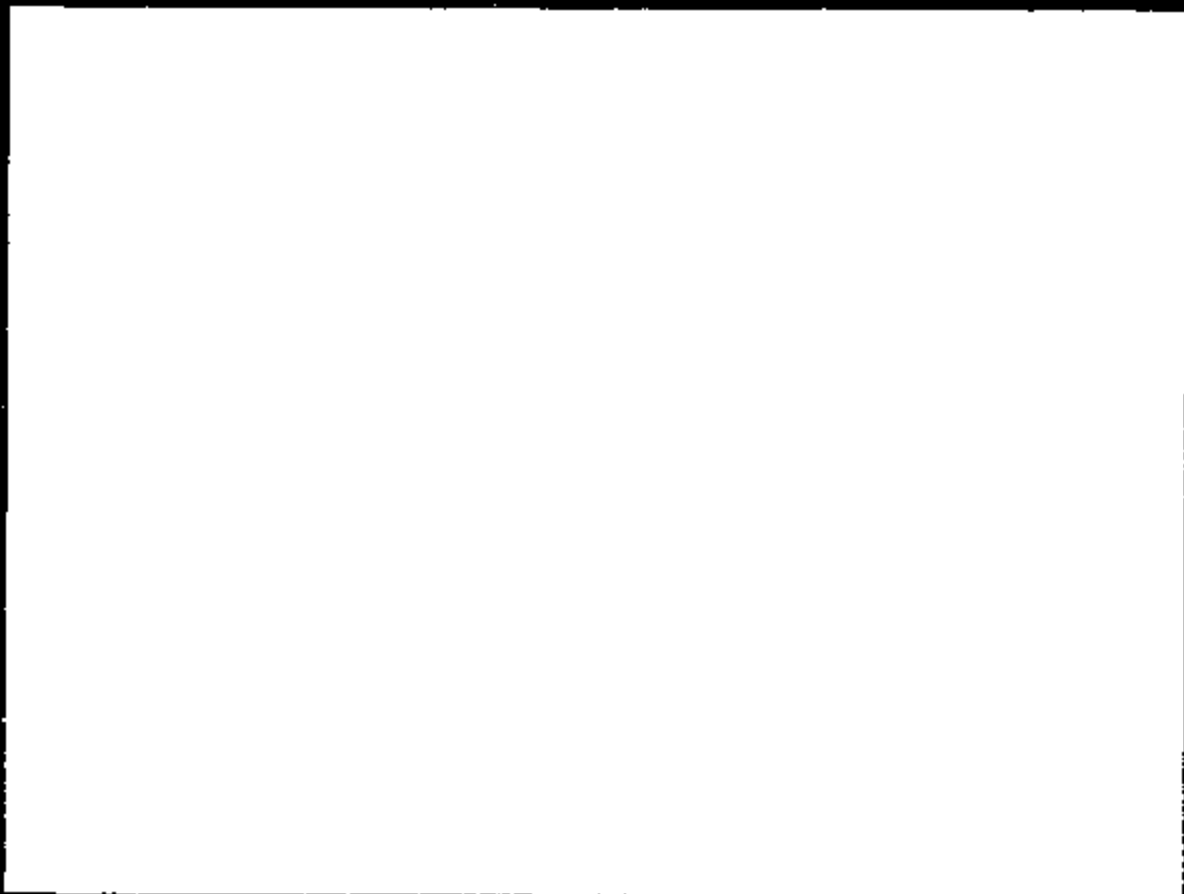


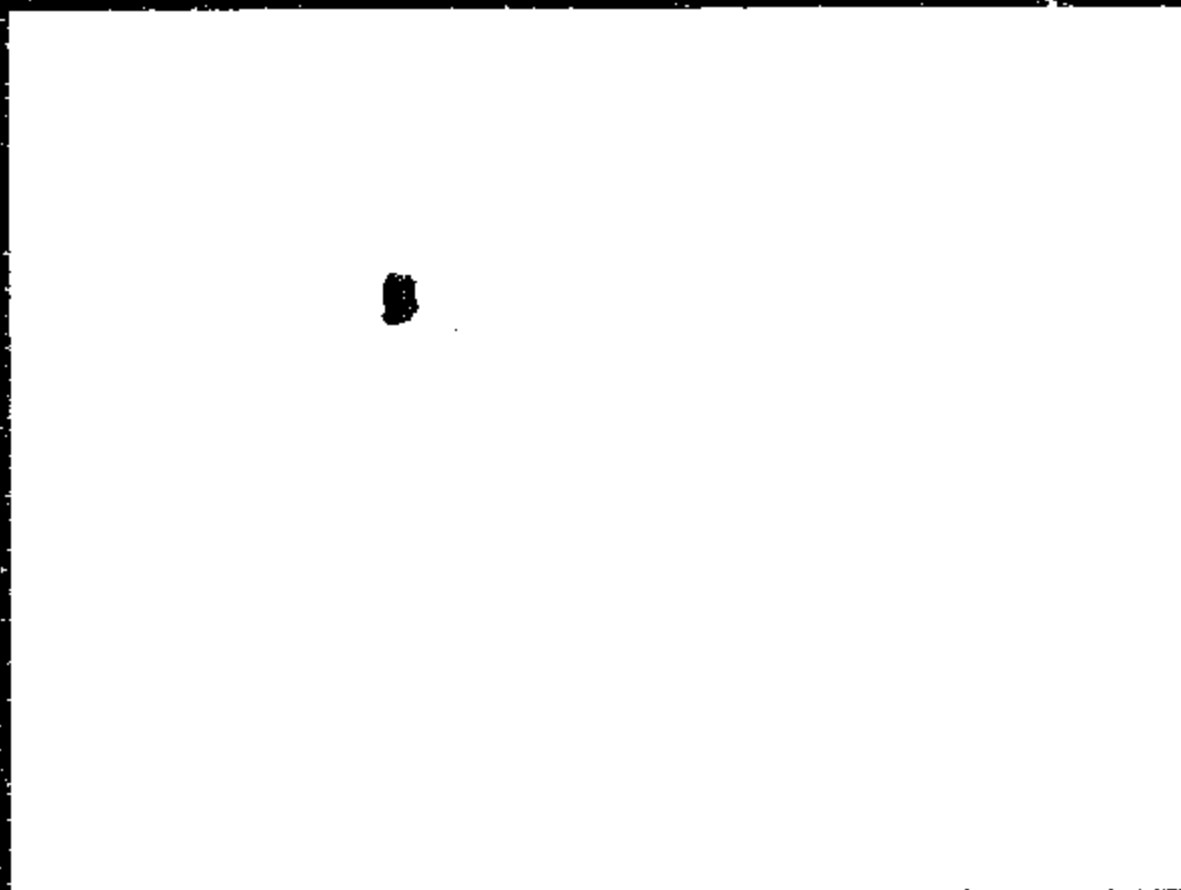
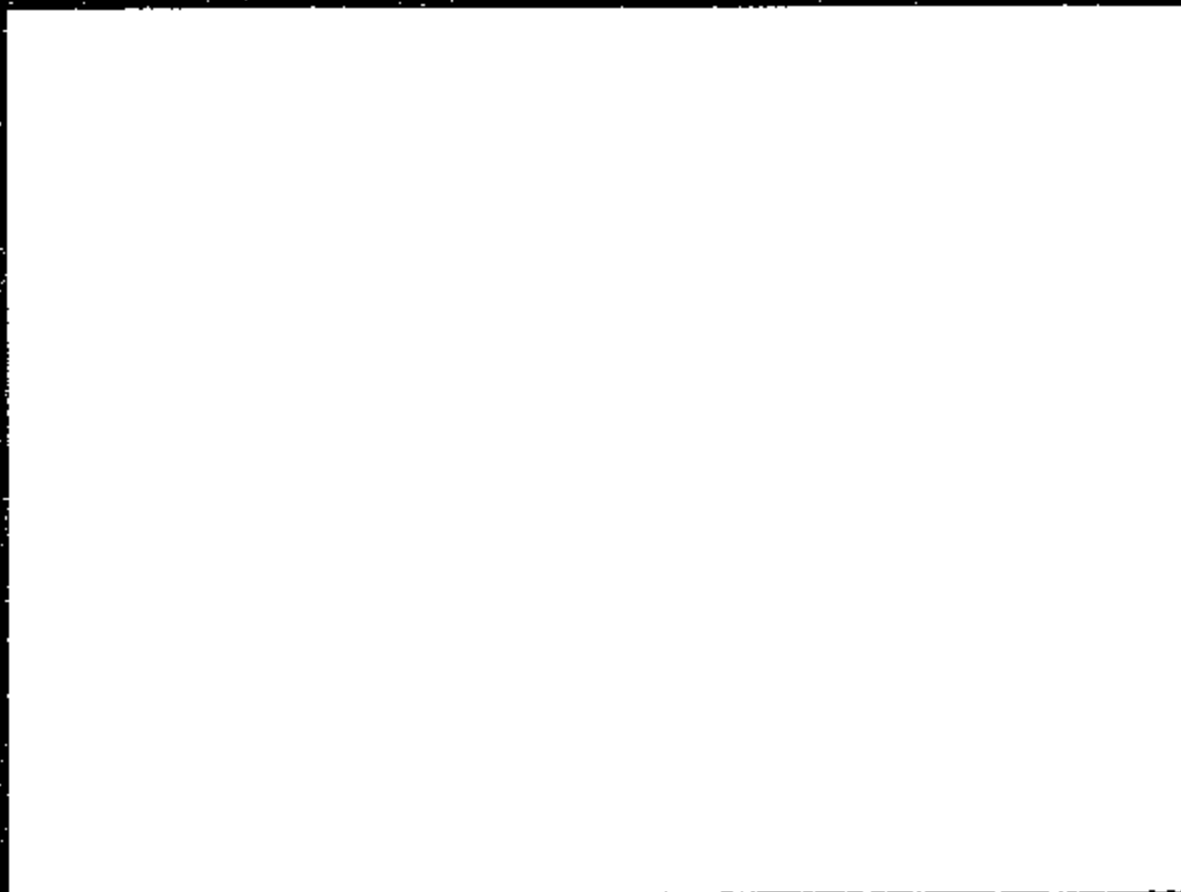


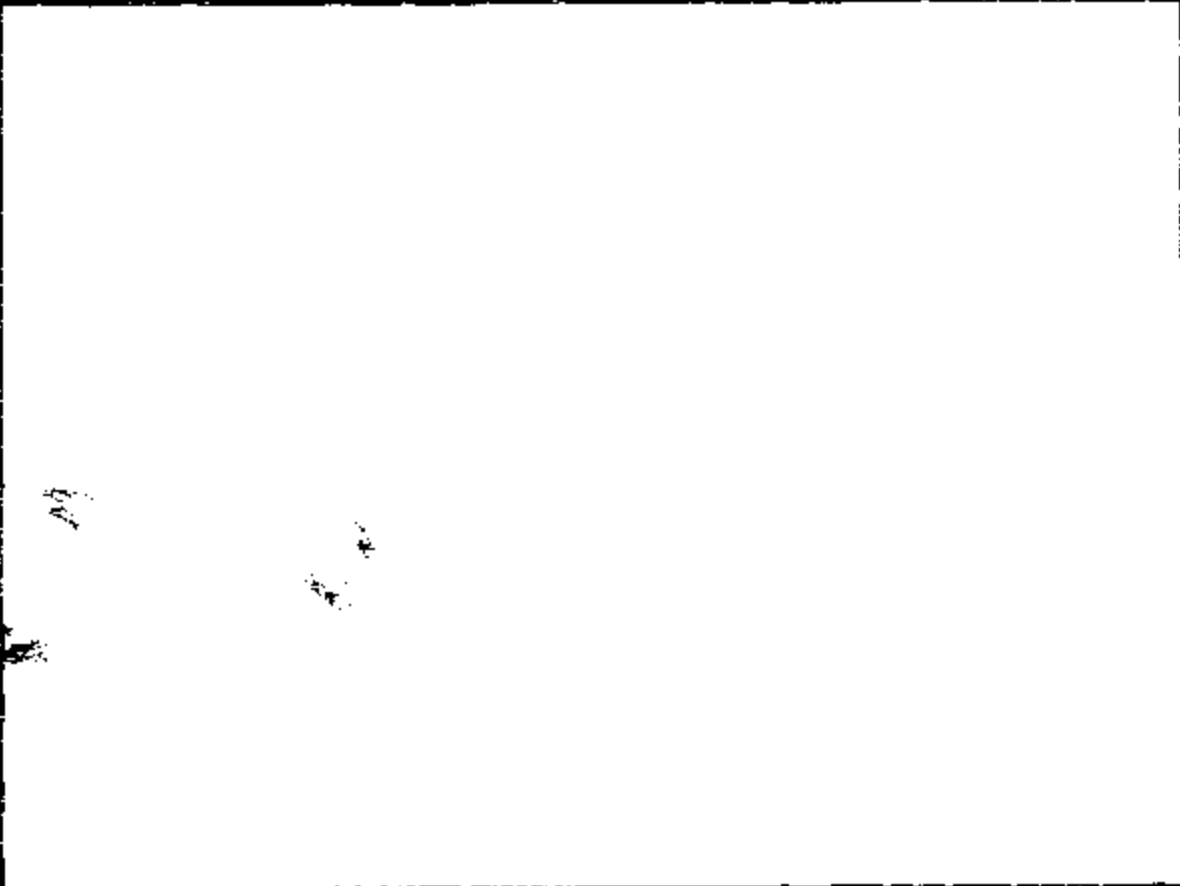
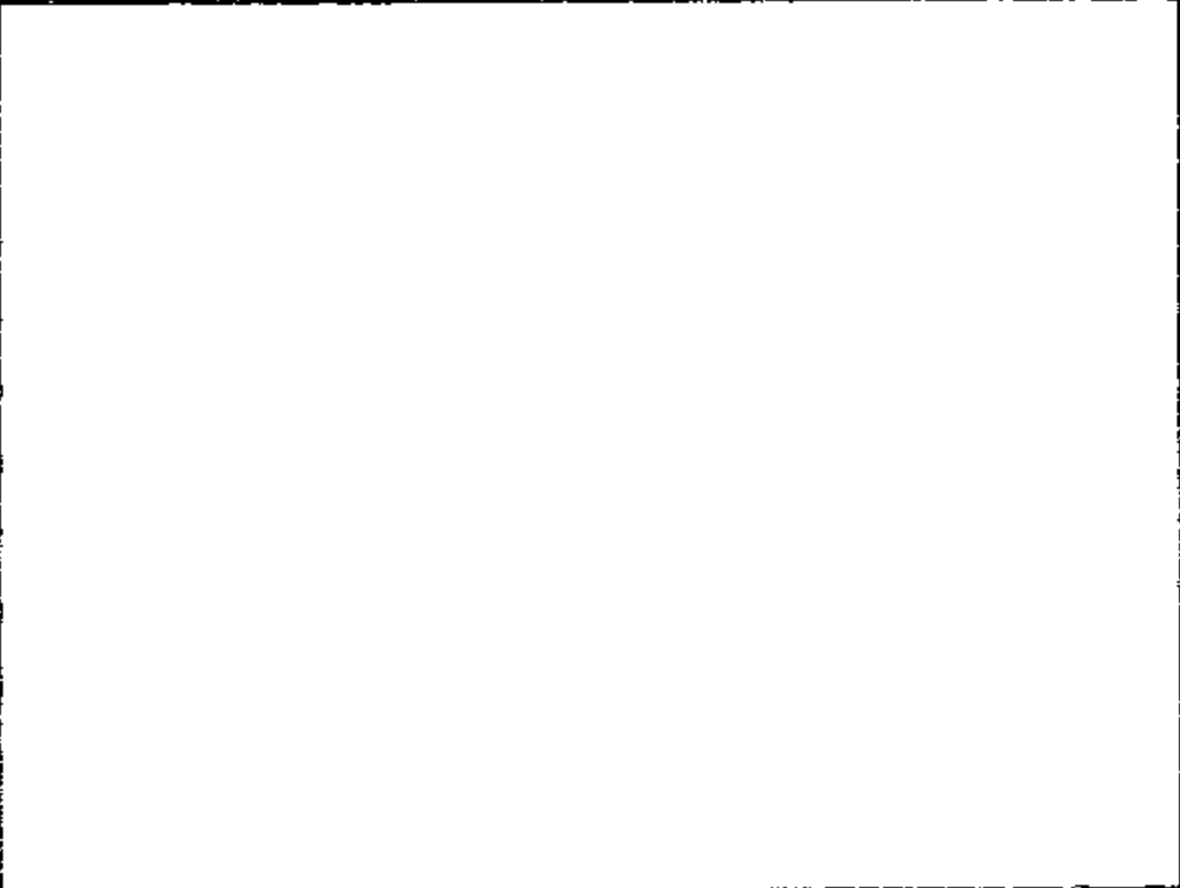


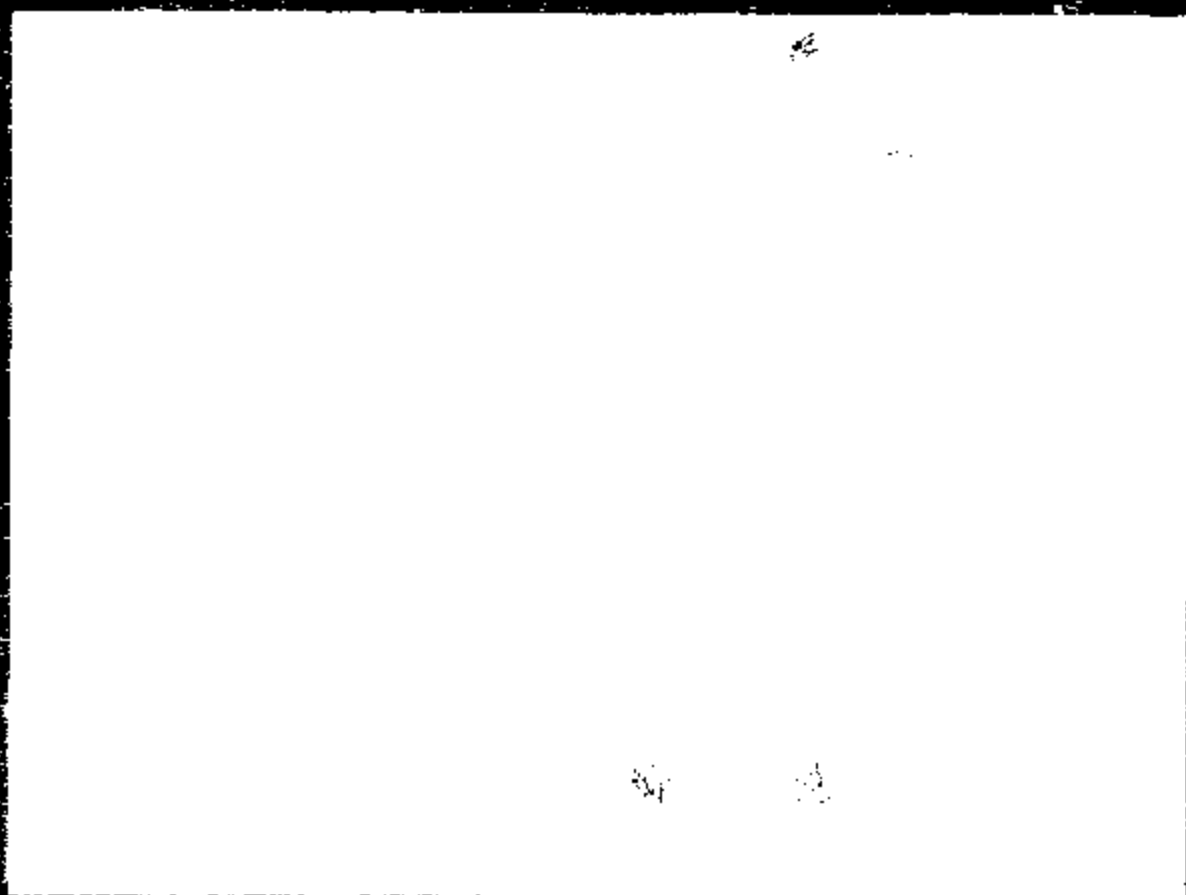
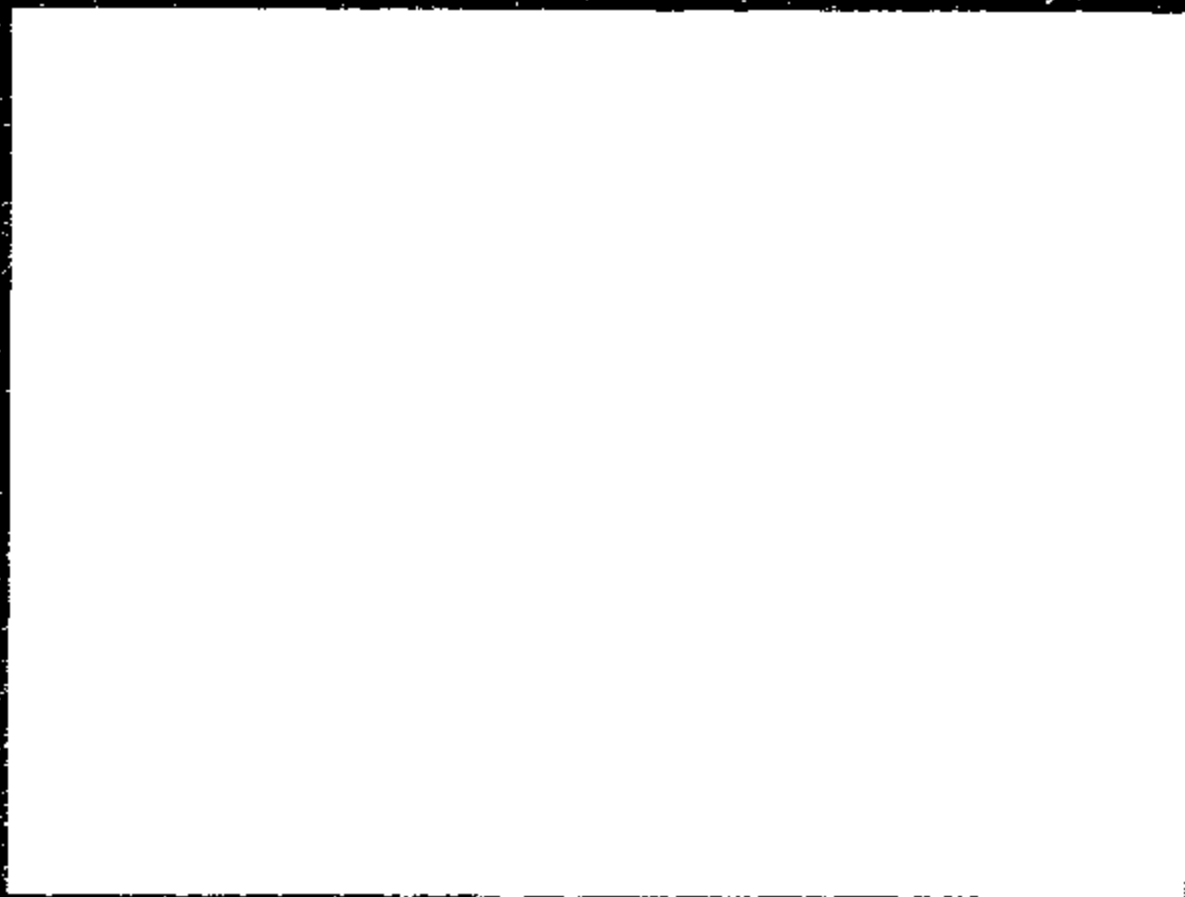


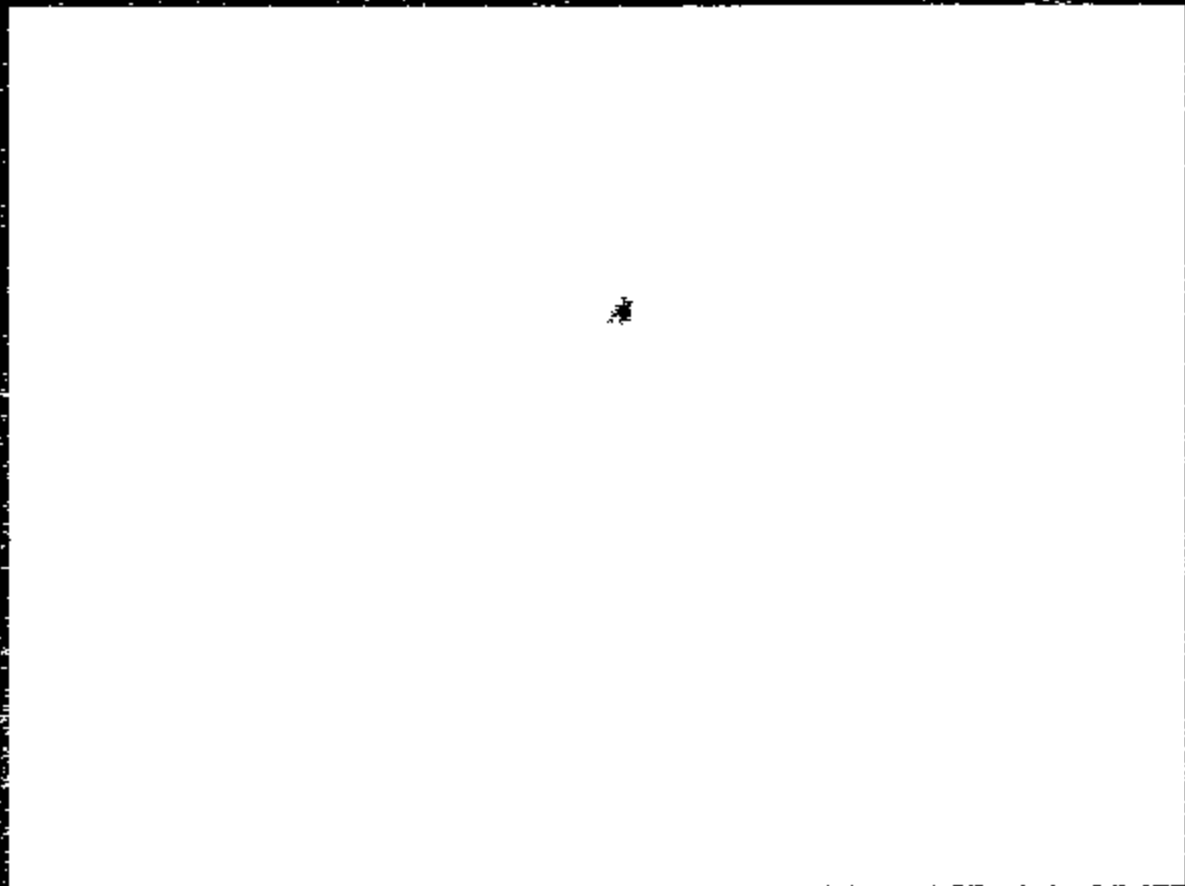
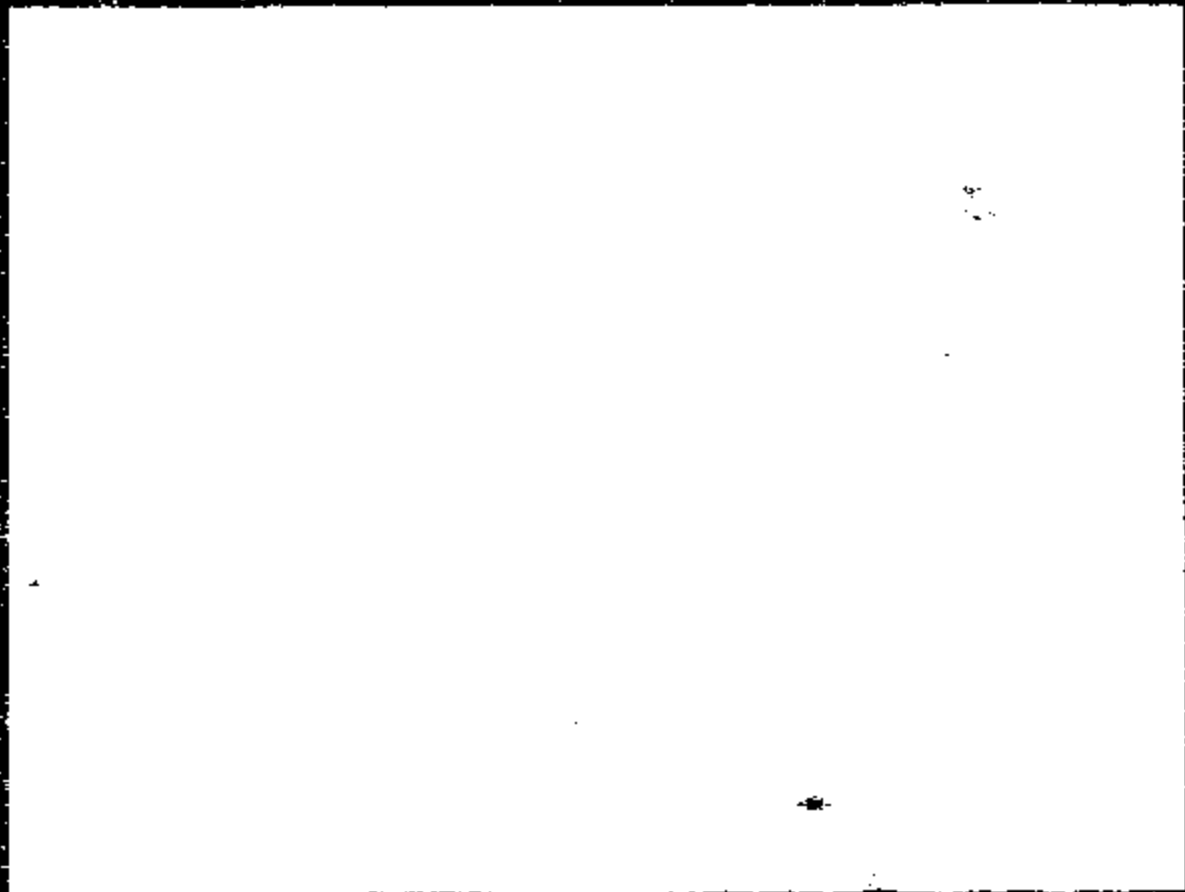


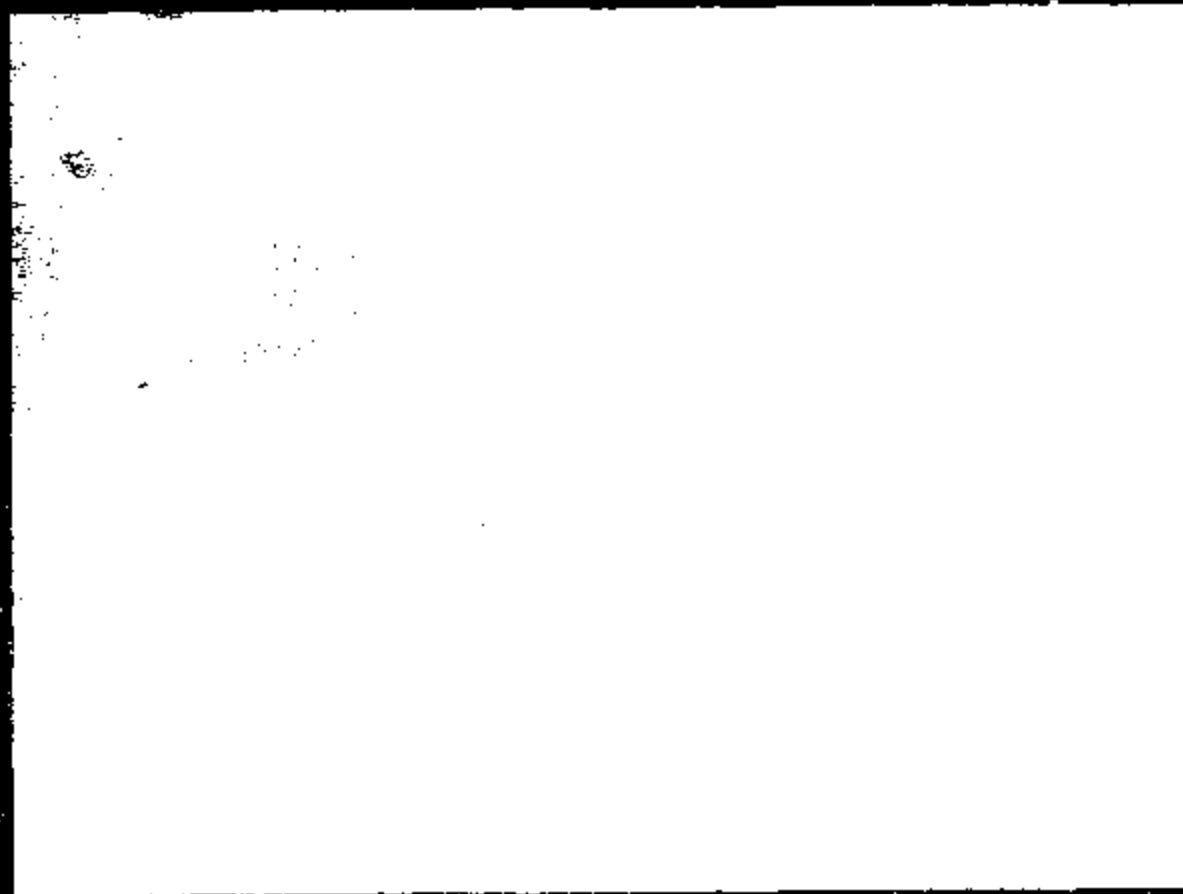
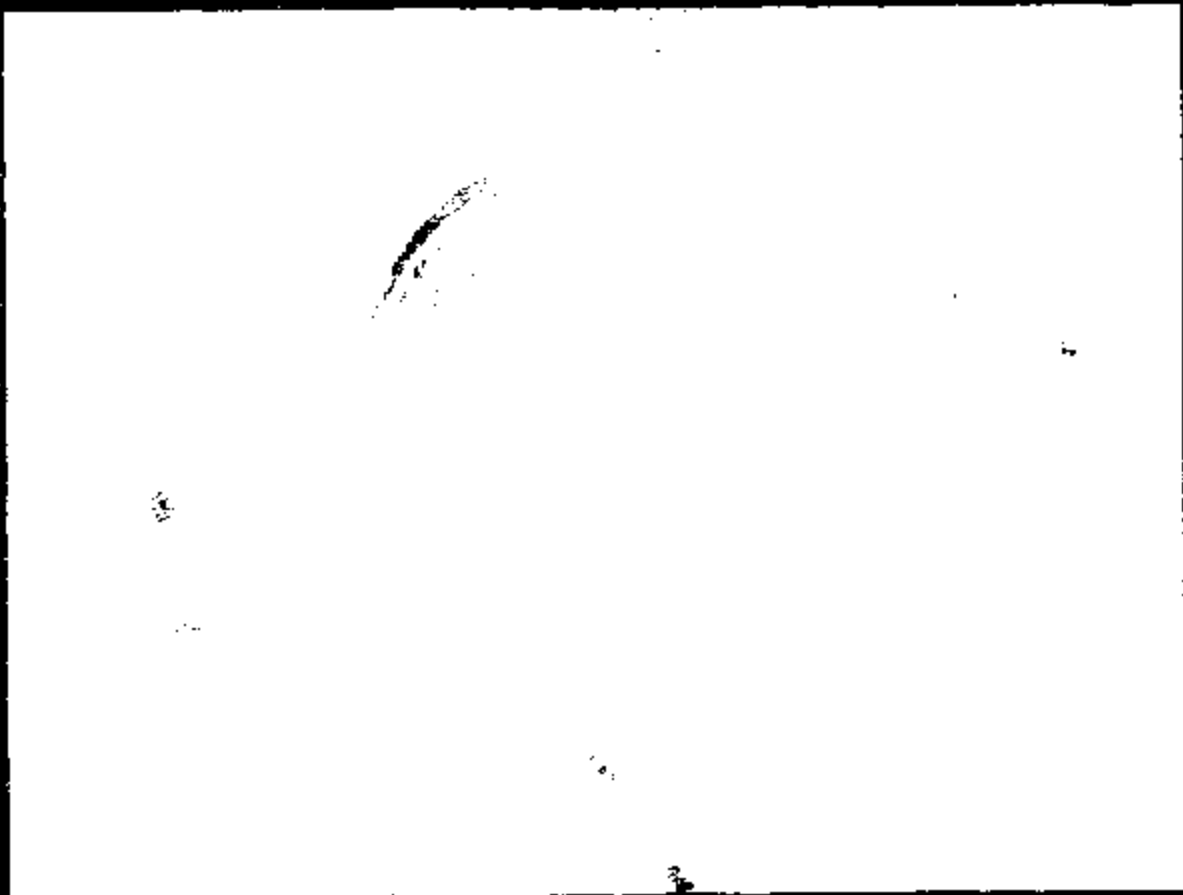


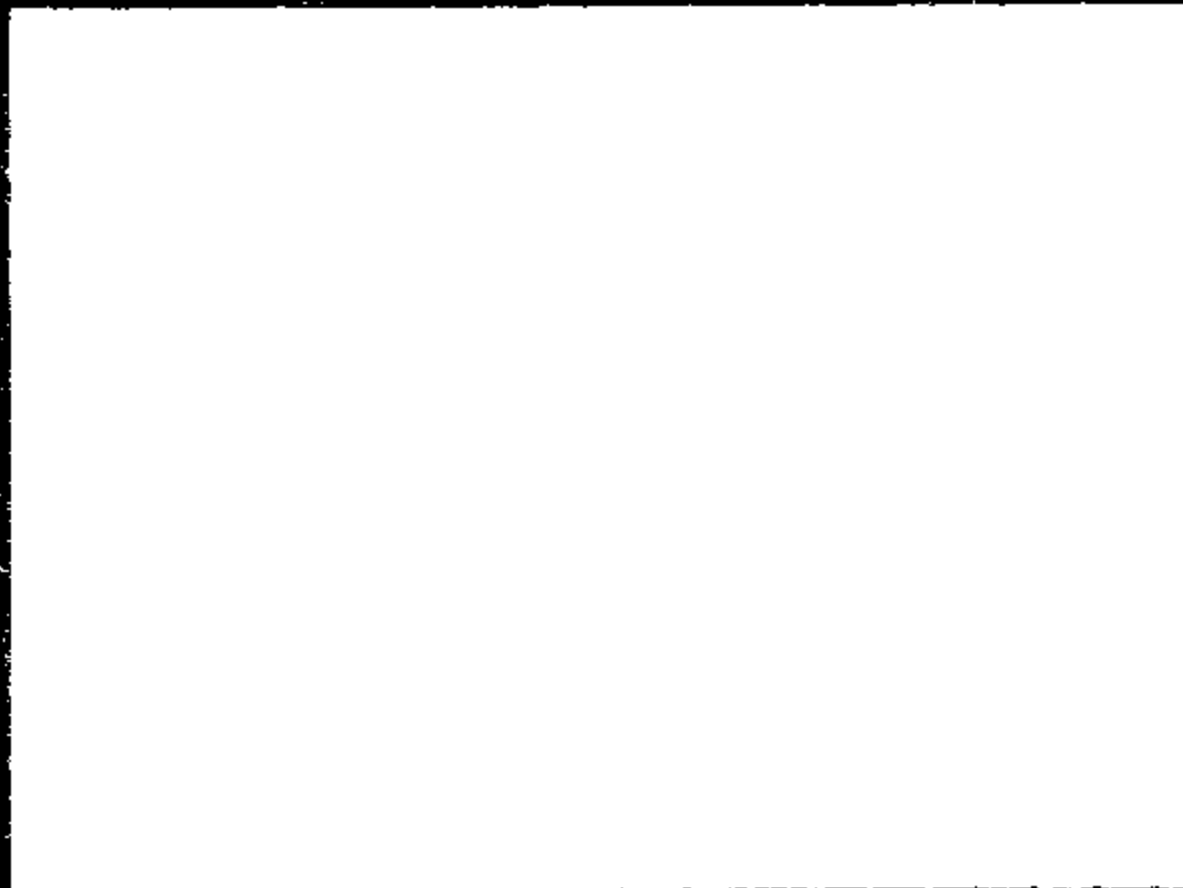


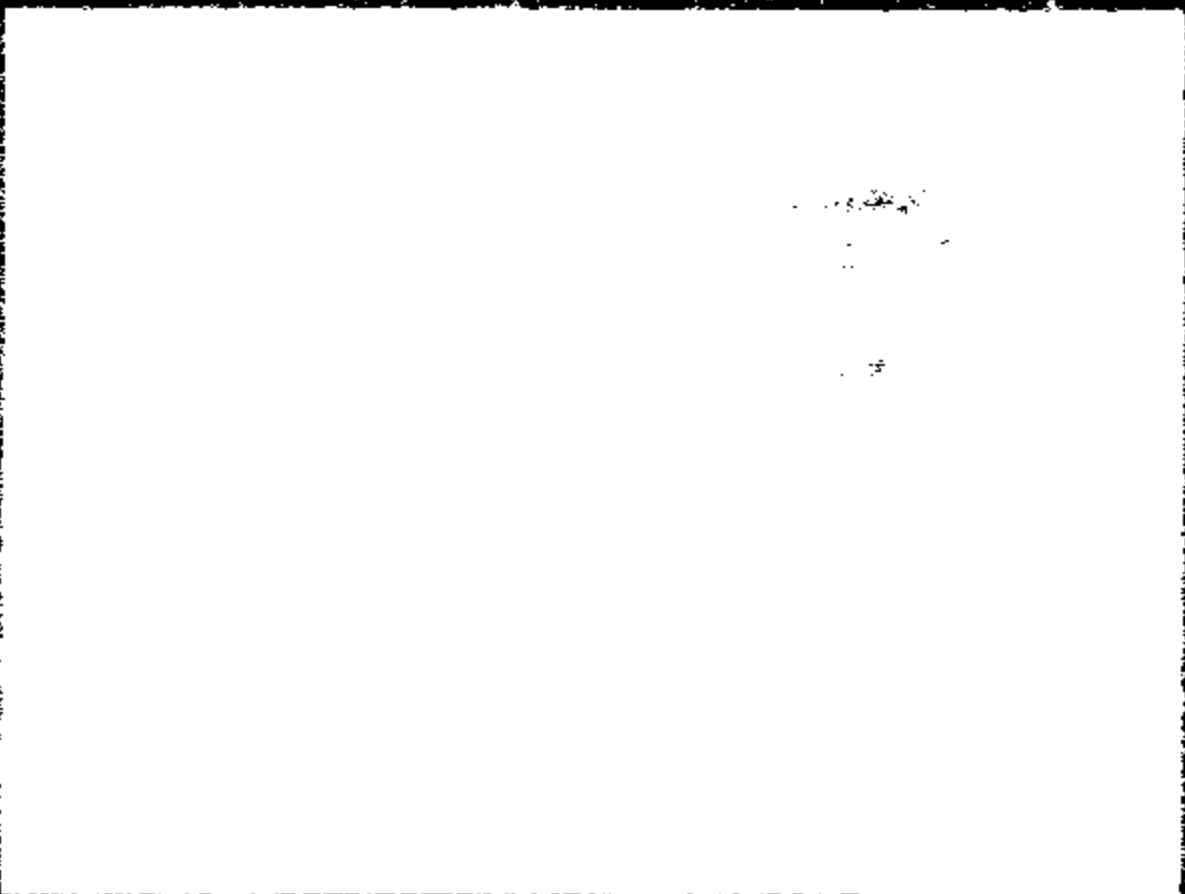
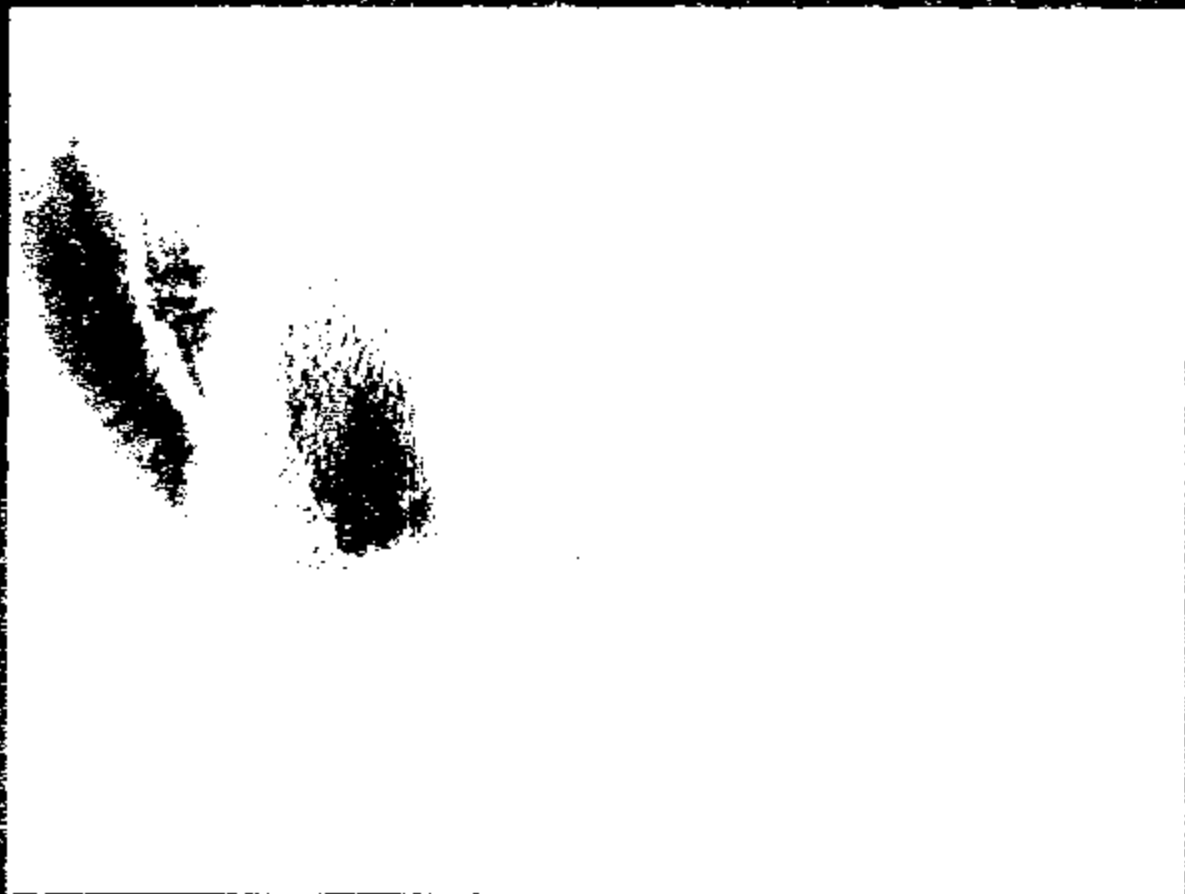


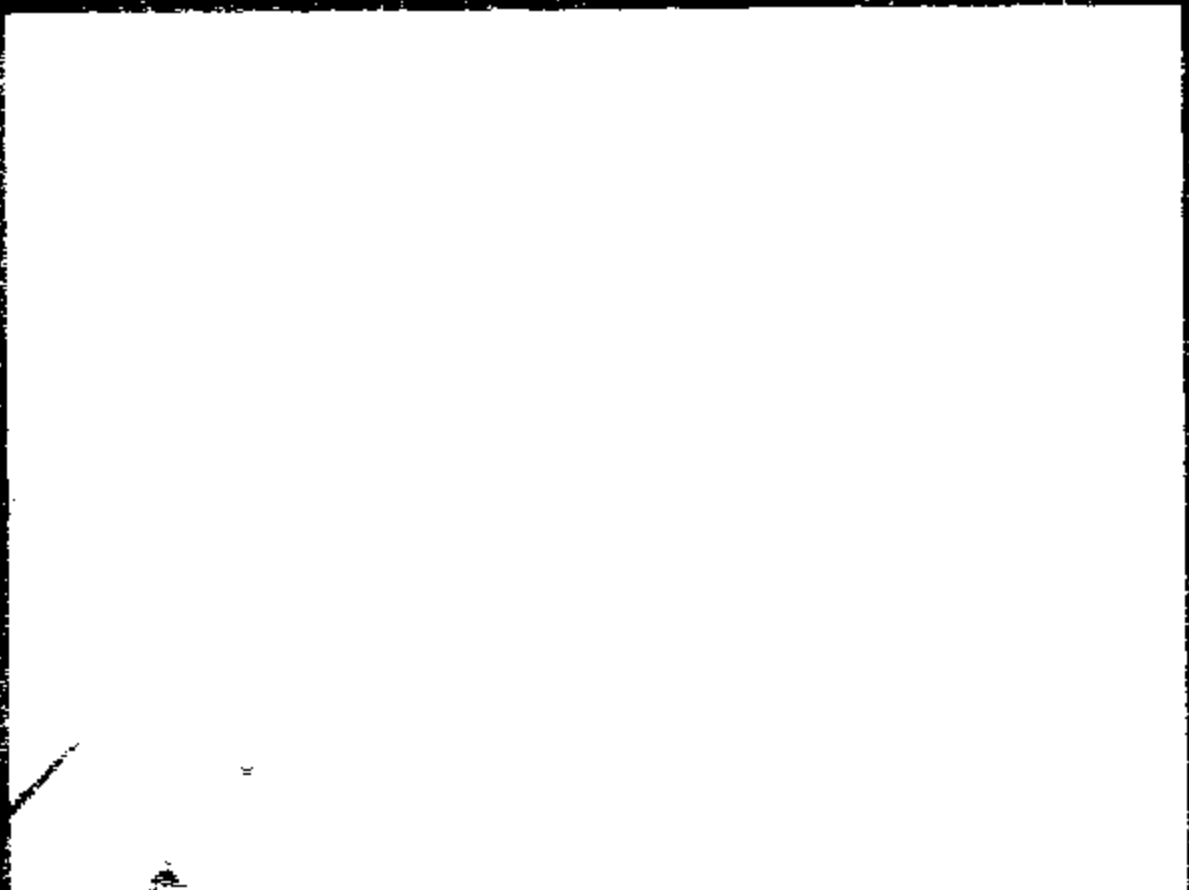




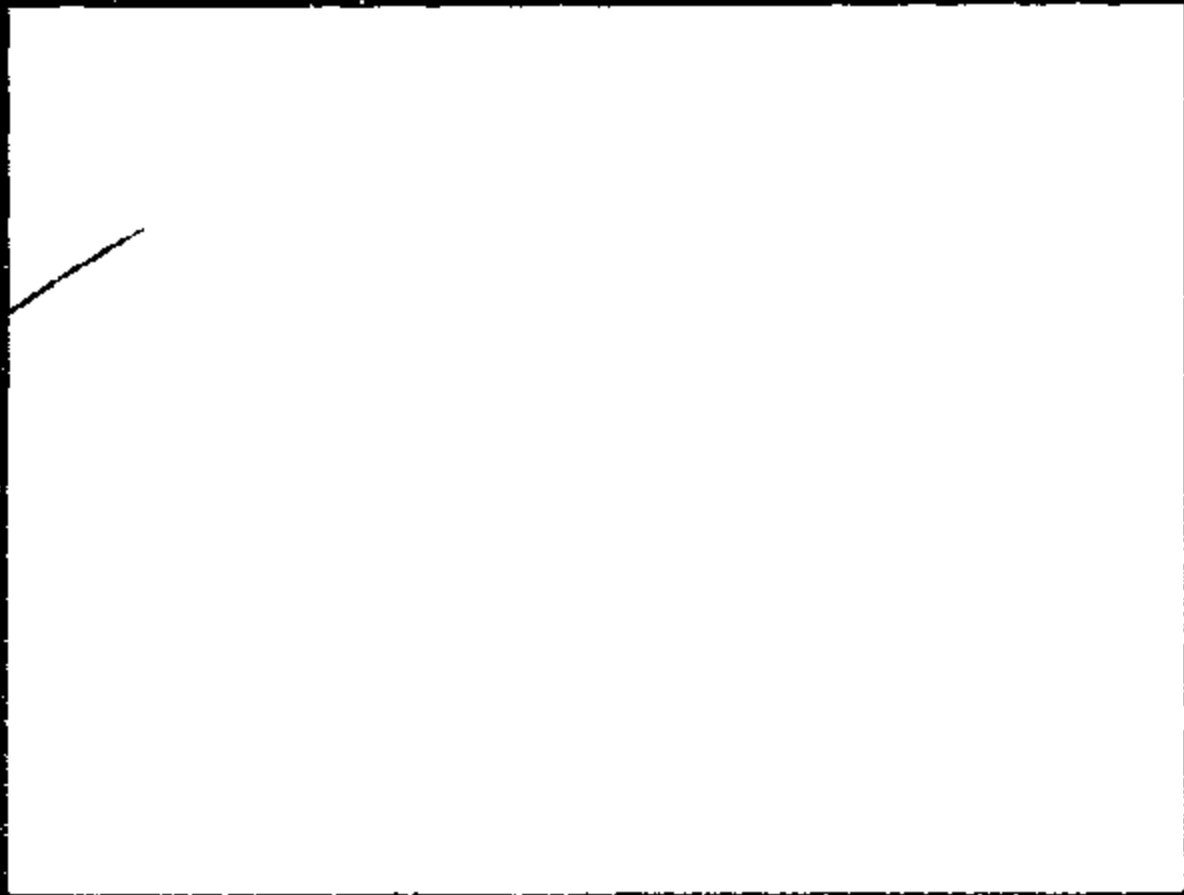


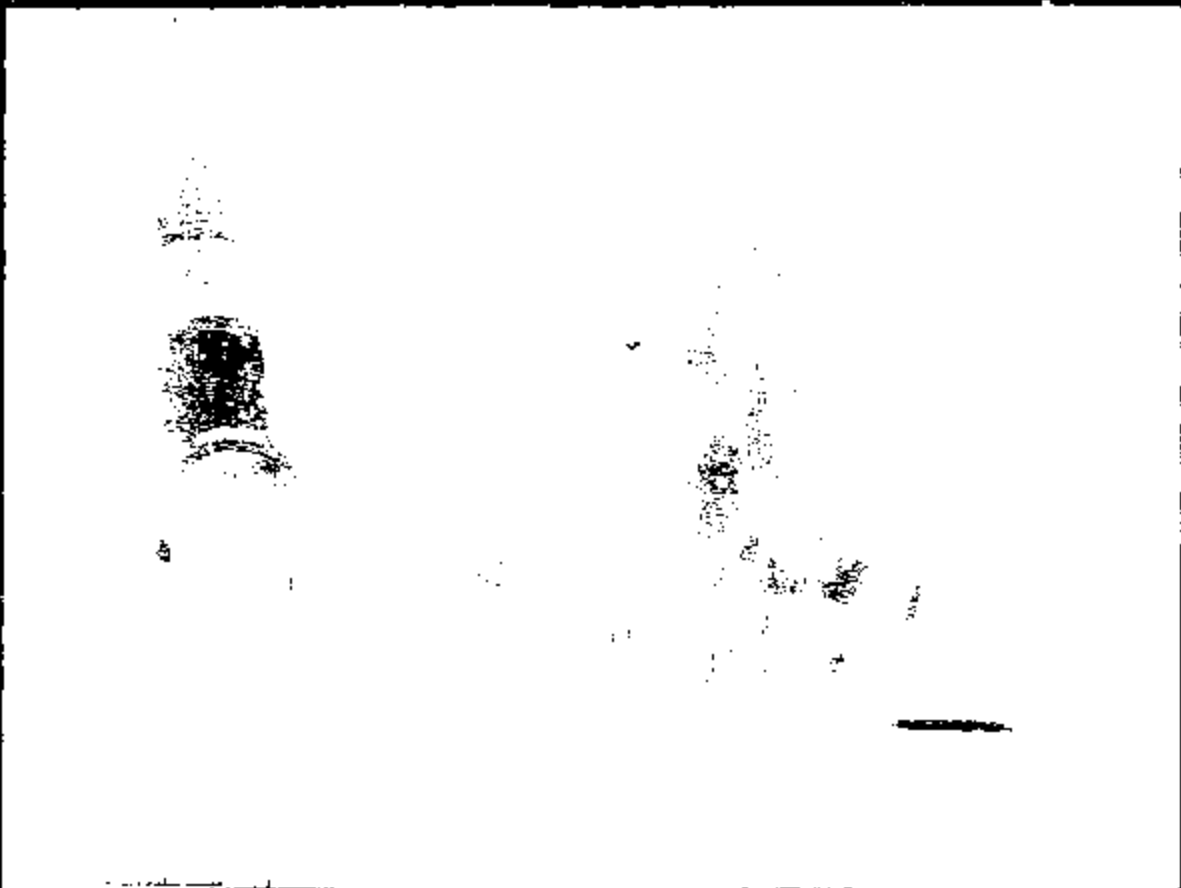
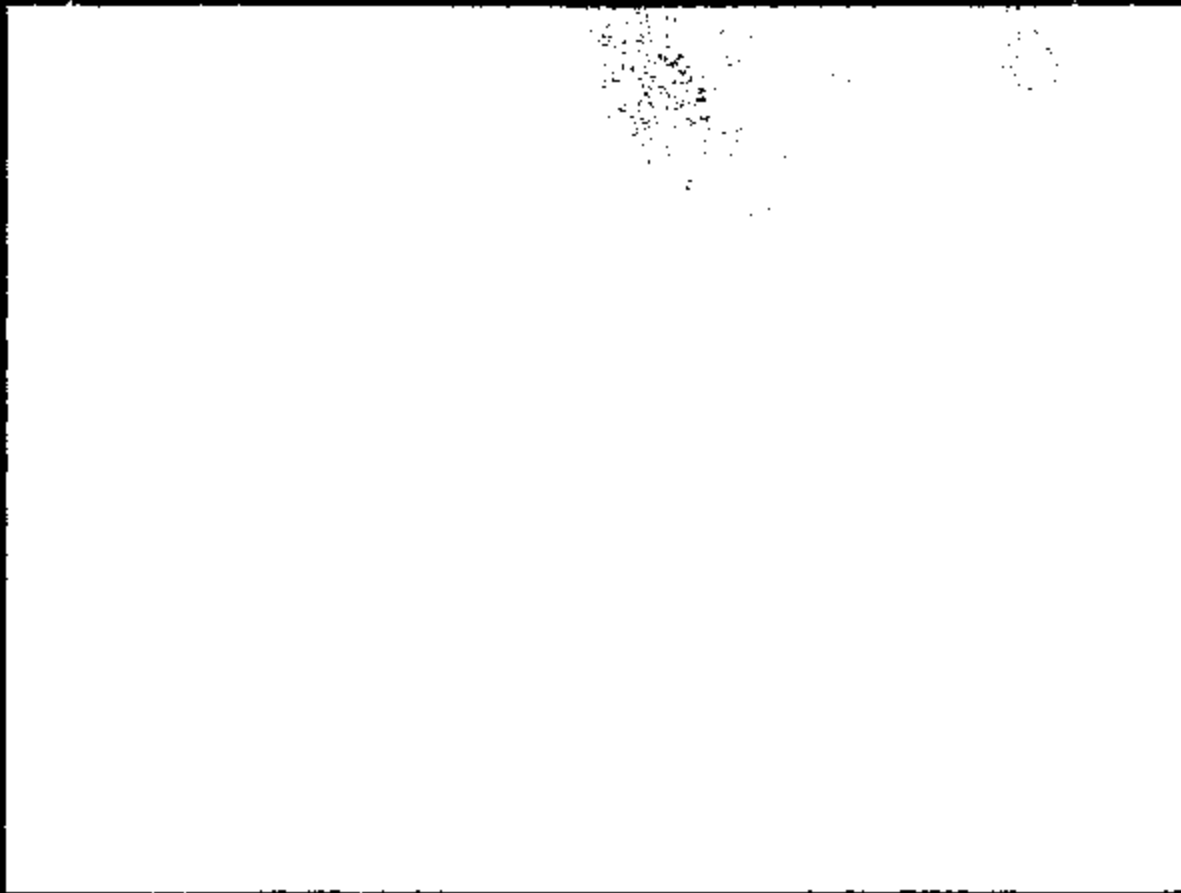


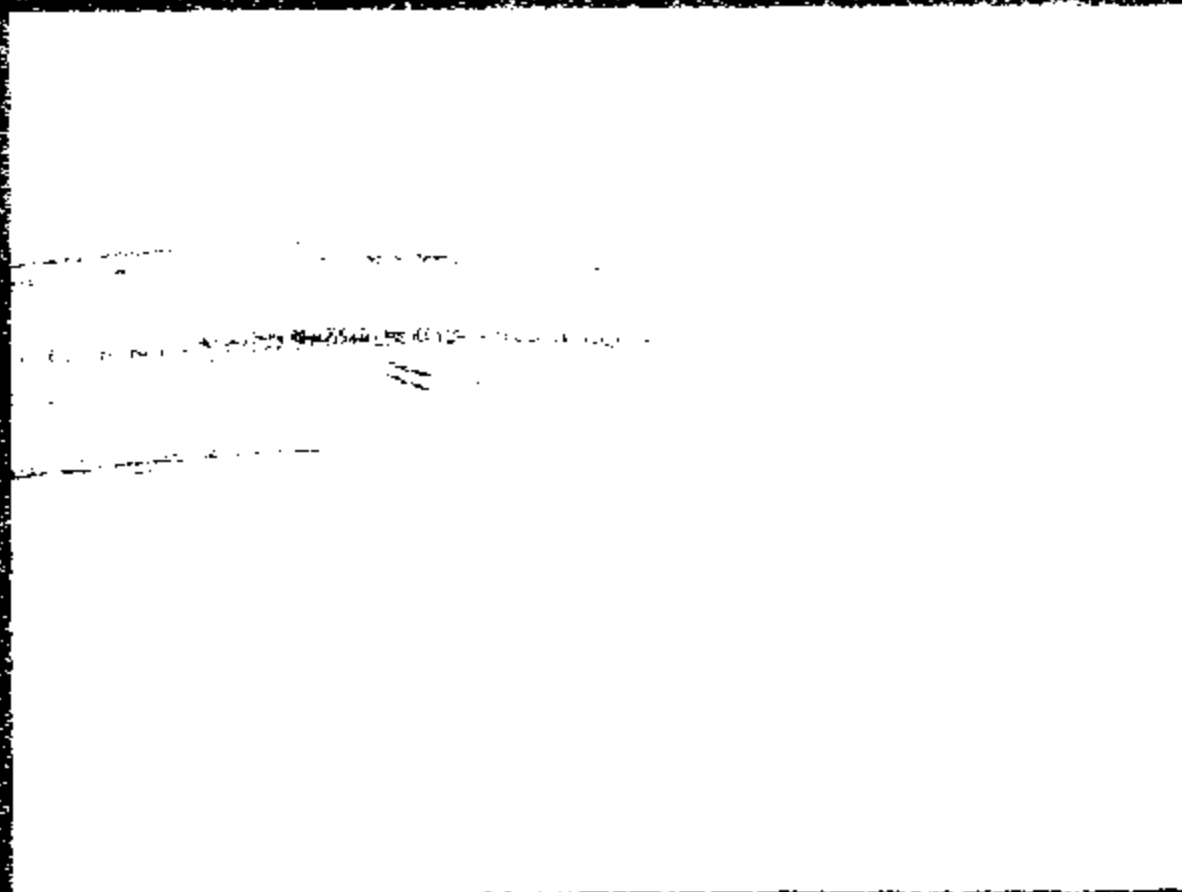


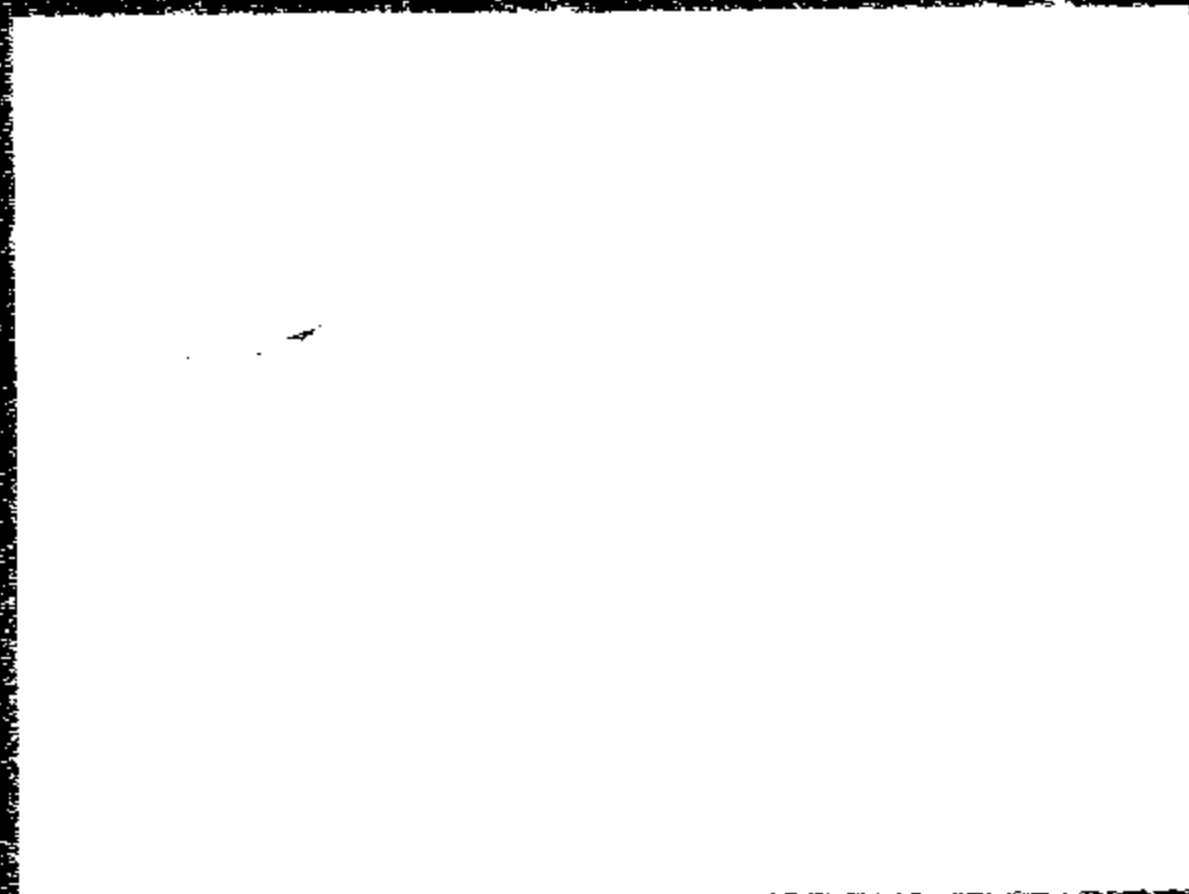
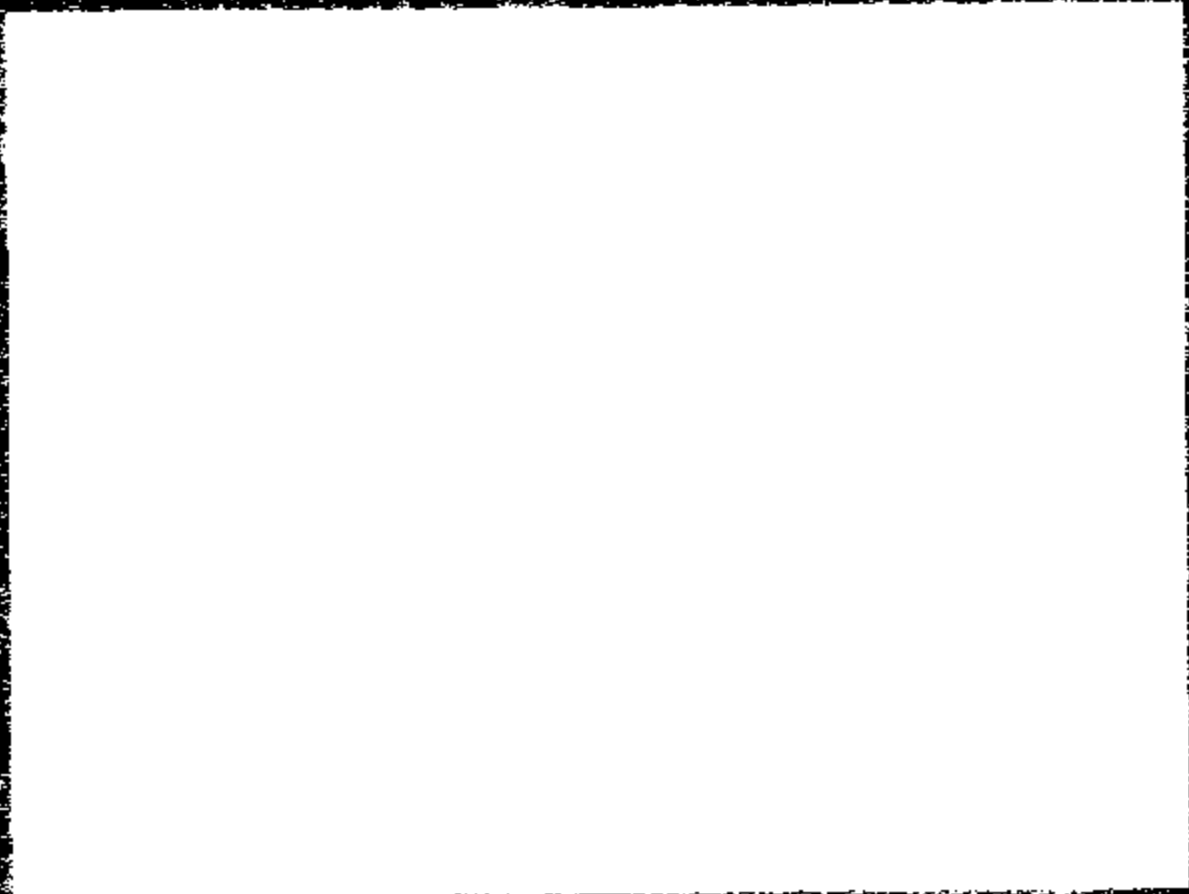


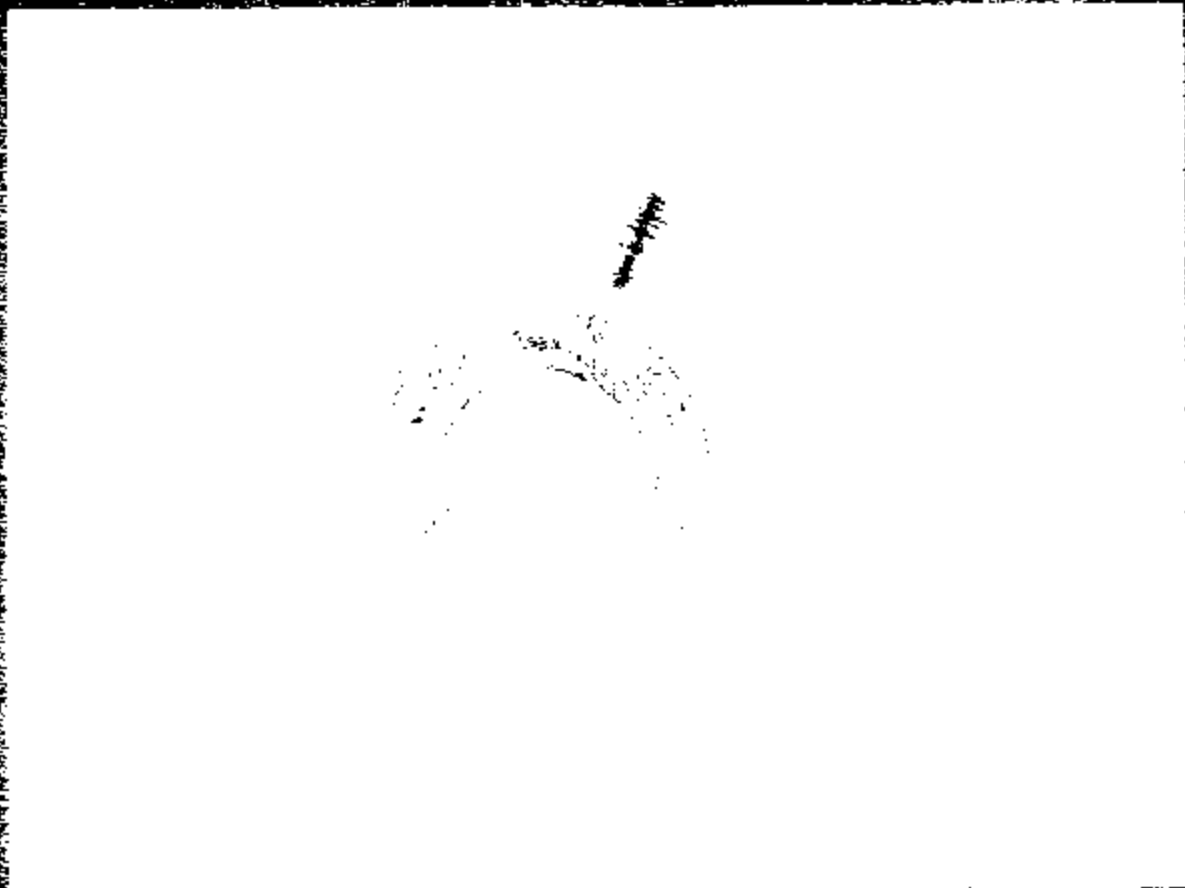


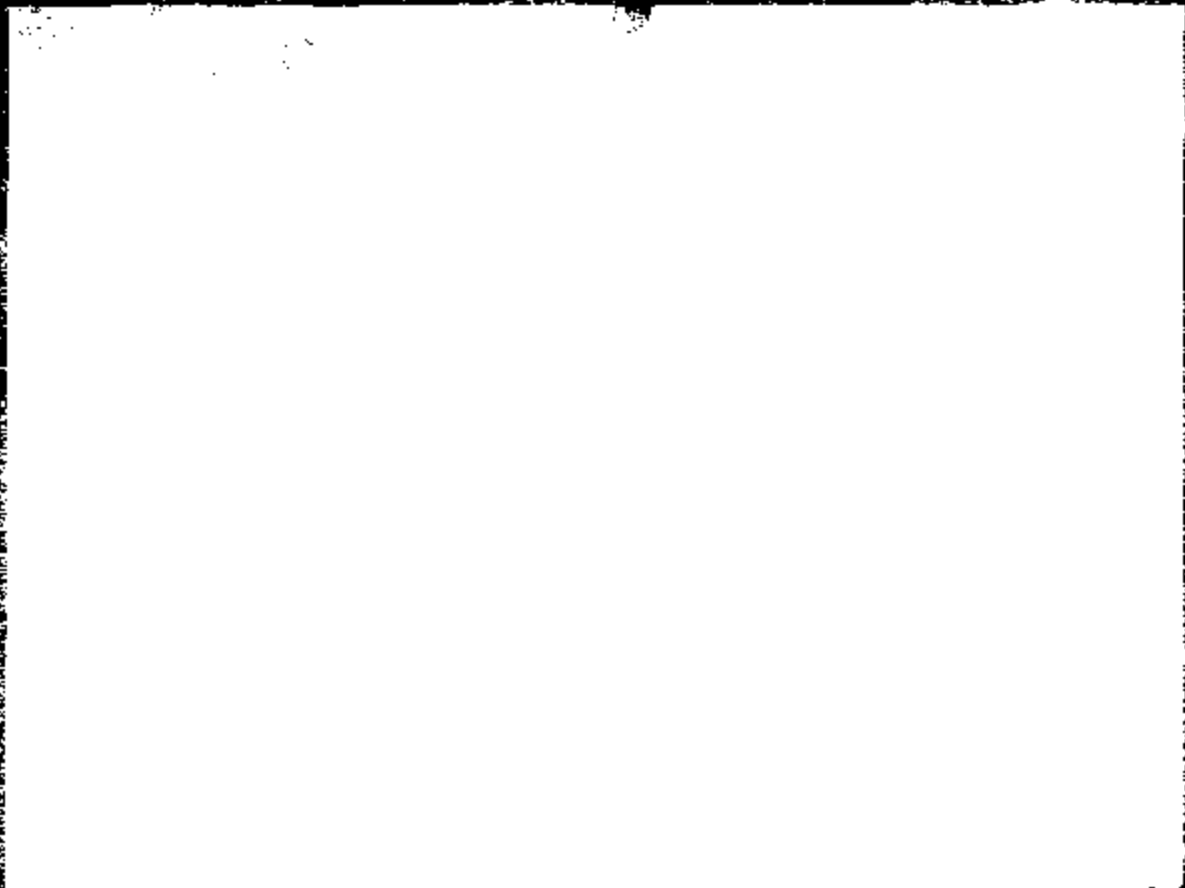
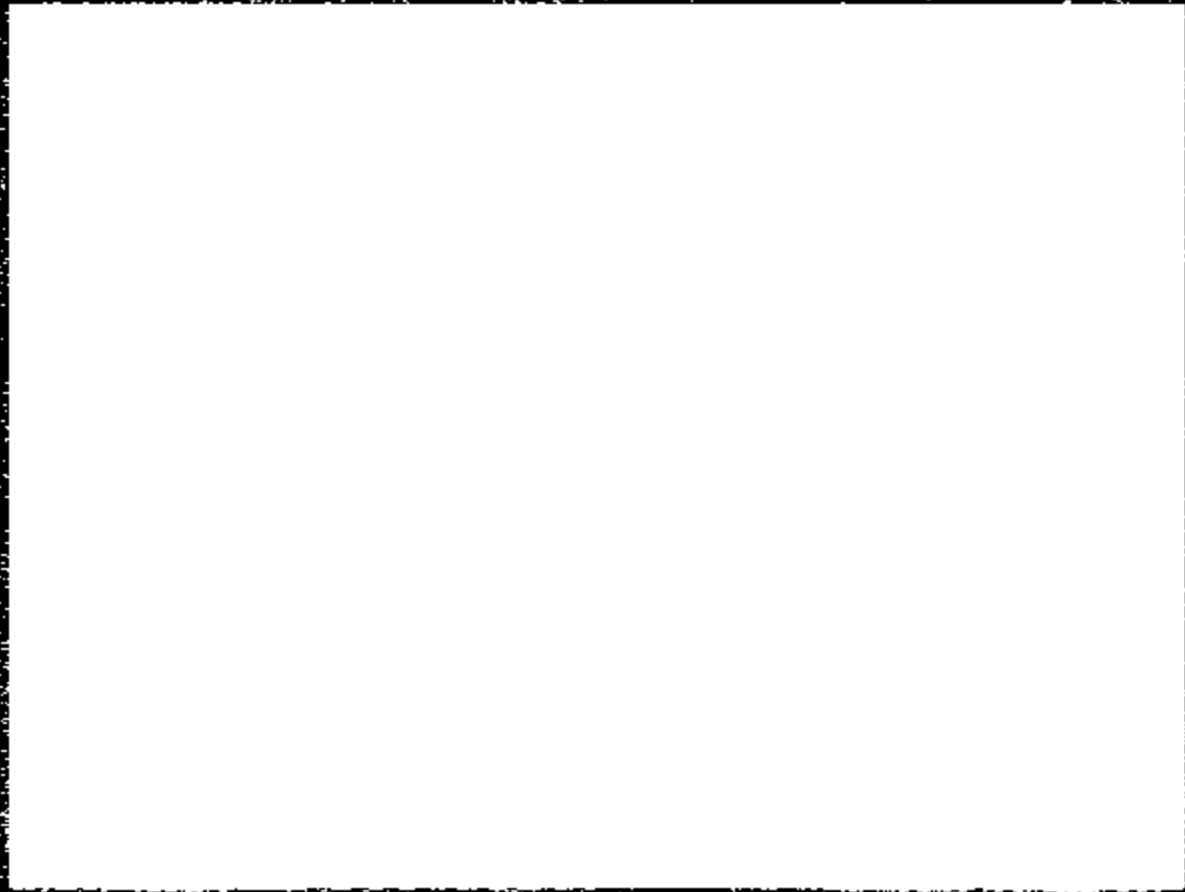












ID No. PL-13673-16789404

Case Report - 200204040635

Customer/Caller Summary:

Customer Name/Address:

Houston, TX

Caller Phone:

Caller Alt. Phone:

cell

Case Summary:

Case Title: Product: PCRP; Axles; Drivelins; Broken
 Case Type: General
 Contact Method: Phone
 Cust Attitude: Concerned
 Coding Type: Complaint
 Category: Product
 Problem Area: PCRP
 Component: Axles; Drivelins
 Condition: Broken
 VIN: 5TARF341818 [REDACTED]
 Defu: 04/10/01
 Current Miles: 20000
 Incident Miles: 20000
 Model Year: 2001
 Model Name: Tundra
 Region: GST
 District: 1
 Dealer 1: Jay Marks Toyota, 42271
 Selling Dealer: Jay Marks Toyota, 42271

Case History:

Customer seeks: explanation of cause of accident
 CAC Stated: Mex spol & adv. cust will be contacted w/in 3 bus days to arrange for inspection

*** PHONE LOG 04/04/2002 10:41:47 AM NWilson

===PCRP===

Cust (Umbelina--wife) sts on 3/17/02 cust was involved in accident in Mexico while driving alone. Cust sts steering wheel was not responding to directions. Cust sts veh rolled several times & veh is totaled. Cust sts was wearing seat belt. Sts no other vehs were involved. Cust sts front wheel axle is broken in several places & fls may have caused accident. Veh was towed to US.
 LEGAL REQUESTS FIELD CONTACT REPORT WITH MANY INTERIOR AND EXTERIOR PHOTOS

*** NOTES 04/04/2002 10:43:30 AM NWilson

NEXT REF: add veh location to notes

*** NOTES 04/04/2002 10:55:57 AM JSlayton

Cus o/b w/ veh location: Alamo Salvage, [REDACTED] address unknown. NCR adv will update case, adv will send to region, contact 3 bus days.

*** NOTES 04/04/02 11:43:06 AM gnt3

clid: "alamo salvage" to determine location of veh. company is not clid alamo salvage but it is Copart Salvage / 143 E. Frontage Rd / Alamo, Tx. [REDACTED] hrs: 8-5 PM [REDACTED] veh location is lot # 2456672. Copart stated Farmer's ins must call ahead to give permission for an its to insp. [REDACTED] claim [REDACTED] Adjuster-Jerry Canales 6956-585-9132

*** NOTES 04/09/02 06:59:39 AM gnt3

clid adj again-never recd call back from my call on 4/4. l/w voice mail again.

*** NOTES 04/10/2002 01:57:58 PM CHouck

cust called back sts has not heard from region yet. cust sts is frustrated and sts that if not contacted by tomorrow at noon, she will be contacting a lawyer. cust sts she'd like to be notified of what's going on. ncr spol and adv cust that she should have been contacted by now. ncr called GSTJ Donna Martin and left voice message for follow up with cust. ncr adv cust left message and that she should be expecting a call.

*** NOTES 04/16/02 12:50:56 PM gnt3

sp/w/cust at alt# (no one speaks english at day#); cust sts has mailed letter & photos to tms legal. adv we don't have copies of that. adv cust fpe will insp wed 4/16 at salvage yard in alamo tx. told cust i

should have report next week & will cont her then w/results.

*** NOTES 04/25/2002 08:49:47 AM Clea
cus c/b aks status on case. ncr spol, adv notes on file. cus sts expected a call monday 4/22/02 from region. ncr spol, adv will f/u on cus behalf with get3 region. ncr contacted get3 donna martin at 713-580-3324 to contact cus at call # on file.

*** NOTES 04/25/02 02:30:53 PM get3
sp/w/cust & apologized for delay. my fpe did insp veh however he has not yet provided me w/a report. he left for vacation today & will be out part of next week too. cust stated ins ce wants to settle & she was waiting on our findings. adv since we've made our insp she may settle w/ins co-no need to wait on us-we will not need to look at veh again. adv i will cont her as soon as i have a report. also told her i felt the fpe prob didn't find a major prob otherwise i feel>

*** NOTES 04/25/02 02:31:22 PM get3
>he would've notified me before he left on vacation. provided cust w/my #.

*** CASE CLOSE 05/10/02 12:14:21 PM get3
fpe insp veh at copart salvage in alamo tx. no manufacturing defect found. reg cont cust by phone. cust is not satisfied w/our response. cust feels steering failed/broke before she flipped vehicle. adv cust i would forward our report to the legal for their response to cust in writing. cust may have truck insp by an indep as she feels our report not accurate.

Activity Summary:

Activity	Date/Time	Originator	Additional Information
Notes	04/25/02 08:49:47 AM	Clea	Log notes.
Notes	04/25/02 02:30:53 PM	get3	Log notes.
Notes	04/25/02 02:31:22 PM	get3	Log notes.
Notes	04/16/02 12:50:58 PM	get3	Log notes.
Case Close	05/10/02 12:14:21 PM	get3	Status = Closed, Resolution Code = Full, State = Open.
Create	04/04/02 10:35:32 AM	Wilson	Contact = Juan Prieto, Priority = Customer, Status = Action CAC.
Modify	04/04/02 10:41:47 AM	Wilson	into WIP default and Status of Action CAC.
Phone Log	04/04/02 10:41:47 AM	Wilson	Start = 04/04/2002 10:35:32 AM, End = 04/04/2002 10:41:47 AM, Contact = Juan Prieto.
Notes	04/04/02 10:43:30 AM	Wilson	Log notes.
Dispatch	04/04/02 10:43:34 AM	Wilson	Action Region to GST
Chg Status	04/04/02 10:43:35 AM	Wilson	Case sent to region; GST
Yanked	04/04/02 10:54:52 AM	Jslayton	Case grabbed from Wilson to Jslayton's default Nipkin.
Chg Status	04/04/02 10:56:52 AM	Jslayton	Case yanked
Notes	04/04/02 10:56:56 AM	Jslayton	Log notes.
Modify	04/04/02 10:56:57 AM	Jslayton	into WIP default and Status of Action CAC.
Dispatch	04/04/02 10:56:58 AM	Jslayton	Action Region.
Chg Status	04/04/02 10:56:59 AM	Jslayton	Case sent to region; GST
Notes	04/04/02 11:43:04 AM	get3	Log notes.
Notes	04/09/02 05:59:39 AM	get3	Log notes.
Accept	04/09/02 12:58:50 PM	get3	from Queue GST to WIP PCR/PIR.
Notes	04/10/02 01:57:57 PM	CBouck	Log notes.

JR

April 5, 2002.

Reference No. 200204040635

Dear Sir or Madam:

As per a conversation with a Toyota representative, I am hereby contacting you to provide you with the details of an accident suffered on March 17, 2002.

For the past 17 years I have always had a Toyota vehicle, starting with a used 1975 Toyota Corona, which had a 20R engine. For my wife and I Toyota has been a trademark of excellence, especially when it came to safety and durability. This letter, however, is one of concern for that very safety standard, which has made Toyota our vehicle of choice.

On March 17, 2001 while visiting my mother-in-law on a border town near McAllen, Texas, my wife suffered a terrible accident while driving my 2001 Toyota Thundra. To this day she believes that something happened to the front end of the truck as she recalls that the steering wheel would not respond, and as a result she drove into a deep ditch, causing the truck to roll over several times. I thank God and Toyota for the fact that the cabin of the pick up did not collapse and also the good judgment of my wife for wearing her safety belt. The accident caused the truck to be totaled. My wife was fortunate enough to survive the accident without suffering any major injuries, physically speaking, although she has complained of physical back pain. Psychologically speaking, she is still in shock.

Since I wasn't with my wife during at the time of the accident, she took pictures primarily because one of the wheels broke off completely. We would like (if possible) for your experts to give us some sort of explanation of what would make the wheel brake off the way it did. Our concern is based on the fact that this type of failure seems uncommon or rare.

Attached you will find said pictures, please remember that my wife is not a professional photographer and she was shocked by the accident when she took them. Therefore, the pictures may not be as clear as you would want them to be, prior to determining a probable cause. By her own account, my wife was not driving at an exceeding speed and there was no damage to another party since there was no traffic at the time of the accident.

My wife is still trying to recall as much as possible about the accident, without finding a logical explanation for losing control of the vehicle.

A copy of a police report can be provided upon your request. As I have mentioned, the truck was in fact totaled and was taken to a salvage yard in Alamo, Texas, by the insurance company. My wife was not involved in any type of collision, i.e. she did not hit another car, nor did a car hit her either. All damage was solely caused by landing in a ditch after the truck rolled over.

The vehicle's information is as follows:

VIN No. STERT34181S [REDACTED]
Model: Thundra SR5
Model year: 2001
Mileage: 20,000 approximately
Dealer: J. Marks Toyota
Houston, Texas

Thanking you in advance for the attention you may lend to this letter, I remain at your disposal and await your response.

Sincerely,

Houston, Texas

home

TOYOTA

Writer's Direct Line: (310) 468-4599
Writer's Direct Fax: (310) 458-7808

Toyota Motor Sales, U.S.A., Inc.
19000 Redondo Beach Blvd.
Irvine, CA 92615
Tel: (949) 461-1111
Fax: (949) 461-1112

June 10, 2002

[REDACTED]
Houston, TX [REDACTED]

Date of Loss: 03/17/02
Vehicle: 2001 Tundra
VIN: 5TBRT3418S [REDACTED]

Dear [REDACTED]

This letter is to advise you of the inspection findings relative to the above captioned incident. We understand that you were already contacted by telephone.

Our inspection confirmed that the steering was found to be fully functional with no sticking or binding. There was no evidence of any failure and most of the damage was impact-related.

Apparently you disagree with our findings. Since your vehicle was totaled, if your insurance carrier truly believes that a defect existed, you can be assured they will file a subrogation claim to recoup their losses. However, we are confident that research/inspection by your insurance carrier will confirm our findings.

Thank you,

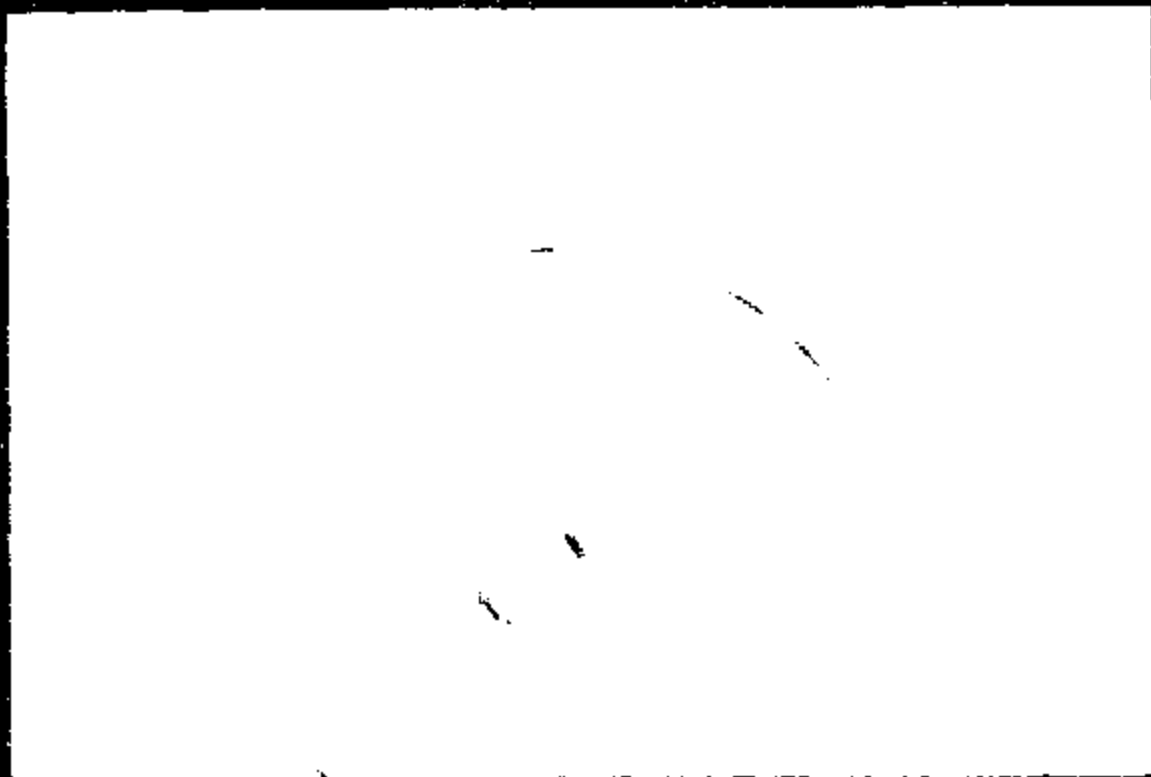
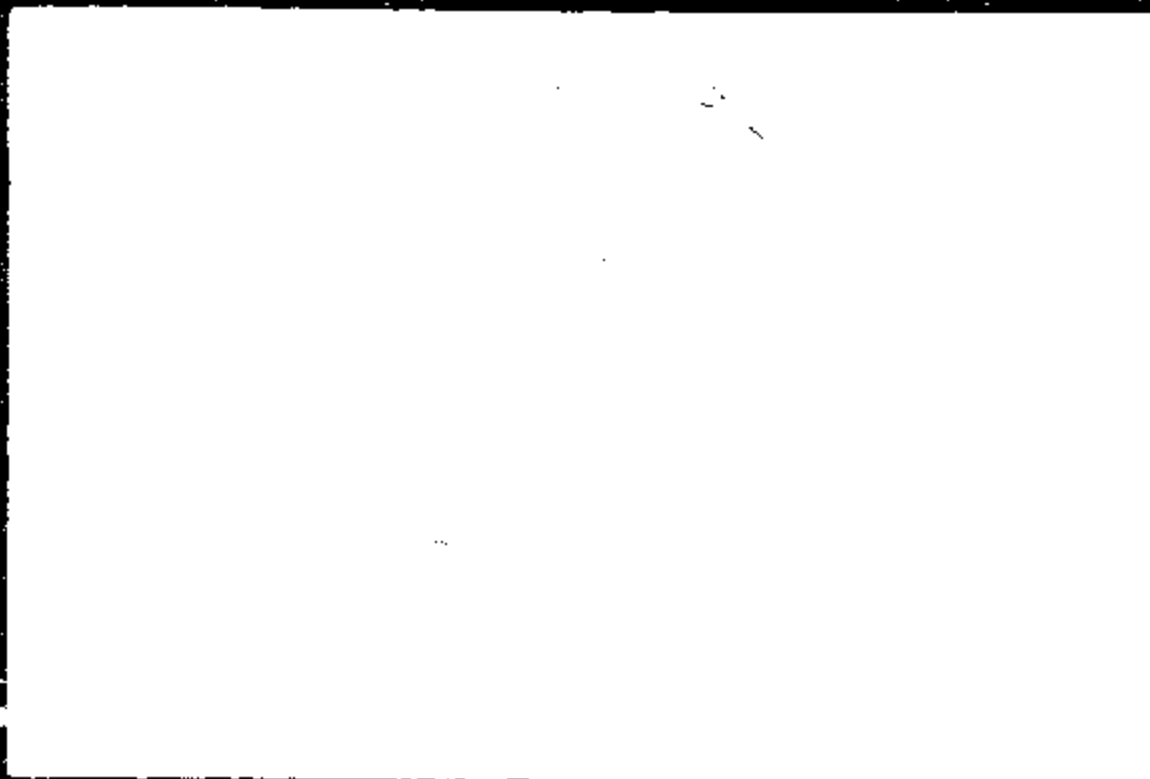
John W. Rodricks
John W. Rodricks
National Claims Manager
Legal Department

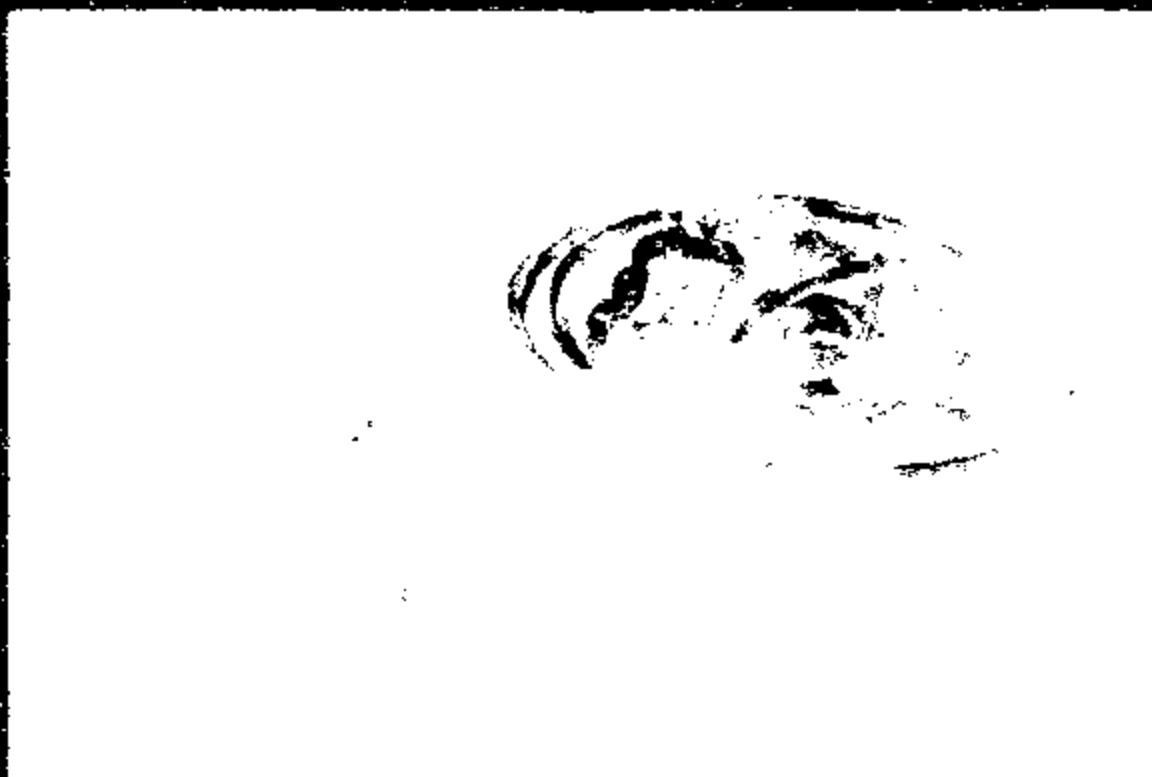
JWR/hs

PHOTOS accompanying
plaintiff's 4/5/02 letter





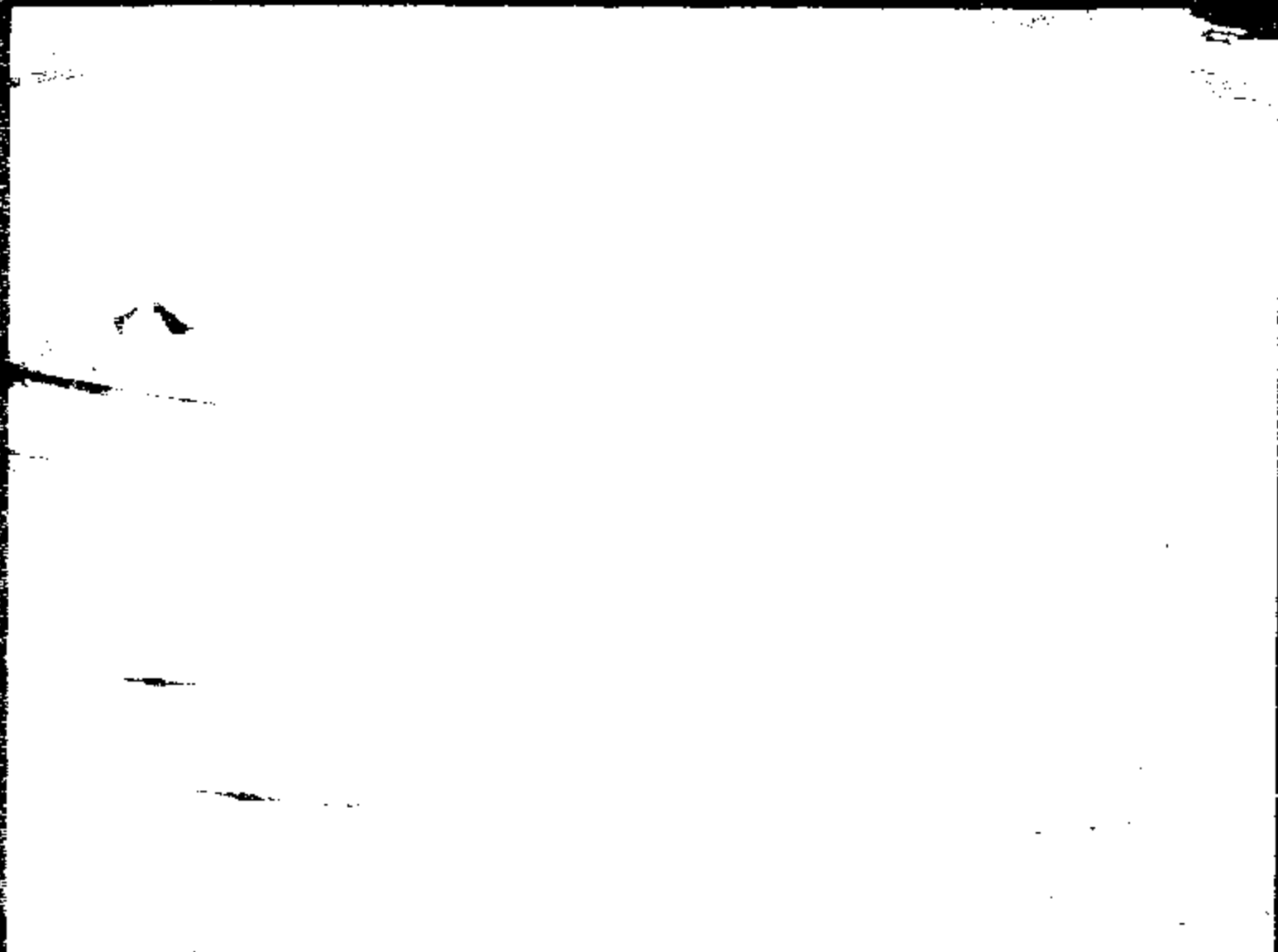




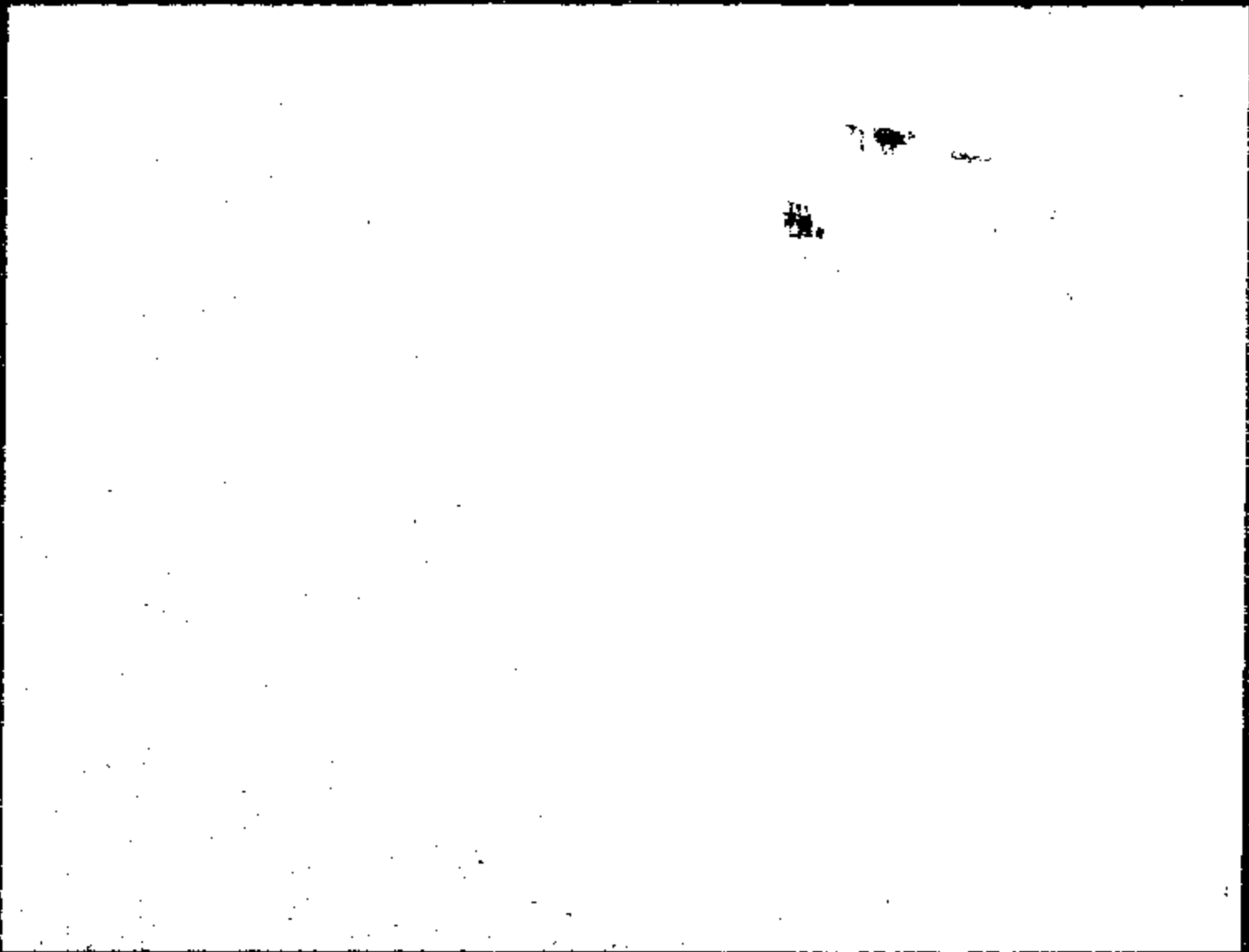


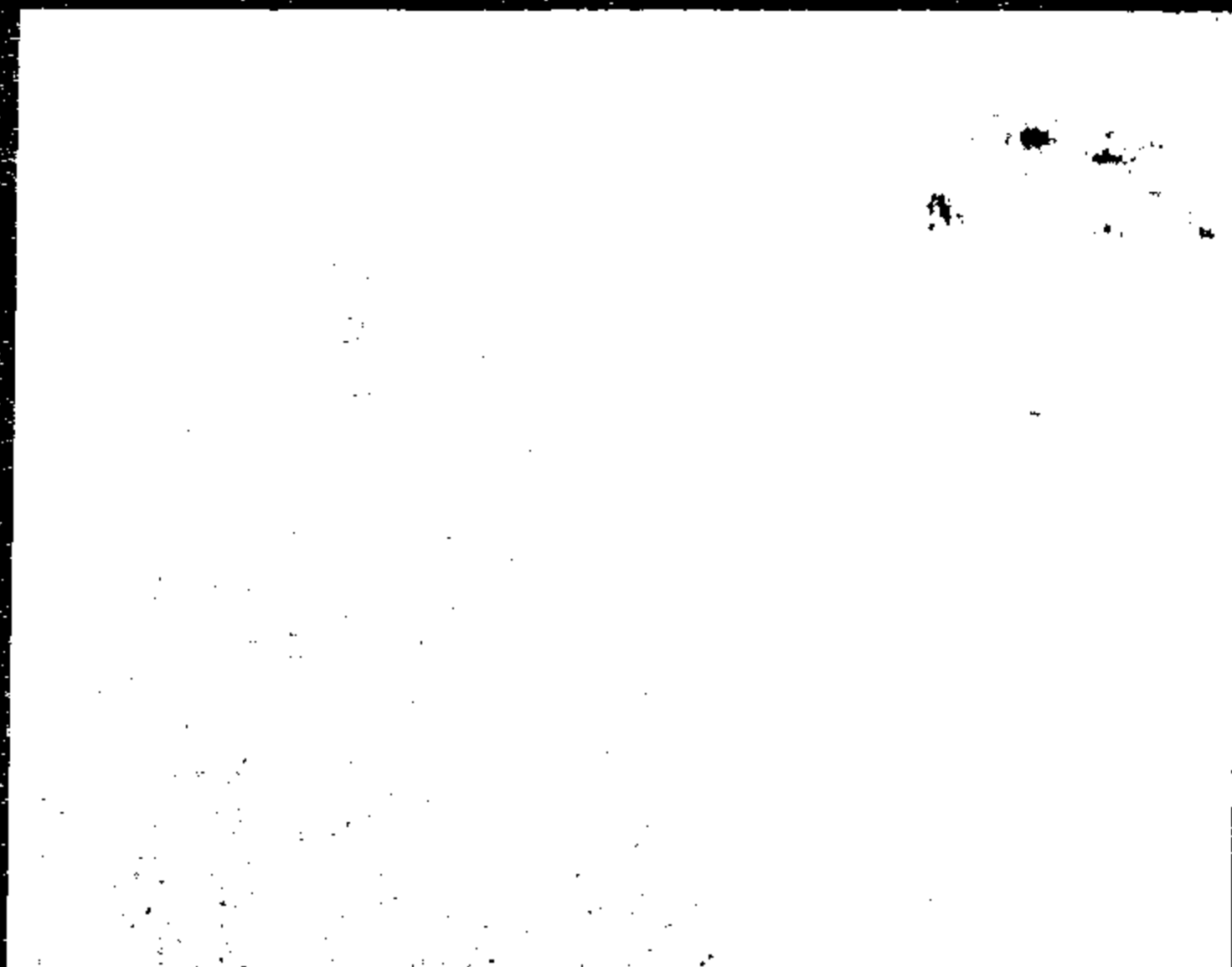


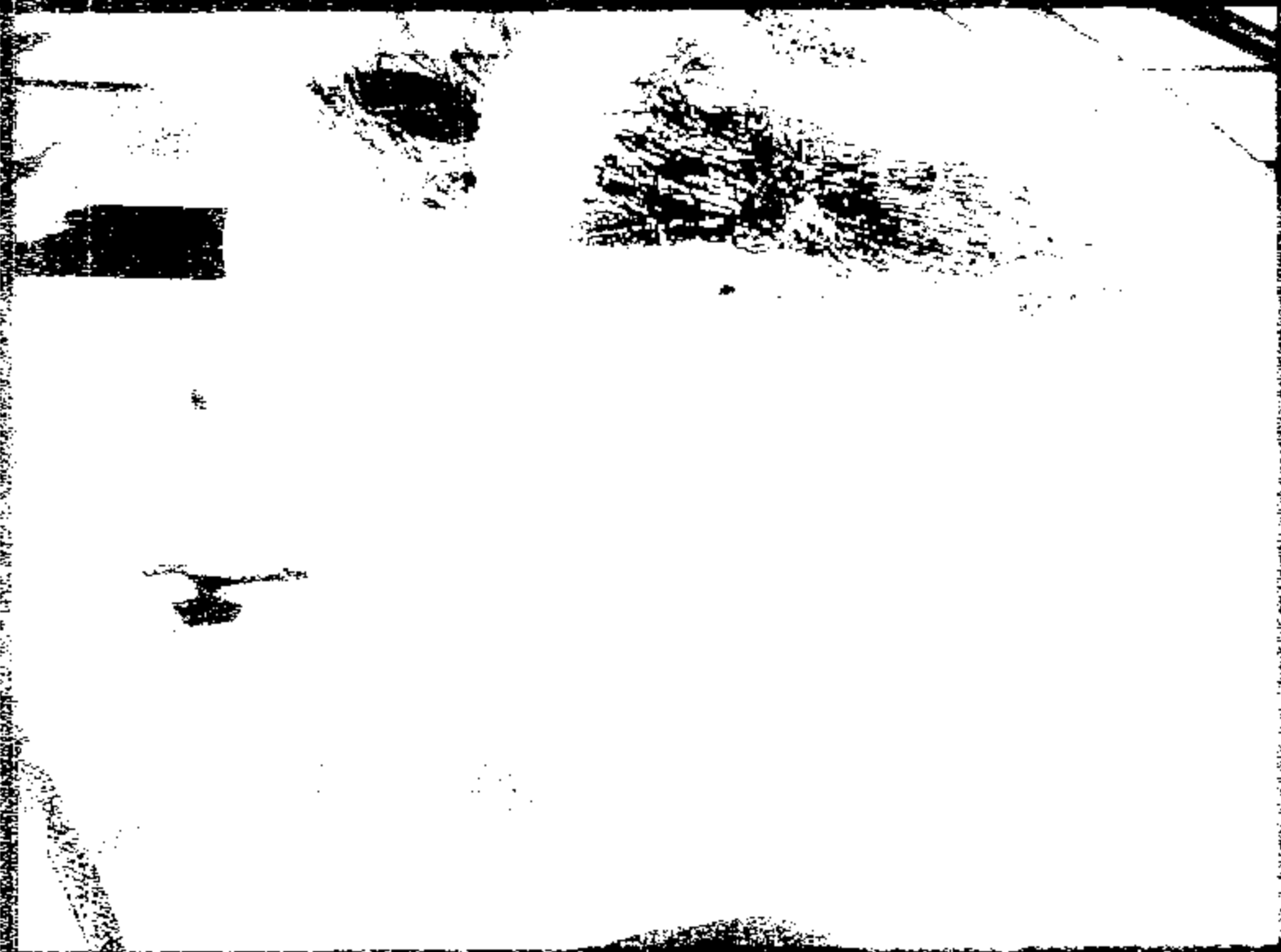
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TO FCR

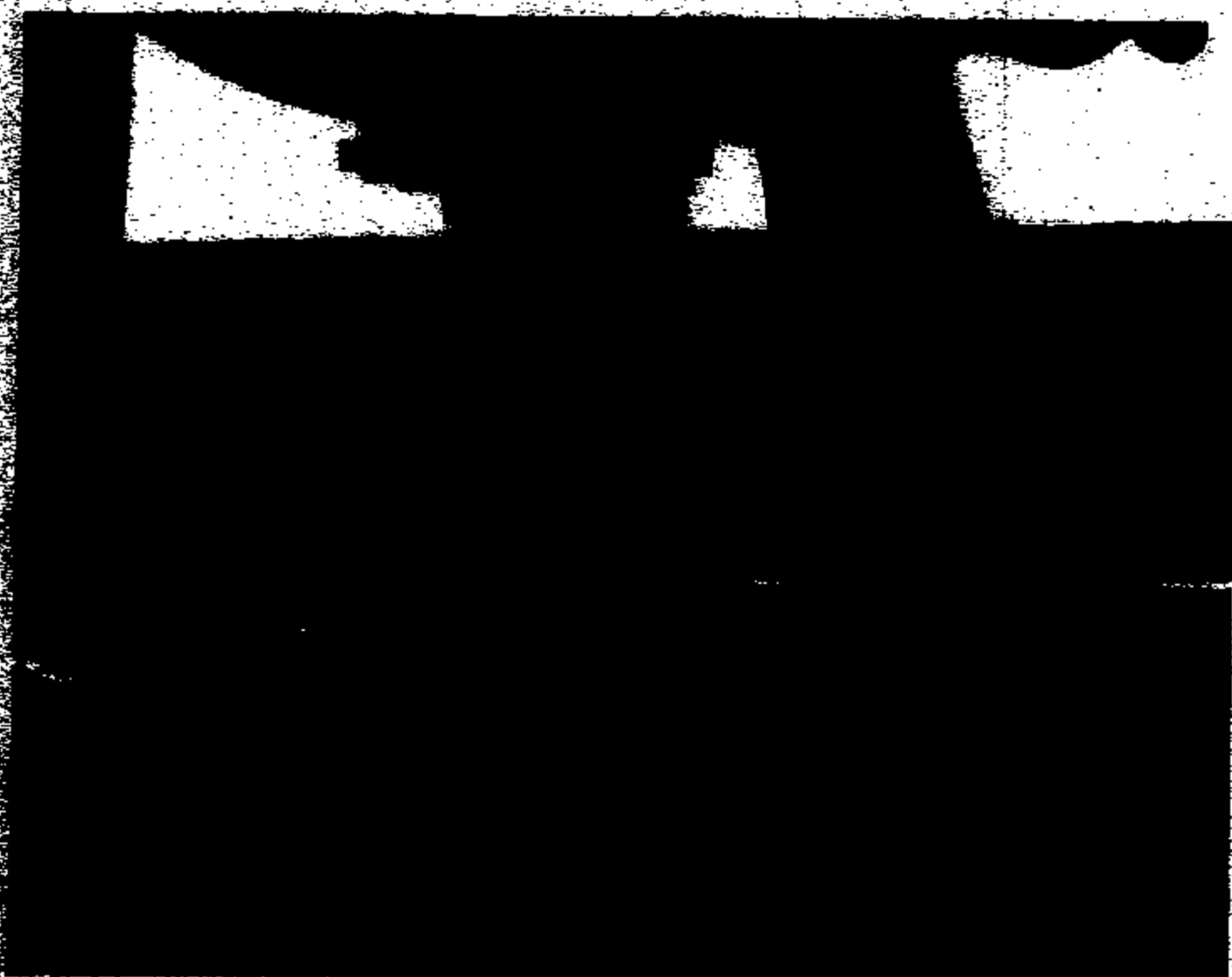


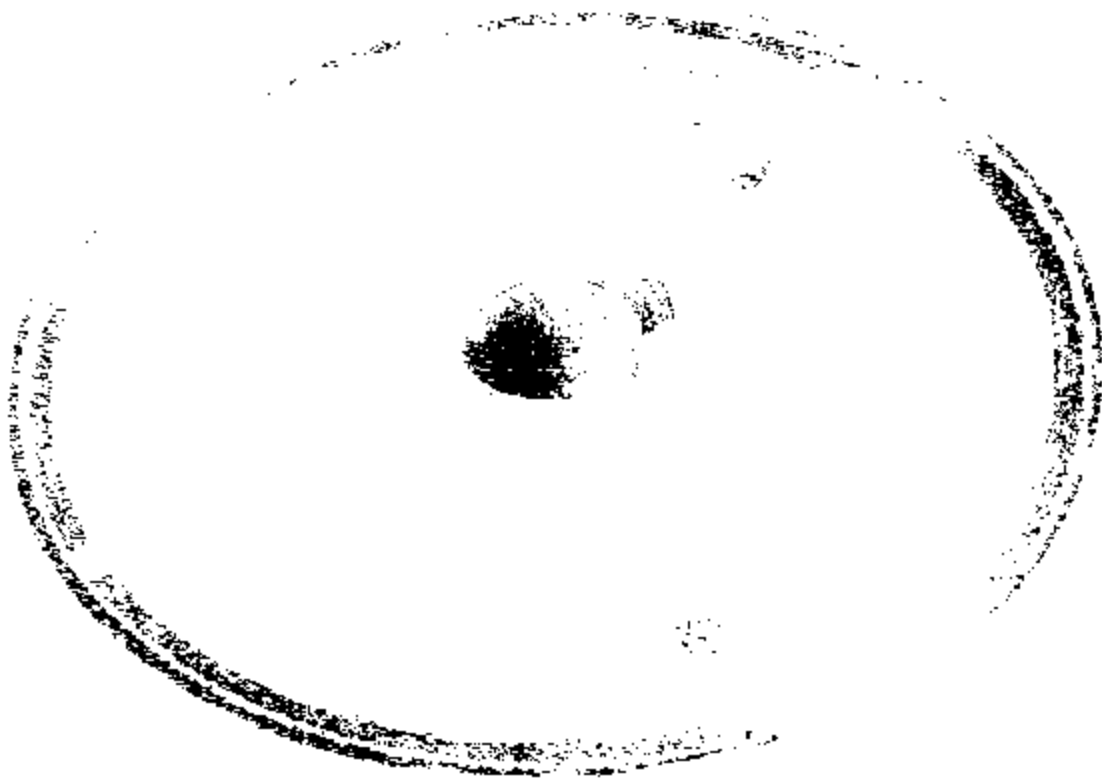








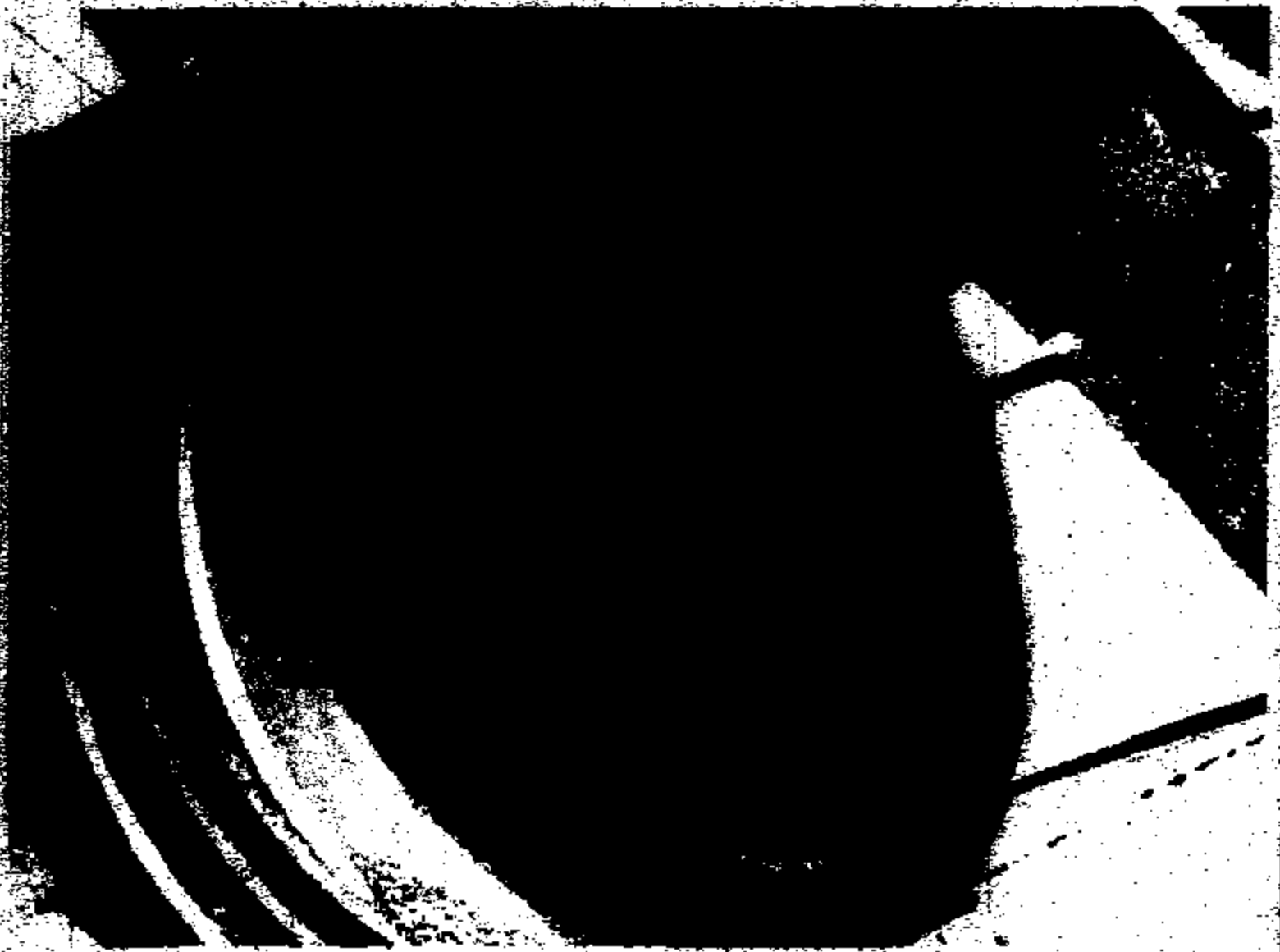


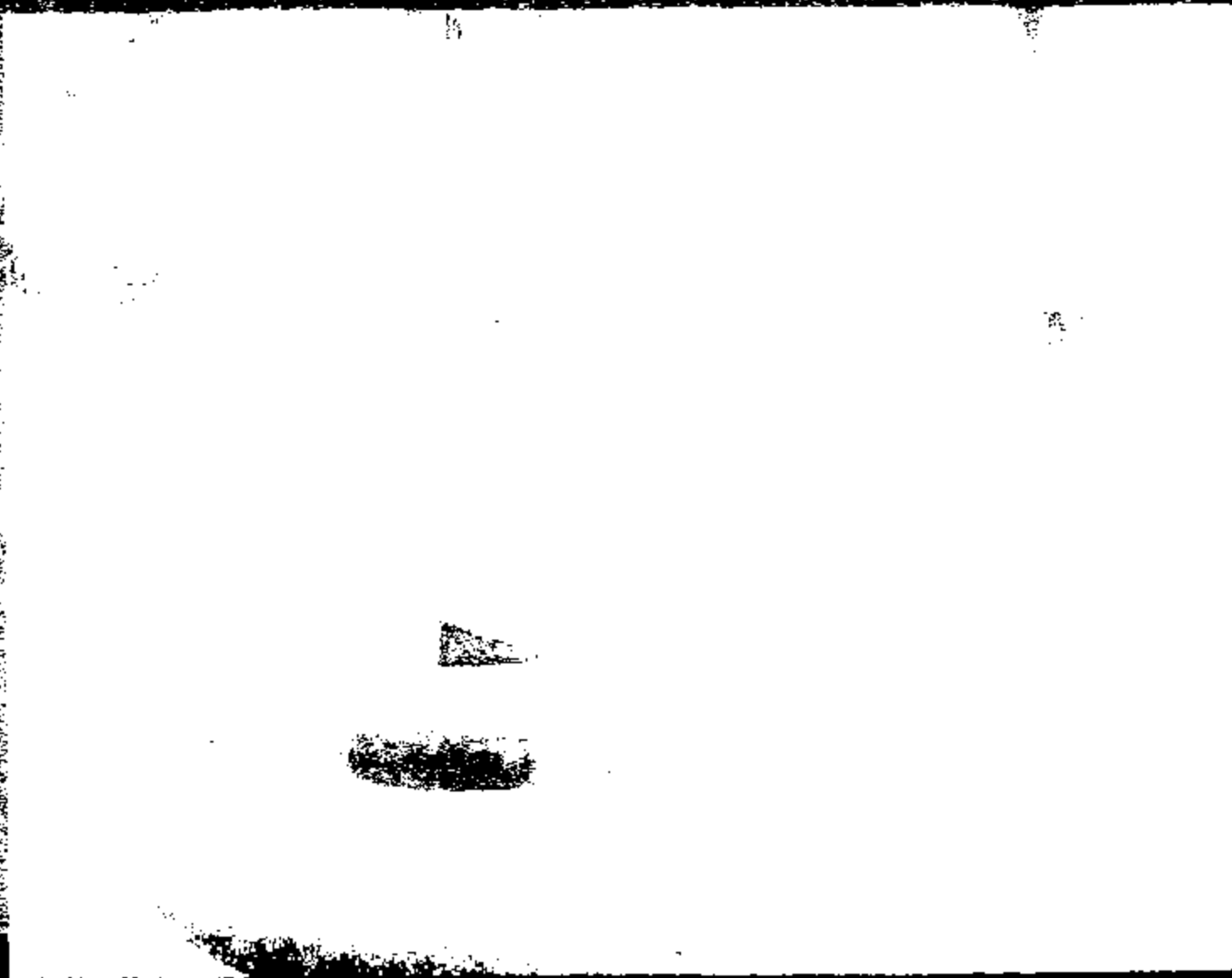


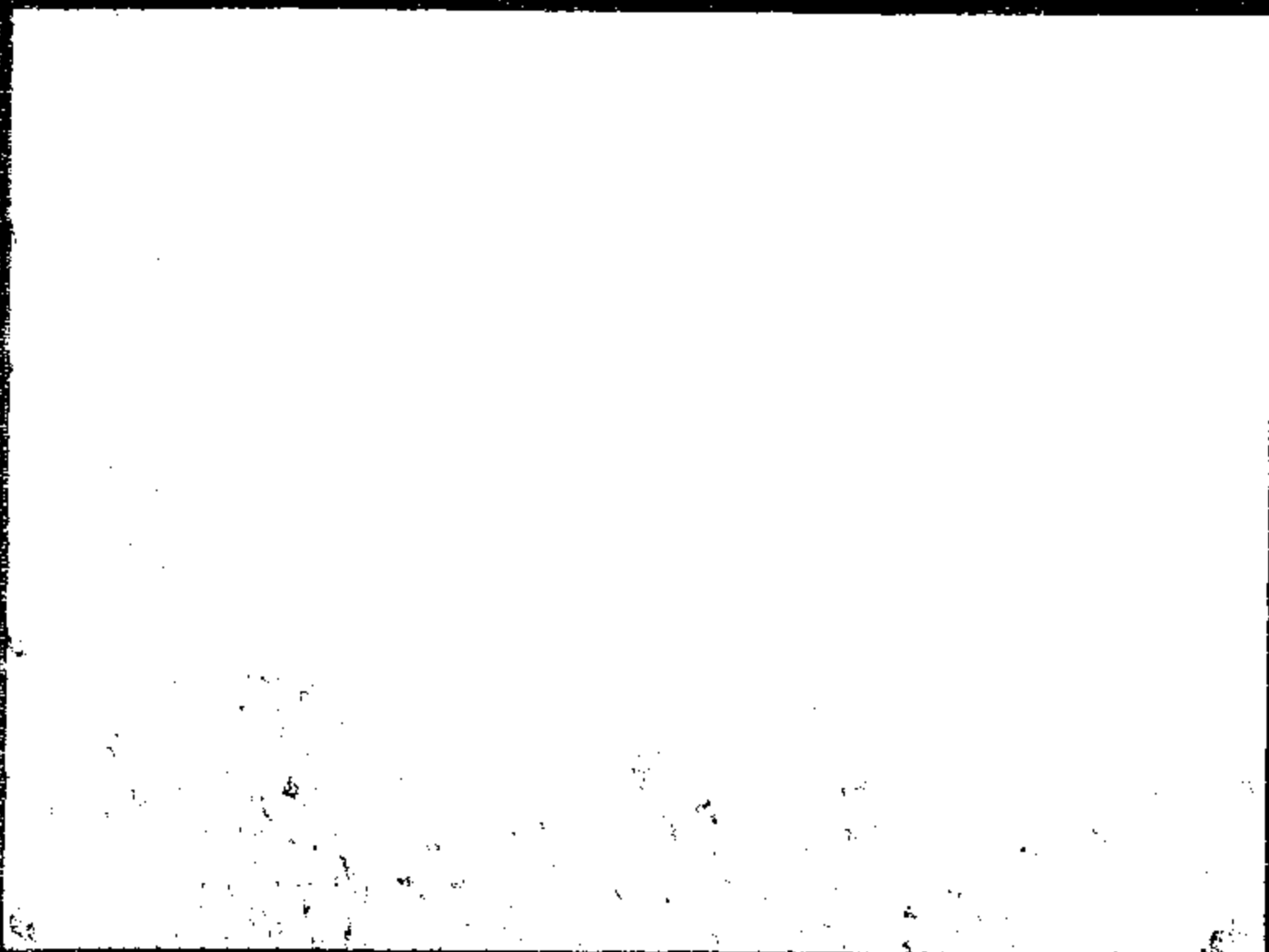


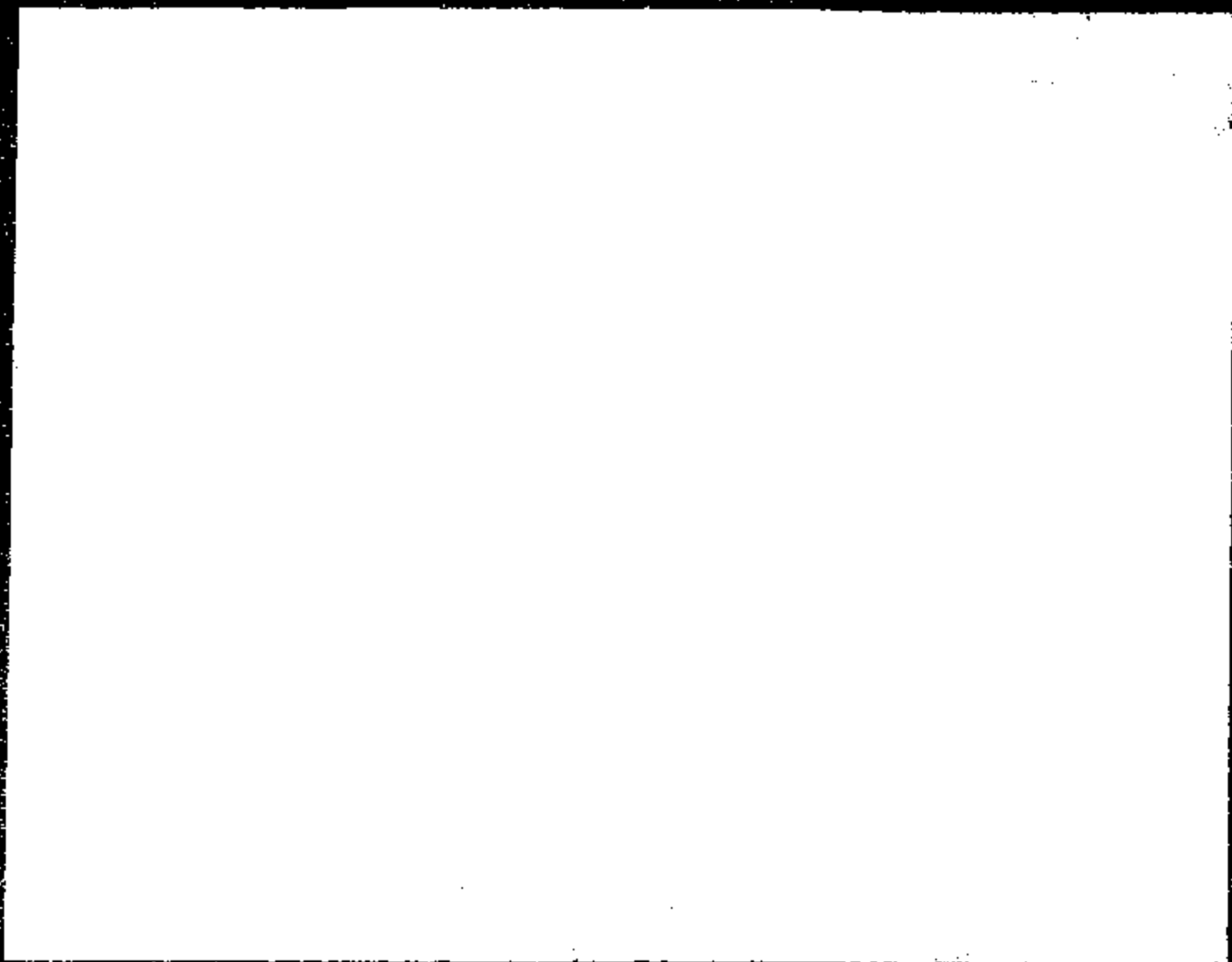






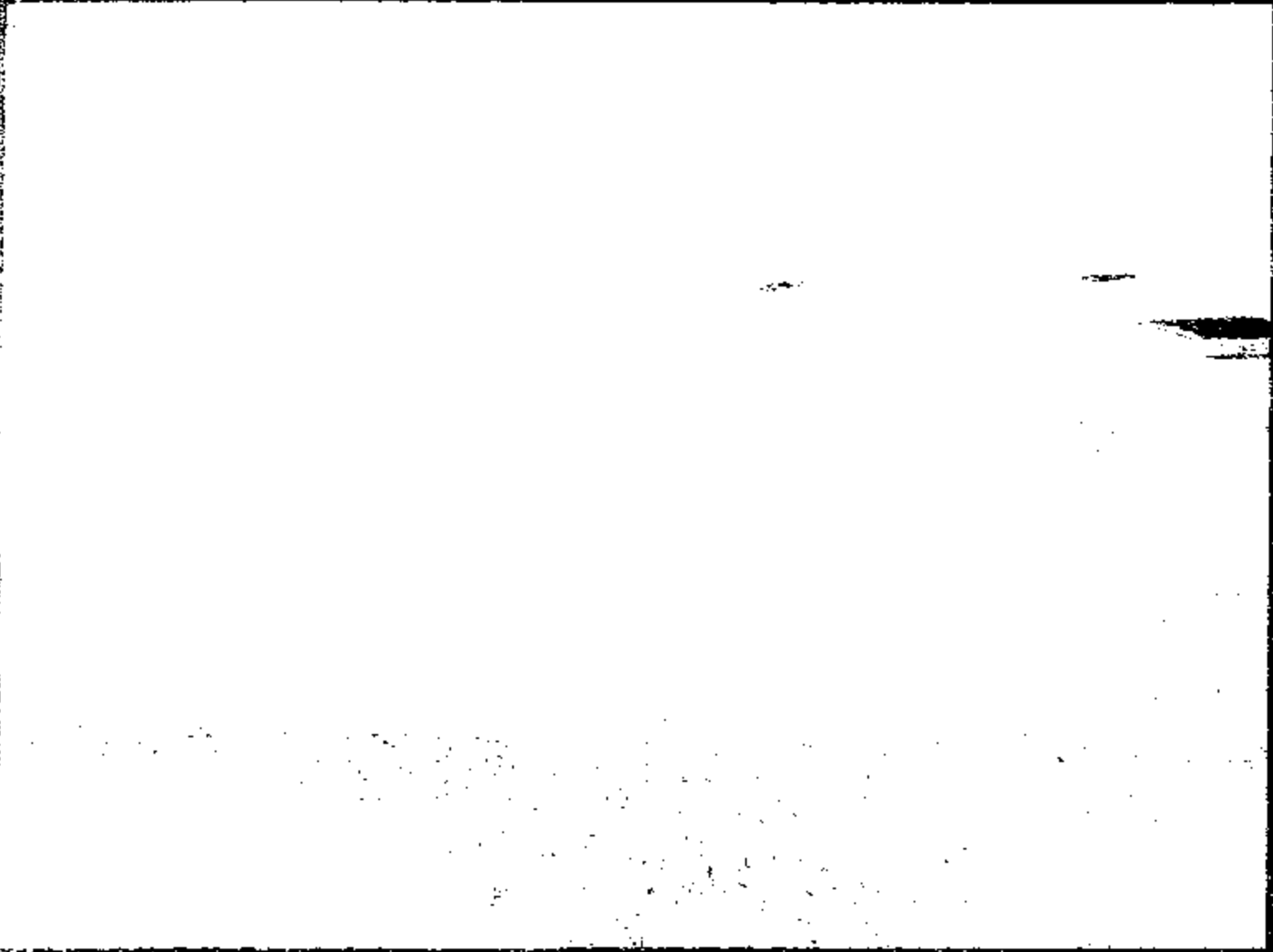


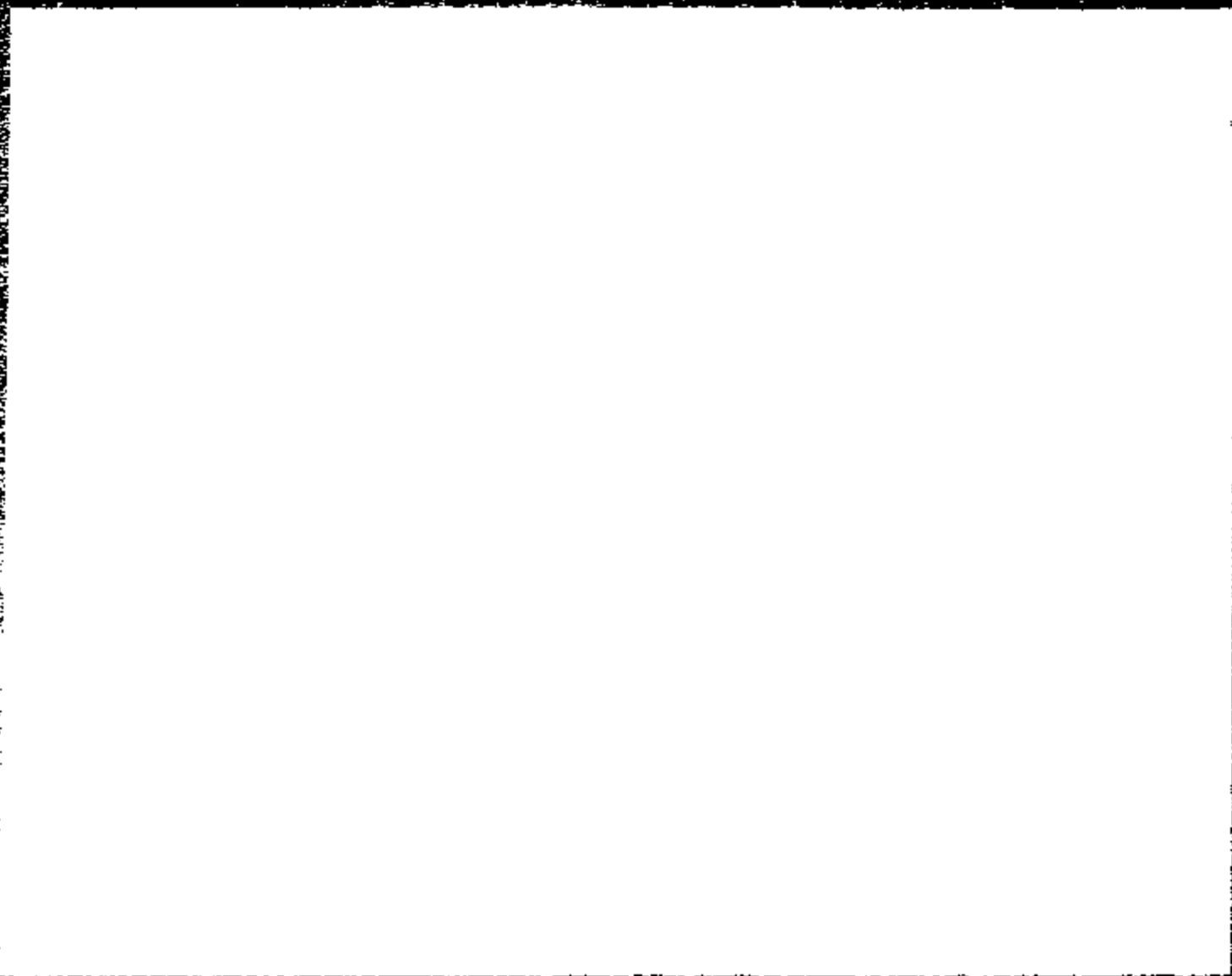


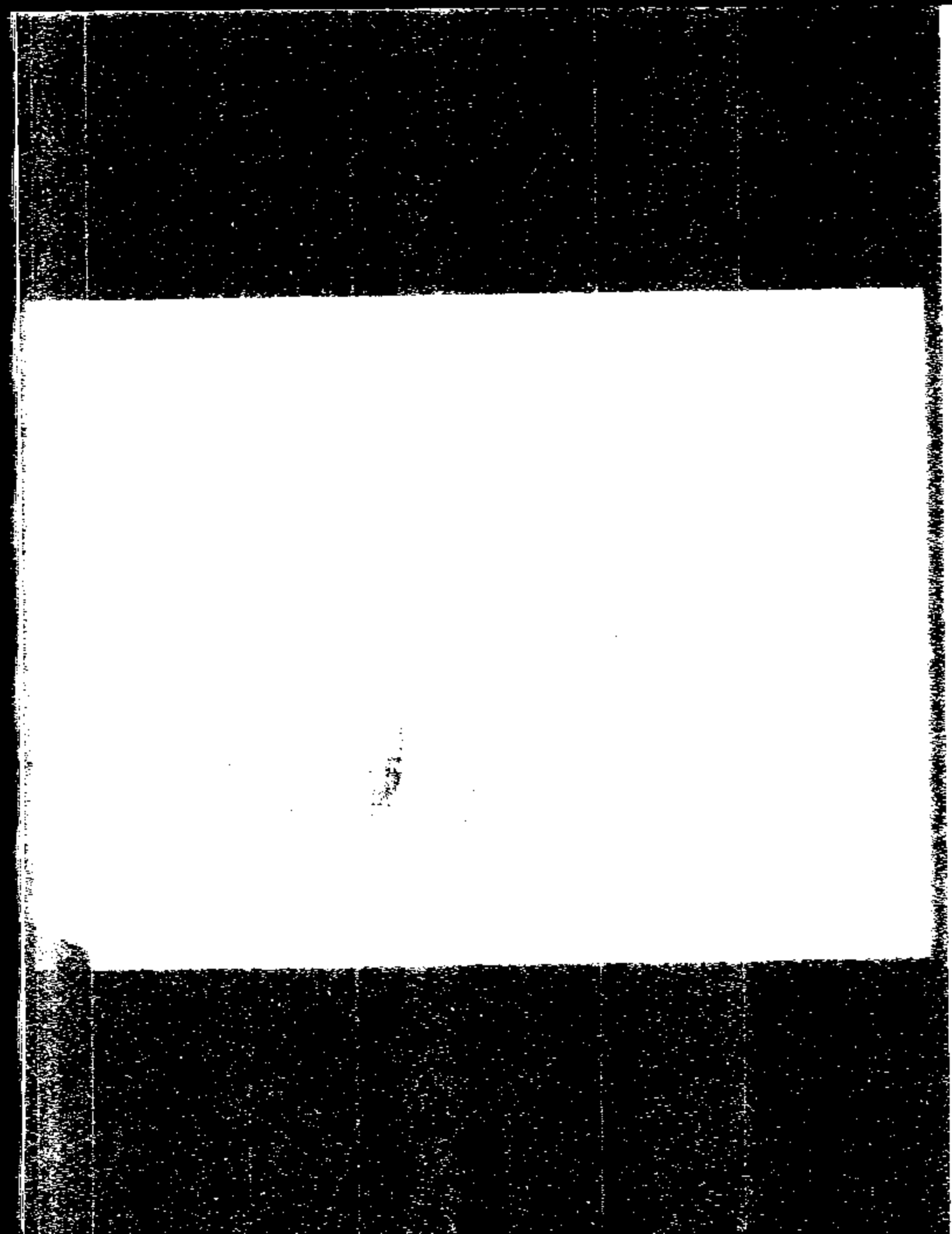


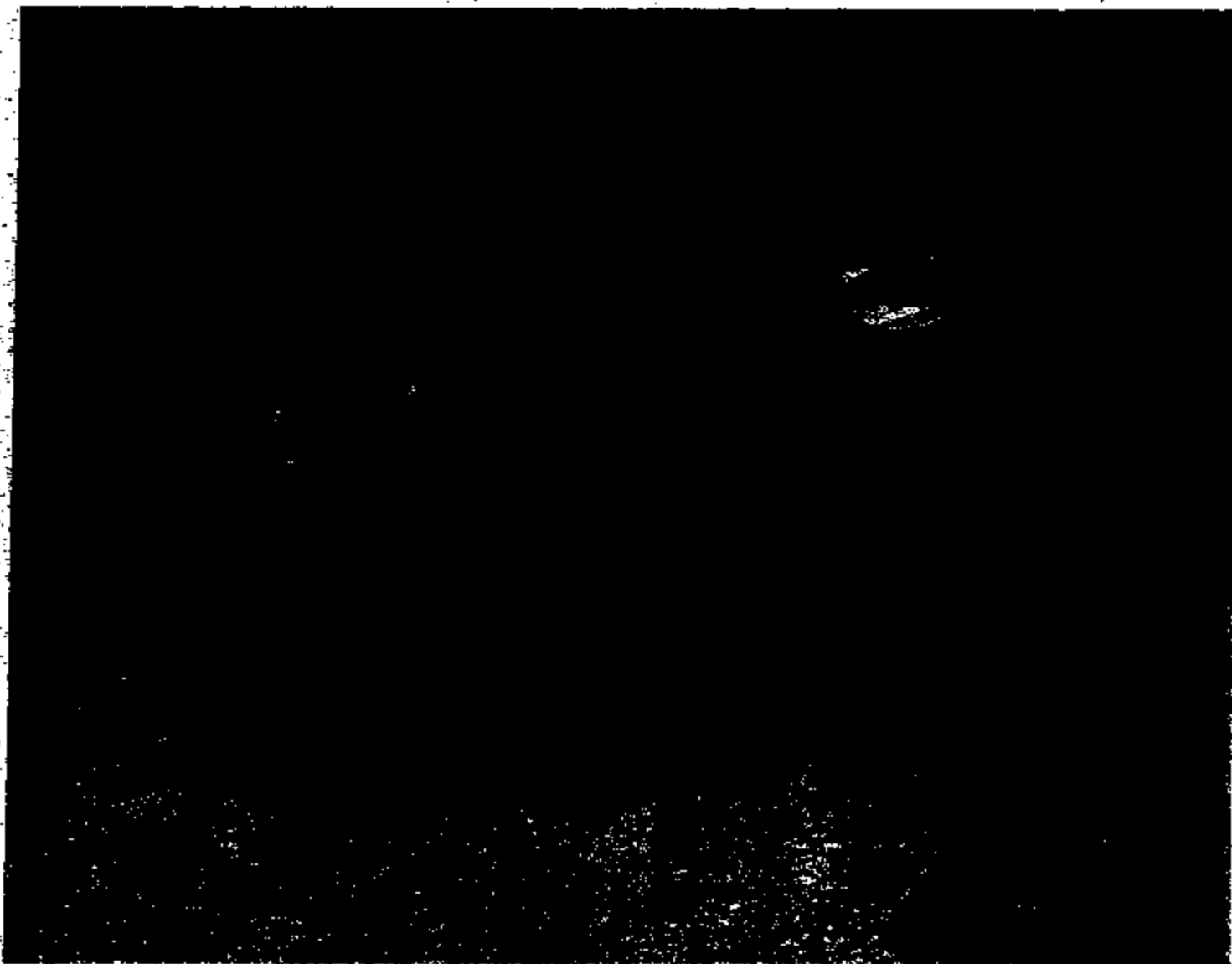


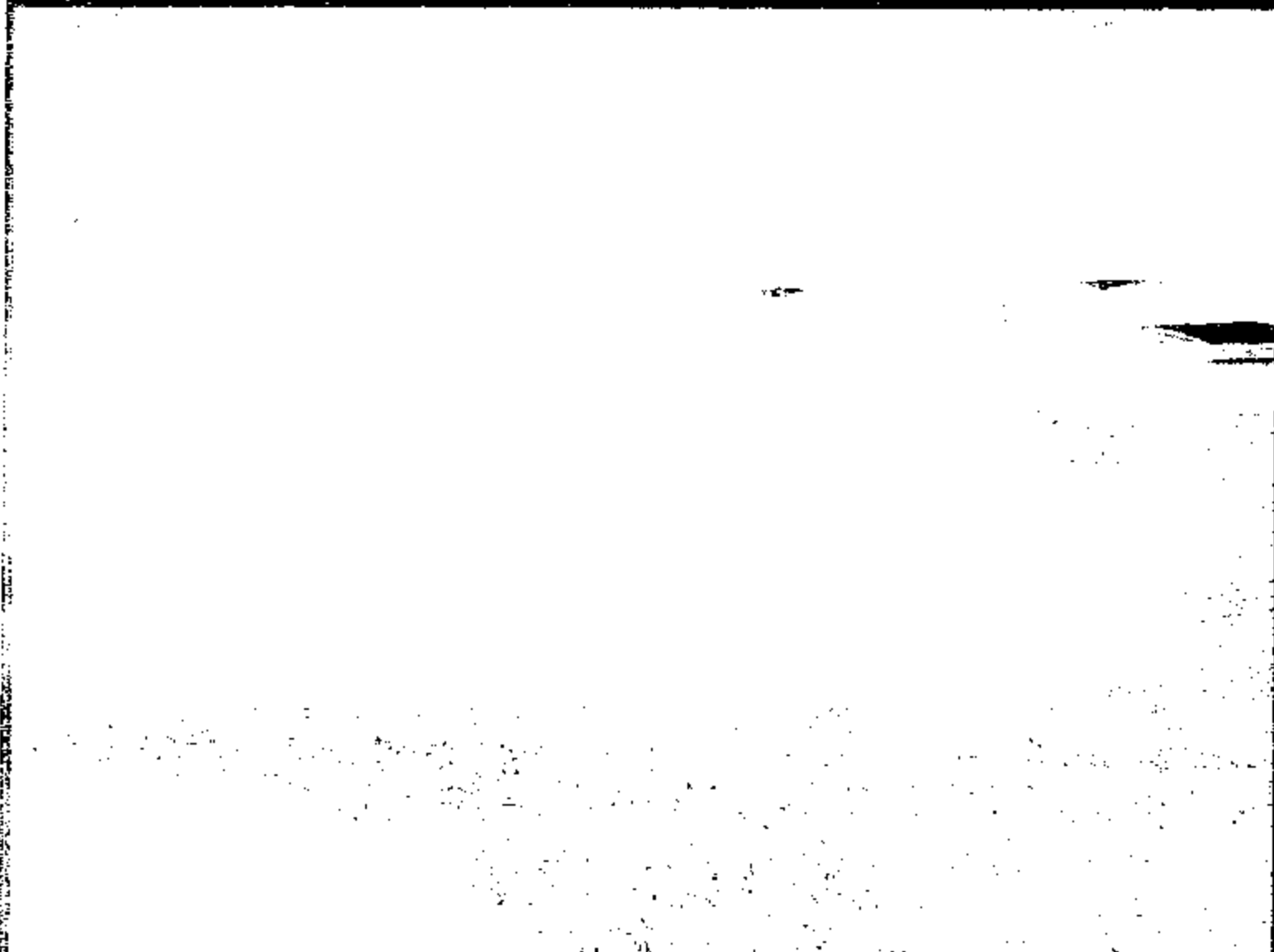
Additional
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photos

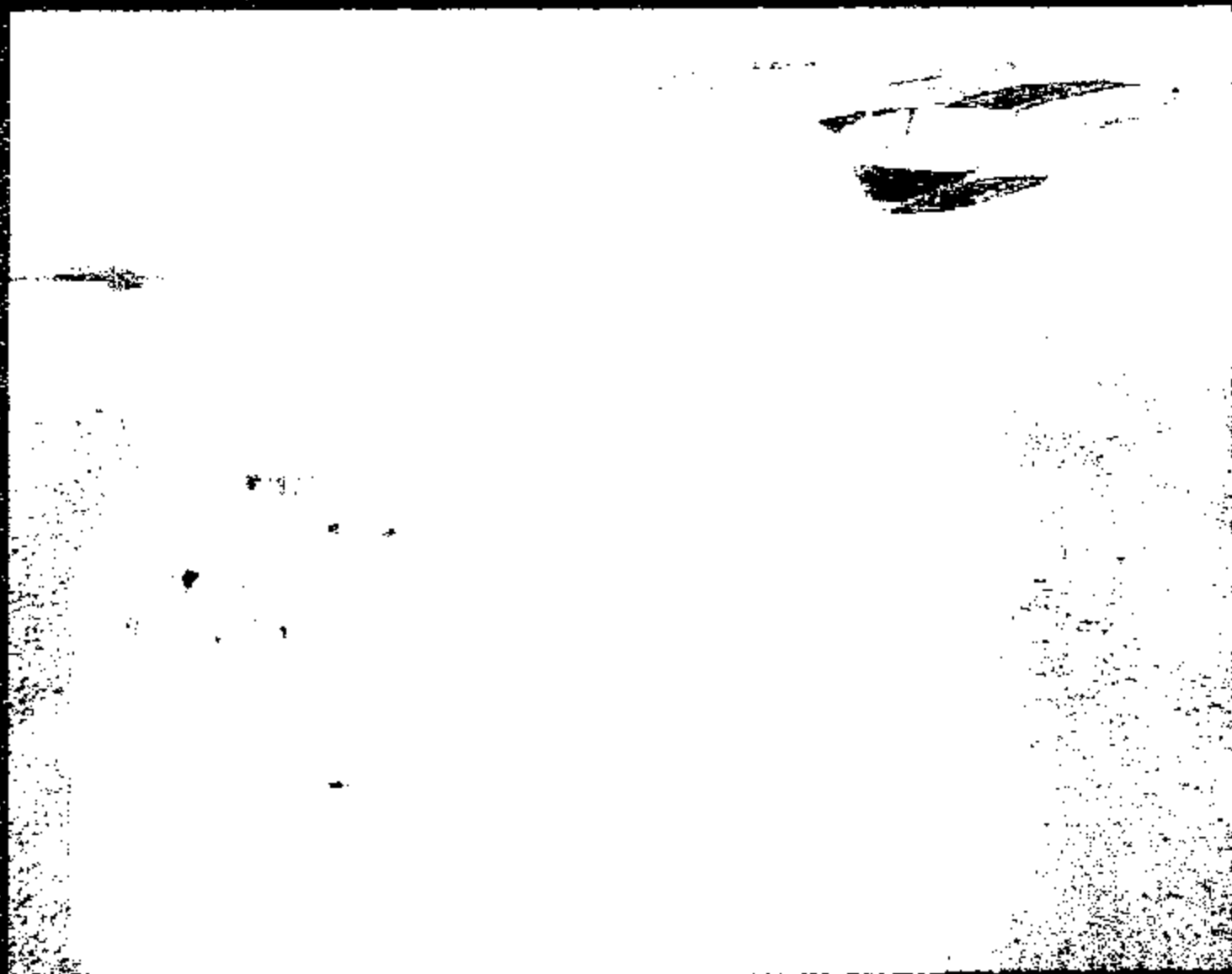


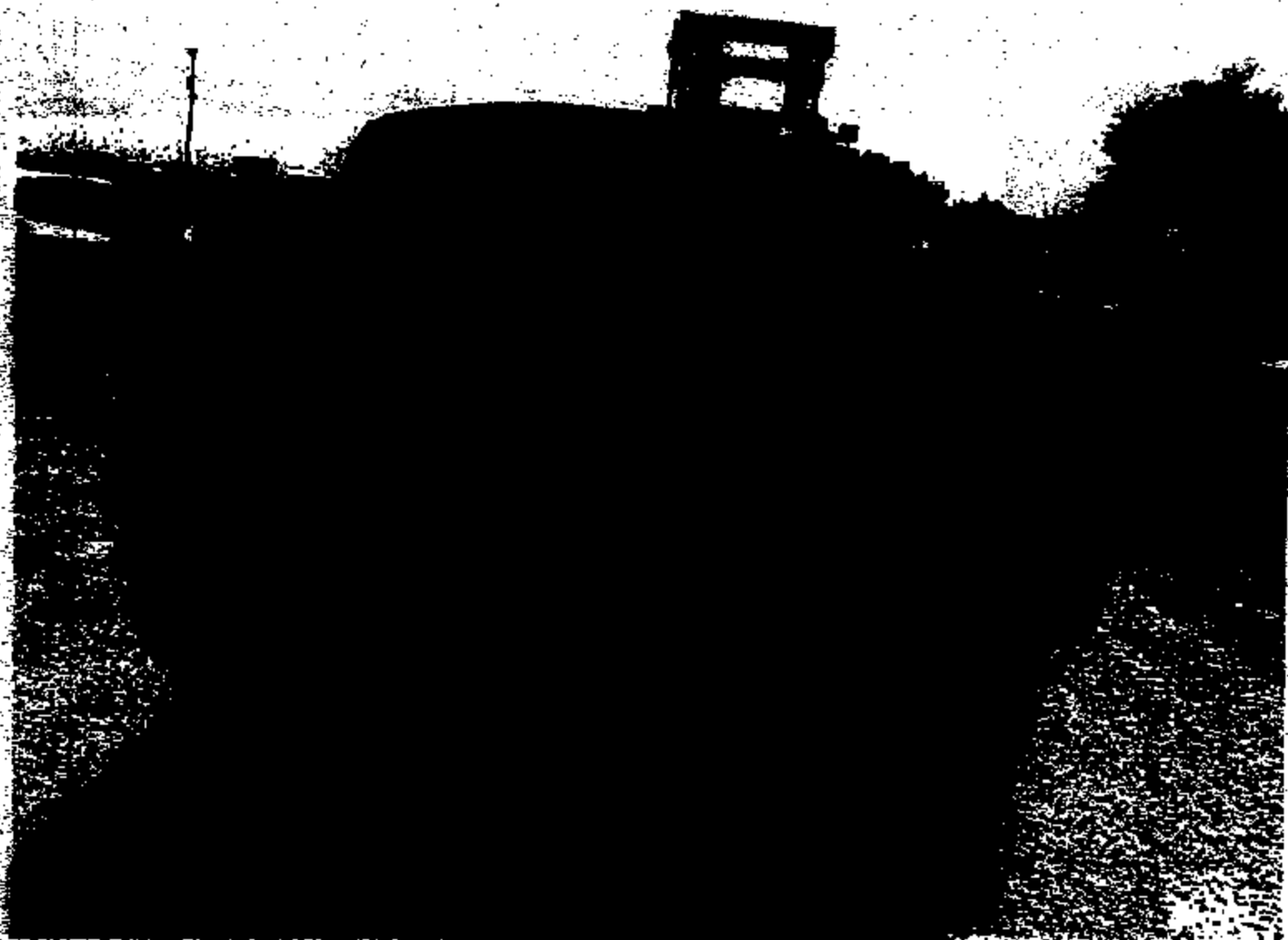


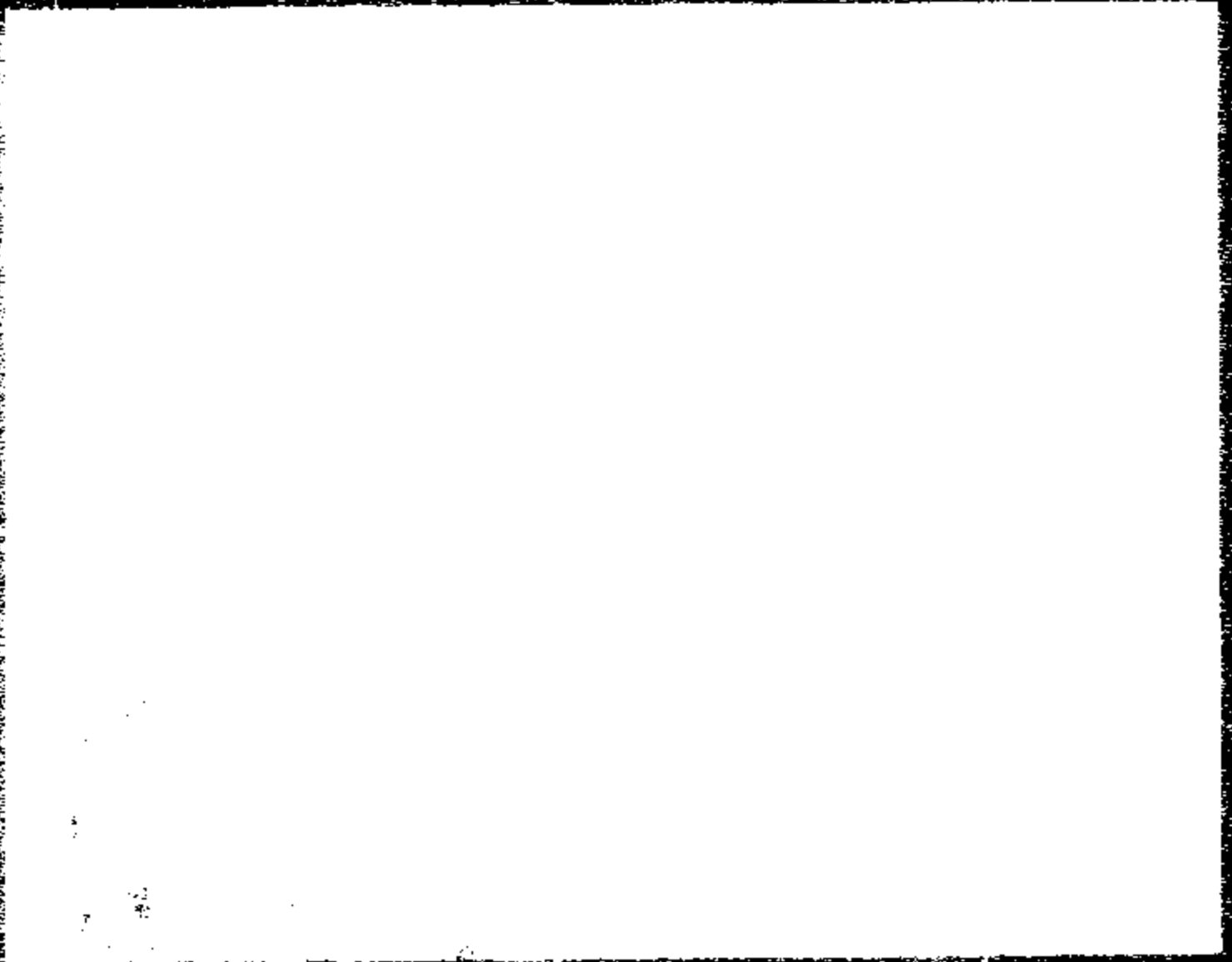


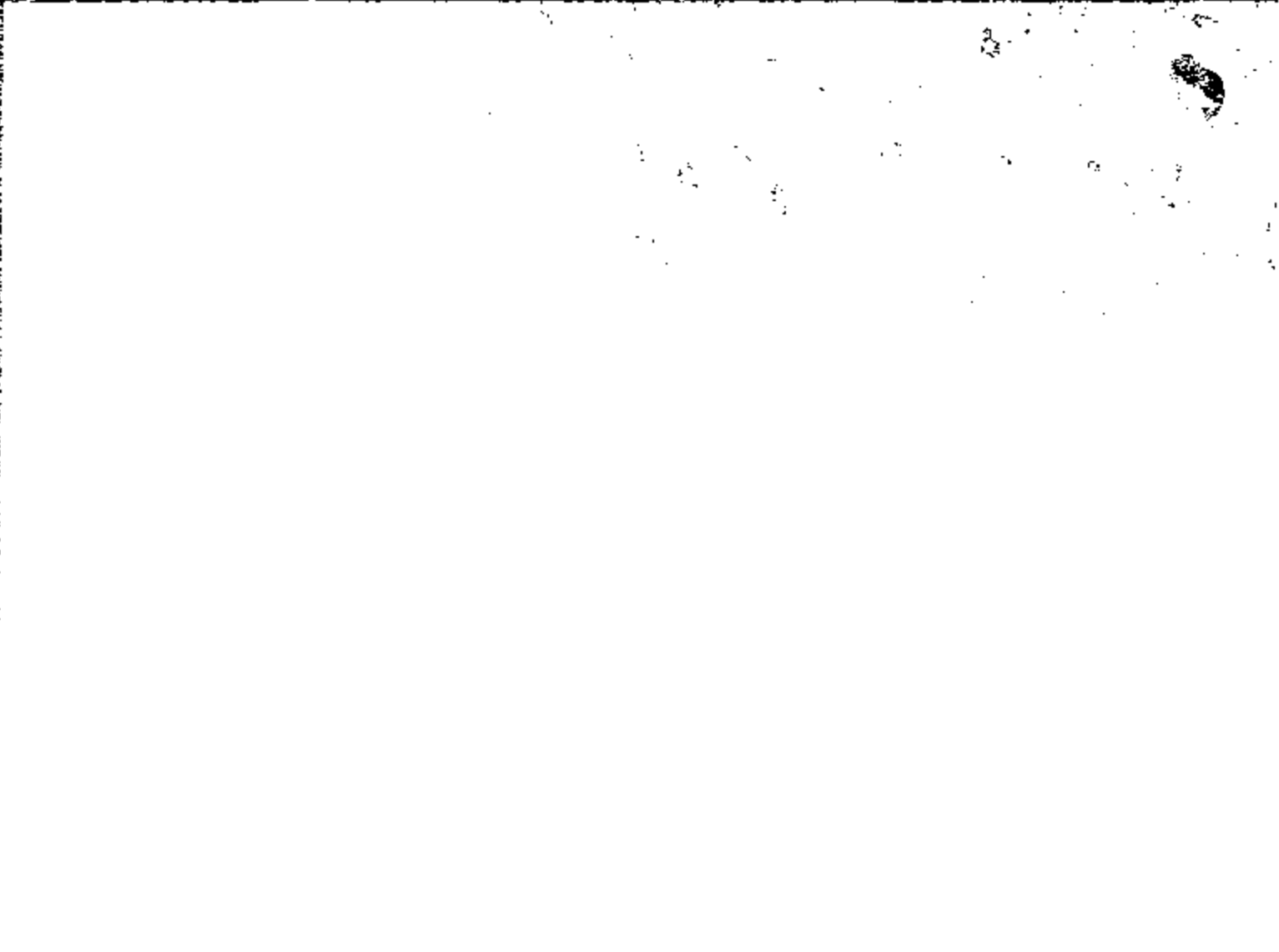
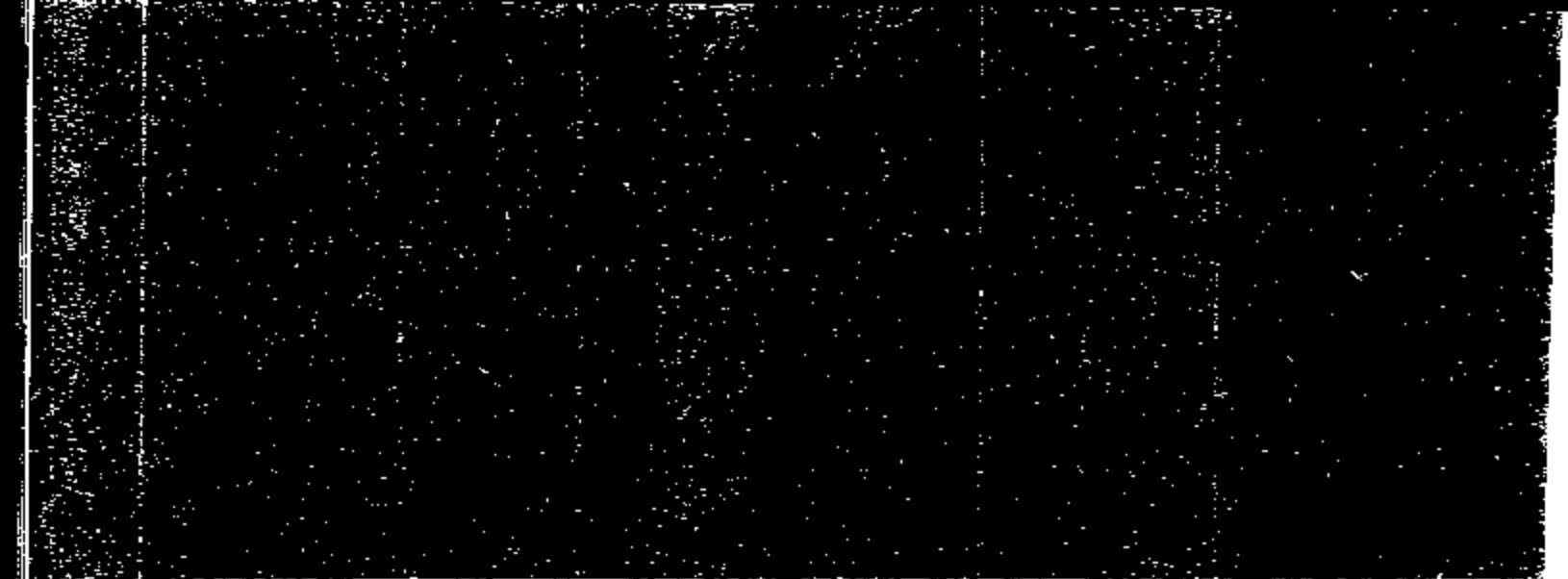


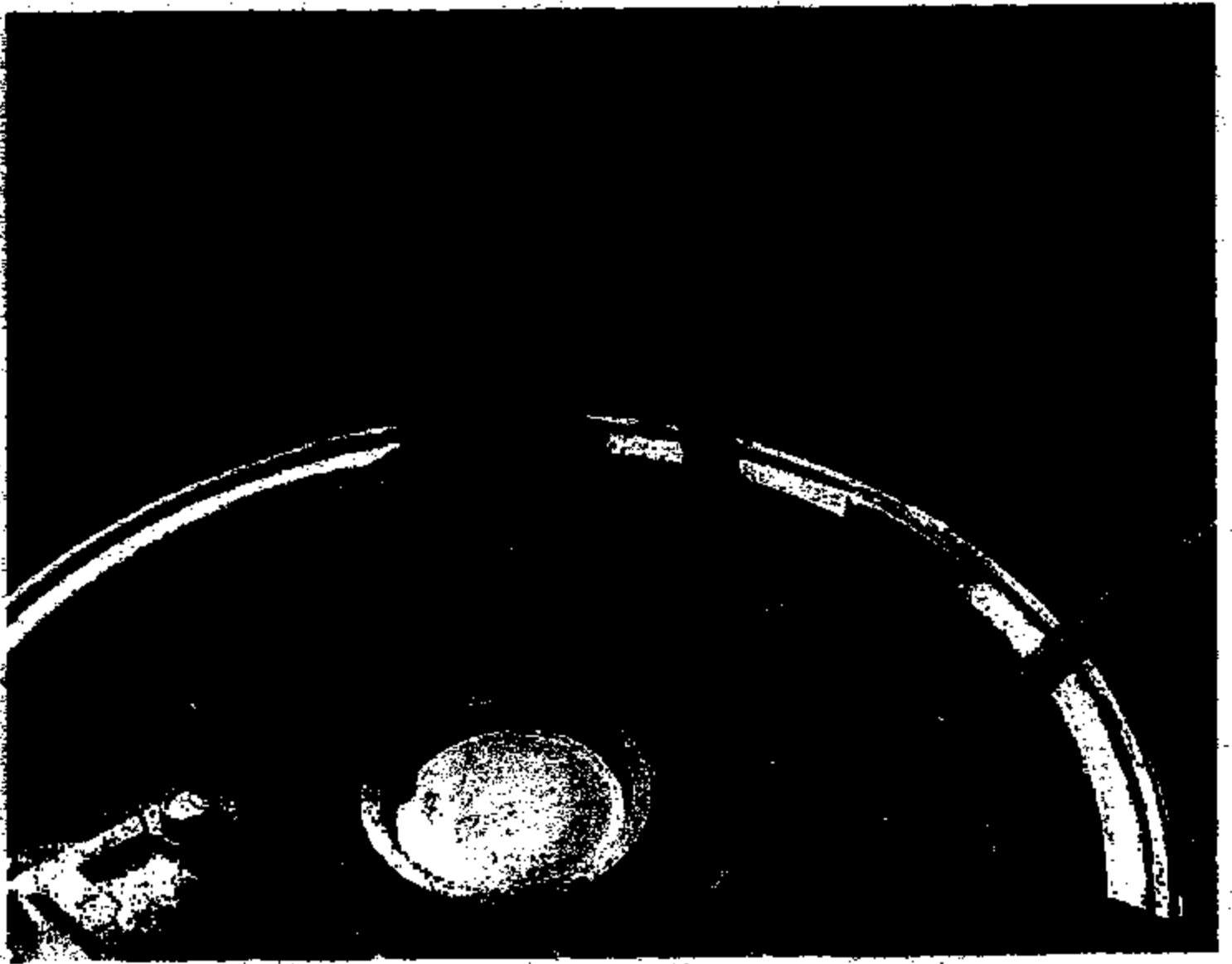




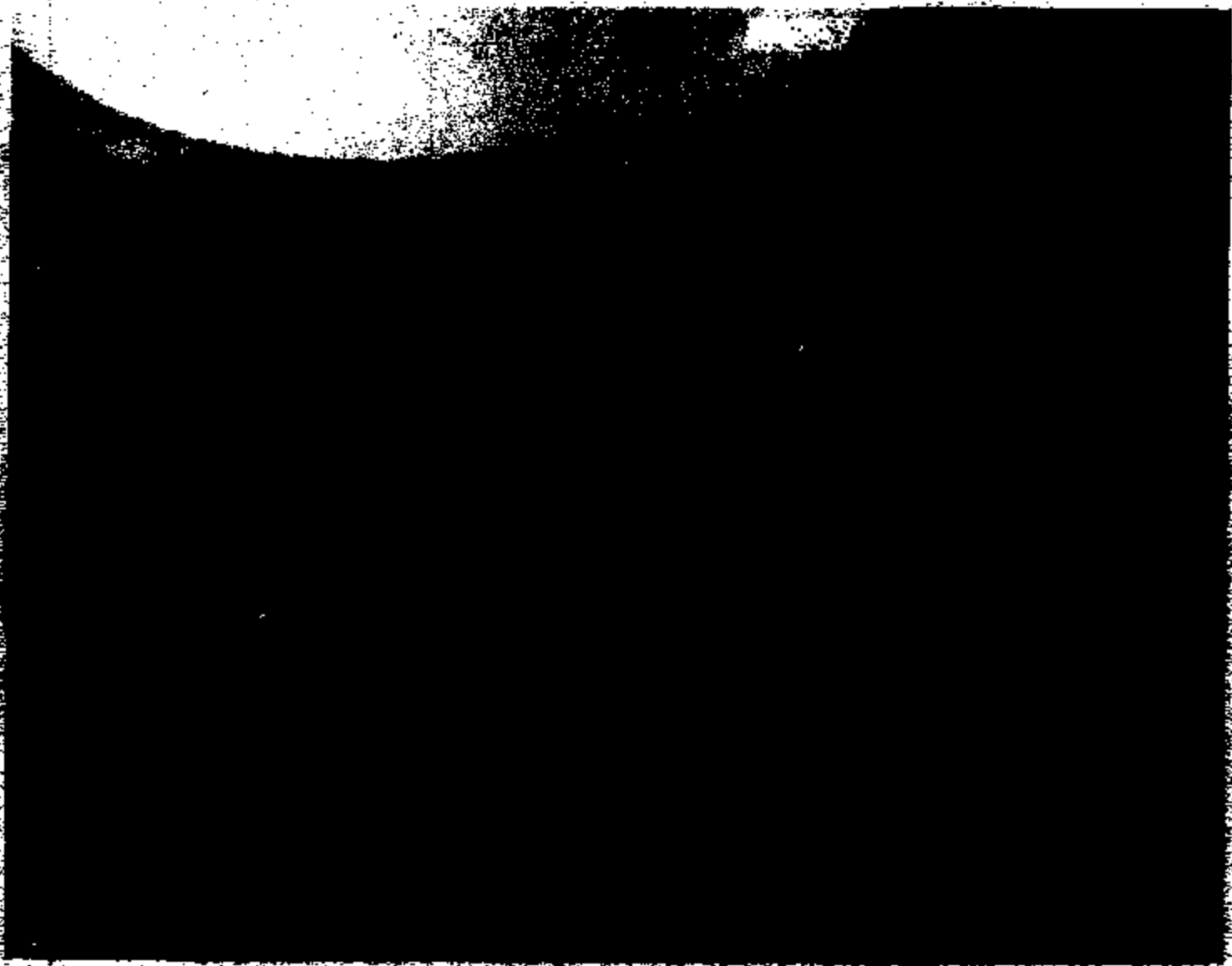












CONFIDENTIAL (Entire pages)

Attachment 12

Free-body diagram of the curbside load on the ball joints