

HOGAN & HARTSON LLP

Jacqueline Glassman, Esq.
National Highway Traffic Safety Administration
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disclosures do not compromise the confidential nature of the information because of the close business relationship between MBUSA and DCAG, nor does selective disclosure to advisers bound by obligations of confidentiality compromise such confidentiality.

The bracketed confidential portions of the March 31, 2005 questionnaire response contain production volumes by model and model year generated by the manufacturer of the vehicles, and the attachments contain confidential customer information such as names, addresses, telephone numbers, and associated VIN numbers. MBUSA has requested confidentiality for production volumes in the past, and was granted confidentiality with respect to this category of information pursuant to FOIA Exemption 4. In addition, MBUSA has been granted confidential treatment for customer information, including VIN numbers, pursuant to FOIA Exemption 6, as disclosure of such information constitutes an unwarranted invasion of personal privacy.

Production Volumes: Confidentiality has been granted with respect to the production volumes because the Agency concluded that *"the disclosure to the public of the bracketed portions revealing the total subject vehicles sold by Mercedes in the United States . . . would cause harm to Mercedes and that this information is entitled to confidential treatment . . ."* November 1, 2002 Confidentiality Determination Letter from Heidi L. Coleman to Gary H. Bowne in re: EA01-012 (granting confidentiality for production data under mandatory submission standard).

Personal Information: Confidentiality has been granted with respect to customers' personal information because the information, *"if disclosed, would constitute a clearly unwarranted invasion of personal privacy."* August 25, 2004 Confidentiality Determination Letter from Otto G. Matheke, III to Patrick M. Raheer in re: PE03-058.

We request that confidentiality be granted for the information in brackets [] or otherwise marked confidential in this submission in perpetuity and would appreciate your notifying us of your decision when practicable. If this request is denied, please return the confidential information and we will provide an amended submission.

HOGAN & HARTSON L.L.P.

Jacqueline Glassman, Esq.

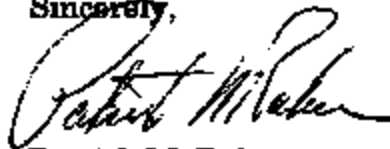
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Thank you for your consideration of this request. Please forward your response to this request to my attention.

Sincerely,



Patrick M. Raher

Enclosures – 2 copies of original submission, each with 1 confidential floppy disk enclosure and 1 confidential CD enclosure

1 copy with confidential information redacted with one floppy disk containing redacted information and one CD containing redacted information

**CERTIFICATE IN SUPPORT OF REQUEST
FOR CONFIDENTIALITY**

I, Frank Dierl, pursuant to the provisions of 49 CFR 612, state as follows:

(1) I am the General Manager for Safety and Compliance for Mercedes-Benz USA, LLC (MBUSA), and I am authorized to execute documents on behalf of MBUSA.

(2) I certify that the information contained in MBUSA's March 31, 2005 peer submission concerning the Agency's investigation of seat warmer failures in the Mercedes-Benz ML 320 (PE05-005) contains confidential and proprietary data, and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. § 552 (b)(4) as incorporated by reference in, and modified by, section 609 of Title 6 of the Motor Vehicle Information and Cost Savings Act;

(3) I hereby request that the information contained in MBUSA's submission be protected indefinitely;

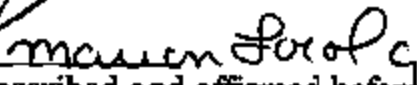
(4) This certification is based on the information provided by the responsible MBUSA personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever previously been released outside MBUSA;

(5) Based upon that information, to the best of my knowledge, information and belief, the information for which MBUSA has claimed confidential treatment has never been released or become available outside MBUSA, except as hereinafter specified: portions of the information have been made available to our parent company, DCAG, and for the purpose of obtaining advice and assistance from counsel and other confidential advisers;

(6) I make no representations beyond those contained in this certificate and in particular, I make no representations as to whether this information may become available outside of MBUSA because of unauthorized or inadvertent disclosure, except as stated in Paragraph 5; and

(7) I certify under penalty of perjury that the foregoing is true and correct.
Executed on this the 29th day of March, 2005.


Frank Dierl


Subscribed and affirmed before me this 29th day of March, 2005

MARION LDIOLA
Notary Public, State of New York
Reg. No. 01LO8052053
Qualified in Orange County
Commission Expires December 11, 2006