

# POSTALANNEX<sup>+</sup>

## Your Home Office.

DT 45  
8/24/05  
184 1/8/05

### POSTALANNEX-H20

7514 Olived Ave. Suite 1  
La Jolla, Ca 92037

Phone: (858)456-3935  
Fax: (858)456-0810  
Email: pa20@mail.com

\*Today's  
to-do's.....Done!

\*UPS

\*FEDEX

\*24 Hr. Mailbox  
Services w/street  
address

\*Mail Receiving &  
Forwarding

\*USPS Mailing

\*Packing supplies

\*Printing-Business  
cards, & Stamps

\*Copies-Hi-speed,  
self-serve and color

\*Fax-Sending &  
Receiving

\*Computer Internet

\*Notary Services

\*Passports

**POSTALANNEX<sup>+</sup>**  
Your Home Office

### FAX TRANSMITTAL FORM

To: Scott Van  
NTTSA

From: Jordan ZIPPIN

Fax Number: (302) 366-1767

Please Circle One:

Urgent

For Review

Please Comment:

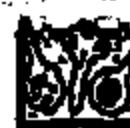
Please Reply:

DATE: 8/26/05 TIME: 3:40 pm Pacific

# of Pages Including Cover Sheet: 11

#### Message

Scott, I have seen now a substantial number of CPI  
complaints by UPS and FedEx which you probably have not yet received.  
Attached are pages 8-10 for the 2003 REVSSES 300's which I had not  
previously circulated. I am also attaching two pages of  
Miscellaneous complaints covering a variety of models, mostly  
2002-6-3 versus 300, I believe I will find quite a few  
escalation/complaint complaints in 2003-2005 models.  
Also attached is letter dated August 30, 2005 to  
Toyota Motor Corp. in response to its letter to me  
of August 24, 2005.



Carole A. Hargrave, Claims Manager 30 August 2005  
Toyota Motor Sales, U.S.A., Inc.  
19001 South Western Avenue  
Torrance, CA 90501

Re: Date of loss: July 1, 2005

Vehicle: 2002 Camry

VIN#: JTDBF30K4J0041826

Dear Ms. Hargrave:

This will acknowledge receipt of your August 24, 2005 letter to me.

I believe that it is worthwhile to make one last effort to resolve this dispute amicably for a number of reasons.

First, I have been a long and loyal Toyota/lexus customer. Second, when I return to Phoenix, Arizona from California on October 1, 2005, I will have to begin my search for the purchase of a new vehicle, since, as I indicated previously, I consider driving my 2002 Camry dangerous and have not driven it since the date of the accident on July 1, 2005. Third, there are some problems and questions raised with respect to the statements and contents of your August 24, 2005 letter.

30 August 2005

- 2 -

that you may wish to reconsider.

The letter stated that the vehicle was inspected by one of your field technicians who found that the electronic throttle control mechanism and accelerator pedal position were unpested and found to be working properly. A similar conclusion was reached with respect to the braking system hydraulics and electronics. Those findings did not particularly surprise me because the type of electronic defects I described are not readily duplicatable. However, they can be detected by statistical patterns.

Since your letter does not address the statistical problem, maybe we can resolve the issue by securing some relevant information: 1) How many customer complaints has Toyota/Lexus ~~had~~ and/or its dealers received concerning acceleration problems, including specifically vehicles accelerating on their own for all Toyota Camrys and Toyota Lexuses ES 300's for the years 2002-2005; 2) How many customer complaints has Toyota/Lexus and/or its dealers received concerning the failure of the braking system of 2002-2005 Toyota Camrys.

30 August 2005

-3-

and 2002-2005 Lexus ES 300's ~~for starters~~.  
while the described vehicles experienced  
acceleration problems, including specifically,  
when these vehicles accelerated on their own? 3)  
How many customer ~~complaints~~ has Toyota  
Corporation and/or its dealers received that 2002-2005  
Camry and/or a ~~new~~ ES300 vehicles actually  
accelerated when the driver pressed their brake  
pedals?; (4) and, finally, has Toyota (Corporation and/or its  
dealers replaced any of the electronic position sensors or  
made software adjustments with respect to the electronic  
throttle control mechanism and accelerator pedal  
and/or the braking system hydraulics and electronic  
system on 2002-2005 Toyota Camrys and  
newer ES 300's -

One of the reasons I raise these questions is that  
I read somewhere that a ~~new~~ Lexus customer  
in mid-2005 complained that the vehicle  
accelerated while the customer's foot was on the  
brake pedal, that even when the driver  
"STOMPED" on the brakes, the car still did  
not stop. Driver finally had to use the  
Emergency Brake. In other instances, drivers had  
to turn off ignition.

30 August 2005

-4-

I guess you can understand why I am so confused.

If Toyota's answers to my questions are "NO," then that will tend to confirm your position.

On the other hand, if the answers are "YES," and there have been numerous such complaints and

following which the vehicles have been inspected by technicians who have found no problems with either the acceleration or brake systems, then I think you ought to reconsider your position.

I know that Toyota has consistently manufactured the best vehicles, as I can attest. I also hope that Toyota has a strong and sincere concern not only for the safety of its own customers, but also for the general public which would come in contact with Toyota's vehicles which might have serious acceleration and braking problems. At this time, I am going to rely upon Toyota to do the right thing.

30 August 2005

-5-

It is therefore very important that this matter  
be resolved--if at all--no later than October 1,  
2005.

Once again, thank you for your prompt response.

Very truly yours,  
Jordan Zysin

cc

Toyota Motor Sales, U.S.A.  
Attn: Legal Department

## Miscellaneous

2002 LEXUS LS430

-1-

(complaint) 10024353

9/22/02

while driving at 50 mph, accelerator pedal stuck  
+ V was totaled

(5)

2003 LEXUS LS430

B

(4)

2004 LEXUS LS430

(3)

2005 LEXUS LS430 470

10096389

9/9/04

V had 100 miles. While shifting into park w/no pressure on accelerator (CB) suddenly lurched forward striking concrete stanchion - Dealer repaired \$4,000 damage at no cost to consumer.

2002 LEXUS GS300

✓ ✓

10063308

N/A

while applying brake pedal, V would intermittently lurch forward. Dealer could not determine cause.

C Scott - another case where pressing brake pedal causes acceleration

✓

10063526

3/12/04

While driving at low speed, V surged forward.

## Miscellaneous

- 2 -

✓ 10067419

N/A

While driving at 30 mph, V suddenly accelerated. Consumer applied brakes & vehicle jerked.

1007569/

5/28/04

While depressing brakes, steering wheel & brake pedal pulsated & V shook. Faulty brakes caused extended stopping distance.

10105160

12/3/04

Hesitation in acceleration at intersection.

- ✓ O/D NUMBER 2003 LEXUS ES300 FAIL DATE -8-  
10090157 Add 8/3/04  
while stopped at intersection V jerked uncontrollably
- ✓ 10093143 Add 8/18/04  
V shifts ERRATICALLY AND HESITATES -- UNSAFE
- ✓ 100913706 10/1/04  
Hesitation in acceleration, intermittent, dangerous,  
Technician said problem inherent with vehicle, similar  
complaints w/2002, 2003 and 2004 V's.
- ✓ 100912420h 10/4/04  
V accelerated without warning at any time
- ✓ 10091869 M 7/5/03  
Hesitation in acceleration at stop light, left  
turn, merging into traffic, entrance ramps,  
intersections and parking spots. Manufacturer &  
dealer say it is the new design
- ✓ 10103260 g 11/1/04  
Hesitation in acceleration Dealer could not  
find problem

OPI NUMBER

2003 WENDEE 300

FILE DATE

-a-

✓ 10101941 oh

1/20/05

V surged forward after stopping at stop sign,  
knocked over mail box, street light. BRAKES  
FAILED. ULTIMATELY CRASHED INTO TREE.

Pilot taken to hospital by ambulance. BFA

✓ 10112548 oh

1/21/05

Transmission and throttle problem

✓ 10115716 add

3/23/05

while transmission shifted, there was ten minute  
delay before response. Transmission jerked  
uncontrollably.

✓ 10120887 oh

10/30/05

Sudden Acceleration

✓ 10121756 oh

5/13/05

Driving at 5 mph with foot on brake pedal  
throughout whole incident, car accelerated... Tried  
to stop car by pushing brakes harder. Brakes  
did not respond. Then STOMPED on brakes.  
BRAKES STILL DID NOT RESPOND. Emergency  
brake finally stopped car. barely not to hit  
students. (Scott, please note, this incident

7P05-002 ODI NUMBER 2003 LEXUS ES 300 FAIL DATE -10-  
occurred in May 2005. Customer let dealer know  
that he had researched NHTSA site and found that  
this was not an isolated incident. Customer stated:  
"I AM AFRAID TO DRIVE THIS CAR BECAUSE OF  
THE SAFETY ISSUE AND SINCE LEXUS WILL  
NOT TAKE RESPONSIBILITY THE CAR MUST  
BE REPLACED!" BF+ Acceleration

✓ 1028111 0h 6/21/05  
Sudden acceleration while pulling into  
parking spot.

✓ 1031863 0h 5/16/03  
Since purchased JV, this JV has hesitated &  
stuttered when accelerating after slow-down  
or stop. Told (? by dealer) there is a design  
flaw in the COMPUTER CONTROLLED  
ACCELERATOR AND CANNOT BE FIXED.  
Close call on freeway when consumer needed to  
evade & is "frightened" by condition.