

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.

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October 17, 2007

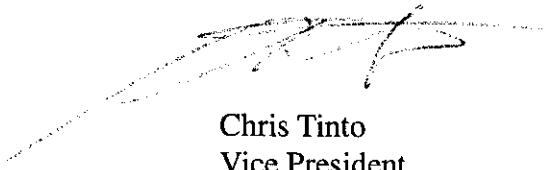
Mr. Thomas Z. Cooper
Chief – Vehicle Integrity Division
Office of Defects Investigation
National Highway Traffic Safety Administration
400 Seventh St., SW
Washington, DC 20590

Re: NVS-212mjl; EA06-020

Dear Mr. Cooper:

This letter is being sent in response to your September 12, 2007 letter regarding EA06-020. Enclosed you will find two copies of this response. Toyota considers certain information within the attachments to be confidential, and has requested confidential treatment for this material from the Office of Chief Counsel. We are including hard copies of this material in redacted format. Should you have any questions about this response, please contact Mr. Chris Santucci of my staff at (202) 775-1707.

Sincerely,



Chris Tinto
Vice President
TOYOTA MOTOR NORTH AMERICA, INC.

CT:cs
Enclosure

1. State, by model and model year, the number of the subject vehicles Toyota has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Toyota, state the following:
 - a. Vehicle identification number (VIN);
 - b. Make;
 - c. Model;
 - d. Model Year;
 - e. Date of manufacture;
 - f. Date warranty coverage commenced; and
 - g. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA."

Response 1

The number of MY 2004-2007 Toyota Sienna vehicles equipped with power liftgates Toyota has manufactured for sale or lease in the United States by model year is as follows:

Model	Model Year	Total
Sienna	2004	82,870
	2005	59,548
	2006	53,662
	2007	24,105
Total		220,185

In addition, detailed information for each vehicle is provided electronically on CD-ROM, in Microsoft Access 2000 format entitled "PRODUCTION DATA(EA06-020).mdb" stored in the folder "Attachment-Response 1".

2. State the number of each of the following, received by Toyota, or of which Toyota is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
 - a. Consumer complaints, including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
 - d. Property damage claims;
 - e. Third-party arbitration proceedings where Toyota is or was a party to the arbitration; and
 - f. Lawsuits, both pending and closed, in which Toyota is or was a defendant or codefendant.

For subparts "a" through "f," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and Toyota's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "e" and "f," identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

Response 2

- a. Using the counting methodology described in your question, there are 311 consumer complaint reports that may relate to the alleged defect in the subject vehicles. Since some customers complained about multiple incidents or same incidents, the total number of unique vehicles in the consumer complaints is 255.
- b. There are five field reports that may relate to the alleged defect in the subject vehicles.
- c. There are no reports involving a crash and/or fatality. However in the consumer complaints, 19 incidents have been reported where a minor injury had occurred. In addition, Toyota has received five legal related claims involving a minor injury. Three of those five complaints are duplicated with our consumer complaints.
- d. There are no property damage claims which may relate to the alleged defect.
- e. There are no third party arbitration proceedings where Toyota is or was a party to the arbitration.
- f. There are two lawsuits that may relate to alleged defect, in which Toyota is or was a defendant or codefendant.

The total count of the unique incidents for each item by model year, which may relate to the alleged defect in the subject vehicles, is provided electronically on CD-ROM in Microsoft Excel 2000 format entitled "Total Number.xls" stored in the folder "Attachment- Response 2".

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
 - a. Toyota's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
 - d. Vehicle's VIN;
 - e. Vehicle's make, model and model year;
 - f. Vehicle's mileage at time of incident;

- g. Incident date;
- h. Report or claim date;
- i. Whether a crash is alleged;
- j. Whether property damage is alleged;
- k. Number of alleged injuries, if any; and
- l. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

Response 3

The information for each item (complaint, report, claim, notice, or matter) is provided electronically on CD-ROM, in Microsoft Access 2000 format entitled "REQUEST NUMBER TWO DATA(EA06-020).mdb" stored in the folder "Attachment-Response 3".

- 4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Toyota used for organizing the documents.

Response 4

A list of the consumer complaints, copies of the field reports, and documents related to the legal related claims and lawsuits are all provided electronically on CD-ROM in Microsoft Excel 2000 and PDF format stored in the folder "Attachment-Response 4."

(The list of the consumer complaints is stored in sub-folder "a. consumer complaint." Copies of the field reports are stored in sub-folder "b. Field Report", the documents for the legal related claims are stored in the sub-folder "c. Legal related claims" and the documents for the lawsuits are stored in the sub-folder "f. Lawsuit".)

- 5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Toyota to date that relate to, or may relate to, the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. Toyota's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date;

- e. Vehicle mileage at time of repair;
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- g. Labor operation number;
- h. Problem code;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer; and
- k. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA."

Response 5

The total counts of warranty claims, extended warranty claims and claims for good will services paid by Toyota for the subject vehicles that may relate to the alleged defect by model year are provided electronically on CD-ROM, in Microsoft Excel 2000 format entitled "Total Count for Claims.xls" stored in the folder "Attachment- Response 5".

The detailed information for each claim is provided electronically on CD-ROM, in Microsoft Access 2000 format entitled "WARRANTY DATA(EA06-020).mdb" stored in the folder "Attachment-Response 5".

6. Describe in detail the search criteria used by Toyota to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Toyota on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that Toyota offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

Response 6

The search criteria used by Toyota to identify the claims is the following:

Toyota searched the warranty database for those claims that replaced any of the parts identified in Microsoft Excel file entitled "Search Criteria, Operation & Problem Codes.xls" stored in the folder "Attachment-Response 6" on CD-ROM. Toyota then reviewed the claim comments to determine if the claims may be related to the alleged defect. In addition, a list of all labor operations, labor operation descriptions, problem codes and problem code descriptions identified in these warranty claims are also provided in the same Microsoft Excel file described above.

The terms that Toyota offers for new vehicle warranty coverage is 36 months or 36,000 miles on MY 2004-2007 Sienna vehicles from the vehicle's date-of-first-use, whichever occurs first.

There are some extended warranty coverage options that Toyota offered for purchase with the subject vehicles. Detailed information about these options is provided electronically on CD-ROM, in PDF format, entitled "Extended Warranty Option.pdf" stored in the folder "Attachment-Response 6".

The number of subject vehicles that are covered under each such extended warranty option, by option, model, and model year is provided as "Attachment-Response 6-1" in hard copy only. Please note that this "Attachment-Response 6-1" contains trade secret and commercial information, therefore, Toyota believes that this document must be afforded confidential treatment. A request for confidential treatment of this document has been sent to the Office of Chief Counsel. A public version of this document is included with this response.

* * *

Regarding privileged documents that may be responsive to this information request, Toyota understands that it is acceptable to the Agency at this stage for Toyota to identify categories of privileged documents rather than any specific document within those categories. These categories include (a) communications between outside counsel and employees of Toyota's Law Department, other Toyota employees, or employees of parties represented by Toyota in litigation or claims; (b) communications between employees of Toyota's Law Department and other Toyota employees or employees of parties represented by Toyota in litigation or claims; (c) notes and other work product of outside counsel or employees of Toyota's Law Department, including work product of employees or consultants done for or at the request of outside counsel or Toyota's Law Department. For any privileged documents that are not covered by these categories, if any, Toyota will provide a privilege log identifying any such documents under separate cover. Toyota is not claiming a legal privilege for any documents provided with this response; however, Toyota does not waive the legal privilege or work product protection with respect to other documents that may have been prepared in connection with a specific litigation or claim. In addition, Toyota may assert the attorney client privilege or claim protection under the work-product doctrine for analyses or other documents that may be prepared in connection with litigation or claims in the future.

Toyota understands that NHTSA will protect any private information about persons that is contained in the Attachments to this response, based on privacy policy considerations. Such private information includes data such as names, addresses, phone or fax numbers, email addresses, license plate numbers, driver's license numbers and last 4 digits of the vehicle's VIN.

Data provided in this document is current as of the following dates:

Response 1 : Production Data - September 24, 2007

Response 2 - 4 : Consumer Complaint - September 27, 2007

Field Report - September 24, 2007

Lawsuit - September 20, 2007

Response 5 : Warranty Claims - September 24, 2007

Goodwill - October 1, 2007

Extended warranty claims - September 27, 2007

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The Number of vehicles covered under extended warranty

Model	MY	Gold	Platinum	Powertrain	Total
Sienna	2004				
	2005				
	2006				
	2007				
Total					

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