

Preliminary Statement

On April 30, 2009 Chrysler LLC, the entity that manufactured and sold the vehicles that are the subject of this Information Request, filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Bankruptcy Code.

On June 10, 2009, Chrysler LLC sold substantially all of its assets to a newly formed company now known as Chrysler Group LLC. Pursuant to the sales transaction, Chrysler Group LLC assumed responsibility for safety recalls pursuant to the 49 U.S.C. Chapter 301 for vehicles that were manufactured and sold by Chrysler LLC prior to the June 10, 2009 asset sale.

On June 11, 2009, Chrysler LLC changed its name to Old Carco LLC. The assets of Old Carco LLC that were not purchased by Chrysler Group LLC, as well as the liabilities of Old Carco that were not assumed, remain under the jurisdiction of the United States Bankruptcy Court – Southern District of New York (*In re Old Carco LLC, et al.*, Case No. 09-50002).

General Objections

Chrysler Group LLC (“Chrysler”) is providing non-privileged documents responsive to this General Order. Privileged documents that may be responsive to this General Order are not being produced. These may include (a) communications between outside counsel and employees of Chrysler’s Office of the General Counsel, other Chrysler employees, or employees of parties represented by Chrysler in litigation or claims; (b) communications between employees of Chrysler’s Office of the General Counsel and other Chrysler employees or employees of parties represented by Chrysler in litigation or claims; (c) notes and other work product of outside counsel or employees of Chrysler’s Office of the General Counsel, including work product of employees or consultants done for or at the request of outside counsel or Chrysler’s Office of the General Counsel. Chrysler is not claiming a legal privilege for any documents provided with this response; however, Chrysler 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, Chrysler 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.

Chrysler is not providing documents created in the normal course of Chrysler’s field action practices to validate a repair procedure and provide instructions for the replacing of inflators for its regional field action.

Although Chrysler is responding to all of the requests posed by the agency and has endeavored to identify and provide all responsive documents, Chrysler is objecting to certain of the definitions, instructions and requests contained in the General Order:

Chrysler objects to the definition of “documents” in the General Order because it exceeds a reasonable understanding of the term “documents.”

Chrysler objects to the definition of “High Absolute Humidity Region (HAH Region)” to the extent it differs from the areas covered in NHTSA’s June 2014 request for a regional field action. Chrysler also objects to this definition, as it omits Guam. In its response, Chrysler uses the term “Regional” to mean Florida, Hawaii, Puerto Rico and the U.S. Virgin Islands; Chrysler uses the term “Regional Plus” to mean Florida, Hawaii, Puerto Rico, U.S. Virgin Islands and the additional states of Alabama, Georgia, Louisiana, Mississippi and Texas and the additional U.S. territories of Guam, American Samoa and Saipan.

Chrysler objects to the definition of “You” and “Your” to the extent it purports to include outside counsel. It would be unduly burdensome to require Chrysler to request that outside counsel search files for responsive

documents. Moreover, it is highly unlikely that outside counsel would possess any non-privileged documents responsive to this General Order that are not already being produced by Chrysler. In light of the significant burden and cost associated with canvassing outside counsel for potentially responsive documents and the very low probability of identifying any non-privileged document not already being produced, Chrysler has not asked its outside counsel to search for responsive documents.

Chrysler understands that NHTSA will protect any private information about persons that is contained in this response, based on privacy considerations. Such private information includes data such as names, addresses, phone or fax numbers, email addresses, license plate numbers, driver's license numbers, and the last 6 digits of the vehicle's VIN.

Introduction

Chrysler takes this issue with Takata inflators very seriously. In June 2014, when the National Highway Transportation Safety Administration ("NHTSA") requested Chrysler and other manufacturers conduct a regional field action to replace certain Takata inflators in vehicles, Chrysler readily agreed to do so in the areas requested by NHTSA at that time (Florida, Hawaii, Puerto Rico and U.S. Virgin Islands). Recently, based on the most up to date Takata inflator testing of other manufacturer field returns, Chrysler enlarged the scope of its SPI passenger inflator campaign to include not only the expanded high absolute humidity region, as now defined by NHTSA, but the entirety of each state identified. In collaboration with NHTSA and Takata, Chrysler continues to actively monitor data and reassess the safety risk. Chrysler will take future action, based on all relevant and available data.

Chrysler continues to act promptly, cooperatively and proportionately to all known safety risk associated with the potential for Takata inflator malfunction in Chrysler vehicles. Chrysler, with the full knowledge and agreement of NHTSA, has focused its resources in the areas, and on the inflators, indicated by data to be of highest risk. There have been over 9,000 airbag deployments of the subject inflators in Chrysler vehicles in the U.S. outside of the Regional area. Chrysler is not aware of any high output events with Takata inflator rupture in Chrysler vehicles outside of southern Florida for either driver or passenger side Takata inflators. The actions announced by Chrysler reflect its continued commitment to supporting the June agreement with NHTSA, as well as the most up to date data.

Response

- Q1. File a report that describes, in detail, all completed, ongoing or planned testing of Takata inflators outside of the HAH Region. At a minimum, your report must include, but should not be limited to, the following:**
- a. All documents regarding or relating to the testing contained in your report;**
 - b. The location of the testing; the dates of the testing; whether the testing is completed, in progress, or planned; anticipated date of completion of testing; the nature and objective of the testing; and, testing protocols;**
 - c. A roster of all vehicles where the inflator was tested which includes: the model; model year; vehicle build date; VIN; the vehicle's registration history, by location; inflator serial number; inflator type; dealership location with zip code where the inflator unit was returned; whether any deaths, injuries or claims are associated with the inflator in the vehicle; and, product specifications for the air bag and inflator modules in each vehicle.**
 - d. If testing of inflators has been completed, describe in detail the results of the testing and the conclusions you have reached based upon the test results. If your conclusion is that a safety defect does not exist in inflators outside of the HAH Region, describe in detail the basis for that conclusion and when the decision was made and by whom. Provide a copy of all documents to or from any person(s) related to the conclusion that no safety defect exists in inflators outside of the HAH Region.**
 - e. Sub-part (e) is directed to BMW, Chrysler, Ford, GM, Honda, Mazda, Mitsubishi, Nissan, Subaru and Toyota: State in your report whether or not Takata has performed testing of inflators used in your vehicles outside of the HAH Region. If so, describe in detail what Takata has communicated to you about the testing and/or test results. Produce all documents related to Takata's testing, test results and your communications, internal and external, related to the testing. State whether you have requested additional information from Takata concerning its testing of inflators outside of the HAH Region which you believe would assist in your determination of whether a defect exists. Identify and describe any information, documents or categories of information and documents that you reasonably believe that Takata has or reasonably should have concerning inflators or testing of inflators used in your vehicles that**

Takata has not provided you and which you believe would assist you in testing inflators to determine whether a safety defect exists in inflators outside of the HAH Region.

f. Provide the name, title and complete contact information for each and every manager or supervisor (at all levels of management or supervisory responsibility) involved in your investigation and decision-making process concerning rupturing air bag inflators manufactured, in whole or in part, by Takata.

g. Provide the name, title and complete contact information for each and every person who prepared and provided input and/or data included in the report contained in Request No. 1, including but not limited to inside or outside counsel, accountants, engineers, employees and other professionals.

A1. Chrysler has not initiated an investigation of Takata inflators outside of the Regional Plus region. Chrysler focuses on system and vehicle level development and testing. Chrysler relies on our supplier's technical expertise to conduct component level tests and to analyze inflators to the degree required for this investigation. Chrysler continues to work with Takata to concentrate the investigation and analysis of Chrysler vehicles with Takata inflators within the area covered by Chrysler's campaigns.

Chrysler has collected Takata inflators from vehicles outside the Regional Plus region as a result of its standard field action practices to validate a repair procedure and provide instructions for the replacing of inflators for its regional field action. In support of this activity, Chrysler replaced five passenger and two driver inflators. These inflators are currently in Chrysler's possession, and will soon be provided to Takata for testing.

Additionally, Chrysler is in possession of Takata Driver and Passenger airbags removed from one vehicle in Colorado and one vehicle in Nebraska. The Colorado vehicle's owner was erroneously contacted as part of Chrysler's regional field action study. The Customer Assistance Inquiry Record relating to the Colorado vehicle is located in Enclosure 1, entitled "CAIR 25899764.pdf." The airbags in the Nebraska vehicle were replaced by Chrysler as a goodwill gesture. The airbags from these two vehicles are in transit to the Chrysler Technical Center. Upon receipt of these airbags, Chrysler will provide them to Takata for testing. A roster of vehicles outside of the Regional Plus region having Takata inflators collected by Chrysler for testing by Takata is provided in Enclosure 1, entitled "2014 12 05 Vehicle Roster.pdf."

Chrysler is providing a copy of Takata's customer update dated 12/4/2014. Although this update does not include testing or field incidents of inflators from non-Regional Plus Chrysler vehicles, it does include field incidents of two non-Regional Plus vehicles from other manufacturers. Chrysler is submitting only the

O. Kevin Vincent
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ATTACHMENT

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12/4/2014 version of this document, as it is cumulative. This document is located in Enclosure 1, entitled "2014 12 04 Takata Customer Update.pdf."

Chrysler understands that Takata will use an identical field return process plan for analysis and testing of the out of Regional Plus region inflators as it is currently using. Takata's field return process plan for analysis and testing is included in Enclosure 1, entitled "Takata Process Flow Chart.pdf."

Chrysler personnel with primary responsibility for Chrysler's investigation concerning rupturing air bag inflators manufactured, in whole or in part, by Takata is located in Enclosure 1, entitled "2014 12 05 Chrysler Investigation.pdf."

Chrysler personnel with primary responsibility for Chrysler's decision-making process concerning rupturing air bag inflators manufactured, in whole or in part, by Takata is located in Enclosure 1, entitled "2014 12 05 Chrysler Decision-Making.pdf."

Individuals who primarily prepared and provided input and/or data included in the report contained in Request No. 1 is located in Enclosure 1, entitled "2014 12 05 Chrysler Input.pdf."