



GENERAL MOTORS LLC  
Global Vehicle Safety

June 30, 2017.

Mr. Gregory Magno, Chief  
Vehicle Defects Division – A  
Office of Defects Investigation  
National Highway Traffic Safety  
Administration  
1200 New Jersey Ave., SE, Room W48-334  
Washington, DC 20590

G210185  
NEF-101  
RQ17-002sh

**Re: General Motors LLC's Responses to Information Requests 2, 3, and 4 dated May 1, 2017 relating to Recall Query No. 17-002**

Dear Mr. Magno:

This letter contains General Motors LLC's ("GM") written responses to requests 2, 3, and 4 in your May 1, 2017 Information Request (the "IR") relating to Recall Query 17-002 (the "RQ"). As we discussed today, GM will provide its remaining responses to the IR on before July 21, 2017. Unless otherwise defined below, GM's responses rely on the IR's defined terms.

GM's document production relating to the responses in this letter are contained on the enclosed compact disks titled ATT\_1\_GM.

### REQUESTS AND RESPONSES

#### REQUEST 2:

State the number of each of the following, received by GM, or of which GM is otherwise aware, which relate to, or may relate to, the alleged defect in subject vehicles outside the scope of Recall 15V519:

- a. Consumer complaints, including those from fleet operators;
- b. Field reports, including dealer field reports;
- c. Reports involving a crash, injury or fatality;
- d. Reports involving a fire;
- e. Property damage claims;
- f. Third-party arbitration proceedings where GM is or was a party to the arbitration; and
- g. Lawsuits, both pending and closed, in which GM is or was a defendant or codefendant.



For subparts “a” through “g” 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 “g” provide a summary description of the alleged problem and causal and contributing factors and GM’s assessment of the problem, with a summary of the significant underlying facts and evidence. For items “f” and “g” 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.

**GM RESPONSE:**

GM is aware of the following claims that may be responsive to Request 2:

TYPE OF REPORT	GM REPORTS	SUBCATEGORIES				
		CORRESPONDING TO NHTSA REPORTS	NUMBER WITH PROPERTY DAMAGE	NUMBER WITH CRASH	Fire <sup>1</sup>	NUMBER WITH INJURIES/FATALITIES
Owner Reports	2550	60	4	5	103	1/0
Field Reports	2107	0	0	0	23	0/0
Not-In-Suit Claims	6	0	1	2	3	3/0
Subrogation Claims	0	0	0	0	0	0/0
Third Party Arbitration Proceedings	0	0	0	0	0	0/0
Product Liability Lawsuits	1 <sup>2</sup>	0	0	1	0	1/0
Total Reports (Including Duplicates)	4664	60	5	8	129	5/0
Total Vehicles with Reports (Unique VIN)	4483	54	4 <sup>3</sup>	7 <sup>4</sup>	126	4/0 <sup>5</sup>

TABLE 2-1: SUMMARY OF CLAIMS RESPONSIVE TO REQUEST 2A – 2E

<sup>1</sup> As defined in 49 CFR 579.4(c).

<sup>2</sup> This litigation case includes an allegation by the driver that the vehicle’s headlamps failed and that this failure caused the vehicle to enter the median and roll. This allegation, however, is contradicted by the associated police report, which states that the driver attributed the crash to the fact that he was drowsy, and which does not include the allegation that headlamp failure caused the alleged crash.

<sup>3</sup> Two of the claims allege damage to other vehicles, one claim alleges damage to a road sign and an unknown object, and one claim alleges damage caused by striking a deer. This column does not include reports alleging damage to the subject vehicle involved in the alleged incident due to a fire. These reports are summarized in more detail below.

<sup>4</sup> Of these seven unique reports alleging that a crash occurred, only one—the crash alleged in the lawsuit discussed in footnote 2—was allegedly severe in nature. The allegations associated with the remaining six suggest that the alleged crashes were minor in nature.

<sup>5</sup> Three of these alleged injuries were minor in nature. GM could not determine the severity of the fourth alleged injury.

With respect to the 126 unique fire-related reports:

- GM is not aware of any allegations of an unattended vehicle fire relating to the alleged defect.
- 14 include allegations of an open flame or fire, of which seven alleged property damage to the subject vehicle.
- All 14 reports involving open flame or fire indicate that the fire was either extinguishable or self-extinguished, and that the resulting vehicle damage was repairable.
- 115 contain allegations of smoke, melting, and/or burning.
- Four reports specifically mention that the HDM that melted or burned was an aftermarket HDM. GM has obtained sample melted HDMs from the field, and every melted or burned HDM that GM has analyzed is an aftermarket HDM that GM did not install as original equipment in the subject vehicles. GM's position is that the vast majority, and perhaps all, of the 126 unique fire-related reports in Table 2-1 involve this aftermarket component. This position is based on the in-depth analysis of melted or burned parts returned from the field which confirmed that the parts were an aftermarket design. The GM HDM relay also has an internal thermal protection system that protects the component from overheating. Many of the aftermarket parts that GM analyzed did not have the thermal protection feature.

In response to requests 2f-2g, GM is producing the responsive, nonprivileged litigation records relating to the litigation case listed above in Table 2-1. These records contain the requested information regarding 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.

**REQUEST 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. GM'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), street address, email 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 a fire is alleged;
- k. Whether property damage is alleged;
- l. Number of alleged injuries, if any; and
- m. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

**GM RESPONSE:**

GM has produced the requested information on the ATT\_1\_GM disk in the folder labeled "Q\_3". Refer to the Microsoft Access 2010 file labeled "Q\_03\_REQUEST NUMBER TWO DATA".

**REQUEST 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 GM used for organizing the documents. Describe in detail the search methods and search criteria used by GM to identify the items in response to Request No. 2.

**GM RESPONSE:**

GM has produced the copies of the records summarized in Table 2-1 in the Microsoft Access file labeled "Q\_03\_REQUEST NUMBER TWO DATA" on the ATT\_1\_GM disk in the folder labeled "Q\_03". GM has organized the records by the GM file number within each attachment.

**CONCLUSION**

GM claims that certain information in documents that are part of lawsuit and claims files maintained by the GM Legal Staff is attorney work product and/or privileged. That information includes notes, memos, reports, photographs, and evaluations by attorneys (and by consultants, claims analysts, investigators, and engineers working at the request of attorneys). GM is producing responsive documents from claims files that are neither attorney work product nor privileged, and withholding those that are attorney work product and/or privileged.

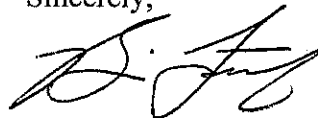
This response is based on searches of GM locations where documents determined to be responsive to your request would ordinarily be found. As a result, the scope of this search did not

include, nor could it reasonably include, “all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of GM (including all business units and persons previously referred to), who are or, in or after 1995, were involved in any way with any of the following related to the alleged defect in the subject vehicles: a. Design, engineering, analysis, modification or production (e. g. quality control); b. Testing, assessment or evaluation; c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.”

This response was compiled and prepared by this office upon review of the documents produced by various GM locations, and does not include documents generated or received at those GM locations subsequent to their searches.

Please contact me if you require further information about this response or the nature or scope of our searches.

Sincerely,



Brian Latouf, Executive Director  
Global Safety and Field Investigations

cc: Mr. Sean Hays

**Enclosures**

ATT\_1\_GM – Public copy of GM’s document production