INFORMATION REDACTED PURSUANT TO THE FREEDOM OF INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

April 10, 2019

Jonathan Morrison
Office of Chief Counsel
NCC-111
National Highway Traffic Safety Administration
Room W41-227
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Morrison:

Subject: **Request for Confidential Treatment PE18-014**

Included are two CD-ROMs of Jaguar Land Rover North America, LLC's ("Jaguar Land Rover") submission in response to the Agency's request for information related to PE18-014 which contain confidential business information. Included for your reference is a copy of the non-confidential portion of Jaguar Land Rover's response to the Agency's information request.

Appendix 1 provides support for Jaguar Land Rover's claim of confidentiality in accordance with 49 CFR Part 512. Jaguar Land Rover requests confidential treatment for certain information included in these documents which contain confidential business information exempt from disclosure pursuant to 5 USC § 552(b)(4).

Please call me at 201-818-8034 if you have any questions.

Sincerely,

[redacted]

John Kobylarz
Safety Compliance Manager
Jaguar Land Rover North America, LLC

Attachments

JAGUAR LAND ROVER NORTH AMERICA, LLC
100 JAGUAR LAND ROVER WAY, MAHWAH, NJ 07495
1-800-FIND 4WD LANDROVERUSA.COM
1-800-4 JAGUAR JAGUARUSA.COM

APPENDIX 1

§512.8 (a) Describe the information

The information for which JLR is requesting confidential treatment consists of attachments for response to Questions 8 and 9, as noted, of PE18-014. This information includes design and testing strategy, information on product development methods, and other confidential information related to how JLR develops its products.

§512.8 (b) Confidentiality standard in accordance with §512.15

§512.15(b) Public disclosure of the information would be likely to cause substantial harm to the competitive position of the submitter.

§512.8 (c) Justification for Confidential Treatment

Documents of the type as described in §512.8 (a) are maintained under a record keeping system which is intended to control dissemination of this material within Jaguar Land Rover, and to assure that the material is not disseminated outside of Jaguar Land Rover, except as described in the attached certification, which is made pursuant to 49 CFR Part 512.4(b).

Disclosure of these documents, in JLR's opinion, could result in substantial competitive harm as it would reveal design and testing strategy, information on product development methods, and other confidential information related to how JLR develops its products.

§512.8 (d) Class Determination

The information is not subject to a class determination.

§512.8 (e) Time period during which confidential treatment is sought

The information for which confidential treatment is being sought is the kind that JLR does not anticipate ever disclosing to the public. Therefore, JLR requests the information be accorded confidential treatment indefinitely.

§512.8 (f) Contact Information

Contact information is noted on the cover sheet.

CERTIFICATE IN SUPPORT OF REQUEST

FOR CONFIDENTIALITY

I, John Kobylarz, pursuant to the provisions of 49 CFR Part 512, state as follows:

1. I am the Safety Compliance Manager, Jaguar Land Rover North America, LLC ("Jaguar Land Rover"), and I am authorized by Jaguar Land Rover to execute this certificate on its behalf;

2. I certify that the information contained in the attachment to Jaguar Land Rover's letter to NHTSA's Office of the Chief Counsel dated April 10, 2019 is 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 the statute under which the information is being submitted);

3. I hereby request that the information contained in the attachment to Jaguar Land Rover's letter to NHTSA's Office of the Chief Counsel dated April 10, 2019 (the "Submission") including the information in attachments on Questions 8 and 9, as noted, be accorded confidential treatment indefinitely.

4. This certification is based on the information provided by the responsible Jaguar Land Rover 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 been released outside Jaguar Land Rover;

5. Based upon that information, to the best of my knowledge, information and belief, the information for which Jaguar Land Rover has claimed confidential treatment has never been released or become available outside Jaguar Land Rover; (except as hereinafter specified):

    - Portions of these documents may have been or may be shared with Jaguar Land Rover suppliers with the expectation that they will be kept confidential.
    - During the course of defending itself in litigation, Jaguar Land Rover may have been, or may be required to produce such information.

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 Jaguar Land Rover 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 10th day of April, 2019.

[redacted]

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John Kobylarz