

From: [Grigorian, Chris](#)
To: [Pinero, Daniel \(NHTSA\)](#); [York, Bruce \(NHTSA\)](#)
Cc: [Wiener, Adam \(adam.wiener@us.bosch.com\)](#); [Englund, Nick](#); [Goltz Dave \(C/LSR-NA1.2\)](#); [Gelement Gina \(C/LSR-NA1.2\)](#)
Subject: Re: EA23001 CP4 variants
Date: Thursday, May 9, 2024 3:30:58 PM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image001.png](#)

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Hi Dan –

We agree with this. Thanks!

Chris

--

Christopher H. Grigorian

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From: Pinero, Daniel (NHTSA) <daniel.pinero@dot.gov>

Date: Thursday, May 9, 2024 at 11:02 AM

To: Grigorian, Chris <CGrigorian@foley.com>, York, Bruce (NHTSA) <Bruce.York@dot.gov>

Cc: Wiener, Adam (adam.wiener@us.bosch.com) <adam.wiener@us.bosch.com>, Englund, Nick <NEnglund@foley.com>, Goltz Dave (C/LSR-NA1.2) <Dave.Goltz@us.bosch.com>, Gelement Gina (C/LSR-NA1.2) <Gina.Gelement@us.bosch.com>

Subject: RE: EA23001 CP4 variants

**** EXTERNAL EMAIL MESSAGE ****

Chris, thank you for your response,

We will prepare an extension request for June 14 for Req. Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 14, 17, 18, 19, and 20.

Since it appears Req 10, 11, 12, 13, 15, 16 will be incomplete by June 14 as it depends on the June 14 response, we will set a date two weeks from the June 14 response date (June 28). This will give us a chance to evaluate your sample responses and allow Bosch a chance to gauge what will be needed to fully respond to these requests, at which time another extension can be considered.

Let me know if you agree to this so we can get the paperwork prepared and make this official prior to the original due date, May 10,

Dan Pinero

From: Grigorian, Chris <CGrigorian@foley.com>

Sent: Wednesday, May 8, 2024 4:57 PM

To: Pinero, Daniel (NHTSA) <daniel.pinero@dot.gov>; York, Bruce (NHTSA) <Bruce.York@dot.gov>

Cc: Wiener, Adam (adam.wiener@us.bosch.com) <adam.wiener@us.bosch.com>; Englund, Nick <NEnglund@foley.com>; Goltz Dave (C/LSR-NA1.2) <Dave.Goltz@us.bosch.com>; Gelement Gina (C/LSR-NA1.2) <Gina.Gelement@us.bosch.com>

Subject: Re: EA23001 CP4 variants

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Bruce and Dan:

Following up on your email yesterday, as mentioned in our early email, we had discussed holding off on providing warranty data, as Bosch's data will be much less complete than the data the OEMs can provide. We also discussed holding off on providing the underlying technical documents until we get a complete understanding of scope, which will be clearer after we finish preparing the materials referenced above. We noted, however, that we could provide samples of these documents. Here is a proposal that addresses all 20 requests:

- Response to Req. Nos. 1 & 14: By June 14, Bosch will provide a written response and an Excel document (similar to the document we showed Dan during our call) that provides the information along the lines described in your email below. The document will include all of the U.S. OEMs to which Bosch supplied CP4 pumps that contain variant specifications (which may vary by both customer and customer engine types, for

example), and we'll add vehicle platform information (to the extent Bosch has that detail) and available production/supply data by month. We believe this should cover most of Request Nos. 1 and 14.

- Response to Request Nos. 2, 3 and 4: By June 14, Bosch will provide its written response (note that there likely isn't much to provide)
- Response to Req. Nos. 5 - 7: By June 14, Bosch will provide a written response explaining that Bosch does not provide a warranty to vehicle owners and noting that any warranty claims data that Bosch has in its possession would have originated from the respective OEMs and, in any event, may not be complete.
- Response to Req. Nos. 8 - 9: By June 14, Bosch will provide a written response explaining that Bosch does not provide a warranty to vehicle owners.
- Response to Req. No. 10: By June 14, Bosch will provide a written response that provides a general description the studies and assessments conducted by or on behalf of Bosch. We can also provide examples to assist the Agency in understanding the types of information Bosch has. Following the initial response, we can discuss what documents, if any, would be useful for NHTSA's further evaluation and, to the extent necessary, we can discuss timing of a supplemental response/production.
- Response to Req. No. 11: By June 14, Bosch will provide a written response with a general description of variations and changes made. After NHTSA has reviewed the Excel document provided in response to Req. Nos. 1 & 14, we can discuss specific part numbers that may be relevant for a more targeted and relevant search and a timeline for collecting/providing that information.
- Response to Req. Nos. 12 - 13: By June 14, Bosch will provide a written response and some examples of presentations shared between Bosch and its OEM customers. After NHTSA has had a chance to review the initial response, we can discuss what documents would be useful for NHTSA's evaluation and, to the extent necessary, we can discuss timing of a supplemental response/production.
- Response to Req. Nos. 15 - 16: The universe of documents is quite large and would require searches of emails/documents from approximately 100+ Bosch employees globally. It would involve an extremely burdensome and time-consuming endeavor, including complying with GDPR privacy, possible translation of German documents, etc. We propose to suspend these requests for the time being and, after NHTSA has reviewed the Excel document provided in response to Req. Nos. 1 & 14, we can discuss the specific part numbers that may be relevant for a more targeted and relevant search and a timeline for collecting/submitting that information.
- Response to Req. No. 17: By June 14, Bosch will provide a written response with a general chronology of material events.
- Responses to Request Nos. 18 - 19: By June 14, Bosch will provide a written response to these two requests.
- Request No. 20 seeks copies of documents, not otherwise specifically requested, that Bosch believes are relevant to its assessment of the alleged defect. As noted above,

Bosch will provide its assessment in response to Request Nos. 18 and 19. This response may also refer to certain documents, copies of which will be provided with its response.

(Note: To the extent any of the documents we provide as part of the June 14 response contain personal information (e.g., names or email addresses of individual employees), such information may need to be redacted in order to comply with European data privacy requirements under the GDPR.)

Again, the need for the extension arises primarily from the time and difficulty in pulling together information in large part for the first item above. It took the Bosch team several weeks to gather the information for just Stellantis and BMW that we shared with Dan today (partially responsive to Request Nos. 1 and 14), and there are potentially dozens of additional part numbers for which Bosch will need to gather information. Lastly, as we initially discussed, Bosch wants to be collaborative and cooperative with NHTSA in providing information and/or documents that actually assist NHTSA in what it is seeking, and to minimize the time for you and your team to review potentially hundreds of thousands of documents from Bosch. As mentioned previously, Bosch also would offer to set up a meeting or call with its technical team to help NHTSA understand Bosch's responses, documents, and position regarding the CP4 variants in which you are interested.

Please let us know whether this would be an acceptable approach. Thanks!

Chris

--

Christopher H. Grigorian

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FOLEY

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From: Pinero, Daniel (NHTSA) <daniel.pinero@dot.gov>

Date: Tuesday, May 7, 2024 at 1:38 PM

To: Grigorian, Chris <CGrigorian@foley.com>, York, Bruce (NHTSA) <Bruce.York@dot.gov>

Cc: Wiener, Adam (adam.wiener@us.bosch.com) <adam.wiener@us.bosch.com>, Englund, Nick <NEnglund@foley.com>, Goltz Dave (C/LSR-NA1.2) <Dave.Goltz@us.bosch.com>, Gelement Gina (C/LSR-NA1.2) <Gina.Gelement@us.bosch.com>

Subject: RE: EA23001 CP4 variants

**** EXTERNAL EMAIL MESSAGE ****

Chris, as part of our extension request we will need to also provide dates for the rest of the IR letter requests. What dates do you anticipate for those requests (requests other than Q1,2,3,4,14,18,19)?

Dan Pinero

From: Grigorian, Chris <CGrigorian@foley.com>

Sent: Friday, May 3, 2024 12:40 PM

To: York, Bruce (NHTSA) <Bruce.York@dot.gov>; Pinero, Daniel (NHTSA) <daniel.pinero@dot.gov>

Cc: Wiener, Adam (adam.wiener@us.bosch.com) <adam.wiener@us.bosch.com>; Englund, Nick <NEnglund@foley.com>; Goltz Dave (C/LSR-NA1.2) <Dave.Goltz@us.bosch.com>; Gelement Gina (C/LSR-NA1.2) <Gina.Gelement@us.bosch.com>

Subject: Re: EA23001 CP4 variants

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Hi Bruce:

We had our call with Dan yesterday afternoon to discuss Bosch's proposed approach to providing an initial response to the IR. Per our discussion, we are requesting an extension until June 14 to provide an initial response, which would include the following:

- An Excel document (similar to the document we showed Dan during our call) that provides the information along the lines described in Dan's email below. The document will include all of the U.S. OEMs to which Bosch supplied CP4 pumps that share these common variant specifications, and we'll add vehicle platform information (to the extent Bosch has that detail) and production/supply data by month. This should cover most of Request Nos. 1 and 14.
- Response to Request Nos. 2, 3 and 4 (note that there likely isn't much to provide)
- Responses to Request Nos. 18 and 19

We discussed holding off on providing warranty data, as Bosch's data will be much less

complete than the data the OEMs can provide. We also discussed holding off on providing the underlying technical documents until we get a complete understanding of scope, which will be clearer after we finish preparing the materials referenced above. (In the meantime, however, we can provide samples of these documents.)

The need for the extension arises primarily from the difficulty in pulling together information for the first item above. It took the Bosch team several weeks to gather the information for just Stellantis and BMW that we shared with Dan today, and there are potentially dozens of additional part numbers for which Bosch will need to gather information.

We also propose that we schedule a call during the week of June 10 so that the Bosch technical team can provide a preview of the response and explain the detail you'll be receiving. We can discuss this as we get closer.

Please let us know whether this is acceptable. Thanks!

Chris

--

Christopher H. Grigorian

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From: Pinero, Daniel (NHTSA) <daniel.pinero@dot.gov>

Date: Thursday, May 2, 2024 at 11:41 AM

To: Grigorian, Chris <CGrigorian@foley.com>

Cc: Wiener, Adam (adam.wiener@us.bosch.com) <adam.wiener@us.bosch.com>, York, Bruce (NHTSA) <Bruce.York@dot.gov>

Subject: RE: EA23001 CP4 variants

**** EXTERNAL EMAIL MESSAGE ****

I can do 12:30-1pm if that works for you, otherwise I will have to push it out until Tuesday

Dan

From: Grigorian, Chris <CGrigorian@foley.com>
Sent: Wednesday, May 1, 2024 4:11 PM
To: Pinero, Daniel (NHTSA) <daniel.pinero@dot.gov>
Cc: Wiener, Adam (adam.wiener@us.bosch.com) <adam.wiener@us.bosch.com>; York, Bruce (NHTSA) <Bruce.York@dot.gov>
Subject: Re: EA23001 CP4 variants

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Hi Daniel:

Thanks for the additional clarification below. Are you available for a call tomorrow, 11:30 – 1 pm or 3 – 4 pm, for a follow-up discussion about scope and timing?

Chris

--

Christopher H. Grigorian
Partner

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From: Pinero, Daniel (NHTSA) <daniel.pinero@dot.gov>
Date: Tuesday, April 30, 2024 at 10:58 AM
To: Grigorian, Chris <CGrigorian@foley.com>
Cc: Wiener, Adam (adam.wiener@us.bosch.com) <adam.wiener@us.bosch.com>, York, Bruce (NHTSA) <Bruce.York@dot.gov>

Subject: RE: EA23001 CP4 variants

**** EXTERNAL EMAIL MESSAGE ****

Chris, here are the specific variants with respect to geometry. Note we are focusing on their specific cam profiles and roller diameters used on the pumps equipped on the recalled vehicles and how these specific pump attributes may apply to CP4 pumps supplied to other OEMs.

BMW:

12mm roller diameter with concave-sym cam profile, operating at 1600, 1800, 2000 bar

12mm roller diameter with 3-harm. sym cam profile operating at 2000 bar.

FCA:

FCA ended up recalling all of their CP4 pumps; is it possible for you to collect a list of pumps supplied to specific make/model/MY FCA vehicles (listed in the IR letter subject vehicles) and provide RPx type, roller shoe diameter, and cam profile?

Dan

From: Grigorian, Chris <CGrigorian@foley.com>

Sent: Monday, April 29, 2024 1:15 PM

To: Pinero, Daniel (NHTSA) <daniel.pinero@dot.gov>

Cc: Wiener, Adam (adam.wiener@us.bosch.com) <adam.wiener@us.bosch.com>; York, Bruce (NHTSA) <Bruce.York@dot.gov>

Subject: Re: EA23001 CP4 variants

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Dan –

My understanding is that the RP6 and RP7 variants each embodied updates to several different specifications and that not all of these updated specifications were adopted by the different OEMs (or they were adopted at different times). In other words, an OEM could adopt certain parts of RP6 and not others, but it would still be considered to have the RP6 variant. You mentioned during our call on Friday that you wanted to focus on certain characteristics, such as internal geometry. Are you able to be more specific? If not, we may need to provide information across the full breadth of RP6 and RP7 variants, and that (unfortunately) will not help us narrow the scope. If you could provide the document you were referring to, that may be helpful. If it had a Bosch logo, it likely came from Bosch's files. Thanks!

Chris

--

Christopher H. Grigorian

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FOLEY & LARDNER LLP

From: Grigorian, Chris <CGrigorian@foley.com>

Date: Friday, April 26, 2024 at 3:31 PM

To: Pinero, Daniel (NHTSA) <daniel.pinero@dot.gov>, adam.wiener@us.bosch.com
<adam.wiener@us.bosch.com>

Cc: York, Bruce (NHTSA) <Bruce.York@dot.gov>

Subject: Re: EA23001 CP4 variants

Thanks, Dan. We'll discuss this with the technical team and circle back next week. And thanks again for the productive call this morning!

Chris

--

Christopher H. Grigorian

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FOLEY & LARDNER LLP

From: Pinero, Daniel (NHTSA) <daniel.pinero@dot.gov>

Date: Friday, April 26, 2024 at 1:19 PM

To: Grigorian, Chris <CGrigorian@foley.com>, adam.wiener@us.bosch.com
<adam.wiener@us.bosch.com>

Cc: York, Bruce (NHTSA) <Bruce.York@dot.gov>

Subject: EA23001 CP4 variants

**** EXTERNAL EMAIL MESSAGE ****

Hello Chris and Adam; I have reviewed IR response materials from PE21021 and the two variants referenced are RP6 and RP7. Note that if other 'RP' variants are used in the vehicles referenced in the EA23001 IR letter they would also need to be included in the IR response.

Thank you, let me know when you would like to schedule an additional meeting, as discussed earlier today,



Daniel Pinero
Team Lead General Engineer
Department of Transportation
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE., Washington, DC 20590

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