

From: Chris Santucci=-WDC/Toyota_NY. Sent:3/21/2007 10:28 AM.
To: [-] Michiteru Kato/=HINPO/TMC0@TMC0@TMCE@TOYOTA.
Cc: [-] Christopher Tinto/=-WDC/Toyota_NY@Toyota_NY;kato86@hm6.aitai.ne.jp;Kevin Ro/=-WDC/Toyota_NY@Toyota_NY.
Bcc: [-] .
Subject: Re: Fw: URGENT*****ES350 ISSUE*****

Thanks Mitch,

Please prepare your position as soon as possible. NHTSA will open on Tuesday (next week) if we do not get back to them.

We have consulted Mr. Weinstein for some additional advice, and I will forward his comments as soon as we get them.

Regards,

Chris Santucci - Assistant Manager
Technical and Regulatory Affairs
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Michiteru Kato/HINPO/TMC0@TMC0
03/21/2007 03:44 AM
To Christopher Tinto/WDC/Toyota_NY@TOYOTA_NY@TOYOTA@TMCE, Chris Santucci/WDC/Toyota_NY@TOYOTA_NY
cc Kevin Ro/WDC/Toyota_NY@TOYOTA_NY, kato86@hm6.aitai.ne.jp
Subject Re: Fw: URGENT*****ES350 ISSUE*****

[only send this email to TMA]

Tinto-san and Santucci-san,

I'm very surprised that NHTSA is going to open the investigation on the mat issue which may be caused by the improper installation by the customer (most I think) or dealer. I do not think that the dealer may put the all weather mat on the original floor mat when delivering the vehicle to the customer.

Will NHTSA open the investigation even if the dealer never do that? If so, it's ridiculous, I think. As you may know, the owner's manual clearly shows how to install the floor mat as attached. If a manufacturer's aftermarket part which the customer need to install in the vehicle is installed improperly to the vehicle by the customer even there is a instruction/caution, is the manufacturer responsible for such issue? How about if the accelerator pedal stuck on the all weather mat which is sold in the autopart shop and the customer bought and installed it on the original floor mat? In addition, this issue might occur on other models if the customer install the mat on the original floor mat. I think that the structure around the accelerator pedal and location on the ES350 is similar to other models, ES is not special, and do not think that this issue is likely to occur only on the ES.

I'm very curious about how NHTSA open the investigation on this issue, such as scope, alleged defect, items in IR etc. Is NHTSA going to investigate the sudden acceleration "caused by the floor mat"? I'm wondering if NHTSA really intend to open the investigation. (Or threatening word????)

I really want to fight with NHTSA about this issue because there is no defect on the vehicle which may cause the sudden acceleration, like Camry investigation, but I do not want to do a hard work on such crazy issue.....no more IR.....

I'm sorry for grumbling..... I know I can say the above only if there is any evidence that the dealer never install it on the original mat.

Anyway, NHTSA wants us to send a letter to the owners cautioning them not to put the all weather mat on the original mat, don't they? I also think that this is the easy way to settle this issue with NHTSA quickly. But we strongly do not want to do it under Part573 if we send out the letter to the owners.

But, current status and plan is that

This is a TMS's accessory issue, so we need to hear the TMS's opinion about this issue first.

George said that he will have a internal meeting tomorrow(3/21) with his big boss(GVP) and TMS-CAD(Accessary Dept.) to discuss this issue and decide TMS's opinion.

After hearing the above meeting result from TMS, CQE will discuss how to handle this issue based on the TMS's opinion.

Unfortunately, Yokoyama-san has been on business trip to South Africa and will return this weekend. So Probably I will inform you of Toyota's final opinion early next week, but I will keep you informed.

Best regards,

Mitch

宛先: Hajime Kitamura/HINPO/TMC0@TMC0, Michiteru Kato/HINPO/TMC0@TMC0@TMCE@TOYOTA
cc: Christopher Tinto/WDC/Toyota_NY@Toyota_NY, Kevin Ro/WDC/Toyota_NY@Toyota_NY, George Morino/TMS/Toyota@Toyota, Kirk Forsht/TMS/Toyota@Toyota
件名: Fw: URGENT*****ES350 ISSUE*****

By the way - as further follow up - I spoke to Kathy Demeter as well.

They clearly want a safety recall - I told her that Toyota might be willing to do a letter to owners and dealers (presuming the dealers are actually making this mistake), but we are not likely to do a 'safety recall' on this issue.

I also challenged their assertion that dealers are in fact installing these on top of the normal mats - So, does TMS have any evidence that this is occurring?

Nonetheless, they gave us until Tuesday of next week to figure out if we want to offer up something before they open an investigation into sudden acceleration from the floor mats on the ES350. I recommend we think about offering up the letters.

Best Regards,
Chris

Chris Tinto

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----- Forwarded by Christopher Tinto/WDC/Toyota_NY on 03/20/2007 03:25 PM -----

Chris Santucci/WDC/Toyota_NY

03/20/2007 03:07 PM

To Michiteru Kato/HINPO/TMC0@TMC0@TMCE@TOYOTA

cc Hajime Kitamura/HINPO/TMC0@TMC0, Christopher Tinto/WDC/Toyota_NY@Toyota_NY, Kevin Ro/WDC/Toyota_NY@Toyota_NY, George Morino/TMS/Toyota@Toyota, Kirk Forsht/TMS/Toyota@Toyota
Subject URGENT*****ES350 ISSUE*****

Mitch,

Today I received a phone call from NHTSA. NHTSA has received a total of 10 reports of unintended acceleration, 4 of which reported a crash had occurred. NHTSA has been looking at this issue closely, and have now come to the conclusion that they believe an improperly installed all weather floor mat may be causing the accelerator pedal to stick in the full or partially depressed position. They do not know if dealers or customers are the cause of the situation, but nonetheless, would like Toyota to do something about it.

Compounding the issue is the push button start system, as owners may not fully recognize how to properly shut the vehicle down in an emergency situation. They intend to open a formal investigation next week.

TMA believes that it may be possible to prevent such a formal investigation. Please advise with any suggestions on possible actions Toyota may be willing to take in order to satisfy NHTSA's concerns.

NHTSA mentioned the possibility of not opening if Toyota were to send a letter to owners explaining that only one floor mat should be used at a time in the driver footwell. They also mentioned that a dealer visit to re-install the mats may be appropriate, and that they believe it should be conducted under Part 573. TMA believes that we may be able to negotiate the last two items. Please discuss and advise as soon as possible.

Regards,

Chris Santucci - Assistant Manager

Technical and Regulatory Affairs

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