From: Sam Butto/=Lexus/Toyota. Sent:4/30/2007 8:22 AM.
To: [-] George Morino/=TMS/Toyota@Toyota;Kirk Forsht/=TMS/Toyota@Toyota.
Cc: [-] .
Bcc: [-] .
Subject: Fw: Lexus sudden acceleration.

Hey Guys,

Here is the latest response from the consumer reporter I responded to late last week regarding the customer of the ES 350 in Tennessee. It seems the customer did have the all-weather floormats installed after all. Please see the consumer reporters email below. I have not yet responded to this latest email.

Sam Butto
Lexus Communications
Toyota Division Communications
19001 S. Western Avenue
Torrance, CA 90501
Phone: 310-468-7728
Fax: 310-381-4618
email: sam_butto@lexus.com
----- Forwarded by Sam Butto/Lexus/Toyota on 04/30/2007 08:18 AM -----

"Don Dare" <ddare@wate.com>
04/28/2007 10:47 AM
To <Sam_Butto@Toyota.com>
cc
Subject RE: Lexus sudden acceleration

Dear Sam,

Thank you for your prompt response to my questions. There has been a new development since I first wrote, it has to do with the floor mat. As you know, the NHTSA is checking the accessory floor mat issue, that it can slid forward because it's "not secured" by the clip and "interfer with the throttle pedal," the accelerator.

We interviewed [redacted] on Friday, April 27. She says Scott Yon, investigator from the National Highway Traffic Safety Administration, came to Sevierville, Tennessee to see her car on April 17. [redacted] says he drove it, put it up on a lift, checked it completely.

Then she says, when Mr. Yon looked at the mats he found the winter rubber mat on top of the regular mat. We checked our video from the first time we interviewed [redacted] March 8, 2007. We asked her then to get inside the car, to demonstrate how she had applied the brakes (It had been her first time in the car since the October 12th incident). Our video from March 8th shows the rubber mat on top of the regular mat.

[redacted] says she paid extra for the mat and "when we went to pick up the car (in Johsonson City,Tennessee) they had installed the winter mat on top of this other mat." She added, "so when I saw that done, I thought that must be fine, it's okay because the dealership had done it." The mats, she said, had never created a

problem.

Sam, there is a warning label on the rubber winter mat that states "Do not place on top of existing floor mats." But the lettering is so small, it's not raised, and you can hardly see it.

I'm not a federal investigator, just a consumer reporter in a small city, but maybe Lexus can somehow VERBALLY WARN it's customers about the winter mat. Also, if it's true what [redacted] says about the installation of the mat and there's no reason for me to believe she not truthful, perhaps dealers could be ADVISED to put the winter mat in the trunk and not on the floor.

Maybe Toyota is already taking these above steps, but if not, perhaps the cautionary measures could save other owners the possibility of a sudden acceleration episode.

Again, thank you.

Don Dare
865-633-6923
dddare@wate.com

-----Original Message-----
From: Sam_Butto@Toyota.com [mailto:Sam_Butto@Toyota.com]
Sent: Wednesday, April 25, 2007 7:11 PM
To: Don Dare
Subject: Re: Lexus sudden acceleration

Hi Don,

In answer to your questions:

1. Is Toyota Motor Company aware of the sudden acceration problem?

ANSWER: As you know,Toyota/Lexus is fully aware of the [redacted] case and as you stated in your email, after having their ES 350 checked out by a Lexus Field Technical Specialist they lost their arbitration case.

2. If so, where does the investigation stand?

ANSWER: As far as the [redacted] case is concerned, the results of the arbitration have closed the matter.

Regarding any other reports of sudden acceleration, Lexus reviews each report on a case-by-case basis. If any of the customer reports you found on the NHTSA site were reported by the individual customer to Lexus then their case will be reviewed by Lexus individually.

3. What efforts are being made to address the situation?

ANSWER: Again, each case is determined on a case-by-case basis.

The situation being addressed by Lexus is the Preliminary Evaluation investigation opened by NHTSA on March 29, 2007 on certain 2007 model year Lexus ES 350 vehicles. NHTSA is concerned that if the Lexus All

Weather Floor Mat is placed on top of the existing Lexus Carpeted Floor Mats, the All Weather Floor Mats would not be secured by the retaining hooks (clips) and may slip forward, possibly interfering with the accelerator pedal.
NHTSA has received five consumer complaints where the All Weather Floor Mat may have interfered with the accelerator pedal operation.

A Preliminary Evaluation is an early-stage inquiry to determine if further analysis (an Engineering Analysis) is warranted; this is not a recall.
Lexus is currently cooperating fully with the agency in its efforts to investigate the allegations.

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"Don Dare"

<ddare@wate.com>

To
04/24/2007 12:01 <sam_butto@toyota.com>

PM
cc
"Jamie Foster" <jfoster@wate.com>

Subject
Lexus sudden acceleration

Dear Sam,

Thanks for your call. Here's the background of a story we're working on reguarding the sudden acceleration of new model Lexus ES350 vehicles.

We have interviewed a local East Tennessee couple [redacted] and [redacted] Their case is #3407007. They bought a 2007 Lexus ES350 last year.
To date it has 2,720 miles. While merging onto 1-40, October 12 of last fall, she accelerated to 65 MPH, but she says "the car began to accelerate on its own." Her letter to NHTSA"s Office of Defects goes on to say: "the cruise light came on by itself, I disengaged the cruise, applied the brake with both feet, shifted into lower gears, including neutral, I applied the emergency brake and shifted into reverse, as the car was now approaching 100 MPH. I traveled almost 6 miles at 110+ MPH with the gearshift in reverse befoe the brakes took hold."

The [redacted] contacted the National Center for Dispute Settlement. Toyota had a Field Technical Specialist check the car. There was an arbitration hearing in Sevierville, Tennessee, March 1, 2007. The [redacted] were hoping Toyota would purchase the car, they would get a new one.

But according to the report's decision: "the Field Technical Specialist
(FTS) stated that in order for the incident to have happened as described by the customer, numerous redundant systems in the vehicle would have had to have failed simultaneously, and theh return to normal operations during th FTS inspection. The FTS stated that this scenario was not possible given the design of the vehicle. Further, the vehicle's braking system is designed to stop the vehicle while the engine is operating at full
throttle." DECISION: "The customer's request that the vehicle be repurchased is hereby DENIED." Their case number is: #3407007.

I went onto National Highway Transportation Safety Administration's website ... went to Office of Defects Investigation page. According to our search of federal records there are 25 recent complaints about the 2007, Lexus ES350. Out of the twenty-five search results, 14 owners complain of "vehicle speed control" problems. They were filed from May 2, 2006 through Janurary 25, 2007. Each person is referring to their ES350, 2007 model.

Some of the complaints go like this: "vehicle began to accelerate uncontrollably" ... "vehicle accelerated without warning" ... "cruise control wasn't functioning properly" The owners described what action they took: "I applied the brake but the car continued to accelerate" ... "I
stomped on the brakes with both feet, did not stop" They also wrote about
their feelings: "I have been traumatized by this event" ..."It's a miracle that I'm alive." The owners also discussed what their dealer's reaction had been: "Their (Toyota) investigator found nothing was wrong with the vehicle" ... "I was told (by dealer) to drive the car until it happened again and that they had n ver heard of this problem before."

Many of these statements describe the same experience [redacted] told us, i.e., "sudden acceleration" ... "applied both feet to brake pedal"
..."put on emergency brake" ... "put car into neutral" ... "shifted in reverse."

As I understand it, the NHTSA has advanced all this information about the 2007, ES350 to the Toyota Motor Company. Additionally, I have seen the April 5. 2007 letter from NHTSA's Office of Defects sent to Mr. Christopher Tinto, Toyota V-P. It refers to a problem with the Lexus "accessory floor
mat and the accelerator pedal." That issue and the above mentioned problems, I don't believe are related.

My questions to you are:

1. Is Toyota Motor Company aware of the sudden acceration problem?

2. If so, where does the investigation stand?

3. What efforts are being made to address the situation?

I appreciate your help.

Sincerely,
Don Dare

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Insert a catchy tag line
here

Don Dare

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