

Toyota Issues Statement on Amended Consolidated Complaint

October 28, 2010

Recent news reports have stated that Toyota dealership technicians were able to duplicate customer claims of unintended acceleration; that Toyota repurchased the vehicles in question; and that Toyota failed to properly inform the National Highway Traffic Safety Administration (NHTSA) of the situation.

Toyota quickly and thoroughly investigates any customer reports of unintended acceleration in its vehicles through its rapid-response SMART evaluation process. Field technical specialists (FTS) and engineers were deployed in response to reports of two acceleration events that dealer technicians reportedly observed. At these dealerships, Toyota FTSs and engineers were unable to duplicate the condition. Nevertheless, the vehicles were repurchased so that further engineering analysis could be performed with the least amount of inconvenience to the customer. After having thoroughly analyzed these vehicles and driven them for thousands of miles, Toyota FTSs and engineers have not been able to replicate the customers' acceleration concerns nor found any related issues or conditions in these vehicles. In fact, analysis of these vehicles is ongoing and they are operating safely.

Contrary to reports, Toyota does not require vehicle owners to sign confidentiality agreements when the company repurchases a vehicle. Instead, customers are asked, but not required, to enter into a settlement agreement that releases the company from liability. The majority of owners agree to sign this release, but it does not contain a confidentiality clause.

Toyota has also confirmed that the NHTSA was informed three separate times of the two vehicles in question: first, in timely compliance with the TREAD Act (for the Corolla – May 2010 and for the Tacoma – December 2009); second, in a Spring 2010 response to NHTSA's document request in connection with its Recall Query and finally, in a voluntary response to an informal NHTSA request on October 20, 2010.

Some media have also inaccurately or misleadingly reported that a Toyota technical supervisor, Mike Robinson, warned about dangerous hesitation and lunging in "all" 2006 Avalon models. In fact, Mr. Robinson made no such comment. The quote in question was an allegation posted online by a customer, which Mr. Robinson was reporting on to his supervisor as part of his research responsibilities in Toyota's Product Quality & Service Support group. Mr. Robinson is a valued employee of Toyota, and the company objects to any misrepresentation of his professionalism or integrity.

Toyota will continue to defend against the allegations made in the plaintiffs' amended consolidated complaint that was recently filed in the ongoing multidistrict litigation class action.