

# Toyota Statement on Media Reports Regarding Internal Legal Memo

February 28, 2010

Various media reports have recently mischaracterized a 2005 privileged legal memo, recently subpoenaed by Congress, as dealing with sudden unintended acceleration. However, the words "unintended acceleration" or "sudden acceleration" and "sudden unintended acceleration" appear nowhere in this memo.

Moreover, the lawsuit that is discussed in the memo, *Greenberg vs. Toyota Motor Sales, et al*, was focused on transmission hesitation and shifting, not sudden acceleration. As Mr. Greenberg stated in his complaint filed with the U.S. District Court in the Central District of California:

*"Drivers expecting to feel their car accelerate when they depress the gas pedal have been shocked to discover that, in certain driving conditions, their car does nothing for roughly 1.5 seconds. While this hesitation sounds insignificant, it is an eternity for drivers expecting the conventional acceleration displayed by other vehicles."*

Mr. Greenberg does not allege in his lawsuit that he had experienced sudden unintended acceleration. In fact, the only reference to sudden unintended acceleration in Mr. Greenberg's entire 40-page complaint is a short paragraph referencing unrelated reports of alleged sudden acceleration incidents. The complaint lists questions "common" to all alleged class action members, and that list mentions only throttle hesitation, not unintended acceleration.

Mr. Greenberg's case was dismissed by the courts before going to trial.

The countermeasures Toyota undertook at this time related to efforts to achieve greater customer satisfaction with smoother shifting between gears in the automatic transmission, not, as has been reported, unintended acceleration.