

IN THE CIRCUIT COURT OF
YIG COUNTY MISSOURI

Megan McAllister)
) Cause No. 10 - CC - 002
Plaintiff)
)
vs.)
)
Monica Ryan)

STATEMENT OF THE CASE

Plaintiff Megan McAllister (“McAllister”) is an 18 year old senior at Hillcrest High School (“Hillcrest”) in Yig City, Missouri. She is suing Monica Ryan (“Ryan”), who is also 18 years old and a senior at Hillcrest. The lawsuit arises out of a one car automobile accident that occurred on the parking lot of the Sonic Drive In located in Yig City. McAllister claims that Ryan was negligent in the operation of a 2007 Toyota Prius, resulting in personal injuries to McAllister. Defendant Ryan claims that she was not negligent, but rather, that the accident was the result of a defect in the Prius with the gas pedal and floor mat resulting in the gas pedal becoming stuck in an accelerated position.

McAllister and Ryan have known each other since 7th grade, when they both moved to Yig City and started junior high together. They were best friends before the accident. The accident occurred on June 2, 2014 at approximately 10:00 p.m. at the Sonic located at the Sonic on Hwy MM in Yig City. McAllister and Ryan both worked at a Fashion Bug store located nearby. They both worked that night. After closing the store, they headed to Sonic to grab a burger and soda.

Ryan drove McAllister to and from work when they were on the same shift. McAllister has a driver’s license but no vehicle. Ryan drove a 2007 Toyota Prius owned by her parents. McAllister helped pay for the gas in return for Ryan providing her rides to work.

Fashion Bug has a rule prohibiting cell phone use and texting while on duty. As such, both had several text messages and voicemail messages to review after work. McAllister sat in the front passenger seat. Ryan drove the car to Sonic. As soon as they got in the car, McAllister started checking her text messages and voicemail messages. There is a dispute between McAllister and Ryan about whether Ryan was checking hers as well during the drive to Sonic.

They arrived at Sonic and parked in a space on the left as you first drive into the lot. They did not order immediately. Both were checking texts, returning texts, and retrieving voicemail messages. Before they could order, McAllister picked up a text message from

Troy Jordan, who she had gone on a first date with the week before. Admittedly, McAllister had a huge crush on Jordan. Jordan wanted to meet McAllister at the park at 10:15 p.m. McAllister was very excited and asked if Ryan could go through the drive thru instead and then take her to the park to meet up with Troy. Ryan agreed.

Ryan backed out of the stall and pulled forward to the drive through order board. They ordered their food and then pulled around to the other side of the building to the drive through pick up area. There was a line of three (3) cars in front of them. After the car in front of them pulled away, the Prius suddenly accelerated at an increasingly high rate of speed. Fearing they would go out into busy traffic on Hwy MM, Ryan swerved and they ended up crashing into the outside eating area of the Sonic where the car came to rest. The impact was severe enough to cause both the driver side and passenger side air bags to deploy.

Both McAllister and Ryan were injured in the accident, and taken to Yig County hospital by ambulance. Ryan broke her right leg. McAllister's injuries were more severe. She hit her head on the passenger side door and broke both her right arm and right leg.

Witnesses for the Plaintiff

Megan McAllister
Joy Rawlings (Sonic employee)

Witnesses for the Defendant

Monica Ryan
John Lawton (Sonic employee)

In this case, the Plaintiff and Defendant have entered into the following **Stipulations of Fact**, which both parties can use as evidence in the case.

1. The 2007 Prius does not have the defect identified in the most recent recall of Toyota vehicles, identified on the attached News Release titled "Customer FAQs Regarding the Sticking Accelerator Pedal and Floor Mat Pedal Entrapment Recalls" as the "Sticking Accelerator Pedal Recall". However, the 2007 Prius was subject to recall identified on the attached News Release as the "Floor Mat Pedal Entrapment Recall". The Ryans did not have the mechanical work performed to remedy the potential defect.
2. The Plaintiff and Defendant stipulate that they have both had mechanical engineer experts examine the 2007 Prius driven by Monica Ryan. The experts agree that there is no way to conclusively determine whether an issue with the driver's side floor mat caused or contributed to cause the accident due to the extensive damage to the interior of the Prius caused by the accident itself. The experts both agree that there was nothing mechanically wrong with the brake pedal or braking system at the time of the accident.

DEPOSITION OF MEGAN MCALLISTER

Comes now Megan McAllister, and having been first duly sworn upon her oath, states to the Court as follows: My name is Megan McAllister. I am 18 years old and a Senior at Hillcrest High School in Yig City, Missouri. Before this year, I was active in sports, and in particular I was a member of the Varsity Basketball team. I will not be able to play basketball this year as a result of the injuries I sustained in the car accident at the Sonic on June 2, 2014.

I was riding in a Prius driven by my supposed best friend Monica Ryan at the time of the accident. I thought Monica was my best friend. We met at the beginning of 7th grade during orientation. We had both just moved to Yig City. We hit it off immediately. Monica has a good sense of humor and is outgoing. We were fast friends, going to the mall to hang out, to movies, to the pool in the summer, etc. We shared all of our secret hopes, desires, and dreams. We even worked together at Fashion Bug last school year and up to the day of the accident.

Monica always texted and talked on her cell phone while driving. We both took driver's education class and the law about no texting was covered in the class. I was even at her house when Monica's dad lectured her on not using the cell phone while driving.

I don't remember all the details about the accident because I hit my head in the accident and was knocked out cold for a few days. I did talk to a police officer investigating the accident when I woke up, but I was still really out of it. Exhibit 1 is part of the police report, and it is what I told the police officer when interviewed after I woke up in the hospital. However, I do now remember that Monica was texting at the time of the accident. My memory has gotten better over time. Monica wasn't paying attention. I think she mistook the gas pedal for the break as we were waiting for the people in the car in front of us to get their food. To my knowledge she did not have the car in PARK when the car lurched forward. I think she thought she was pressing the brake pedal when instead she pressed the gas pedal.

As a result of hitting the driver's side passenger window, not only was I knocked out but I had to have 55 stitches stretching from my forehead to the back of my head on the right side. So, I had to have part of my head shaved. It took about 6 months to fully grow back and was very embarrassing to me. As far as being knocked out, I suffered a concussion and am still having problems from it. I have severe headaches that I never had before. When I get them I have to lie down in a dark room for hours. I get them probably 3 times a week. I also have blurred vision. That has improved since the accident but I still get blurred vision 2 or 3 times a week, and it lasts until I am able to rest. I also fractured my right forearm in 3 places. I had a hard cast for 8 weeks. It still aches daily and I am not as strong as I used to be. I also fractured my lower right leg. I had a hard cast that was non weight bearing for two weeks and then a soft cast for 4 weeks.

I am told that the scarring on my forehead from the accident will always be there. It is embarrassing and I am totally self-conscious about it. I lost my chance with Troy Jordan who I had had a crush on since the 8th grade. He is the biggest hunk at our school. I will never forgive Monica for stealing him from me. I can't believe while I was in the hospital suffering Monica moved right in and took Troy away from me. I will never forgive Monica.

DEPOSITION OF JOY RAWLINGS

Comes now Joy Rawlings, and having been first duly sworn upon her oath, states to the Court as follows: My name is Joy Rawlings. I am 16 years old. I am a sophomore at Hillcrest High School in Yig City, Missouri. I worked at Sonic as a car hop last summer. I started there right after school got out on May 15, 2014. I had been working about 2 weeks when the accident involving Megan McAllister and Monica Ryan happened.

I was on duty the night of the accident. Sonic stays open until midnight. I started work that day at 4:00 p.m. The accident happened about 10:00 p.m. I know Megan and Monica. I am friends with Megan's little sister Meredith. I have talked with Megan about the accident since it happened. She is real upset about Monica stealing her boyfriend Troy Jordan.

I did witness the accident on June 2, 2014. I was actually bringing Megan and Monica's order to their car when it happened. I was just walking out with the tray in hand. It had two Route 44 size drinks and one bag with 2 burgers and 2 orders of tater tots. I am 5'1" But I could see over the drinks and bag. I was about 10 feet away from the car when it started accelerating. I saw Monica in the driver's seat. She had her iphone in front of her and she was clearly texting. I saw her fingers moving. She was not looking up. All of a sudden, the car started moving forward. Everything happened suddenly. It looked like she threw down the cell phone and put her hands on the wheel. She swerved and drove the car into the front eating area. It hit the concrete tables and the order boards. I dropped the tray and ran to the car. Megan was unconscious and her head was bleeding. I immediately called 911. Monica was conscious, and screaming in pain. She was saying "I killed Megan! I killed Megan!"

I did give my statement to the police, and I recognize Exhibit 2. However, I did not tell the police officer that I couldn't see inside the car, and Exhibit 2 does not accurately reflect what I told the police.

DEPOSITION OF MONICA RYAN

Comes now Monica Ryan, and having been first duly sworn upon her oath, states to the Court as follows: I am Monica Ryan. I am a Senior at Hillcrest High School in Yig City, Missouri. I am 18 years old.

I was in a horrible car accident on June 2, 2014 at about 10:00 p.m. I was driving a Red Prius. My mom and dad owned it. It was the car I primarily drove. I have had my driver's license since June of 2012. I have never had another accident and have never received a traffic ticket.

I do have an iphone. I do send and receive text messages on my iphone. I do not ever use my iphone for texting or making or receiving calls while driving. I was not texting or talking on my iphone at the time of the accident on June 2, 2014.

The Prius is a 2007 and does have an Electronic Throttle Control System. I had not had a problem with sudden acceleration of the car prior to June 2, 2014. Megan and I worked at Fashion Bug on the 2nd. We got off work about 9:30 p.m. We decided to stop at Sonic to get something to eat and drink. We did initially pull into a parking space to order. Megan was picking up messages. She said she had a message from Troy Jordan. I did not see the message. She said he wanted to meet at the park at 10:15 p.m. She asked if we could use the drive thru and then go meet him. I said okay.

After we placed our order, I rounded the corner. There were 3 cars ahead of us. I stopped and put the car in park. When the 1st car moved forward, I put the car in drive and pulled forward. I did the same thing when the 2nd car pullout out. The problem occurred as the 3rd car pulled away. I specifically remember that I had both hands on the steering wheel. I took my right had off to put the car in drive. I had my right foot on the brake pedal. I moved it to the gas pedal but before I even put my foot on the gas pedal the car just took off at a high rate of speed. I put my foot on the brake, but the car just kept going faster and faster. I decided to swerve left instead of going out into traffic on MM. It is a busy highway that time of night. After swerving the next thing I remember is waking up in the ambulance.

I did go out with Troy Jordan a few times that summer after the accident. I knew him before, but not that well. He came and saw me at the hospital after the accident. He told me that he had gone out with Megan to meet me, and that he had asked her to go to the park because he knew I would be bringing her. I really like Troy a lot, but when I found out how much it upset Megan that I went out with him, I broke it off.

Megan knows that the accident was caused by a Toyota defect. She is just trying to punish me because of my going out with Troy.

I do have automobile insurance through State Farm with limits of \$1,000,000 per accident.

DEPOSITION OF JOHN LAWTON

Comes now John Lawton, and having been first duly sworn upon his oath, states to the Court as follows: My name is John Lawton. I am 17 years old. I am a Senior at Hillcrest High School in Yig City, Missouri. I know both Megan McAllister and Monica Ryan. I have known them since 7th grade. I have lived in Yig City all my life.

I work at Sonic. I have worked there since I was 16. I was working on the night of June 2, 2014. My shift was 4:00 p.m. to closing - midnight. I did witness the car accident. I was sweeping the sidewalk right next to the drive through pick up area. I could see Monica clearly from where I was standing. She had her window rolled down. The radio was on. She was in view the whole time they were waiting. If I remember there were 2 cars in front of them when they first pulled up. I was sort of taking my time because Monica is so beautiful I just like looking at her. Anyway, she was definitely not texting or talking on her cell phone. Joy Rawlings is just lying.

When the 2nd car pulled out, I saw Monica, and she was definitely looking where she was going. She had both hands on the wheel. The car just took off at a high rate of speed. Monica's eyes were as big as saucers, and she was screaming "I CAN'T STOP THE CAR!"

I did give my statement to the police, and Exhibit 3 accurately reflects what I told the police. The police never asked me about whether I saw Monica texting or using her cell phone so I didn't say anything about that one way or the other to him.

YIG CITY POLICE DEPARTMENT
POLICE REPORT

page 3

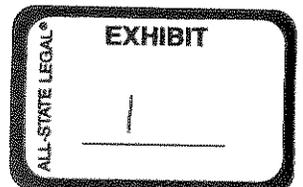
Interview of Megan McAllister

On June 6, 2014, this Officer interviewed Megan McAllister, who was the passenger in the vehicle driven by Monica Ryan at the time of the collision at the Sonic Drive In on June 2, 2014. Ms. McAllister sustained a head injury in the accident, and as such this Officer was unable to interview her at the scene or immediately after the accident.

Ms. McAllister stated that she did not remember any details about how the accident happened. Ms. McAllister states that the last thing she remembers before waking up in the hospital on the morning of June 6, 2014 was being at Sonic with Ms. Ryan where they ordered food at the drive through. She remembers they were going to the park to meet a boy she had gone out with, Troy Jordan.

Ms. McAllister does remember that both she and Ms. Ryan were checking e-mails, voicemails, and text messages before using the drive through. She remembers they were parked in a stall but decided to use the drive through when Ms. McAllister made arrangements to meet Mr. Jordan at the park. Ms. McAllister does not remember whether Ms. Ryan was using her iphone to check messages or text or e-mail as they were in the drive through line or just before the accident.

Officer David Ray, #2222
Officer David Ray #2222



YIG CITY POLICE DEPARTMENT
POLICE REPORT

page 4

Interview of Joy Rawlings

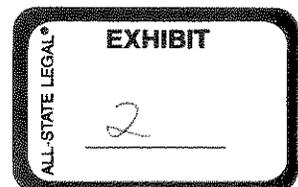
On June 2, 2014, this Officer interviewed Joy Rawlings, who was a witness to the vehicle accident involving the Toyota Prius driven by Monica Ryan that occurred at the Sonic Drive In.

Ms. Rawlings is a car hop employee at the Sonic Drive In. She was working at the time of the accident. She witnessed the accident. She was bringing food and drinks to the Prius at the time of the accident.

Ms. Rawlings states that the accident happened very suddenly. She says she was close to the car when it started to accelerate and move forward. She immediately dropped the tray she was carrying when the Prius started moving forward. She states is was going very fast, maybe 20 miles per hour.

Ms. Rawlings states that she could not see inside of the Prius before the accident except to know that there was a driver, Monica Ryan, and a passenger, Megan McAllister. She states that she is short and couldn't see much above the large drinks on her tray.

Officer David Ray, #2222
Officer David Ray #2222



YIG CITY POLICE DEPARTMENT
POLICE REPORT

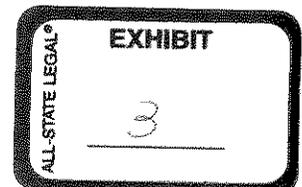
page 5

Interview of John Lawton

On June 2, 2014, this Officer interviewed John Lawton, who was a witness to the vehicle accident involving the Toyota Prius driven by Monica Ryan that occurred at the Sonic Drive In. Mr. Lawton works at Sonic as a porter. He was working at the time of the accident. Mr. Lawton witnessed the accident. He was sweeping the sidewalk next to the drive through area at the time of the accident.

Mr. Lawton states that the accident happened suddenly and quickly. One minute the Prius was stopped. He recognized Monica Ryan as the driver and Megan McAllister as the passenger. He knows both of them from school. Mr. Lawton states that suddenly and without warning, the Prius started to accelerate. He could see that Monica had both hands on the steering wheel as it accelerated, and states that she was screaming "I can't get the car to stop!" He states that the vehicle just kept going faster and faster as it moved forward until it swerved and crashed into the front seating area of the drive in.

Officer David Ray, #2222
Officer David Ray #2222



Motorsports Media Login



Search Our Newsroom



Newsroom Home Overview Releases Images Video Product Info Pricing

Corporate

Toyota

Posted to: Avalon, Camry, Corolla, ES 350, Highlander, IS 250, IS 350, Lexus, Matrix, Prius, RAV4, Sequoia, Tacoma, Toyota, Tundra, Venza

- 4Runner
- Advanced Technology
- Avalon
- Camry
- Camry Hybrid
- Camry Solara
- Corolla
- FJ Cruiser
- Highlander
- Highlander Hybrid
- Land Cruiser
- Matrix
- Prius
- RAV4
- Sequoia
- Sienna
- Tacoma
- Tundra
- Venza
- Yaris

Customer FAQs Regarding the Sticking Accelerator Pedal and Floor Mat Pedal Entrapment Recalls

- [Click here for sticking accelerator pedal recall](#)
- [Click here for floormat pedal entrapment recall](#)
- [Click here for general questions on both recalls](#)

STICKING ACCELERATOR PEDAL RECALL

Which models are involved in the sticking accelerator pedal recall/stop sale?

Toyota's accelerator pedal recall and suspension of sales is confined to the following Toyota Division vehicles:

- Certain 2009-2010 RAV4*
- Certain 2009-2010 Corolla*
- 2009-2010 Matrix,
- 2005-2010 Avalon,
- Certain 2007-2010 Camry*,
- Certain 2010 Highlander*,
- 2007-2010 Tundra,
- 2008-2010 Sequoia

*Highlander hybrids and Camry hybrids are not involved in this action and will remain for sale. Further, Camry, RAV 4, Corolla and Highlander vehicles with VINs that begin with "J" are not involved.

What is a "VIN" and how do I find it on my automobile?

A Vehicle Identification Number (VIN) is a 17-character sequence of numbers and letters that is used by the automobile industry to uniquely identify motor vehicles. It can be viewed through the windshield on the driver's side at the front of the dashboard.

In addition, the VIN number is also located on a sticker on the driver's side pillar, with the tire inflation information and on the vehicle's registration.

Why are mechanically similar Lexus and Scion vehicles not involved in this recall?
The recall involved pedal is confined to one of Toyota's suppliers. That supplier's pedals are not used on Lexus and Scion vehicles.

What is the problem that could cause accelerators to stick and led to the recall?
The issue involves a friction device in the pedal designed to provide the proper "feel" by adding resistance and making the pedal steady and stable.

This friction device includes a "shoe" that rubs against an adjoining surface during normal pedal operation. Due to the materials used, wear and environmental conditions, these

Lexus

Scion

Auto Shows

Manufacturing & Engineering

Environmental

Research & Design

Motorsports

Toyota Financial Services
Noticias en Espanol

Related Sites

www.toyota.com
www.lexus.com
www.scion.com
Canada Newsroom
Our Point of View
Toyota on Twitter
Lexus on Twitter
Toyota on YouTube
Lexus on YouTube
www.togethergreen.org

Subscribe
surfaces may, over time, begin to stick and release instead of operating smoothly. In some cases, friction could increase to a point that the pedal is slow to return to the idle position or, in rare cases, the pedal sticks, leaving the throttle partially open.

What is the solution Toyota announced to fix sticking accelerator pedals?

Toyota's engineers have developed and rigorously tested a solution that is both effective and simple. A precision-cut steel reinforcement bar will be installed into the accelerator pedal assembly, thereby eliminating the excess friction that has caused pedals to stick in rare instances.

Our Social Media

How does a steel reinforcement bar solve this problem?

The steel reinforcement bar will reduce the surface tension between the friction shoe and the adjoining surface. With this reinforcement in place, the excess friction that can cause the pedal to stick is eliminated.

Lexus Toyota Lexus

How does Toyota know that this solution will be effective?

Toyota has confirmed the effectiveness of the newly reinforced pedals through rigorous testing on pedal assemblies that had previously shown a tendency to stick. Nothing is more important to Toyota than the safety and satisfaction of our customers, and Toyota has high confidence in its solution for fixing our customers' vehicles.

When can I get my vehicle fixed?

Toyota will begin contacting customers to let them know when to bring in their vehicles for the fix, and some of them will be notified as early as this week (Week beginning, Monday, February 4). Because of the number of vehicles involved, it will take time to process and mail the instructions to all involved vehicle owners, and Toyota appreciates its owners' patience during this time. Owners will only receive a letter if their vehicle is involved in the recall. Upon receipt of an owner notification letter that their vehicle is involved, owners will be asked to please contact a local Toyota dealership to schedule an appointment to have their vehicle fixed.

At Toyota, our highest priority has been to quickly and effectively address the needs of owners of involved vehicles. Parts to reinforce the pedals are already being shipped for use by dealers, and many Toyota dealers will work extended hours to complete the recall campaign as quickly and conveniently as possible -- some even staying open 24 hours a day.

Does the reinforced pedal feel any different?

Drivers should not notice any change in the feel of the pedal.

How long will it take for a dealer to repair my automobile?

The actual repair involves about 30 minutes' work.

Is the repair covered by warranty? Will drivers have to pay any money out of pocket for this work?

Toyota will cover all repair costs associated with this work.

Is my car safe to drive if it has not yet received this solution?

To be clear, the condition is rare and generally does not occur suddenly. It can occur when the pedal mechanism becomes worn and, in certain conditions, the accelerator pedal may become harder to depress, slower to return or, in the worst case, stuck in a partially depressed position.

Customers who experience an accelerator pedal that is hard to depress, slow to return or is unsmooth during operation should drive the vehicle to a safe location, shut off the engine and contact a Toyota dealer contacted for assistance.

What if you experience a sticking accelerator pedal while driving?

Each circumstance may vary, and drivers must use their best judgment, but Toyota recommends taking the following actions:

- If you need to stop immediately, the vehicle can be controlled by stepping on the brake pedal with both feet using firm and steady pressure. Do not pump the brake pedal as it will deplete the vacuum utilized for the power brake assist.
- Shift the transmission gear selector to the Neutral (N) position and use the brakes to make a controlled stop at the side of the road and turn off the engine.
- If unable to put the vehicle in Neutral, turn the engine OFF. This will not cause loss of steering or braking control, but the power assist to these systems will be lost.
 - o If the vehicle is equipped with an Engine Start/Stop button, firmly and steadily push the button for at least three seconds to turn off the engine. Do NOT tap the Engine Start/Stop button.
 - o If the vehicle is equipped with a conventional key-ignition, turn the ignition key to the ACC position to turn off the engine. Do NOT remove the key from the ignition as this will lock

the steering wheel.

What do I do if I believe I am experiencing a sticking accelerator pedal before my car receives the remedy? Should I bring my car to a dealer?

Customers who experience an accelerator pedal that is hard to depress, slow to return or is unsmooth during operation should drive the vehicle to a safe location, shut off the engine and contact a Toyota dealer contacted for assistance.

Otherwise, if you are not experiencing any of these issues with your accelerator pedal, Toyota is confident that your vehicle is safe to drive, and no action is required at this time. Toyota will begin contacting customers to let them know when to bring in their vehicles for the fix, and some of them will be notified as early as this week.

What if my vehicle is also involved in the floor mat recall? Which will be addressed first?

Toyota is working to coordinate the pedal entrapment and the sticking pedal recalls to minimize the number of customers who will have to have two service visits.

Are you continuing to investigate other models for this sticking pedal issue?

Toyota is confident that all models that contain the potentially sticking pedals have been identified.

Why has Toyota stopped selling the involved vehicles? When will those vehicles go on sale again?

The law requires that dealers stop delivering all new vehicles identified in our recall notice. As the dealer modifies vehicles, the dealers may sell and deliver the vehicles on a vehicle-by-vehicle basis. In other words, once a dealer modifies a vehicle, the dealer may sell and deliver it even though similar, unmodified vehicles at the dealership may not be delivered to customers.

However, Toyota's priority is providing the remedy to current vehicle owners first.

FLOOR MAT PEDAL ENTRAPMENT RECALL

Which models are involved in the floor mat pedal entrapment recall?

Toyota

2007 - 2010 Camry
2005 - 2010 Avalon
2004 - 2009 Prius
2005 - 2010 Tacoma
2007 - 2010 Tundra
2008 - 2010 Highlander
2009 - 2010 Corolla
2009 - 2010 Venza
2009 - 2010 Matrix

Lexus

2006 - 2010 IS 250
2006 - 2010 IS 350
2007 - 2010 ES 350

What is the condition that has prompted this floor mat pedal entrapment recall?

There is the potential for an unsecured or incompatible driver's floor mat to interfere with, or entrap, the accelerator pedal in the worst case, in the wide-open position. A vehicle with an entrapped accelerator pedal may be difficult to control and/or stop.

What are the specific measures of the vehicle-based remedy you are using to address the potential for floor mats to entrap the pedal?

The remedy is as follows:

1. The shape of the accelerator pedal will be reconfigured to address the risk of floor mat entrapment, even when an older-design all-weather floor mat or other inappropriate floor mat is improperly attached, or is placed on top of another floor mat. For the ES350, Camry, and Avalon models involved, the shape of the floor surface underneath will also be reconfigured to increase the space between the accelerator pedal and the floor.
2. Vehicles with any genuine Toyota or Lexus accessory all-weather floor mat will be provided with newly-designed replacement driver- and front passenger-side all-weather floor mats.

In addition, as a separate measure independent of the vehicle-based remedy, Toyota will install a brake override system onto the involved Camry, Avalon, and Lexus ES 350, IS 350

and IS 250 models as an extra measure of confidence. This system cuts engine power in case of simultaneous application of both the accelerator and brake pedals.

The recall remedies for accelerator pedal entrapment for the Corolla, Matrix, Venza, Highlander, Tacoma, Tundra, and Prius will occur on a rolling schedule during 2010. No details have been provided to this point. Please note that the Prius, and all hybrids for that matter, already have a version of the override system. The override system will be standard by the end of 2010.

What is the function of "brake override system"?

When the vehicle is moving and both the gas and brake pedal are pushed at the same time, this software forces the vehicle to respond to the brake only. The brake takes precedence over the gas pedal.

Is Toyota implementing the brake override system because there is an electronic control unit (ECU) defect?

Toyota is confident that no defect exists in the ECU.

What vehicles has Toyota begun notification on for the floor mat recall?

Toyota has begun issuing notification for the Lexus division involved models - ES350 and IS250 and IS350, and the Toyota Camry and Avalon. The recall remedies for other involved vehicles will be rolled out through 2010.

In the meantime, if you are an owner of a vehicle involved in this recall, as a precaution, to help reduce the risk of incorrect floor mat installation and/or application, Toyota requests that customers take out any removable driver's floor mat and NOT replace it with any other floor mat until the safety recall remedy has been completed on the vehicle. After the recall remedy has been completed, only floor mats designed specifically for the vehicle and which are properly secured should be installed on the driver's floor.

What is the likelihood that my vehicle will experience this condition?

Pedal entrapment can occur in vehicles in which the driver's side floor mat is not compatible with the vehicle and/or is not properly installed and secured. It can also occur when there is a loose item or debris on the driver's side floor.

As a precaution, to help reduce the risk of incorrect floor mat installation and/or application, Toyota requests that customers take out any removable driver's floor mat and NOT replace it with any other floor mat until the safety recall remedy has been completed on the vehicle. After the recall remedy has been completed, only floor mats designed specifically for the vehicle and which are properly secured should be installed on the driver's floor.

What should I do if I experience floor mat pedal entrapment while driving?

Should the vehicle continue to accelerate rapidly after releasing the accelerator pedal, this could be an indication of floor mat interference. If this occurs, Toyota recommends the driver take the following actions:

- First, if it is possible and safe to do so, pull back the floor mat and dislodge it from the accelerator pedal; then pull over and stop the vehicle.
- If the floor mat cannot be dislodged, then firmly and steadily step on the brake pedal with both feet. Do NOT pump the brake pedal repeatedly as this will increase the effort required to slow the vehicle.
- Shift the transmission gear selector to the Neutral (N) position and use the brakes to make a controlled stop at the side of the road and turn off the engine.
- If you are unable to put the vehicle in Neutral, turn the engine OFF, or to ACC. This will not cause loss of steering or braking control, but the power assist to these systems will be lost.
 - o If the vehicle is equipped with an Engine Start/Stop button, firmly and steadily push the button for at least three seconds to turn off the engine. Do NOT tap the Engine Start/Stop button.
 - o If the vehicle is equipped with a conventional key-ignition, turn the ignition key to the ACC position to turn off the engine. Do NOT remove the key from the ignition as this will lock the steering wheel.

What if I don't want to remove my floor mat?

Toyota strongly recommends that you remove the driver's side floor mat and that you not disregard this advice. If you choose to disregard our recommendation, please be sure that your vehicle has the correct floor mat and that it is properly installed and secured. Do not stack floor mats and do not turn them over. While there are instructions on www.toyota.com for proper floor mat installation in unaffected vehicles, again, Toyota strongly recommends that you remove the floor mat out of recalled vehicles.

Are the all-weather floor mats being replaced in involved vehicles?

Yes. Toyota will be replacing the front driver and passenger-side floor mats.

Is Toyota recalling the old style floor mats and what are you doing with them?

Yes, Toyota is recalling the old style floor mat as part of this recall to completely remove them from the market. At some point in time, in the future, these mats will be recycled into other products such as road surfaces. Toyota has not completed the details of the recycling actions.

GENERAL QUESTIONS ON BOTH RECALLS

What are the differences between the recalls?

There are two different recalls. Some vehicles are involved in both.

Sticking Pedal Accelerator Recall: In rare instances, over time, and under certain environmental conditions, there is a possibility that certain accelerator pedal mechanisms may mechanically stick in a partially depressed position or return slowly to idle position.

Potential Floor Mat Interference with Accelerator Pedal Recall: This condition is the potential for an unsecured or incompatible driver's floor mat to interfere with or entrap the accelerator pedal and cause it to get stuck in the wide open position. Toyota has determined that this condition can occur in vehicles in which the driver's side floor mat is not compatible with the vehicle and/or is not properly secured.

What models are involved in both the sticking pedal and floor mat entrapment recalls?

Certain 2007-2010 Camry*
Certain 2009-2010 Corolla*
2009-2010 Matrix
2005-2010 Avalon
Certain 2010 Highlander*
2007-2010 Tundra

* Sticking Accelerator Pedal Recall - Highlander hybrids and Camry hybrids are not involved in this action. Further, Camry, Corolla and Highlander vehicles with VINs that begin with "J" are not involved in this action.

What if my vehicle is involved in both recalls? Which will be addressed first?

Toyota is working to coordinate the pedal entrapment and the sticking pedal recalls to minimize the number of customers who will have to have two service visits.

Is there actually a problem with the vehicle's computer/Electronic Control Unit?

Toyota has never found an incident of unintended acceleration caused by the vehicle's computer/electronic control unit.

What should I do if I still have questions or concerns?

If you still have questions or concerns that have not been addressed here, please contact the Toyota Customer Experience Center at 1-800-331-4331.

The Toyota Customer Experience Center hours are:
Monday - Friday, 5:00 a.m. - 6:00 p.m. PST
Saturday, 7:00 a.m. - 4:00 p.m. PST