

Byrne vs. Isuzu

62-CO-19-2605

# Exhibit F

13V547-Documentation

SEPT. 4, 2019

18 PP

Byrne vs. Isuzu

# Part 1

*NHSTA Rust Recall*

*13V547 Documentation*

## "IMPORTANT SAFETY RECALL"

This notice applies to your vehicle, 4S2DM58W744312394

DECEMBER 13, 2013

Dear Isuzu Customer,

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act. Isuzu Motors Limited has decided that a defect which relates to motor vehicle safety exists in certain model year (MY) 2003 Rodeo Sport, 2003-2004 Rodeo and 2003-2004 Axiom vehicles originally or currently registered in the following states (the "Salt Belt"): Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, the District of Columbia, West Virginia, Ohio, Indiana, Kentucky, Michigan, Illinois, Wisconsin, Minnesota, Iowa, and Missouri.

### WHAT IS THE CONDITION?

Certain Isuzu vehicles that have experienced sustained exposure to highly corrosive materials used in some jurisdictions for road deicing purposes may experience excessive corrosion in the vicinity of the forward mounting point bracket for the left or right rear suspension lower link prematurely. In certain extreme cases, excessive corrosion in this vicinity may result in a lower link bracket becoming detached from the frame, which can affect vehicle handling and potentially cause a crash.

### WHAT WE WILL DO

An Isuzu service facility will inspect the left and right forward mounting point bracket areas of the rear suspension lower link of your vehicle to determine if corrosion is present in those areas. For vehicles in which little or no corrosion is observed in those areas, the service facility will treat the areas with an anti-corrosion compound to reduce the likelihood of additional corrosion in those areas in the future. In the case in which corrosion has damaged the area around either or both of the forward mounting point brackets of the rear suspension lower link and affected their connection to the vehicle's frame, one of two different types of reinforcement brackets will be installed, depending upon the extent of the corrosion. In the event that the reinforcement bracket would not be effective, Isuzu will provide an alternative remedy. This service will be performed for you at no charge.

For the majority of vehicles, the inspection and the application of the anti-corrosion compound will be all that is necessary, and that work will take approximately ninety minutes. If, however, the corrosion in the area(s) specified above is so extensive that it is necessary to install new reinforcement brackets, the repairs will take approximately three hours or ten hours, depending on which type of bracket is used. Of course, depending upon the service facility's work schedule and/or the need to have the necessary parts delivered to the service facility, it may be necessary for you to make your vehicle available for a longer period of time.

### WHAT YOU SHOULD DO

Please call the Isuzu Special Assistance Center at 1-877-460-0706 or visit our website at [www.isuzu.com](http://www.isuzu.com) to identify the Isuzu service facility that is closest to you. Then, you should contact the service facility to arrange an appointment to bring your vehicle in to have the inspection and the remedy work performed. Please present this letter or refer to Safety Recall No. 13V-547.

If your vehicle is not drivable due to the conditions noted in this letter, please call the Isuzu Special Assistance Center at 1-877-460-0706 so we can arrange to have the vehicle transported to an Isuzu service facility to be inspected and to receive an appropriate remedy. That transportation will be provided at no charge.

### REIMBURSEMENT

If you have already paid for repairs to address the condition covered by this recall, you may be eligible to have those costs reimbursed. The enclosed form explains the terms under which reimbursement may be available and how to request reimbursement. Among other things, you will need to provide the original paid receipt or invoice verifying the repair and the costs of that repair.

If you have any questions regarding this matter you can visit our website at [www.isuzu.com](http://www.isuzu.com) or contact our Special Assistance Center at 1-877-460-0706.

If you have any problems obtaining the needed repair or believe that this repair has not been made within a reasonable time, you may contact:

**National Owner Relations Department**  
**Isuzu Motors America, LLC**  
1400 S. Douglass Road  
Suite 100  
Anaheim, CA 92806

If you still are not satisfied, you may submit a complaint to the Administrator, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590, or call the toll-free Vehicle Safety Hotline at 1-888-327-4236 (TTY: 1-800-424-9153); or go to <http://www.safercar.gov>.

If you are a vehicle lessor, Federal law requires that any vehicle lessor receiving this recall notice must forward a copy of this notice to the lessee within ten days.

We regret any inconvenience that this action may cause you.

Sincerely,

ISUZU MOTORS AMERICA, LLC

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## PROCEDURE INFORMATION UPDATE – ALL BULLETINS

### INSPECTION (ALL VEHICLES)

1. Raise the vehicle. When placing the lift points, be sure to keep the rear lifting points at least 300mm (12 inches) ahead of the rear lower trailing link front mounting bracket. This spacing is necessary for inspection and repair accessibility.
2. Using a 3/16" flat punch and a 12-16 oz. hammer, hammer on the locations identified with an "X" in Figure 2. Swing the hammer 10 to 12 inches to be sure enough force is applied to the punch. If a hole is created go to Step 4. If no hole is created, visually inspect the Rear Lower Trailing Link Front Mounting Bracket inspection area. Use the Visual Comparison Photo (P/N 2-90SVA-003-0) or Figure 1 for reference. If most of the frame coating is still in place and very little surface rust is present, apply Noxudol 300 (Go to "Condition One: Apply Noxudol 300" in this bulletin). If most frame coating is missing and excessive rust is present go to the next step.



Figure 1 – Visual Inspection Area

NOTE: If the vehicle is equipped with side steps/running boards, it is necessary to remove them in order to complete the following steps.

3. Apply Noxudol 700 and Noxudol 300 (Go to "Condition Two: Apply Noxudol 700 and Noxudol 300" in the appropriate bulletin).
4. Using a 3/16" flat punch and a 12-16 oz. hammer, hammer on the locations identified with an "X" in Figure 3.
  - a. If no hole is created, continue to Condition Three in the appropriate bulletin.
  - b. If the flat punch creates a hole in any one location, continue to Condition Four in the appropriate bulletin.

**IMPORTANT NOTICE:** If there are questions at any point during the Inspection or Repair procedure, please contact one of our National Operations Managers by calling the Service Facility Support line (1-800-533-0244, Option 2). Please have your service facility code and repair order information available when you call.

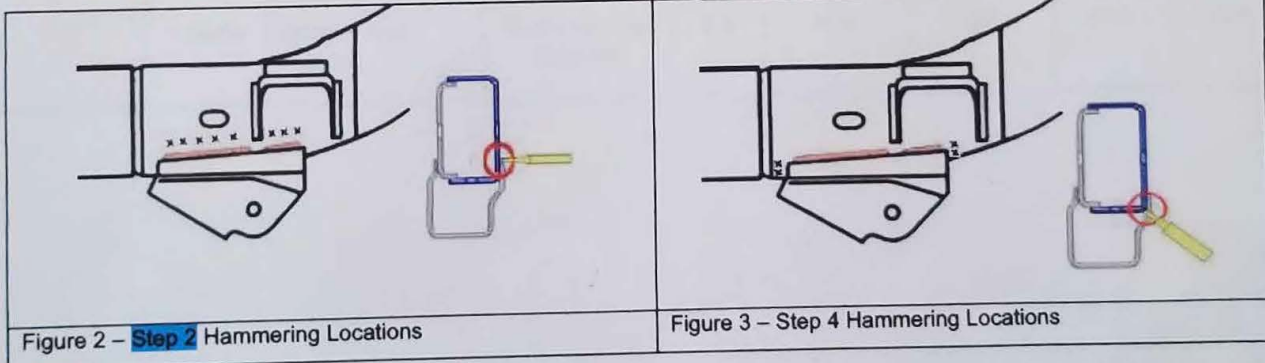


Figure 2 – Step 2 Hammering Locations

Figure 3 – Step 4 Hammering Locations

Duane Watson  
Published on May 27, 2017

Video includes clear and close-up views of **corroded and detached point bracket** on 2000 Isuzu Rodeo.  
1:37

<https://youtu.be/HJPCIXdRexk>



Isuzu Rodeo FRAME BROKE PT 2  
1,367 views

👍 7 🗨️ 2 ➔ SHARE ⌵ SAVE ...

**Recall Quarterly Report****13V-547****Manufacturer Name :** Isuzu Manufacturing Services of America**NHTSA Recall No. / MFR Recall No. :** 13V-547 / DET-13-173**Recall Subject :** Rear Suspension Corrosion**Owner Notification Date :** DEC 19, 2013 -

Report #	Submission Date	Report Quarter	Recall Population	Total Remedied	Total Unreachable	Total Removed
5	JAN 26, 2015	2014-4	8,816	1,541	0	24
4	OCT 23, 2014	2014-3	8,816	1,398	0	17
3		2014-2	8,816	1,008	0	12
2		2014-1	8,816	905	0	5
1		2013-4	8,816	28	0	0

This Document Last Updated : FEB 04, 2015

**Definitions :**

**Report Quarter :** The quarter the manufacturer is reporting recall completion figures (e.g. 2012-3 means the 3<sup>rd</sup> quarter of 2012).

**Recall Population :** The total number of products recalled by the manufacturer.

**Total Remedied :** The total number of products either remedied, inspected without needing remedy, or returned to inventory.

**Total Unreachable :** Products deemed unreachable as owner notifications were unable to be delivered.

**Total Removed :** Products that have been scrapped, stolen, or exported.

**Summary**

8,816

-3,713

- 58

**3,771****= 43% = unremedied or failures to address**

The information contained in this report was submitted pursuant to 49 CFR §573.7

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Byrne vs. Isuzu

## Part 2

# ***NHSTA Defect Petition- Investigation***

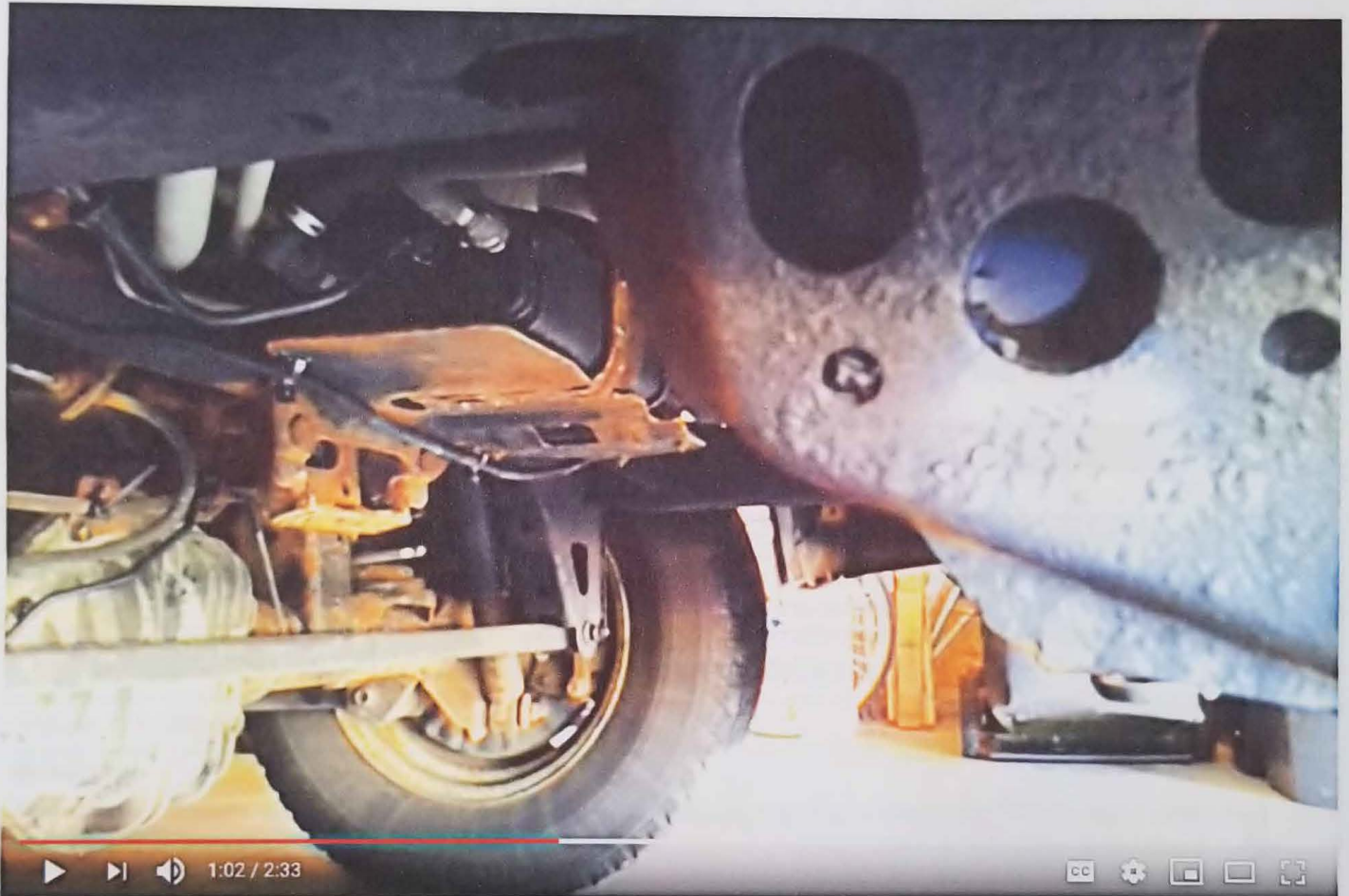
*DPI 18-001 (June 8, 2018 >)  
"Recall in Progress"*

Ben Synder

Published August 4, 2013

This is a video of the frame rot of a 2001 Isuzu Rodeo. This rust/rot is AFTER I had the recall about the suspension rotting off taken care of. Funny the technician that worked on it for the recall never mentioned this, or the **gas tank bracket being almost totally rusted off.**

2:23



2001 Isuzu Rodeo rusted frame / frame rot AFTER recall was addressed

12,004 views

15 0 SHARE SAVE ...

<https://youtube.com/watch?v=y-74MS8OZAw>







U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

# ODI RESUME

OFFICE OF DEFECTS INVESTIGATION

**NHTSA**

Authentic US Government Information  
National Highway Traffic Safety Administration  
uses a digital certificate to ensure  
the content has remained unchanged

**Investigation:** DP 18-001  
**Prompted by:**  
**Date Opened:** 05/23/2018  
**Investigator:** Matthew Martens **Reviewer:** Jeff Quandt  
**Approver:** Stephen Ridella  
**Subject:** Fuel Tank Retention Failure

## MANUFACTURER & PRODUCT INFORMATION

**Manufacturer:** Isuzu Technical Center of America, Inc., Honda (American Honda Motor Co.)  
**Products:** Certain 2001-04 Isuzu Rodeo, Isuzu Axiom and Honda Passport  
**Population:** 47,000 (Estimated)  
**Problem Description:** Corrosion failures of the fuel tank shield or shield/tank mounts resulting in fuel tank detachment from the vehicle.

## FAILURE REPORT SUMMARY

	ODI	Manufacturer	Total
<b>Complaints:</b>	3	TBD	TBD
<b>Crashes/Fires:</b>	0	TBD	TBD
<b>Injury Incidents:</b>	0	TBD	TBD
<b>Number of Injuries:</b>	0	TBD	TBD
<b>Fatality Incidents:</b>	0	TBD	TBD
<b>Number of Fatalities:</b>	0	TBD	TBD
<b>Other*:</b>	23	TBD	TBD

\*Description of Other: Complaints citing concerns with fuel tank or tank shield retention integrity that do not involve allegations of tank detachment from the vehicle.

## ACTION / SUMMARY INFORMATION

**Action:** A Defect Petition has been opened.

### Summary:

The Office of Defects Investigation (ODI) has received a petition requesting investigation of an alleged defect that could result in fuel tank detachment from the vehicle (VOQ 11084098). The petitioner submitted a complaint in April 2018 reporting corrosion failure of the fuel tank shield of a 2004 Isuzu Rodeo vehicle in July 2017. The failure allegedly resulted in the front of the fuel tank dropping 5 to 6 inches from the vehicle. In support of his request, the Petitioner cited other complaints related to corrosion of structural or suspension components in 2004 Isuzu Rodeo vehicles, a recall conducted in 2013 to address a corrosion related defect in rear suspension components in certain 2003-2004 Isuzu Rodeo and Axiom vehicles and 2003 Rodeo Sport vehicles (NHTSA Recall No. 13V-547), and a complaint alleging corrosion failure of the tank shield in a 2001 Isuzu Rodeo (VOQ 10992150 cited by the Petitioner in VOQ 11091788).

The 2004 Isuzu Rodeo is equipped with a 19.5 gallon capacity plastic fuel tank. The lower surface of the tank is covered by a metal shield, which serves the dual purpose of protecting the tank and securing the tank to the vehicle. The tank is secured to the shield by two mounting straps and the shield is attached to the vehicle chassis by six mounting bolts. The fuel tank and shield used in 2004 Isuzu Rodeo vehicles are used in 2001-04 Isuzu Rodeo, 2002-04 Isuzu Axiom and 2001-02 Honda Passport vehicles. ODI has identified two additional VOQs alleging incidents of fuel tank detachment in these vehicles, a November 2012 failure in a 2001 Isuzu Rodeo (VOQ 10486109) and a June 2011 failure in a 2001 Honda Passport vehicle (VOQ 10532845). In addition, ODI has identified 23 other VOQs alleging corrosion of the shield and/or shield mounts causing concerns with the integrity of the tank retention



system.

ODI will evaluate the petition, including the information provided by the Petitioner and any other pertinent information and make a grant or deny decision in this matter.

In addition to the VOQ numbers referenced above, the following VOQ numbers are associated with this opening resume and can be view at [www.nhtsa.gov](http://www.nhtsa.gov):

10992150, 10845523, 10824247, 10597729, 10594770, 10558538, 10550870, 10544001, 10436344, 10424477, 10399930, 10393933, 10393246, 10386578, 10374811, 10356153, 10339599, 10329133, 10322095, 10316008, 10296208, 10283640, 10275653

The following VOQs are cited by the Petitioner, but are not related to fuel tank retention and not counted in this resume:

10649039, 10628540, 10597006, 10542683, 10514034

ABOVE 23  
TOTAL  
= 26

Supplementary...

INFORMATION REDACTED PURSUANT TO THE FREEDOM OF INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

Step 1: Complete this form.  
Step 2: Click [here](#) to save the form to your computer.  
Step 3: Click [here](#) to access the upload web page.

Temporary Complaint Number (TCN): CIN20-53991

This PDF document is secured and the content is protected

APR 02 2018

Required Information in Bold

Form Approved: OMB No. 2127-0008; Expires 05/31/2018

**Vehicle Information**

Vehicle Identification Number (VIN) (See instructions on the next page to locate the VIN.)

Q-11084098-40W

4 5 2 D M 5 8 W 7 4 4 [REDACTED]

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17

Select/Enter Make

ISUZU

Enter Model

RODEO

Select/Enter Year

2004

**Incident Information**

Approximate Incident Date

JULY 2017

For multiple incident dates enter the first date of occurrence.

(mm/dd/yyyy)

Was there a Crash?  Yes  No

Was there a Fire?  Yes  No

Failure Mileage 155768 miles

For multiple incidents enter the first failure mileage.

Number of Deaths, if any 0

Number of Persons Injured, if any 0

Speed (at time of incident) NA mph

Was medical attention required?  Yes  No

Description (up to 1900 characters)

WARNING: This description, exactly as you enter it, may appear in a public NHTSA database. Do not include any personal information (name, street/email address, phone number, social security/driver license number, Vehicle Identification Number (VIN), etc...).

SEE ATTACHED PP 1-12

If your component is not listed below, please describe the component in the above description field.

Failed Component 1

Select the Component

Failed Component 2

Select the Component

Failed Component 3

Select the Component

FUEL SYSTEM

**Personal Information**

First Name [REDACTED]

Last Name [REDACTED]

Email [REDACTED] (provided earlier and locked for your security)

Daytime Phone [REDACTED] Evening Phone [REDACTED]

Address 1 [REDACTED]

Address 2 [REDACTED]

City Saint Paul, MN [REDACTED]

State [REDACTED] Zip Code [REDACTED]

3-20-18

## Incident information

The centerpiece of this complaint is the repair that I had to incur for a severe safety matter. My mechanic completed repairs on July 6, 2017 to my **2004 Isuzu Rodeo**. My vehicle's problem was metal bracket-straps, bolts and a 1.5 x 3.5 foot horizontal jacket that together support the car's fuel tank. Much of it had rusted away, causing the tank to drop precariously below the car frame and at a particularly unsafe *acute angle*; this condition was very close to complete detachment which could have resulted in the fuel tank dragging along pavement if the car was in motion. Being undrivable as of early July 2017 it required immediate and careful correction which took two days and that cost me just over \$610. See Document A overleaf.

### *Three details please:*

Detail 1. Complex repair was absolutely required due to this severe rust in the car's underchassis parts. See Document B for my mechanic's exact description; date of completion was July 6, 2017.

Detail 2. An extremely rusted metal jacket and ancillary straps and brackets were the cause for my fuel tank "scare-repair." Though not acting illegally I have been compelled to assume Isuzu has been irresponsible, perhaps even reckless, in not ushering this to serious recall status, since injury to me, my car passengers, other motorists, and/or pedestrians was very possible. Said my mechanic, perhaps imminent.

Detail 3. The last detail is that there's always more details! But you have the gist, a summary being **please hold Isuzu accountable for auto-safety jeopardy that resulted from very rust-prone saddle and bracket problems known to the NHTSA (cause of this problem is very similar to NHTSA Rust Safety Recall Campaign #13v547), to other Rodeo car owners (see Document C for similar concerns coming from other Isuzu owners), and to myself.**

A. Mechanic's July 2017 invoice that I paid

*[The following table represents the faint, illegible content of the invoice, which appears to be a standard accounting or service record. It contains multiple columns and rows of text that cannot be accurately transcribed due to the low contrast and blurriness of the image.]*

**LOWELL'S AUTO REPAIR**  
 4457 UNIVERSITY AVENUE N.E.  
 COLUMBIA HEIGHTS, MN. 55421  
 Phone: 763-572-1621 Fax: 763-571-1303

**INVOICE**  
 [Redacted] [Redacted]  
 Orig. Est. [Redacted]

**INVOICE**

Vehicle Received: **07/06/2017**

Invoice Date: **07/06/2017**

[Redacted]  
 [Redacted]  
 [Redacted]  
 Spouse [Redacted]  
 Cust ID [Redacted]

2004 Isuzu - Rodeo S - 3.2L, V6 (193CI) VIN(W)  
 Lic #: [Redacted] Odometer In: 155768  
 Odometer Out: 155768  
 VIN #: [Redacted]

Part Description / Number	Qty	Sale	Ext	Labor Description	Extended
STRAPS KRISTAL 6350 SET NKST348	1.00	47.72	47.72	W	n/c
NUTS AND BOLTS MIS	1.00	18.18	18.18	YRS EX 6350 CRESTAL LKQ HONDA DANA 897227541 FOR RUST PRICE MAY CHANGE	119.00
TANK GAS HOLDER USED LKQ	1.00	150.00	150.00	FUEL TANK - Remove & Replace - All Applicable Models	238.00
Shop Supplies			20.05		

LOWELLS AUTO REPAIR INC  
 4457 UNIVERSITY AV NE  
 COLUMBIA HEI MN 55421

DATE: 07/06/17  
 MERCHANT ID:

TIME: 16:58

CREDIT CARD  
 VISA SALE

Current Estimate 609.76

Labor:	357.00
Parts:	235.95
<b>SubTotal:</b>	<b>592.95</b>
Tax:	16.81
<b>Total:</b>	<b>609.76</b>
Bal Due:	609.76

CARD# \*\*\*\*\* [Redacted]  
 EXPIRATION DATE: \*\*/\*\*  
 EQ: 467005  
 APPROVAL CODE: 04384D  
 ENTRY METHOD: SWIPED

**TIGHTEN TORQUE LUG NUTS AFTER 100 MILES**

PRODUCT	QTY	PRICE	AMOUNT
GEN AUTO MERCH			609.76

I hereby authorize the use of necessary material and hereby grant you and/or your employees permission to operate the car or truck herein described in connection with the repair work. An express mechanic's lien is hereby acknowledged on above car or truck to secure the amount of repairs hereinafter described. Whichever comes first. Warranty work has to be performed in our shop & cannot exceed the original cost of repair.

**TOTAL AMOUNT: \$609.76**

Date \_\_\_\_\_ Time \_\_\_\_\_

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B. Mechanic's explanation letter that I asked him to complete (for use by your NHTSA defect investigation officers) with current\* under-chassis snapshots

\*Note that the mechanic's photos are included in order to clarify the actual locations of the current fuel tank metal jacket or saddle (photo 1) and its metal support strap with bolt (photo 2) to make all this understandable. The condition last July was the parts "rust-out" as described by the mechanic in his explanation letter but no photos of that were kept.



**LOWELL'S AUTO REPAIR**  
 4457 UNIVERSITY AVENUE N.E.  
 COLUMBIA HEIGHTS, MN. 55421  
 Phone: 763-572-1621 Fax: 763-571-1303

ESTIMATE #



Estimate for Services

Estimate Date : 1/18/2018

2004 Isuzu - Rodeo S - 3.2L, V6 (193CI) VIN(W)  
 Lic # : [REDACTED] MN

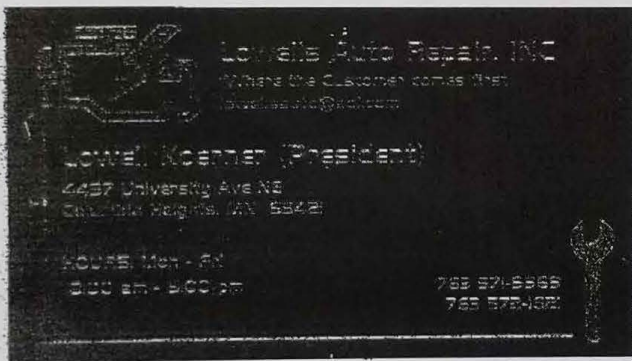
Odom. In: 0

Spouse: [REDACTED]

VIN # : [REDACTED]

Part Description / Number	Qty	Sale	Ext	Labor Description	Extended
Shop Supplies					
	1.00			KEVIN BYRNE BROUGHT HIS ISUZU RODEO IN TO CHECK A GAS TANK PROBLEM [FALLING OUT DUE TO RUST THAT ANOTHER SHOP HAD POINTED OUT]. WE FOUND THE SADDLE [PHOTO 1] SEVERELY RUSTED ALONG WITH THE FRONT STRAP DETACHED [PHOTO 2]. REAR STRAP BARELY HOLDING ON. THE FRONT OF THE TANK HAD DROPPED ABOUT 5 TO 6 INCHES. THERE WERE NO NEW PARTS AVAILABLE THROUGH ISUZU OR ANY ONE ELSE. SO WE FOUND USED THROUGH LKQ [FOUND IN THE SOUTH WEST PART OF THE COUNTRY]. NOTE TANK WAS READY TO FALL COMPLETELY OUT AT ANY TIME.	0.00

*Lowell Koerner*  
*Lowell Koerner*  
 9/21/18



Parts/Supplies: 1.00 Labor: 0.00 HazMat/Fees: 0.00 Tax: 0.07 Total: \$ 1.07

**RETORQE LUG NUTS AFTER 100 MILES**

I hereby authorize the above repair work to be done along with the necessary material and hereby grant you and/or your employees permission to operate the vehicle described for testing and/or inspection. Express mechanic's lien is hereby acknowledged on above vehicle to secure the amount of repairs thereto. SMOG: I understand that I can have emission service and/or adjustments done elsewhere. I hereby waive this right. NOT RESPONSIBLE FOR LOSS OR DAMAGE TO CARS OR ARTICLES LEFT IN CARS IN CASE OF FIRE, THEFT OR ANY OTHER CAUSE.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

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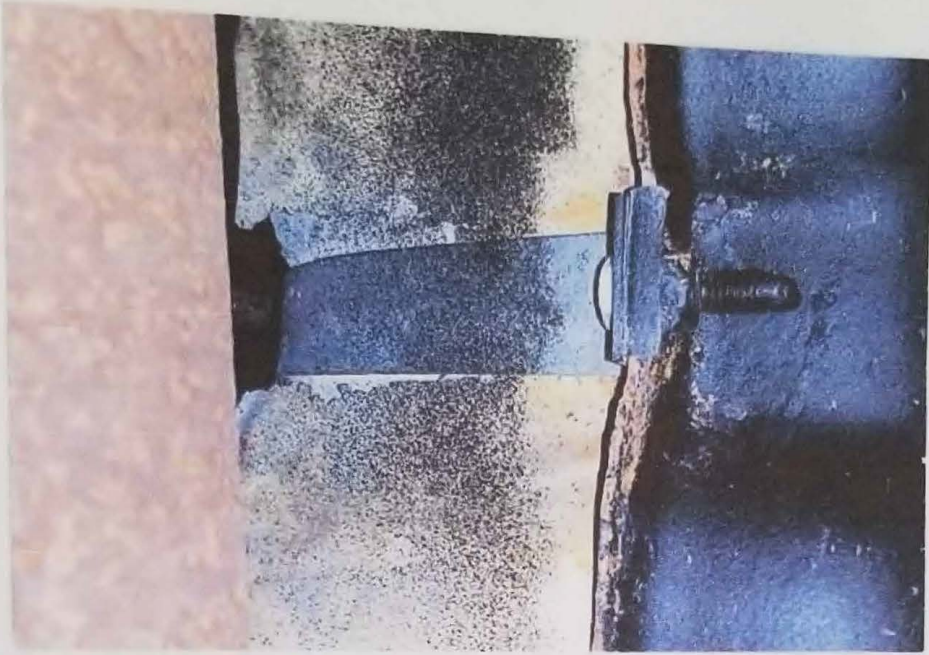


PHOTO II



PHOTO I

fuel rail



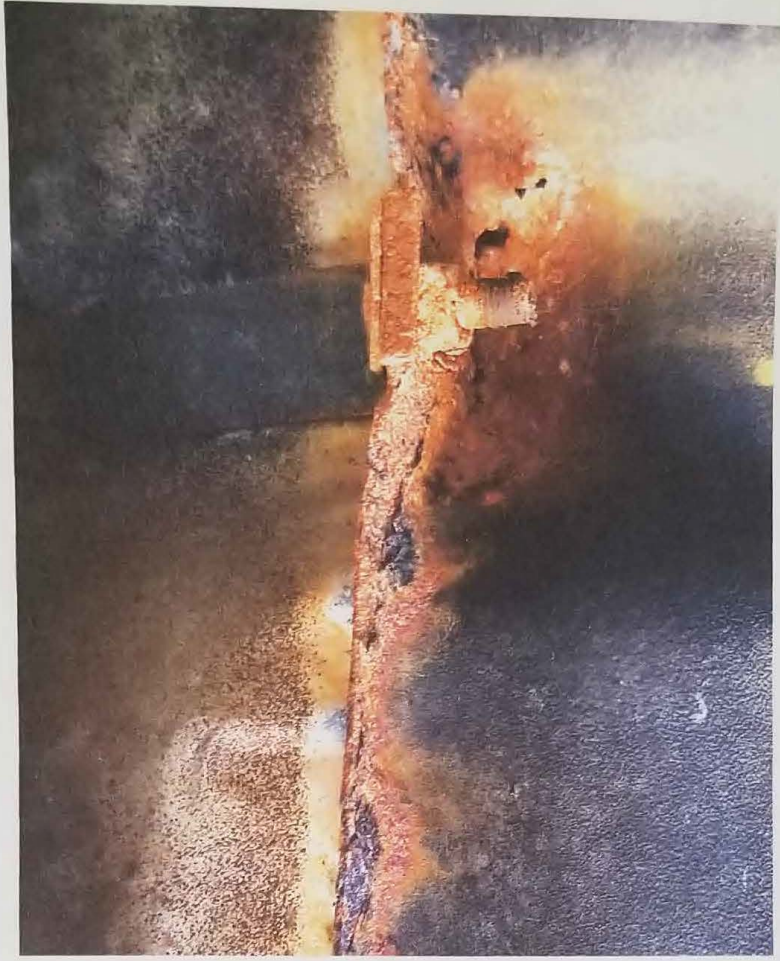


PHOTO II

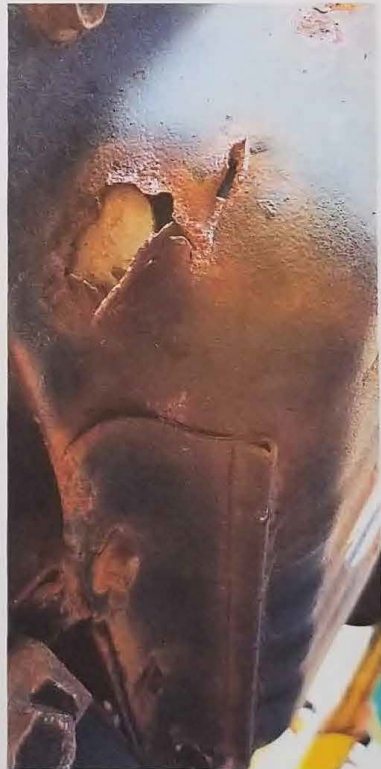
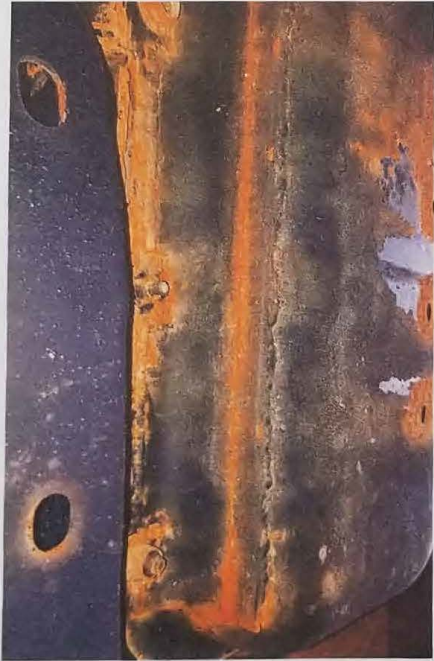


PHOTO I

Was There For  
Picture

Ward Kern

9/21/18