



January 24, 2014

Frank Borris
Director's Office
National Highway Traffic Safety Administration
1200 New Jersey Ave, SE, Room W45-302
Washington, DC 20590

N130036
Partial II

NVS-212eer
EA13-005

Dear Mr. Borris:

This letter is General Motors' (GM) response to your Engineering Analysis (EA13-005) request dated November 14, 2013. The subject vehicles are certain model year (MY) 2005-2010 Pontiac G6, 2004-2011 Chevrolet Malibu and 2007 – 2009 Saturn Aura vehicles manufactured by General Motors LLC (GM).

In responding, GM has used the definitions in the Engineering Analysis request dated November 14, 2013. Specifically, the subject component is defined as:

"The original equipment Body Control Module (BCM) on the subject vehicles and any component that the BCM utilizes to monitor the brake pedal position sensor (BPPS). This includes but is not limited to the wiring, connectors, terminals and the BPPS itself."

The alleged defect is defined as:

"Any subject component malfunction that results in one or more of the following conditions: A) the brake lamps remaining illuminated at all times (including when the service brakes are not being applied) and/or failing to illuminate when the service brakes are applied; B) difficulty shifting out of PARK; C) the inability to engage the cruise control; D) the ability to move the gear shift out of PARK without the service brake applied (which may result in a roll-away event); and, E) in suitably equipped vehicles, i) the electronic stability control (ESC) does not engage and/or the ESC light illuminates, ii) the traction control does not engage and/or the traction control light illuminates, and/or, iii) disabling or otherwise affecting the performance of the panic brake-assist feature."

On December 18, 2013, GM responded to request numbers 1 and 7. This is a partial response containing the responsive information to requests 2, 3 and 4. GM requested an extension for the remainder of the requests in an email on December 6, 2013, which



NHTSA granted by phone on December 12, 2013. With this extension, GM will provide a response to the remainder of the questions by January 31, 2014.

Your requests and our corresponding replies are as follows:

2. **State the number of each of the following, received by GM, or of which GM is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:**
 - a. **Consumer complaints, including those from fleet operators;**
 - b. **Field reports, including dealer field reports;**
 - c. **Reports involving a crash, injury or fatality;**
 - d. **Property damage claims; and**
 - e. **Third-party arbitration proceedings where GM is or was a party to the arbitration; and**
 - f. **Lawsuits, both pending and closed, in which GM is or was a defendant or codefendant.**

For subparts "a" through "f," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and GM's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "e" and "f," identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

Table 2-1 summarizes additional reports for the subject vehicles which were not submitted with the RQ13-001 response on April 17, 2013. These are reports that may be related to the subject component and the alleged defect as defined above. GM has organized the reports by the GM file number within each attachment. Refer to access database "Q_03_REQUEST NUMBER TWO DATA" included on the ATT_1_GM disk.

| TYPE OF REPORT | GM REPORTS | SUBCATEGORIES | | | | |
|--|------------|--------------------------------|-----------------------------|-------------------|----------------------|------------------------|
| | | CORRESPONDING TO NHTSA REPORTS | NUMBER WITH PROPERTY DAMAGE | NUMBER WITH CRASH | NUMBER WITH INJURIES | NUMBER WITH FATALITIES |
| Owner Reports | 262 | 25 | 0 | 2 | 0 | 0 |
| Field Reports | 2,217 | 16 | 0 | 0 | 0 | 0 |
| Not-In-Suit Claims | 8 | 0 | 4 | 8 | 2 | 0 |
| Subrogation Claims | 0 | 0 | 0 | 0 | 0 | 0 |
| Third Party Arbitration Proceedings | 0 | 0 | 0 | 0 | 0 | 0 |
| Product Liability Lawsuits | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Reports (Including Duplicates) | 2,487 | 41 | 4 | 10 | 2 | 0 |
| Total Vehicles with Reports (Unique VIN) | 2,445 | 38 | 4 | 10 | 2 | 0 |

TABLE 2-1: REPORT BREAKDOWN

In response to requests 2c-2f, GM reviewed the incidents with their associated records for those that may have been related to the alleged defect. GM is including those that may be related. GM is providing those non-privileged records and associated documentation that were reviewed in making that assessment which speak for themselves and may contain information regarding parties and dates of claims or other documents.

The sources of the requested information and the last date the searches were conducted are tabulated in Table 2-2 below.

| SOURCE SYSTEM | LAST DATE GATHERED |
|---|--------------------|
| Customer Assistance Center | 11/22/2013 |
| Technical Assistance Center | 11/22/2013 |
| Field Information Network Database (FIND) | 11/22/2013 |
| Field Product Report Database (FPRD) | 11/22/2013 |
| Company Vehicle Evaluation Program (CVEP) | 11/22/2013 |
| Captured Test Fleet (CTF) | 11/22/2013 |
| Early Quality Feedback (EQF) | 11/22/2013 |
| Legal/Employee Self Insured Services (ESIS)/Product Liability Claims/Lawsuits | 01/09/2014 |

TABLE 2-2: DATA SOURCES

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
 - a. GM's file number or other identifier used;

- a. GM's file number or other identifier used;
- b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
- c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
- d. Vehicle's VIN;
- e. Vehicle's make, model and model year;
- f. Vehicle's mileage at time of incident;
- g. Incident date;
- h. Report or claim date;
- i. Whether the traction control and/or ESC light was illuminated;
- j. Whether the consumer alleged the shift-interlock system was inoperative/ disabled;
- k. Whether a roll-away or other unintended vehicle movement is alleged;
- l. Whether a crash is alleged;
- m. Whether property damage is alleged;
- n. Number of alleged injuries, if any; and
- o. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

The requested information is provided on the ATT_1_GM disk; folder labeled "Q_03". Refer to "Q_03_REQUEST_NUMBER_TWO_DATA".

4. **Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method GM used for organizing the documents.**

Copies of the records summarized in Table 2-1 are embedded in the file provided in ATT_1_GM disk; folder labeled "Q_03". Refer to the Microsoft Access file labeled "Q_03_REQUEST_NUMBER_TWO_DATA". GM has organized the records by the GM file number within each attachment.

* * *

GM claims that certain information, in documents that are part of lawsuit or claims files maintained by the GM Legal Staff, is attorney work product and/or privileged. That information includes notes, memos, reports, photographs, and evaluations by attorneys (and by consultants, claims analysts, investigators, and engineers working at the request of attorneys). GM is producing responsive documents from claims files that are neither attorney work product nor privileged, and withholding those that are attorney work product and/or privileged.

This response is based on searches of General Motors Corporation (GM) locations where documents determined to be responsive to your request would ordinarily be found. As a result, the scope of this search did not include, nor could it reasonably include, "all of their past and present officers and employees, whether assigned to their principal offices or any of their field or other locations, including all of their divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of GM (including all business units and persons previously referred to), who are or, in or after January 2000, were involved in any way with any of the following related to the alleged defect in the subject vehicles:

- a. Design, engineering, analysis, modification or production (e.g. quality control);
- b. Testing, assessment or evaluation;
- c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
- d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers."

This response was compiled and prepared by this office upon review of the documents produced by various GM locations, and does not include documents generated or received at those GM locations subsequent to their searches.

Please contact me if you require further information about this response or the nature or scope of our searches.

Sincerely,



M. Carmen Benavides, Director
Product Investigations and Safety Regulation

Attachments