

Kane/Gilbert Message Test

News Story:

Toyota Motor Corp. is rebutting the findings of a study presented in a Congressional hearing and on ABC News that claimed to replicate undetected sudden acceleration and called into question Toyota's electronics. The company says that it has duplicated a professor's findings about the automaker's electronic throttle-control system.

The experiment was created by David W. Gilbert of Southern Illinois University. Gilbert, along with Sean Kane of Safety Research & Strategies, Inc, testified as expert witnesses at the Congressional hearings about Toyota Motor Corp. recently and provided testimony and documentation claiming that an electrical malfunction was a cause of unintended acceleration in some Toyota vehicles. Kane's 51-page report alleged that Toyota and Lexus owners have reported incidents of sudden acceleration since 1999, due to malfunctions with the engines computer and software systems.

Using a Toyota vehicle, Professor Gilbert claims he was able to recreate an incidence of unintended sudden acceleration in the laboratory. Further, he insisted that an electronic design flaw in Toyota's engine software could cause sudden unintended acceleration in a Toyota vehicle, and, in fact, does so without leaving any evidence of the incident. Gilbert also testified that this flaw in the electrical software that he identified is unique to Toyota vehicles and would not be found in other brand's vehicles.

"The Gilbert demonstration is a hoax or a parlor trick," said the person familiar with Toyota's thinking, adding that the report was rushed out to coincide with congressional hearings so no one could check the authenticity of it.

A 43-page analysis of Gilbert's experiment, conducted by Exponent, an independent engineering and scientific consulting firm hired by Toyota, asserts that it is nearly impossible to find the scenario Gilbert created in the laboratory in the real world. Exponent confirms that "for such an event to happen in the real world requires a sequence of faults that is extraordinarily unlikely."

Statements (ROTATE)

Facts About the Case

1. **SHOW ALL, ANCHOR:** Toyota Motor Corp. is rebutting the findings of a study presented in a Congressional hearing and on ABC News that claimed to present evidence of a “design flaw” in Toyota’s electronics that could cause sudden unintended acceleration. The company says that this was a “parlor trick” that relied on manipulation of the wires and electronic system in a way that is “extremely unlikely” to ever occur in reality, and it could be done just as easily with vehicles from several competitors.
2. Sean Kane, the owner of Safety Research & Strategies Inc. who testified during the Congressional hearings, is a paid consultant for trial lawyers who are suing Toyota, not a “safety expert” advocating for consumers.
3. Kane's theories have been debunked time and time again by government investigators and serious scientific studies.
4. Professor Gilbert was paid nearly \$2,000 by Sean Kane, a consultant hired by the trial lawyers suing Toyota. Gilbert received nearly \$4,000 worth of equipment for his experiments. Going forward, Kane, a consultant for lawyers who are suing Toyota, has promised to pay Gilbert \$150 an hour for any of his services.
5. The Gilbert demonstration has been proven by independent experts to be a lab experiment that would be virtually impossible to replicate in the real world – and could just as easily be done to vehicles produced by many other auto manufacturers.
6. The “study” required Gilbert to artificially manipulate the vehicle’s electrical system to create a situation that would never happen in real life. In order to manipulate the car engine in his experiment, he orchestrated six distinct mechanical events in a precise order, an occurrence that is so unlikely that even NASA doesn’t test for possibilities this remote.
7. The independent engineering firm, Exponent, was able to reproduce Gilbert’s phony “unintended” acceleration on a BMW, Chrysler, Subaru, Mercedes, and Honda – and Toyota engineers also reproduced it on Ford and GM cars -- even after Gilbert asserted that only Toyota vehicles were affected.
8. ABC News reporter Brian Ross promoted Kane’s story about unintended acceleration and Gilbert’s manufactured demonstration, without revealing important facts about the demonstration or Kane and Gilbert’s funding. Most egregiously, Brian Ross and his crew fabricated a screen shot purporting to show a huge and sudden surge in engine speed. However, the car used in the scene had its door open, the handbrake on, and the speedometer showing zero.

Messaging -- Kane & Gilbert

9. Sean Kane, a paid consultant for plaintiffs’ lawyers suing Toyota, and David Gilbert, an academic working for him, deliberately deceived Congress and the American people.

10. The "study" Kane commissioned from academic David Gilbert was nothing more than a manufactured stunt – a parlor trick that would affect nearly all cars the same way, not just Toyotas.
11. While Sean Kane claims to be an independent safety expert, he is the owner of a for-profit company that serves as a paid consultant for the plaintiff lawyers that are currently suing Toyota. Despite what he says, he is not working for the best interest and safety of the American people.
12. Sean Kane has appeared multiple times on ABC News and other media as an "independent" and "impartial" researcher, never once identifying himself as a consultant working for plaintiff law firms that are suing Toyota and have sued other car manufacturers in the past.
13. Even though David Gilbert claimed that his findings were unique to Toyota, he never tested any other vehicles from any other manufacturers. Exponent, an independent engineering and scientific consulting firm that NASA employs, then investigated Gilberts' methodology and were able to replicate the same mechanical events in vehicles from Honda, Chrysler, Subaru, Mercedes, and BMW, effectively refuting Gilbert's claims.
14. A 43-page analysis of Gilbert's experiment, conducted by Exponent, an independent engineering and scientific consulting firm, asserts that it is nearly impossible to find the scenario Gilbert created in the laboratory in the real world. Exponent confirms that "for such an event to happen in the real world requires a sequence of faults that is extraordinarily unlikely."

Messaging -- Toyota & The Facts

15. **SPLIT A:** The facts about the safety of Toyota's cars are most important -- not sensational claims.
16. **SPLIT B:** The frenzy in the media and by some interested in gaining from this situation have blurred the facts about Toyota's cars. The facts in this situation are most important.
17. The claims against Toyota have been overblown and sensationalized by the media and so-called "safety" experts. While Toyota has made mistakes, the facts of the situation have been manipulated and used against the company.
18. There have been many claims in the media and by so-called "experts" about the safety of Toyota's cars. The fact is that Toyota is committed to doing everything it can to provide its drivers with the safest and most reliable vehicles on the road. Toyota has been making safe, reliable cars for more than 50 years. Eighty-percent of Toyota vehicles made in the last 20 years are still on the road today.
19. There have been many claims in the media and by so-called "experts" about the safety of Toyota's cars. The facts are: Toyota has the fix for our recalled vehicles -- and we are fixing them as quickly as possible. The electronic systems in Toyota vehicles have been

rigorously tested by Toyota's engineers and independent engineering experts -- and both have confirmed that the system's fail-safes work.

20. The American people deserve the truth about the safety of their cars, not biased studies by trial lawyer consultants who stand to make millions suing Toyota. The facts are: Toyota and its dealers are working around the clock to make things right for its customers. More than one million cars have already been repaired. And, a world-class engineering firm has conducted a comprehensive review of Toyota's electronics. Their interim report confirms that our fail-safe systems work.
21. Toyota is confident in the quality and reliability of its vehicles, but also is committed to continuing to search for any situation which would cause problems with its cars - based on serious and rigorous analysis, testing and research.
22. Toyota's record speaks for itself, with 80 percent of vehicles built in the past 20 years still on the road today. The company is committed to serious and rigorous analysis, testing and research -- not sensational claims and shoddy science.
23. The fact is that unintended acceleration is an industry-wide phenomenon and Toyota is doing more than most automakers to address the issue -- including an industry leading commitment to install brake override systems on its vehicles.
24. Electronic throttle control systems are used by all major automakers and there is no evidence to suggest that Toyota's electronics are any less safe than Ford's, GM's, or Honda's -- all of whom experience some complaints about unintended acceleration.
25. Toyota has sold more than 40 million vehicles with electronic throttle control systems, tested them extensively, and has not found a single case of a defect in the system causing unintended acceleration.