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By CBC News, cbc.ca, Updated: April 8, 2010 9:28 PM

Toyota hid safety information: lawyer



A former Toyota lawyer says the embattled auto giant has misled and hidden information from safety officials investigating the company.

In a Canadian exclusive, former Toyota lawyer Dimitrios Biller told the CBC's Amanda Lang that the automaker intentionally hid information from regulators, and knowingly sold vehicles it had reason to believe were unsafe.

"Toyota has a system of deception and hypocrisy," Biller said. "I have the evidence to disprove [them] and I look forward to doing so."

Although he left Toyota before the company's massive eight million vehicle recall due to sticky accelerator pedals began in the past few months, between 2003 and 2007 Biller was the company's U.S. managing counsel in charge of the rollover and roof-crush complaints.

Though he predominantly dealt with injuries incurred in rollovers, he also handled one case of sudden unintended acceleration.

"I knew Toyota was knowingly keeping information from people," Biller said of his stint with the automaker.

During that time, Biller said, he was frequently called upon to mislead and hide information in the company's favour. "My boss ... informed me not to produce any documents, any electronically stored documents or emails because that would violate the golden rule: 'Do everything to protect the client even if it means committing criminal acts.'"

'It all comes down to money'

In February, a congressional committee investigating Toyota for its handling of its recent recalls obtained thousands of documents related to the case. Among those were 6,000 provided by Biller for use in its investigation.

Noting that Biller has outstanding lawsuits against Toyota and another former employer, in a March letter to legislators obtained by CBC News, Toyota dismissed Biller's allegations, and has moved to have the documents sealed.

But Biller remains steadfast in his criticism of Toyota, and suggested the sheer volume of documents subpoenaed meant the company didn't comprehend exactly what it was handing over.

"Toyota has been successful keeping information out of the hands of the United States [government, but in this case] Toyota had to produce a massive amount of documents and didn't have the ability to check what it was submitting," Biller said.

"It all comes down to money," Biller said. "That's why Toyota finds itself in this predicament [because] for a long time Toyota has been consumed with greed."

Biller accusations 'inaccurate': Toyota

After multiple requests for comment from the CBC, Toyota offered a written statement, dismissing Biller as a disgruntled former employee who has no knowledge of how the company has handled the current recall.

"Biller is a former attorney at Toyota who is currently suing the company, claiming wrongful termination and emotional distress," Toyota said.

"As part of his claims, he continues to make inaccurate and misleading allegations about Toyota's conduct that we strongly dispute and will continue to fight against vigorously.

"Toyota takes its legal obligations seriously and strives to maintain the highest professional and ethical standards," the company added. "We are confident that we have acted appropriately with respect to product liability litigation and our discovery practices, and we fully stand behind our responses to Representative Towns on this issue"

Internal email on secrecy

Late Wednesday, an Associated Press report said a since retired public relations executive at the automaker had warned colleagues in an internal email in January that the company "needs to come clean" on the recall scandal.

"We are not protecting our customers by keeping this quiet," wrote Irv Miller, group vice-president for environment and public affairs on Jan. 16, as Toyota officials were on their way to Washington to talk to federal regulators about the problems with the company's vehicles.

"The time to hide on this one is over," the email said.

Toyota, in a statement, said it "does not comment on internal company communications" and declined comment on Miller's email. But the automaker said: "We have publicly acknowledged on several occasions that the company did a poor job of communicating during the period preceding our recent recalls."

"We have subsequently taken a number of important steps to improve our communications with regulators and customers on safety-related matters to ensure that this does not happen again," Toyota said.

The U.S. Transportation Department has proposed a record \$16.4-million US fine of Toyota for failing to alert the U.S. government to the safety problems about the sticking accelerator pedals quickly enough.

U.S. Transportation Secretary Ray LaHood said Tuesday that Toyota made a "huge mistake" by not disclosing the safety problems sooner.



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