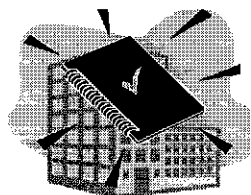


NHTSA Complete Record Information



Printed: 10/13/2005

NHTSA #: ES05-008145	Rec'd Date: 10/12/2005	Referred By: NEC-110
XREF #:	Doc Type: ORG	Doc Date: 9/20/2005
Delivery: CRT	Address To: NOA010	Due Date: 10/26/2005
S10 #:	DOT/I #:	RMP #:
Subject: CERTIFIED LTR REQUESTING NHTSA INITIATE A DEFECT INVESTIGATION RE SELECTED FORD MOTOR COMPANY VEHICLES LEFT FRONT INNER BEARINGS FOR ADVANCE FATIGUE CRACKS		
Ack Date:	Ack By:	Signed For:
Sign Office: SENIOR AA VEHICLE SAFETY	Signature: RONALD MEDFORD	
Cleared Date:	Cleared By:	Cleared For:
File Loc:	XREF File:	Closed Date:
Added By: NMOODY x62544	Modified By: MSAM	

COMPLETE CONTACT INFO:

10139953

Dr. STEPHEN A BATZER DIRECTOR
THE ENGINEERING INSTITUTE, L.L.C.

Tel: Fax: E-mail:

COMPLETE COMMENT INFO:

Comment Details

Comment

10/13/2005 10:19:41 AM

Entered By: MSAM

Comment By: Melodee Sam

Copy of letter emailed to reply/input offices today's date at 10:20 am. Hard copy given to Joe for input.

10/13/2005 10:28:14 AM

Entered By: JCOOPER

Comment By: Jan Cooper

Per my conversation with Mr. Don Willke, NVS-310, Mr. Willke feels this is not a control that should involve R&D. This control should be sent directly to Kathy DeMeter's office. Mr. Willke does not feel it is appropriate for him or anyone at VRTC to respond to this control.

COMPLETE ROUTING INFO:

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	REPLY	10/12/2005	10/26/2005	
	Return Process	10/12/2005		10/12/2005
ODI	REPLY	10/12/2005	10/21/2005	
NVS-300	INPUT REQUIRED	10/12/2005	10/26/2005	
	Return Process	10/13/2005		10/13/2005
NVS-310	INPUT TO 200	10/13/2005	10/24/2005	
NVS-320	INPUT TO 310	10/13/2005	10/19/2005	

NVS-330	INPUT TO 310	10/13/2005	10/19/2005	
NVS-010	INFORMATION	10/12/2005		10/12/2005

COMPLETE ATTACHMENT INFO:

Description	Added By	Date & Time
8145.tif	NMOODY	10/12/2005 11:37:00 AM



THE
ENGINEERING
INSTITUTE, L.L.C.

September 20, 2005

The Honorable Jeffrey W. Runge, M.D.
Administrator
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, DC 20590

RE: Public safety concern

Dear Dr. Runge,

We have recently been asked to consult in the matter of a fatal two-vehicle collision. We believe, based upon physical evidence and internal industry documents, that an inherent vehicle defect that is present in selected Ford Motor Company vehicles precipitated the loss of directional control of the striking vehicle. Therefore, we are bringing this matter to your attention as the agency with the authority to investigate and direct national recalls.

This highway-speed head-on collision occurred in 2003 in New Mexico. [REDACTED] was driving the westbound 2001 Ford Expedition. It veered into the oncoming lane and struck an eastbound 2000 Ford F250 long bed truck towing a 5th-wheel Tahoe travel trailer. The resulting collision killed the three occupants of the Expedition and the two occupants of the pickup truck. See Attachment A, the police report, and a diagram created by our firm reconstructing the progression of the collision from the instant of impact forward in time. Note that the primary direction of force to the Expedition was at the 1 o'clock position, protecting the left front wheel and tire from collision damage.

For this case, our firm, *The Engineering Institute*, performed accident reconstruction and failure analysis. Dr. Robert Block of *Associated Metallurgists* performed metallurgical services. Mr. Peter Lemmon analyzed warranty claims produced by Ford as a result of discovery requests. It is based upon the considered opinions of all of us that this document is produced.

Metallurgical analysis showed that the left front inner bearing failed as a result of a progressive fatigue crack advance (i.e., fatigue). This is an exceedingly rare event, as bearings have a design life that equals that of the vehicle: 150,000+ miles. This bearing failure occurred at approximately 30,000 miles. See Attachment B, a photograph by Dr. Block of the failed bearing surface clearly indicating fatigue (notice the beach marks, or "swoops" on the lower right hand surface showing progressive failure). Attachment C shows overall vehicle photographs, indicating that the right front of the vehicle, opposite of the failed bearing side, was disproportionately impacted during the collision. Note that the right front bearing assembly was undamaged by the accident, though the right front wheel and tire assemblies were significantly damaged. Drs. Batzer, Renfroe, and Block have analyzed literally hundreds of vehicle collisions and have never seen a failed bearing result. The hardened steel bearing race material is the strongest component of the vehicle. The left front wheel and tire assembly was only cosmetically damaged and could be placed on another vehicle without performance issue. It is Ford's contention that inertial impact forces caused the left inner bearing to fail. This assertion is contradicted by all available evidence and experience.

P. O. Box 610 • Farmington, AR 72730 • Phone: 479.846.8000 • Fax 479.846.8002 • www.enginst.org

ES05-008145

EXECUTIVE SECRETARIAT
2005 OCT 12 AM

Mr. Peter Lemmon investigated internal Ford warranty claims involving Expeditions and vehicles with substantially similar front wheel/bearing assemblies (e.g., F-150s, F-250s, E-350s). See Attachment D. What he found was a substantial increase in reported bearing failures for particular manufacturing months. As you are aware, front bearings are safety components; in that, if a bearing catastrophically fails, steering is disrupted and brakes can be severely diminished. These types of claims were found in Ford's AWS (Analytical Warranty System) narratives of problems encountered by Ford customers, and actions undertaken by Ford technicians. While the charts indicate that Ford has gotten their problem under control; it is also apparent that Ford is treating this as a warranty and manufacturing issue, rather than a broad-based safety issue that puts the public at risk. Many, perhaps most, customers whose bearings fail will be able to safely move to the road shoulder and have their vehicle towed to the dealer. If a driver were traveling on a narrow two-lane roadway at highway speed, as was [REDACTED], when the bearing fails; his or her vehicle may veer into the oncoming lane. Some of these incidents will lead to a fatal collision.

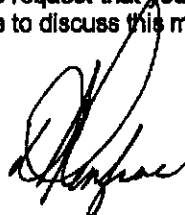
In the interest of full disclosure, the internal Ford Motor Company information that was examined was found in the discovery process in a wrongful death case: Cleveland County District Court, State of Oklahoma, No. CJ-04-59. As the information being provided to you was presented in open court, it is in the public domain, and is not protected. This case has recently concluded with a defense verdict. It is my understanding that this decision is being appealed by the plaintiffs. Having disclosed this, I think that it is plain that threats to public health should be carefully examined by responsible government agencies, regardless of plaintiff or defense verdicts. The reason for the substantial increase in bearing failures by Ford was never explained in court, nor acknowledged as a safety issue. We strongly encourage NHTSA to pursue this matter further.

We are available at your convenience to fly to Washington to present to you a copy of our entire file and to discuss this matter, with or without Ford representatives present. We feel that this bearing problem places a significant number of Ford customers at risk and warrants serious investigation, possibly culminating in a recall. We request that you or your representative contact us at (479) 846-8000 at your earliest convenience to discuss this matter further.

Sincerely,



Stephen A. Batzer, Ph.D., P.E.
Director



David A. Renfro, Ph.D., P.E.
Director

CC:

Office of General Counsel
Ford Motor Company
The American Road
Dearborn, MI 48126

ATTACHMENT "A"

INVESTIGATION
REVISED
APRIL 2002

NEW MEXICO STATE POLICE

708404
03-170617

ON PRIVATE PROPERTY

FATAL

INJURY

REPORTING DEPARTMENT

PROPERTY DAMAGE ONLY UNDER \$500 \$500 OR MORE

HIT AND RUN

STATE OF NEW MEXICO
UNIFORM CRASH REPORT

DATE OF ACCIDENT Mo. Day Year
07/26/2003

Military Time
15:10

CITY OCCURRED IN
N/A

COUNTY
COLFAX

SHEET 1

OF 7 SHEETS

SUN M T W T F SAT

ACCURRED ON : (ROUTE NO. or NAME)
US HIGHWAY 64/87

AT INTERSECTION WITH:
N/A

OTHER FEET

MILES

PERMANENT LANDMARK-COUNTY LINE - INTERSECTION
N S E W OF: NEW MEXICO STATE ROAD 193

FOR USE BY ORIGINATOR

LOCATION 9.1

LOCATION 7

OF MILEPOST NO: 371

03-170617

ACCIDENT OCCURRED On Roadway Off Roadway

ACCIDENT CLASSIFICATION

Overturned

Other N-Cd.

Pedestrian

Other Vehicle

Vehicle On Other Rdwy.

VEHICLE NO. 1

HEADED

N S E W ON: US HIGHWAY 64/87

Posted Speed
65 MPH

Safe Speed
65 MPH

Driver License Number

State
OK

Type
D

Restrictions
CORRECTIVE LENSES

Expires
07/31/2004

Date of Birth

Seat Position Code

LR LF CR CF RR RF OTHER

Social Security Num.

Occupation

UNKNOWN

Seat Belt

Helmet

Yes No

Age

Sex

Injury

Seat Pos.

Occupant's Name

Occupant's Address/Zip Code

9

N

31

M

K2

RR

Occupant's Name

Occupant's Address/Zip Code

2

N

33

F

K1

CR

Occupant's Name

Occupant's Address/Zip Code

B

N

2

M

K

Vehicle Yr.
2001

Vehicle Make
FORD

Color
BLACK

Body Style
UT

Removed To:
RATON, NEW MEXICO

Removed By:

RATON AUTO & TRUCK

License Yr.
2004

State
OK

License Number

US DOT/CC/PRC Numbers
N/A

Owner's Address

Owner's Telephone

Owner's Zip Code

Insured By: (Name of Company)

Farmers Insurance Company

OKLAHOMA CITY, OK

VEHICLE NO. 2 - PEDESTRIAN

HEADED

N S E W ON: US HIGHWAY 64/87

Posted Speed
65 MPH

Safe Speed
65 MPH

Driver License Number

State
TX

Type
C

Restrictions
CORRECTIVE LENSES

Expires
04/25/2009

Date of Birth

Seat Position Code

LR LF CR CF RR RF OTHER

Social Security Num.

Occupation

UNKNOWN

Seat Belt

Helmet

Yes No

Age

Sex

Injury

Seat Pos.

Occupant's Name

Occupant's Address/Zip Code

N

N

67

M

K

RF

Occupant's Name

Occupant's Address/Zip Code

N

N

66

F

K

Vehicle Yr.
2000

Vehicle Make
FORD

Color
WHITE

Body Style
PK

Removed To:
RATON, NEW MEXICO

Removed By:

RATON AUTO & TRUCK

License Yr.
2004

State
TX

License Number

US DOT/CC/PRC Numbers
N/A

Owner's Address

Owner's Telephone

Owner's Zip Code

Insured By: (Name of Company)

NONE FOUND IN VEHICLE

GAINESVILLE, TX

INJURED First Aid Rendered By:

RATON FIRE/EMS

Injured Taken To:

MINER'S COLFAX MEDICAL CENTER

By:

CIMARRON EMS

Utility Insurance

Yes No

VEHICLE DAMAGE

HEAVY SLIGHT MODERATE NONE

PROPERTY

NONE

DESCRIPTION OF PROPERTY AND DAMAGE

DEADLY

NA

Owner's Name

Owner's Address/Zip Code

Owner's Phone

WITNESS

Name

Age

Address

Telephone

Name

Age

Address

Telephone

- INJURY CODES**
- K- Killed
 - K1 Head
 - K2 Chest
 - K3 Neck
 - K4 Other
 - A- Incapacitated - Carried From Scene
 - A1 Head
 - A2 Chest
 - A3 Back
 - A4 Neck
 - A5 Arms/Legs
 - B- Visible Injury
 - B1 Head
 - B2 Chest
 - B3 Back
 - B4 Neck
 - B5 Arms/Legs
 - C- Complaint - No Visible Injury

- RESTRAINT CODES**
1. Restraints - Not Installed
 2. Restraints - Not Used
 3. Lap Belts - Used
 4. Shoulder Harness - Not Used
 5. Shoulder Harness - Used
 6. Belt & Harness - Used
 7. Ejected From Vehicle
 8. Child Restraint Device
 - A. Used Properly
 - B. Not Used
 - C. Used Improperly
 9. Airbag Deployed
 - A. Other Restraints Not Used
 - B. Other Restraints Used

Entered 8/1/03 03:44

ROAD-WEATHER	WEATHER (Mark 1 with X)	ROAD COND. (Mark 1 each with X)	ROAD SURFACE (Mark 1 each with X)	TRAFFIC CONTROL (Mark 1 each with X)	ROAD CHARACTER (Mark 1 with X)	ROAD DESIGN (Mark 1 or more for each with X)	
<input checked="" type="checkbox"/> Daylight <input type="checkbox"/> Dawn <input type="checkbox"/> Dusk <input type="checkbox"/> Dark Lighted <input type="checkbox"/> Dark - Not Lighted <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Clear <input type="checkbox"/> Raining <input type="checkbox"/> Snowing <input type="checkbox"/> Fog <input type="checkbox"/> Dust <input type="checkbox"/> Wind <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Snow <input type="checkbox"/> Ice <input type="checkbox"/> Loose Material <input type="checkbox"/> Other	<input type="checkbox"/> Paved Unstriped <input type="checkbox"/> Paved Center Stripe <input checked="" type="checkbox"/> Paved Center & Edgeline <input type="checkbox"/> Unpaved	<input type="checkbox"/> No Passing Zone <input type="checkbox"/> Stop Sign <input type="checkbox"/> Traffic Signals <input type="checkbox"/> Yield Sign <input type="checkbox"/> R.R. Gate <input type="checkbox"/> 4 Way Stop <input type="checkbox"/> Flashers <input checked="" type="checkbox"/> No Controls <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Straight <input type="checkbox"/> Curve GRADE (Mark 1 with X) <input checked="" type="checkbox"/> Level <input type="checkbox"/> Hillcrest <input type="checkbox"/> On Grade <input type="checkbox"/> Dip	<input checked="" type="checkbox"/> 1 Lane <input type="checkbox"/> 2 Lanes <input type="checkbox"/> 3 Lanes <input type="checkbox"/> 4 Lanes <input type="checkbox"/> Undivided <input type="checkbox"/> Physical Div. <input checked="" type="checkbox"/> Painted Div.	<input type="checkbox"/> One Way <input type="checkbox"/> Ramp <input type="checkbox"/> Freeway <input type="checkbox"/> Undev. <input type="checkbox"/> Alley <input checked="" type="checkbox"/> Other <input type="checkbox"/> Constr. Zone

EVENT	APPARENT CONTRIBUTING FACTORS (Mark 1 or more for each with X)	WHAT DRIVERS WERE DOING (Mark 1 or more for each with X)
<input type="checkbox"/> Excessive speed <input type="checkbox"/> Speed too fast for conditions <input type="checkbox"/> Failed to yield right of way <input type="checkbox"/> Passed stop sign <input type="checkbox"/> Disregarded traffic signal <input checked="" type="checkbox"/> Drove left of center <input type="checkbox"/> Improper overtaking <input type="checkbox"/> Avoid no contact vehicle <input type="checkbox"/> Avoid no contact - other <input type="checkbox"/> Call Phone	<input type="checkbox"/> Following too closely <input type="checkbox"/> Made improper turn <input type="checkbox"/> Driver Inattention <input type="checkbox"/> Under influence of alcohol <input type="checkbox"/> Other improper driving <input type="checkbox"/> Pedestrian error <input type="checkbox"/> Inadequate brakes <input type="checkbox"/> Driverless moving vehicle <input type="checkbox"/> Failed to yield - Police Vehicle(s) <input type="checkbox"/> Failed to yield - Emergency Vehicle(s)	<input checked="" type="checkbox"/> Going Straight <input type="checkbox"/> Overtaking-Passing <input type="checkbox"/> Right Turn <input type="checkbox"/> Left Turn <input type="checkbox"/> U Turn <input type="checkbox"/> Stowing <input type="checkbox"/> Backing <input type="checkbox"/> Stopped for traffic <input type="checkbox"/> Stopped for sign/signal <input type="checkbox"/> Start in traffic in <input type="checkbox"/> Start from Park <input type="checkbox"/> Parked <input type="checkbox"/> Other

DRIVER OR PEDESTRIAN SOBRIETY (Mark 1 or more for each with X)	DRIVER OR PEDESTRIAN PHYSICAL CONDITION (Mark 1 or more for each with X)	PEDESTRIAN ACTION						
<input type="checkbox"/> Consumed Alcohol <input type="checkbox"/> Consumed a Controlled Substance <input type="checkbox"/> Had Not Consumed Alcohol <input checked="" type="checkbox"/> Sobriety Unknown <input type="checkbox"/> Consumed Medication <input type="checkbox"/> Tested by Instrument <input type="checkbox"/> Breath Test Administered <input type="checkbox"/> _____ gms / 210L _____ gms / 210L <input type="checkbox"/> Blood Test Administered <input type="checkbox"/> Field Sobriety Test <input type="checkbox"/> Eye Gaze / Nystagmus	<input type="checkbox"/> Fatigue-Asleep <input type="checkbox"/> Eyesight Imp. <input type="checkbox"/> Hearing Imp. <input type="checkbox"/> ILL <input type="checkbox"/> Medication <input type="checkbox"/> Amputes <input checked="" type="checkbox"/> No App. Defects <input type="checkbox"/> Other Physical Impairment*	<table border="1"> <tr> <th>All Intersection</th> <th colspan="2">Not All Intersection</th> </tr> <tr> <td> <input type="checkbox"/> With Signal <input type="checkbox"/> Against Signal <input type="checkbox"/> No Signal <input type="checkbox"/> Diagonal </td> <td> <input type="checkbox"/> From Behind <input type="checkbox"/> Obstruction <input type="checkbox"/> No Crosswalk <input type="checkbox"/> Crosswalk <input type="checkbox"/> Walking W/Tr <input type="checkbox"/> Other </td> <td> <input type="checkbox"/> Walking Against Traffic <input type="checkbox"/> Standing <input type="checkbox"/> Pushing or Working on Vehicle <input type="checkbox"/> Playing in Road </td> </tr> </table>	All Intersection	Not All Intersection		<input type="checkbox"/> With Signal <input type="checkbox"/> Against Signal <input type="checkbox"/> No Signal <input type="checkbox"/> Diagonal	<input type="checkbox"/> From Behind <input type="checkbox"/> Obstruction <input type="checkbox"/> No Crosswalk <input type="checkbox"/> Crosswalk <input type="checkbox"/> Walking W/Tr <input type="checkbox"/> Other	<input type="checkbox"/> Walking Against Traffic <input type="checkbox"/> Standing <input type="checkbox"/> Pushing or Working on Vehicle <input type="checkbox"/> Playing in Road
All Intersection	Not All Intersection							
<input type="checkbox"/> With Signal <input type="checkbox"/> Against Signal <input type="checkbox"/> No Signal <input type="checkbox"/> Diagonal	<input type="checkbox"/> From Behind <input type="checkbox"/> Obstruction <input type="checkbox"/> No Crosswalk <input type="checkbox"/> Crosswalk <input type="checkbox"/> Walking W/Tr <input type="checkbox"/> Other	<input type="checkbox"/> Walking Against Traffic <input type="checkbox"/> Standing <input type="checkbox"/> Pushing or Working on Vehicle <input type="checkbox"/> Playing in Road						

Diagram Drawn By: OFFICER LISA SHAFFER Measurements By: OFFICER J.T. COLLINS Leave Blank

NARRATIVE
 SEE SUPPLEMENTAL DIAGRAM

Use Supplemental Diagram/Narrative Sheet for additional information
 NARRATIVE (Describe how accident occurred.)

SEE SUPPLEMENTAL NARRATIVE

TRAILER OR TOWED VEHICLES	TOWED BY VEH. #1	Year	Make	Lic Yr - State - Number	Type	
	TOWED BY VEH. #2	2001	TAHO	2004 TX 197PSL	CAMPER	
VEH. NO.	Name	Violation	W	B	C	Citation No.
VEH. NO.	Name	Violation	W	B	C	Citation No.
VEH. NO.	Name	Violation	W	B	C	Citation No.
Time Notified	Time Arrived	Notified By	Supvr. at Scene	Checked By		
15:16	15:26	NMSP -RATON	SGT. TOM HARZEWSKI	7/31		
Officer's Signature	Rank	ID No.	District	Date of Occurrence		

STATE OF NEW MEXICO UNIFORM ACCIDENT REPORT SUPPLEMENTAL DIAGRAM/NARRATIVE

ASSIGNMENT:

On July 26, 2003 I was dispatched to a two vehicle crash near mile post 370 on US Highway 64/87. I was told that one of the vehicles was on fire and the other vehicle had rolled over.

TIME NOTIFIED:

I was notified of this crash at 15:16 hours.

ARRIVED ON SCENE:

I arrived at the scene of the crash at 15:26 hours.

SCENE:

When I arrived on scene I located a blue utility vehicle on the south side of US Highway 64/87. This vehicle was on its right side with one male subject partially out of the left window.

A second vehicle pulling a fifth wheel travel trailer was located in the westbound lane and was fully engulfed in flames.

ROAD CONFIGURATION:

US Highway 64/87 is a two lane road with a posted speed limit of 65 miles per hour. The area around the crash scene has one lane of travel for eastbound traffic and one lane of travel for westbound traffic. These lanes are separated by a broken yellow line indicating a passing zone. There is a white edge line on each side of the road separating the traveled portion of the road from the improved shoulder.

WEATHER:

The crash occurred during day light hours. The weather was clear sky's and light wind with no precipitation. Visibility was high in all directions.

MEDICAL ATTENTION:

Raton Fire and Medical services along with Cimarron, Des Moines, and Grenville ambulances were on scene and provided medical attention.

The driver of Vehicle #1, identified as [REDACTED] was transported to Miner's Colfax Medical Center in Raton and later flown to University Hospital in Albuquerque, New Mexico. [REDACTED] succumbed to his injuries and was pronounced dead at 08:45 on July 27, 2003. The rear seat passenger of Vehicle #1, identified as [REDACTED] was extricated and checked for signs of life, the rear center passenger of Vehicle #1, identified as [REDACTED] was extricated and checked for signs of life. No signs of life could be found on either [REDACTED] and due to the extent of their injuries no life saving measures were performed. Both [REDACTED] were pronounced dead at 18:50 on July 26, 2003.

Due to the extent of their injuries, the driver of Vehicle #2, identified as [REDACTED] and the passenger, identified as [REDACTED] no life saving measures were performed. Both [REDACTED] were pronounced dead at 18:50 on July 26, 2003.

Date	07/26/03	Time	1510	Location	US 64/87 M 370
Driver No. 1	[REDACTED]			County	Colfax
Driver No. 2	[REDACTED]			State	3
				City	7

STATE OF NEW MEXICO UNIFORM ACCIDENT REPORT SUPPLEMENTAL DIAGRAM/NARRATIVE

VEHICLE #1:

Vehicle #1 is described as a black 2001 Ford Expedition bearing Oklahoma license plate [REDACTED]. The damage to Vehicle #1 consists of heavy front end damage with the majority of the damage on the right front side. The roof was crushed in at various parts of the vehicle with heavy crush damage above the right front passenger area. Both front seatbelts appeared to have been cut and all four doors of the vehicle were removed by emergency personnel. The windshield had been shattered out and all four tires had good tread depth. The right front tire was flat but appeared to be in good condition. The front left outer wheel bearing nut and carter key were missing, the threads to the spindle were intact leading this officer to believe that the crash did not dislodge them. There was damage to both the right and left rear quarter panels and the rear window was missing. Both the driver's side airbag and the passenger side airbag deployed. The damage to this vehicle is consistent with a high speed frontal collision and a roll over crash.

Date 07/28/03	Time 1510	Location US Highway 64/87 M M 370
Driver No. 1 [REDACTED]	Driver No. 2 [REDACTED]	County Colfax
	Speed 4	Other 7

VEHICLE #2:

Vehicle #2 is described as a 2000 Ford pickup bearing Texas license plate [REDACTED]. Vehicle #2 was pulling a fifth wheel Tahoe travel trailer bearing Texas license plate [REDACTED]. The front license plate of the pickup was found in the radiator area of Vehicle #1. Upon this officer's arrival Vehicle #2 and its trailer were completely engulfed in flames making it impossible to determine the color of the vehicle. There was heavy front end damage with the majority of the damage to the right side. The roof of the vehicle was heavily caved in above the right front passenger area. The bed of the truck was twisted and crushed with damage to the front of the bed being pushed towards the cab. The headache rack was bent towards the front of the vehicle leading this officer to believe that the trailer continued forward and struck the rear of the cab upon impact with Vehicle #1. The drive shaft was found in the middle of the westbound lane. The windshield had melted and only small parts were still on the vehicle. It was impossible to determine if either airbag deployed on impact. A check of the propane tanks revealed that both valves were closed, however both valves stems were extremely loose and were easily turned by hand without the use of any tools. The damage to this vehicle is consistent with a front end impact at a high speed. Both occupants of Vehicle #2 were trapped and had to be extricated after the fire was extinguished.

WITNESS STATEMENTS:

I was able to locate two witnesses to the crash the first witness was identified as [REDACTED]. [REDACTED] stated that he was approximately three to four car lengths behind Vehicle #2 when he saw it swerve to the right and then swerve across the center line into the westbound lane. [REDACTED] stated that as the vehicle went into the westbound lane it "exploded and started on fire." I asked [REDACTED] if he saw any other vehicles in the westbound lane and he told me no, there were no other vehicles in the westbound lane at that time.

The second witness was identified as [REDACTED]. [REDACTED] stated that he saw the two vehicles swerving apart in the eastbound lane. [REDACTED] continued to tell me that the truck and trailer "exploded." [REDACTED] said that he ran up to Vehicle #1 and saw [REDACTED] hanging upside down with blood coming from his mouth. [REDACTED] also told me that he sat [REDACTED] upright so that he would not choke. I asked [REDACTED] if [REDACTED] was in a car seat and he said no that he was just hanging up side down. I also asked [REDACTED] if there were any other vehicles westbound at the time the crash took place and he said that he did not remember seeing any. I asked him if it appeared that Vehicle #1 was passing anyone and he again told me that he did not think so but was not certain because he was quite a distance behind Vehicle #2.

STATE OF NEW MEXICO UNIFORM ACCIDENT REPORT SUPPLEMENTAL DIAGRAM/NARRATIVE

INVESTIGATION:

My investigation revealed that the crash took place in the eastbound lane. Vehicle #1 was traveling westbound at and for an unknown reason entered the eastbound lane of travel. It is my belief that the reason that Vehicle #1 entered the eastbound lane was due to the left front outer wheel bearing nut and carter key missing from the wheel assembly. This caused the left front wheel to become very loose and would have made it difficult to control the vehicle causing it to pull to the left.

Vehicle #2 was traveling eastbound at approximately 60 miles per hour and swerved to the right in an attempt to avoid Vehicle #1. As Vehicle #1 entered the eastbound lane it struck Vehicle #2 just right of the front center of the vehicle causing damage to the right front of both vehicles. As Vehicle #1 struck Vehicle #2 it lost control and rolled onto the right side in the unimproved south shoulder. After impact Vehicle #2 entered the westbound lane and ignited causing both the truck and trailer to become fully engulfed in flames. All occupants had to be extracted from both vehicles due to the extensive damage. This officer was unable to determine what caused Vehicle #2 to ignite upon impact with Vehicle #1.

Officer Lisa Shaffer completed the crash scene diagram and Officer J.T. Collins photographed the scene.

TOW COMPANY:

Raton Auto and Truck Service towed both vehicles from the scene. Both vehicles are being stored at Raton Auto and Truck Service.

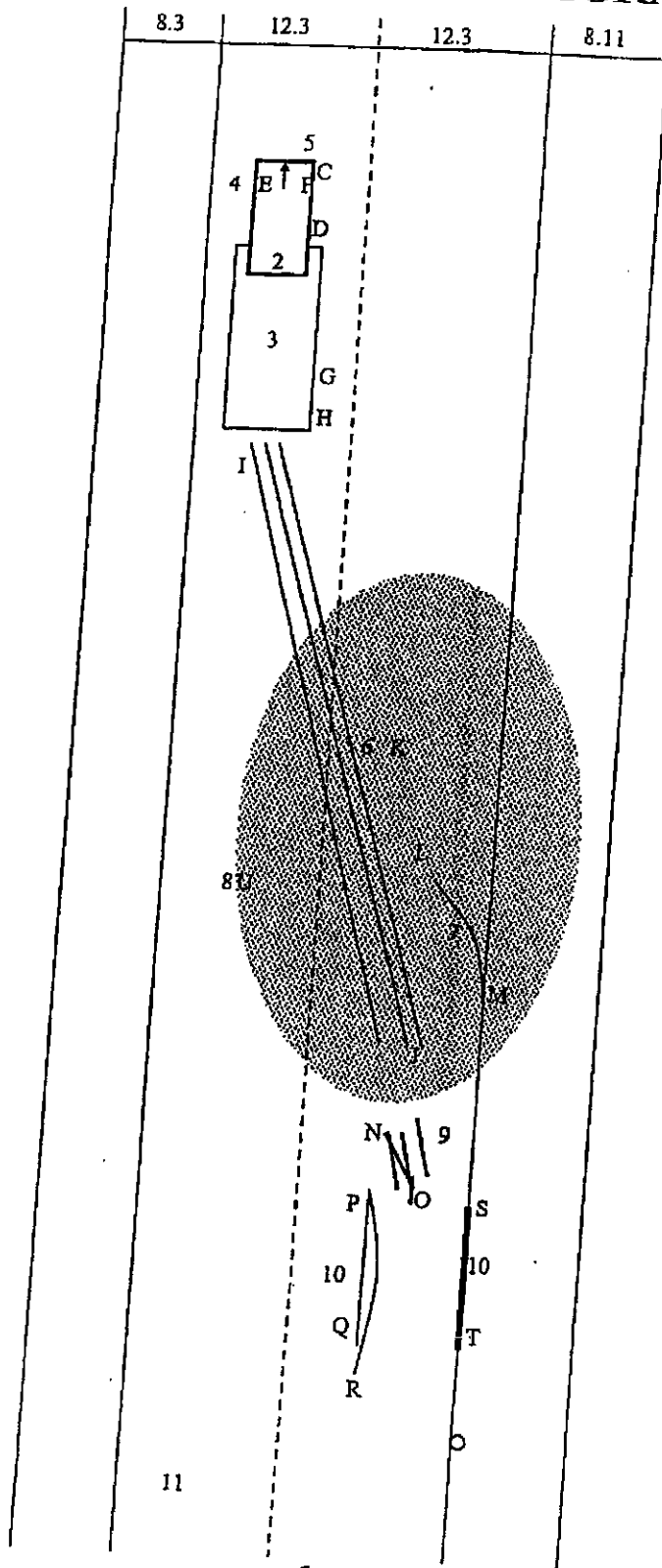
ENFORCEMENT ACTION:

No enforcement action was taken.

Date	07/26/03	Time	1510	Location	US Highway 64/87 M 370
Driver No. 1		County	Colfax	Street	
Driver No. 2		City	5		7

Officer J.T. Collins
New Mexico State Police
07/27/2003

STATE OF NEW MEXICO SUPPLEMENTAL DIAGRAM/NARRATIVE



Date	07/26/03	Time	1510	Location	US 64/87	County	COLFAX
Driver No. 1						Sheet	6
Driver No. 2						OF	7



NOT DRAWN TO SCALE
DRAWN BY:

Lisa Shaffer

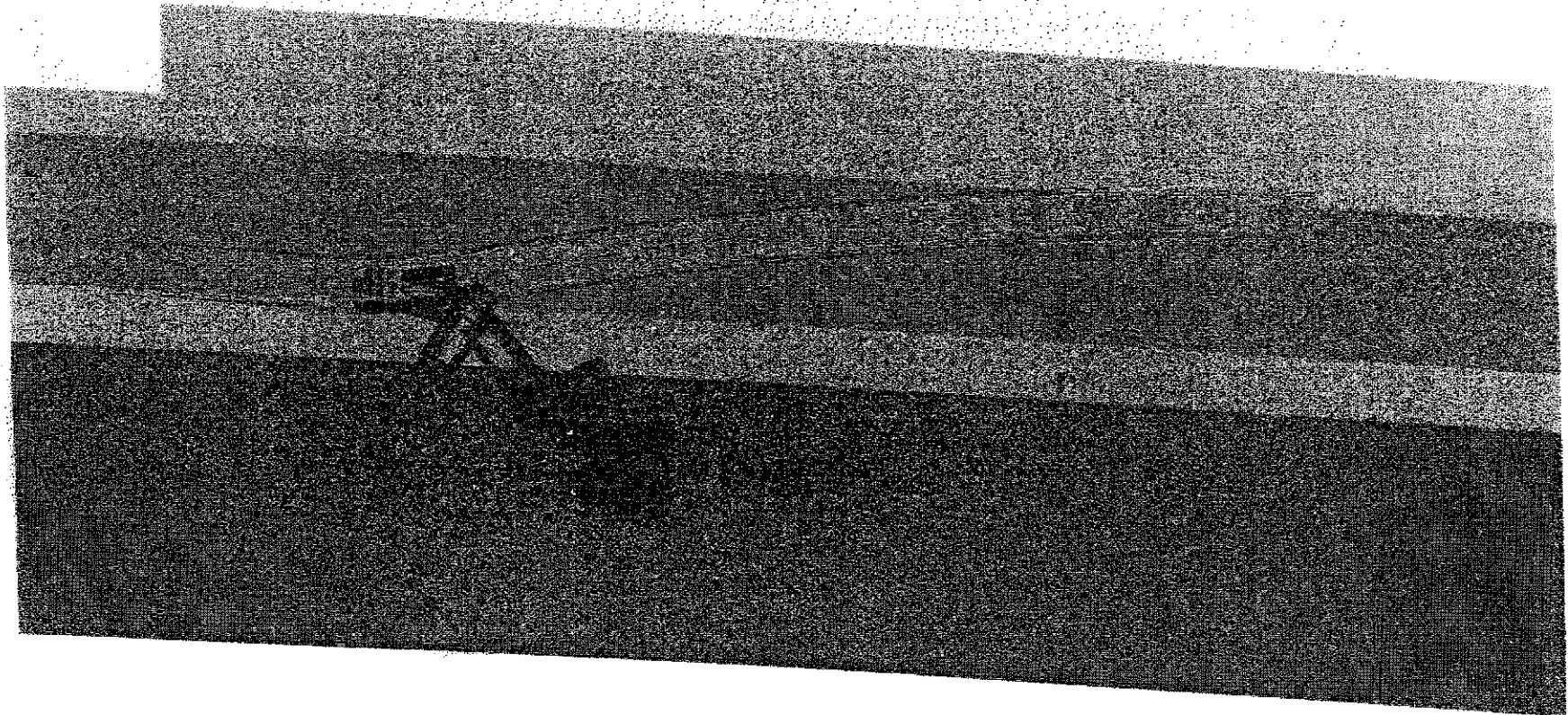
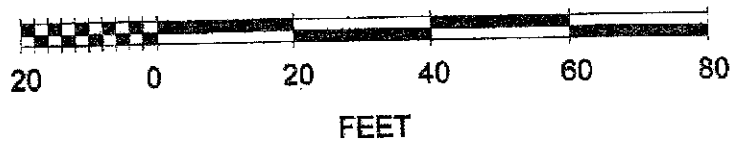
OFFICER LISA SHAFFER

NMSP #3035

07/28/03

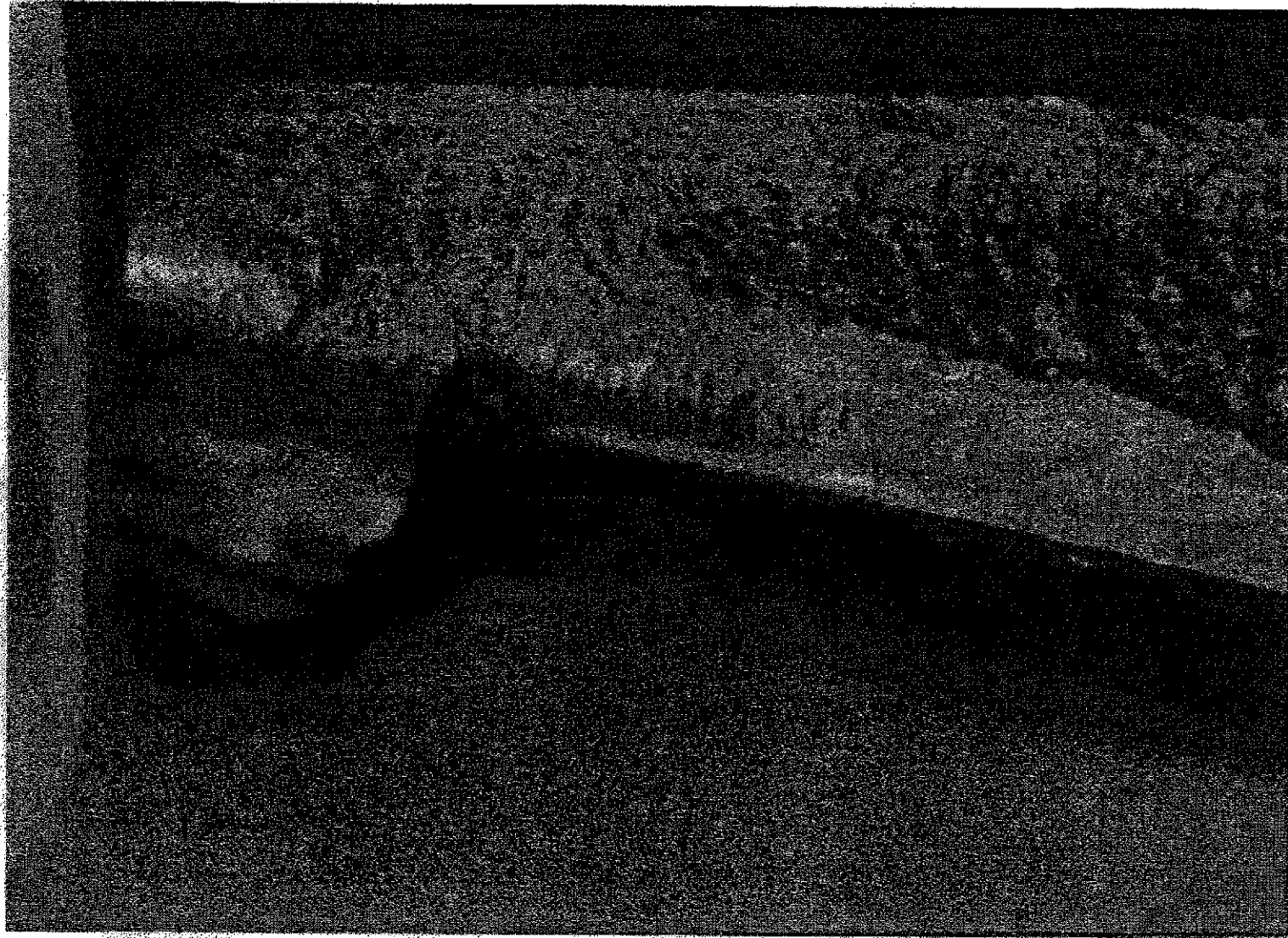


Vehicle positions shown every 10 feet



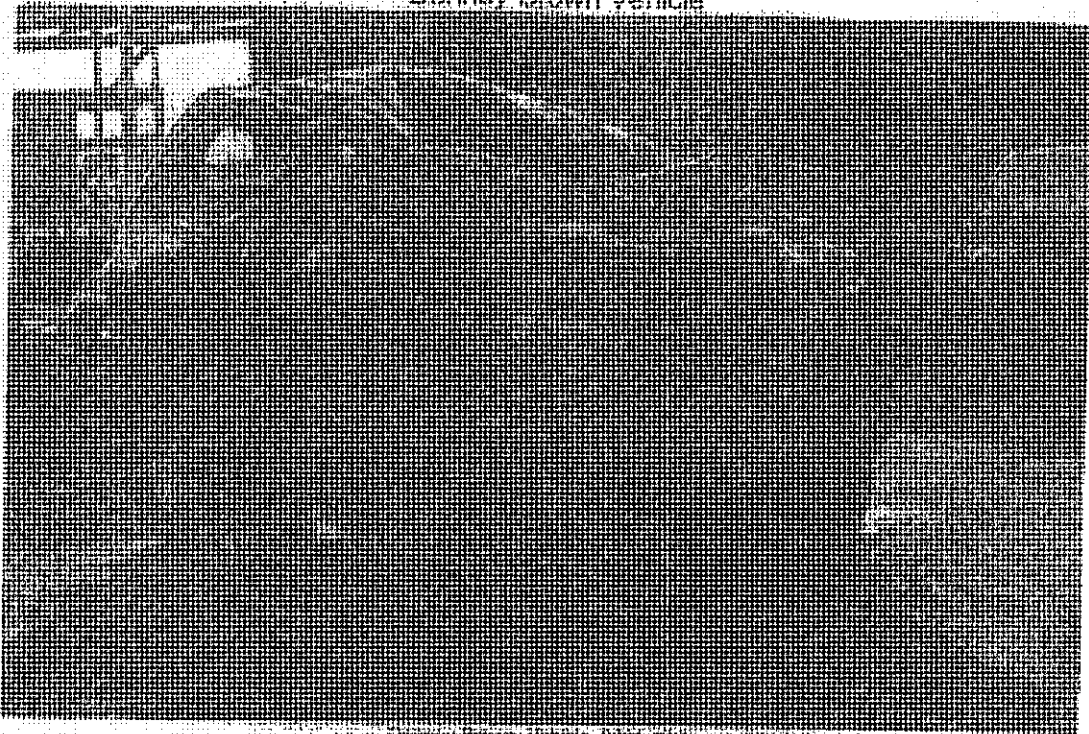
ATTACHMENT "B"

Evidence of Fatigue Failure

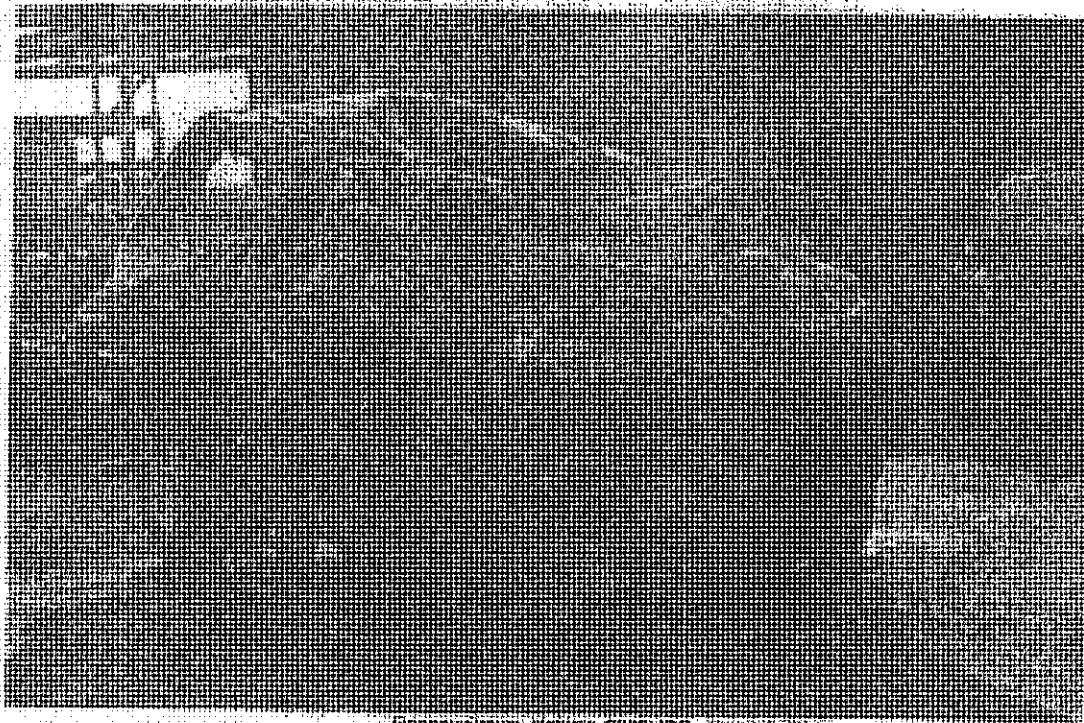


ATTACHMENT "C"

Denney-Brown Vehicle



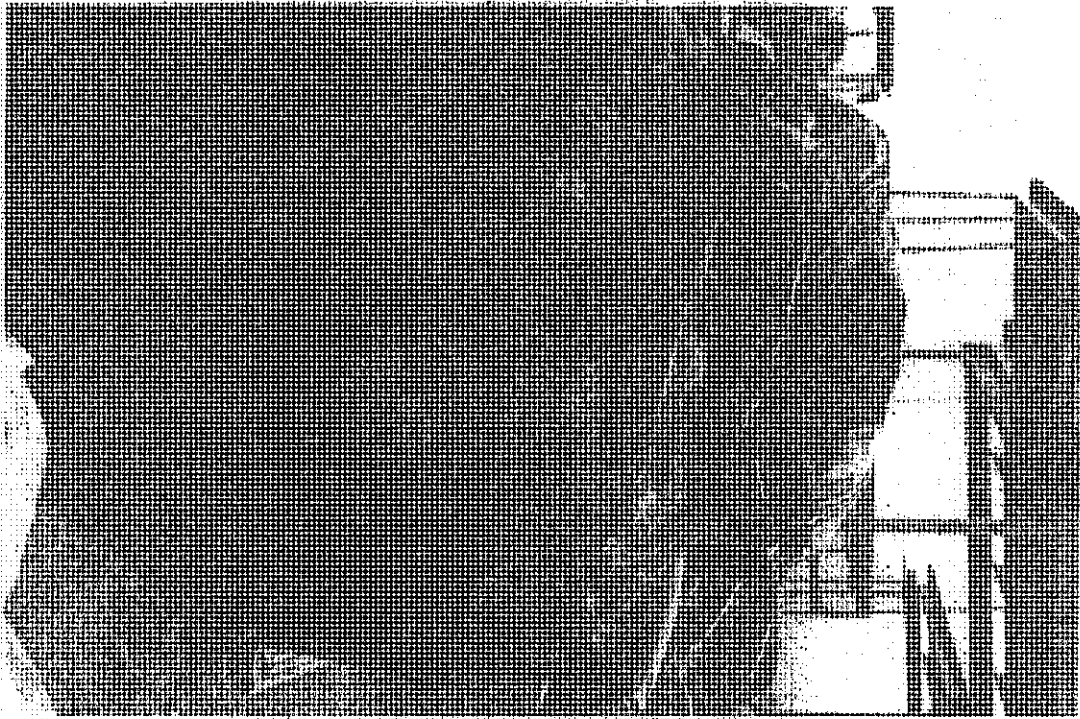
Denney-Brown Vehicle, Dec 12-10



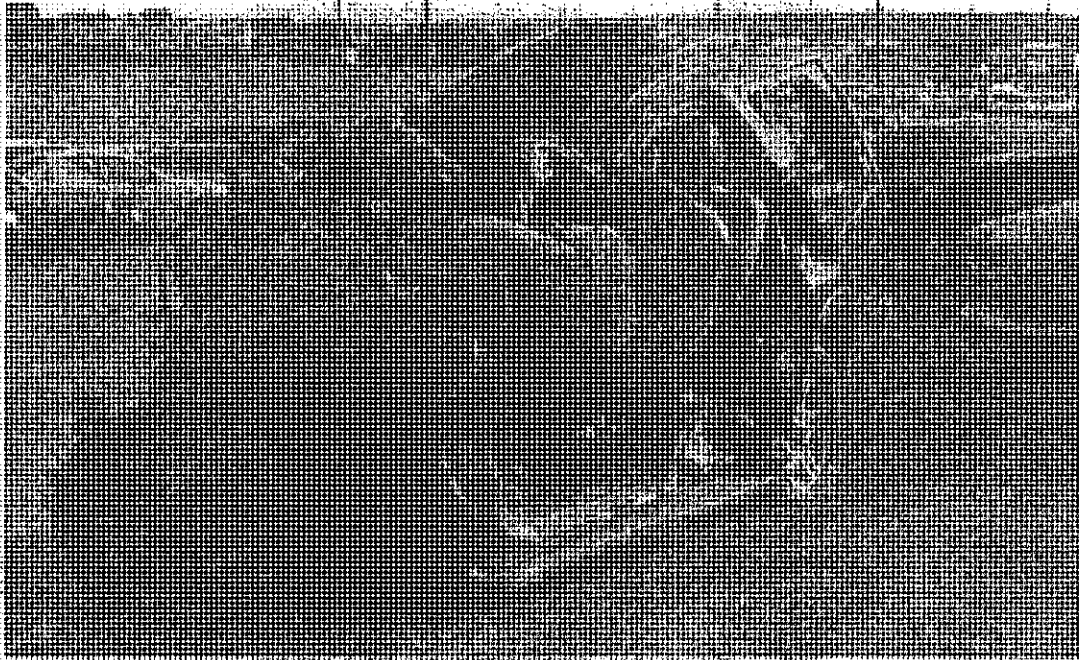
Denney-Brown Vehicle, 000NPe

(1)

Dennis Brown Vehicle



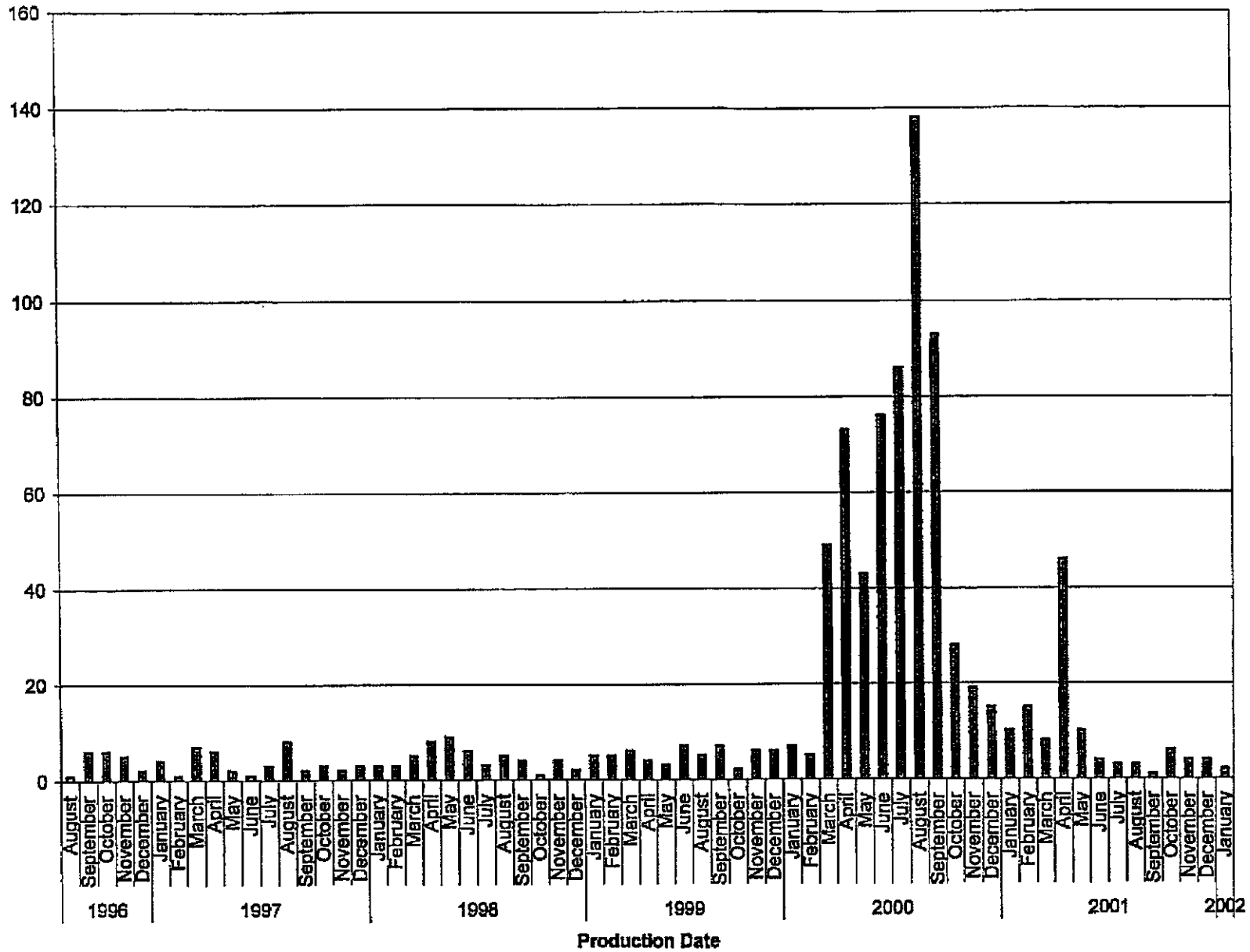
Dennis Brown Vehicle 6000.104



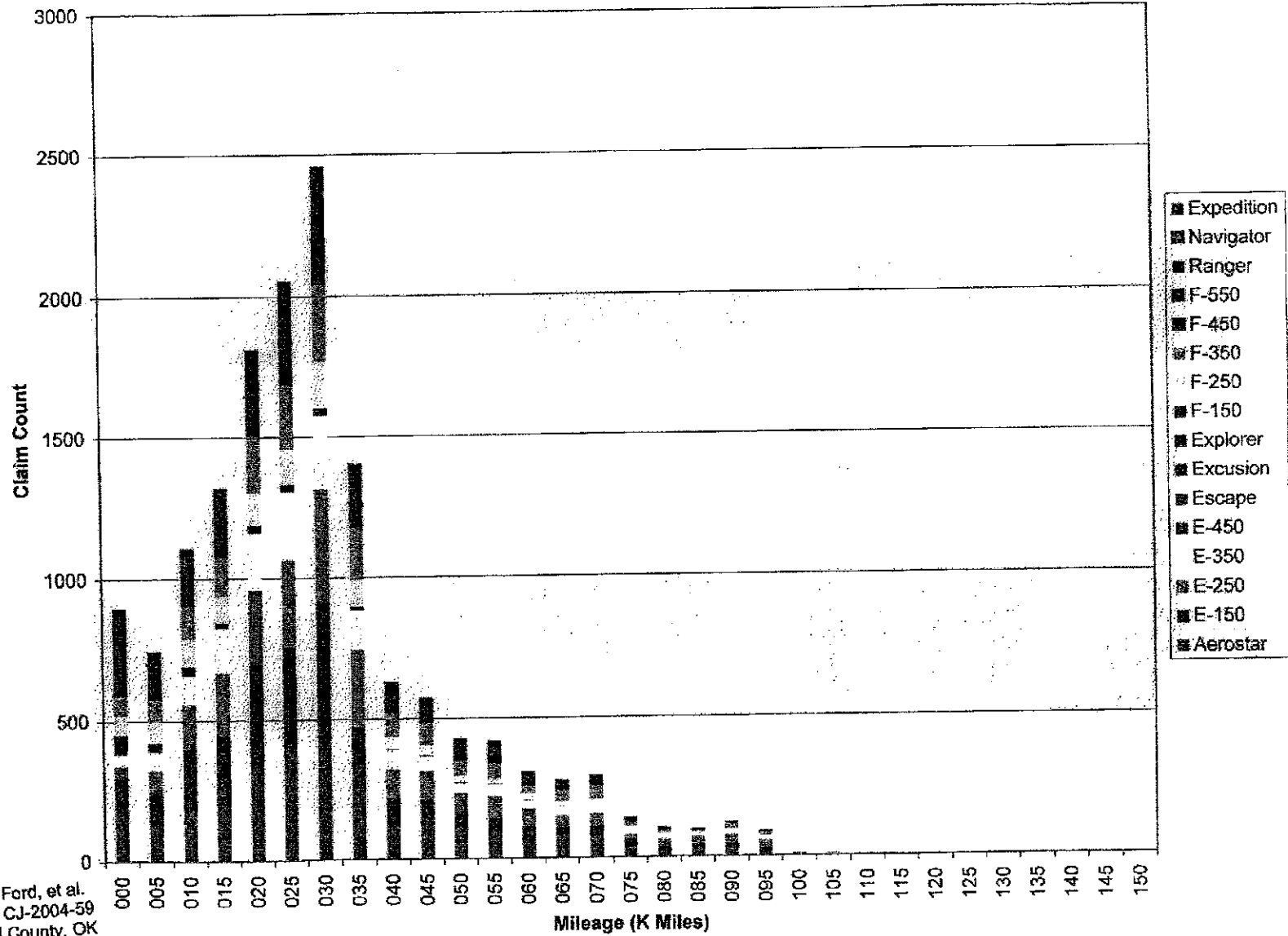
Dennis Brown Vehicle 0001.076

ATTACHMENT "D"

Claims with "wheel" and "bearing" in Technician Comments



SBA and MDL AWS Data
2WD With Markers Q25



Smith v. Ford, et al.
Case No. CJ-2004-59
Cleveland County, OK
Plaintiffs' Exhibit No.

61.8