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JOHN R. BANKHEAD

Attorney at Law
P. O. Drawer 1839
110 West Cottonwood
Madisonville, Texas, 77864
936/348-3400 ♦ 936/348-9046 (FAX)

August 2, 2006

Re: August 11, 2005 Accident
Truck Model: CV713 Mack. Concrete Mixer Truck
VIN: 1 M2AG11C85M [REDACTED]

September 1, 2005 Accident
Truck Model: CV713 Mack Concrete Mixer Truck
VIN: 1 M2AG11C25M [REDACTED]

CERTIFIED MAIL, RRR # [REDACTED]

National Highway Traffic Safety Administration AND
400 Seventh Street South West REGULAR MAIL
Washington, D.C. 20590

Dear Sirs:

I am writing on behalf of my client, [REDACTED], concerning a potential safety hazard involving concrete mixer trucks manufactured, marketed and designed by Mack Trucks, Inc. In particular, in April of 2005 [REDACTED], purchased five identical CV713 concrete mixer trucks from a Mack dealership in Bryan, Texas. On August 11, 2005, one of the trucks was involved in a single vehicle accident in Walker County, Texas where the truck came to a rest on its passenger side and within minutes thereafter caught on fire. Fortunately, the driver was able to escape without injury.

On September 1, 2005, one of the trucks was involved in a single vehicle accident in Madison County, Texas where the truck came to a rest on its passenger side and within minutes thereafter caught on fire. Unfortunately, the driver was pinned in the cab and burned to death.

It is my belief that there is a design defect in the turbo charger assembly system, which allowed oil to escape from the engine and ignite on a hot surface of the engine, possibly the turbo charger or manifold exhaust system or both.

I am further concerned that the fuel system on the trucks was not designed with a safety check valve to prevent the flow of diesel fuel from the tank which possibly accelerated the oil fire.

Maria
8/14/06

On behalf of [REDACTED], and the safety of the motoring public, I request that NHTSA open a formal investigation into this matter. I have both trucks in a storage facility should a NHTSA representative wish to conduct an investigation into the cause and origin of these fires.

Sincerely,

John R. Bankhead

JRB:gkc