

NHTSA ccmMercury Routing Slip



Printed: 4/4/2007

NHTSA #: ES07-001906	Rec'd Date: 4/4/2007	Referred By: NPO-011
XREF #:	Doc Type: S10	Doc Date: 3/15/2007
Delivery: MESSENGER ENV.	Address To:	Due Date: 4/18/2007
S10 #: 070322-007	DOT/I #:	RMP #:
Subject: OFC OF THE VICE PRESIDENT REFERRAL E-MAIL CONCERNING THE SEAT BELTS WHICH FAILED TO HOLD THEM WHEN THEY WERE STRUCK FM BEHIND IN THEIR 2005 MAZDA MPV, APPROP. HANDLE, S10# 070322-007, FAX COPY OF RESPONSE TO [REDACTED]		
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: SHARRIS x62534	Modified By: SANDRA.HARRIS	
Most Recent Comment:		

Author:

CL-10187935-5514

[REDACTED]

LAFAYETTE, CO [REDACTED]

Tel: [REDACTED] Fax: [REDACTED] E-mail: [REDACTED]

[REDACTED]

LAFAYETTE, CO [REDACTED]

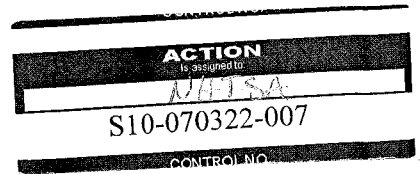
Tel: [REDACTED] Fax: [REDACTED] E-mail: [REDACTED]

APR 6 11 41 AM '07

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	REPLY	4/4/2007	4/18/2007	
NVS-010	INFORMATION	4/4/2007		4/4/2007

~~CRD~~ *for reply*
CRD

*aa
4/6/07
cc*



OFFICE OF THE VICE PRESIDENT
WASHINGTON

TO: Mr. James Gist
Office of the Executive Secretariat
Room 10203
Department of Transportation
400 Seventh Street, SW
Washington, DC 20590

DATE: March 22, 2007

VP CONTROL NUMBER: [REDACTED]

We are forwarding the enclosed mail addressed to the Vice President because your agency seems best suited to reply.

Please send a copy of each of your agency responses to the facsimile number or email below or to my attention at the following address:

Room 299, Eisenhower Executive Office Building
Washington, D.C. 20502

If any of these matters do not fall within your agency's jurisdiction, I would appreciate your forwarding that correspondence to the appropriate agency and notifying me of this action.

Please sign here for receipt of these cases and send to this office by facsimile at 202.456.7044:

Should you have questions about these procedures or need to provide updated contact information, you may reach me by telephone at 202.456.9002 or by fax at 202.456.7044, or by email to rfolsom@ovp.eop.gov.

Sincerely,

Jenny Rose Folsom

Jenny Rose Folsom
Special Assistant to the Vice President
for Correspondence

O'Neil

231496

Vice President

From: [redacted]
Sent: Thursday, March 15, 2007 8:29 AM
To: vice_president@whitehouse.gov
Subject: (no subject)

Follow Up Flag: Follow up
Flag Status: Red

CAN ANYONE HELP US SAVE OUR HOME.?

TO WHOM IT MAY CONCERN:

On April 14, 2006, my wife and I were stopped in a left hand turn lane waiting for the green arrow so we could make a left hand turn. We were at a dead stop. My wife was driving and I was in the passenger seat when we were rear ended by a lady. This accident happened in Boulder, Colorado at approximately 3:25 pm. The driver of the vehicle that hit us was issued a citation by the Boulder police who responded to the accident. My wife was transported to the hospital because of neck pain and numbing in both of her arms. I went to the hospital after taking care of the issues at the accident scene.

When we were struck from behind by the 1995 Honda Civic, our MPV 2005 Mazda was lifted up and forced forward. The shoulder straps did not hold us in place. They did not lock, or retract, thus we were thrown around in side of the vehicle. My wife had her foot on the brake, and was thrown into the steering wheel and back into the seat. This caused whiplash, disc bulge involving her C-3, C-4, C-5, and C-6. She also received a full tear in her right rotator cuff. These injuries have caused her a great deal of pain, and will take an additional six months to one year for her to heal from surgery. She had neck surgery on December 14, 2006, and will have rotator cuff surgery when the spine Doctor states the it is safe for her to under go this second surgery.

When we were struck from behind, I was thrown forward and I hit the dashboard with my right hand attempting to catch my self. I was then thrown around to the right hitting my back on the passenger door and back into the seat. As a result of this accident, I have had surgery on my right hand on September 22, 2006. I am right handed and I have little use of my hand at this time. I have had three casts, going to physical therapy and will have to continue this process for six months to one year. I may never have full use on my thumb again. I sustained tears in my right rotator cuff [partial tears] which is being treated with injections and physical therapy. I may under go surgery if this conservative treatment doesn't prove successful. I am also suffering from a ruptured disc in my L-5, in my lower back. This is being treated conservatively. I have received three epidurals to the L-5, two injections in sciatic {hips} because of the radiating pain down both of my legs. If this conservative treatment is not successful, I will have to have a complete disc replacement in my back, which is major surgery which will result in one to one and half ye ars of down time.

We have talked with people, and they have stated that the seat belts do not hold when you are rear-ended. Mazda did sent an engineer down who did a stop and go test. In this test the seat belts worked. This test was not real life of what actually happened. The engineer did find fraying on the seat belts, the driver's side more so than the passenger side. As a result of this test, his statement to Mazda was -- the seat belts work. This gentleman was from Benson Engineering out of Mapleton, Utah. (801-491-8855) Email: brb@bensoneng.com (mailto:brb@bensoneng.com) . Fax: 801-491-6814.

We spoke with a Willis Law Firm out of Houston Texas, and they stated they had to decline because in most cases the seat belts do not protect the occupant from a rear end collision as the forces from the rear, the seat belts work best from frontal accidents. These cases are very expensive and clearly liability on the part of the manufacturer, his firm cannot afford to invest \$50,000 to \$200,000 to investigate and prepare one of these cases for trial.

[redacted] Denver, Co. [redacted] [redacted], fax: [redacted]
[redacted] Email [redacted] . [redacted] and his associate [redacted] [redacted] are representing us on this accident. They have all of our records, and would turn over the seat belt case; their firm cannot afford this type of case.

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It should also be noted that we had Progressive Auto Insurance at the time of the accident, and the lady who rear-ended us also had Progressive Auto Insurance. A demand letter was sent to Progressive giving them until November 10, 2006. Progressive still has not settled and told April that they were still waiting on medical records. Progressive was requesting 10 years of medical records on my wife and myself. Upon finding this out, we contacted our medical providers and found out that only a few records had been ordered by progressive, thus we went to our medical providers and collected all of the information progressive was requesting. We were then told they would settle by the end of the year, which did not happen, because they were still going through 10 years of medical records. This is very hard for us to accept, because we have lost our lively hood, our physical well being, and we will be living with these injuries the rest of our lives. Our home inspection business is gone; we can't physically do the job. We have gone through our savings, our aunt's savings trying to keep our home. This is rapidly coming to the point where we will be out on the street soon. Progressive has admitted liability, but it seems to us at this point in time they are trying to destroy us so they only have to pay a small portion of what should be paid. This is a cruel way of doing business, and they get away with it because the average citizen can't fight the big guys. This is the same situation with the seat belt company. They make billions selling an unsafe product, the general public assumes the seat belts work, but in reality they do not perform in all accidents. We are forced to wear them, buy them, and make the seat belts wealthy for a defective product.

Mazda Motor of America has turned this claim over to TM Claim Service, Inc.
800 E. Colorado Blvd., P.O. Box 7216, Pasadena, Ca. 91109-7316, Point of contact Payton McMullen, Jr., 626-568-7842, email:Payton.McMullen@tmclaimsservice.com TMCS #: 06016024
This is the case number.

The seat belts do not hold when you are in a rear end accident. The company knows this and continues to sell them to the automakers, and the American people are not aware of this issue with the seat belts. Again we find ourselves buyer beware, but on this product we have no choice we pay for the defective product.

Respectfully yours,

I HAD 25 YEARS IN THE US NAVY,TWO WAS IN A CABODIA POW CAMP,NOW I'M IN NEED AND NEED SOMEONE TO HELP US SAVE OUR HOME..

Lafayette, Co. [REDACTED]

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