



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

DOT Auto Safety Hotline
Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received

Repository ☐

07-MAY-2008

Reference No.

10226969

2008 JUN -9 AM 7:47

ATTORNEY ~~OWNER~~ INFORMATION (Type or Print)

Name

Address

City

HACIENDA HEIGHTS

State

CA

Zip Code

Daytime Telephone Number

E-mail Address

Evening Telephone Number

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle?
In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer.
Signature of ~~Owner~~ **ATTORNEY** Date **5/27/08**

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side

3FAHP07157

Make

FORD

Model

FUSION

Model Year

2007

Date Purchased

Dealer's Name and Telephone Number

800-608-6371

Engine:

No: Cylinders

Fuel Type:

Original Owner

☒

Dealer's City

LA PUENTE

State

CA

Zip Code

91744

Transmission Type

☐ Antilock Brakes

Powertrain

☐ Cruise Control

Vehicle Component Code

140000 AIR BAGS

Multiple Failure:

FAILED COMPONENT(S)/PART(S) INFORMATION

Incident Date(s)

29-MAR-2008

Failure Mileage

30776

Failure Speed

65 75

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make

Tire Model (Name or Number)

Tire Size (Example P215/65R15)

DOT No. (Example: DOTM19ABC036)

☐ Original Equipment
☐ Prior Repair

Failure Location:

Tire Component Code

Tire Failure Type

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:

Date Manufactured:

Model No./Name:

Seat Type:

Installation System:

Child Seat Component Code:

Failed Part:

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies).)

Crash

☒ Yes ☐ No

Fire

☐ Yes ☒ No

Number of Persons Injured

3

Number of Deaths

0

Reported to Police

Y

Narrative Description of Incident(S), Crash(es), and Injury(ies).

Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e., parts repaired or replaced (and if old part is available).

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TL*THE CONTACT WAS AN ATTORNEY WHOSE CLIENT OWNS A 2007 FORD FUSION. WHILE DRIVING 65 MPH, A TIRE BLEW OUT. THE VEHICLE SPUN AROUND THREE TIMES, ROLLED OVER THREE TIMES, AND LANDED IN A DITCH ON THE SIDE OF THE FREEWAY. THE AIR BAGS FAILED TO DEPLOY AND THREE PASSENGERS WERE INJURED. A POLICE REPORT WAS FILED. THE CURRENT AND FAILURE MILEAGES WERE 30,776.

NO POLICE REPORT WAS FILED.

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

[REDACTED]
ATTORNEYS AT LAW

[REDACTED] Diamond Bar, CA [REDACTED]
[REDACTED]

May 27, 2008

FORD MOTOR CONSUMER AFFAIRS
P.O. BOX 6248
MD-3 NE-B
Dearborn, MI 48126

Re: My Client(s) : [REDACTED]
D.O.A. : 4/28/08

To Whom It May Concern:

This correspondence is to formally notify you that our offices have been retained by the client(s) listed above regarding injuries and damages sustained in the above referenced incident. Accordingly, all further communication with our client(s) must be through our offices. Enclosed herein is/are (a) signed Claimant's Designation of Attorney form(s) for your records.

I am writing this letter to simply notify your company that my clients were injured in a car accident in which the air bags in the vehicle they were traveling in failed to deploy in a serious rollover car accident. I will briefly summarize the facts surrounding the instant matter. For your convenience, photos of the damage to my client's vehicle, statements of Ford Spokesman Dan Jarvis, and other consumer complaints made to the National Highway Traffic Safety Administration (NHTSA) are attached hereto as Exhibits "A" thru "D," respectively.

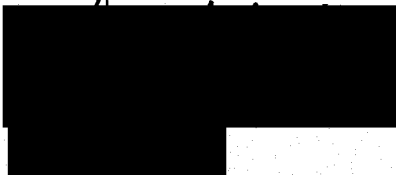
My client, [REDACTED] purchased a **2007 Ford Fusion SE** from the Ed Butts Ford dealership in La Puente, California in November 2007. On or about March 29, 2008, [REDACTED] and two other passengers were traveling southbound in the number one lane of the 15 freeway in the City of Lake Elsinore, California. All three passengers in the vehicle were wearing their seatbelts. The front passenger side tire of the vehicle popped causing my client's vehicle to spin out of control, turning 360 degrees two to three times. The vehicle then rolled over about 3 times before landing in a ditch in the right shoulder of the freeway.

complaints include frequent headaches and pain in his neck, shoulder, knees and lower back. At the scene of the accident, passenger, complained of back and neck pain and over the first few hours following the accident, became increasingly symptomatic and sought further medical care and treatment. Ms. complaints also include pain in her neck, shoulder, upper back, lower back, and knees. She also complains of numbness in her hands, frequent headaches, muscle spasms, sciatica, and shooting pain in her arms. The other passenger in the vehicle sustained similar injuries and was unable to work for one month.

My clients' justifiable concern is the fact that the six air bags in the vehicle did not deploy in such a serious accident. According to an investigation by CONSUMERAFFAIRS.COM, Ford spokesman Dan Jarvis suggested the steps customers should take if their airbags fail to deploy during an accident while traveling in a Ford vehicle. (See Exhibit "B" evidencing statements of) As Mr. suggested, I contacted the dealership where my client purchased the vehicle (La Puente Ed Butts Ford) and notified the manager of the incident, in which he told me to contact Ford's customer service. I then contacted Ford's customer service in hopes that the Ford customer service representative would consult with Ford's engineering department as stated in Exhibit "B", however, I was advised to write a letter to the Ford Consumer Affairs Department. Lastly, as Mr. suggested, because my clients' believe that the airbags did not deploy when it should have, I filed a complaint with the NHTSA for my clients. (See Exhibit "C"). Enclosed are copies of other three other consumer complaints made to the NHTSA regarding the airbags not deploying in their 2007 Ford Fusion.

Unfortunately, my client's vehicle is no longer available, however, enclosed are digital pictures of the vehicle for your engineers to review if your company will proceed with a formal investigation of this matter. (see Exhibit "A"). If any further information is needed to complete your investigation, please contact this office. I look forward to your cooperation and timely response.

Very truly yours,

A large black rectangular redaction box covering the signature and name of the sender.

Enclosures