

MAY 11 2012

Dear Mr. Reid,

As per our phone conversation
I am enclosing Copies of letters
from me & from the Insurance
Company & the Engineers Report
showing a design flaw & also
a report from Jensen & Mitchell.
The Manufacturer of the Tractor
is: Ringo Hills Farm Equipment
1624 Route 212 Pleasant Valley
Quakertown, Pa. 18951.
610-346-7340

Please give me a written Report
of your findings.
Thank you for your help,

Enclosed Pages 45 thru 57

MC
051412
Tfw

MAY 3, 2012

45

[REDACTED]
East Hanover, NJ [REDACTED]

North American Risk Services
Terry Pevehouse, CSRP
P.O.Box 166002
Altamonte Springs, Florida 32716-6002
Claim # [REDACTED]

Dear Terry,

I've enclosed copies of two letters, the first dated 12/21/10 from Cincinnati Insurance where they clearly states the trailer was inspected by their Engineer and their Insured. However, no written or verbal report has been given by their Engineer or their Insured. Since the beginning of this case, the issue has been the design of the trailer. In the same letter, Robert Misztal of Cincinnati Insurance states that his Insured, Ringo Trailer, inspected the trailer and failed to find anything wrong with it.

Now with regard to the second letter from Cincinnati Insurance dated 3/10/12, please note the last paragraph which states, "It appears at this time, you are making a claim for corrections to your trailer for alleged design issues. Please be advised that the insurance policy does not respond to any alleged damages to our insured's product. Should you have proof of any design issues, you would need to take this up directly with Ringo Hills Farm Equipment".

As per Vigani Technical Services my engineer's inspection report, which you have a copy of and I have also enclosed a copy which it clearly states a design flaw. I also have written documentation from Jensen and Mitchell Incorporated, Paterson New Jersey, also stating a design flaw.
Copies Enclosed.

As per our phone conversation, you said you were going to turn this matter over to your attorney to take them to court. I would like to meet with your attorney to go over this case as I stated to you on the phone.

Please advise me as soon as possible, because as you know, June is my deadline to bring a suit.

[REDACTED]



Robert W. Misztal AIC, AIM, SCLA
Field Claims Manager

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**THE
CINCINNATI INSURANCE COMPANIES**

THE CINCINNATI INSURANCE COMPANY THE CINCINNATI INDEMNITY COMPANY
THE CINCINNATI CASUALTY COMPANY THE CINCINNATI LIFE INSURANCE COMPANY
THE CINCINNATI SPECIALTY UNDERWRITERS INSURANCE COMPANY

P.O. Box 3798

Reading, PA 19606

Phone (610) 779-6310

Fax (866) 231-0248

Email: robert_misztal@cinfin.com

December 21, 2010

[REDACTED]
[REDACTED]
E. Hanover, NJ [REDACTED]

Re: Policyholder : Ringo Hills Farm Equipment
Policy Number : [REDACTED]
Date of Loss : 6/2/10
Claim Number : [REDACTED]

Dear [REDACTED]

This letter is in regards to the above captioned claim and acknowledges your letter of December 17th, 2010. As I explained on the phone, our insured inspected your trailer and failed to find any responsibility on their behalf for any problems and/or damages sustained. Knowing you would not accept this and in an effort to complete a fair and impartial investigation into your claim, an engineer was hired while the trailer was made available. If you recall, our intent was to hire an engineer some time ago as well.

With regard to your allegations of putting or not putting a load on your trailer during inspection, it was up to the engineer whether this was necessary. Furthermore, if you have not heard from the engineer at this time, I suspect you will in the near future. The engineer contacted me and wished to speak with you and inspect your truck. When the engineer contacts you, I suggest you give him anything you wish to submit as well as any concerns you may have for consideration. While I appreciate you sending me photos and explanations of your concerns, I am not an expert and could not comment on the data you sent.

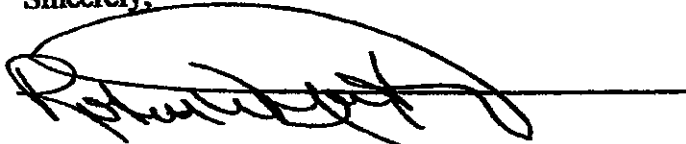
I disagree that the engineer was not in your best interests. I am certain that the hiring of the engineer, his inspections, his wish to speak with you to complete his investigation, etc are without question in the best interests of both parties.



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When the engineer has rendered his decision, I will be back in touch either verbally and/or in writing with our position. Incidentally, the engineer hired was not the same as the original engineer selected given the location of the trailer at the time of the inspection. The engineer is Pablo Ross from Plick & Associates and the firm's number is (610) 747-0675. I wished to note this as I noticed your letter copied the prior engineer.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Misztal", written over a horizontal line.

Robert W. Misztal AIC, AIM, SCLA
Field Claims Manager

Cc: File
Mr. Bill Weierbach



**Robert W. Misztal AIC, AIM,
SCLA**
Field Claims Manager

March 10, 2012

[REDACTED]
E. Hanover, NJ [REDACTED]

Re: Policyholder : Ringo Hills Farm Equipment
Policy Number : [REDACTED]
Date of Loss : 6/2/10
Claim Number : [REDACTED]

Dear [REDACTED]

This letter is in regards to the above captioned claim and acknowledges receipt of your letter dated March 5, 2012. Your letter indicates you attached a copy of an engineering assessment on your trailer, however please be advised that no such documentation was attached within your correspondence to me.

You also mention not receiving any engineering report from us. I refer you to my prior letter of December 30, 2011 where it is explained that we do not have a written report from the engineer we hired and why.

Your letter of March 5, 2012 does not make mention of the damages that were being claimed to your vehicle. I suspect this is because your personal auto carrier handled those damages. Please note that if this is indeed the case, your carrier has not contacted us to seek reimbursement of those damages, likely because there is a lack of evidence to support such a claim.

It appears at this time, you are making a claim for corrections to your trailer for alleged design issues. Please be advised that the insurance policy does not respond to any alleged damages to our insured's product. Should you have proof of any design issues, you would need to take this up directly with Ringo Hills Farms Equipment.

Regarding any resulting damages, our position remains as stated in my previous letter.

Sincerely,

Robert W. Misztal AIC, AIM, SCLA

Field Claims Manager

Cc: File
Ms. Suzanne Cressman – Cincinnati Insurance Company
Mr. Pablo Ross - Plick & Associates
Mr. Bill Weierbach – Ringo Hills Farm Equipment

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H



VIGANI TECHNICAL SERVICES, INC.

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February 29, 2012

[REDACTED]
East Hanover, New Jersey [REDACTED]

Re: Ringo Trailer VIN No: 1R9GN202X3P [REDACTED]
Cincinnati Insurance Companies Claim No: [REDACTED]
VTS Ref: 1552

Dear [REDACTED]

In accordance with your request, on January 10, 2012, I inspected your Ringo Trailer, VIN No: 1R9GN202X3P [REDACTED]. Photographs taken at the time of my inspection are included on the enclosed DVD.

It is my understanding that the subject trailer was purchased new from Ringo Hill Farms Equipment Company located in Quakertown, PA, specifically for towing your 7,800 pound Kabota back hoe. Ringo Hill reportedly recommended the subject trailer as being appropriate for your intended use. It is my further understanding that on June 10, 2010, the gooseneck post attaching your trailer to the hitch ball on your truck broke, causing damage to your truck. It is also my understanding that premature rear tire wear has been an ongoing problem since you originally purchased the trailer. To help alleviate the tire wear, a third axle was added to the trailer on or about September 2007. Reportedly, tire wear still remains an issue.

Based on my inspection, I offer the following comments, observations and opinions.

1. The excessive tire wear is the result of an excessive rearward weight distribution when your backhoe is loaded on the trailer. This improper weight distribution is evidenced by the inability of the axle suspension to level out and by the tongue weight being less than is appropriate. In that regard, normal tongue weight should be approximately 10% of the gross trailer weight. It is my understanding that the weight of the trailer is approximately 5300 pounds and the weight of the Kabota backhoe approximately 7800 pounds for a total weight of 13,100 pounds. Accordingly, the tongue weight for the loaded trailer should be approximately 1300 pounds.



Photo 1

At the time of my inspection the balance of the trailer was checked both with and without the backhoe loaded. When not connected to the truck, the unloaded trailer was supported both by the wheels and the front jack as expected. When the backhoe was loaded, the weight was shifted to the rear of the trailer to the point where the jack came off the ground and provided no support. (See Photo 1) To provide appropriate tongue weight, the jack should have borne on the order of 1500 pounds when the backhoe was loaded. It is clear from the evidence that the axles on the trailer are mounted too far forward to properly balance the trailer when your Kabota backhoe is loaded. This, in my opinion, is clearly a design issue.

2. The failure of the gooseneck post was the result of the propagation of a crack that originated at the point where the bottom post retaining bolt interfaced with the post (See Photo 2). Based on the evidence, the crack appears to be the result of excessive bending of the post resulting from insufficient mobility of the ball in the socket. In that regard, during operation, interference between the truck mounted ball and the edge of the post mounted socket caused an excessive and unintended bending load to be applied to the post. This interference is evidenced by wear on the edge of the socket (See Photo 3). In addition, the lack of tongue weight changed the geometry between the ball and socket exacerbating the condition. In my opinion, this is also a design issue.

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Photo 2

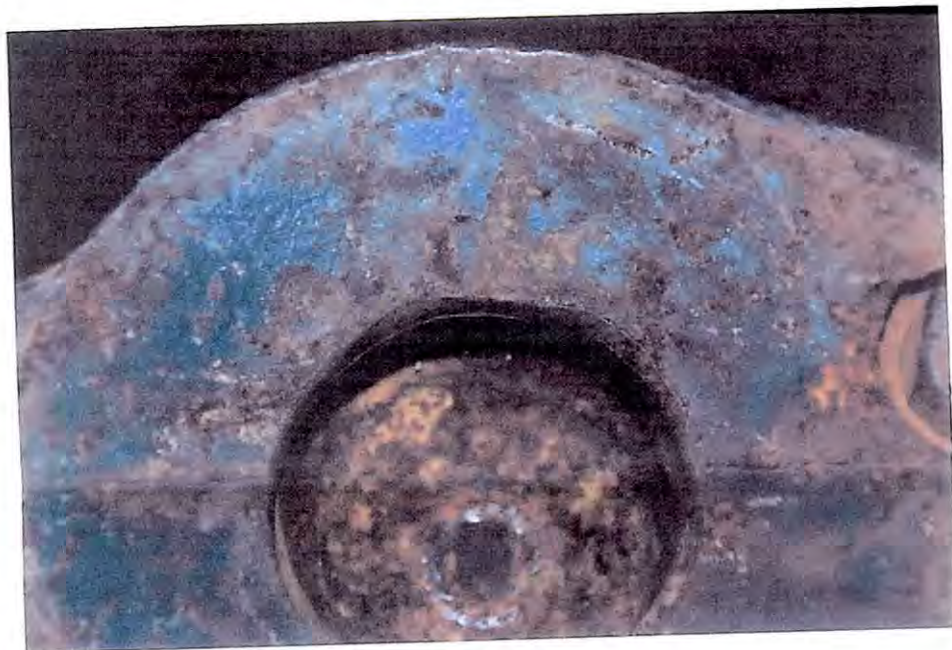


Photo 3

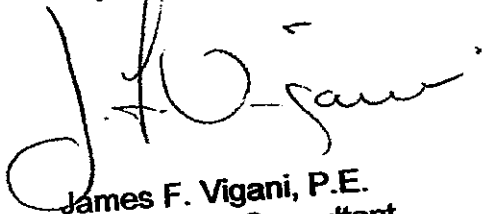
Based on my inspection of your truck and trailer, and the above understandings, it is my opinion, within a reasonable degree of engineering certainty, that both the failure of the gooseneck post and the excessive wear on the rear tires are the result of improper design of the trailer. Specifically, the location of the axles is too far forward for proper balancing of the trailer when your Kabota backhoe is

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Page: 4
Ringo Trailer VIN No: 1R9GN202X3P [REDACTED]
VTS Ref: 1552

loaded. Considering the trailer was specifically purchased to transport your backhoe, this design parameter should have been taken into account by Ringo Hill Farms Equipment Company at the time the trailer was purchased.

If you need additional information, or require further assistance in any way, please advise.

Very truly yours,



James F. Vigani, P.E.
Engineering Consultant

JFV/sg

Enclosure:

CC: Mike DeStasio, Jr. - Donald F. LaPenna Associates, Inc.

J & Mitchell, Inc.

Auto Steering & Suspension Specialists
www.jensonandmitchell.com

JENSON & MITCHELL, INC.

477 STRAIGHT ST.

PATERSON NJ 07501
973-279-3535

11/14/2011 12:24 PM

INVOICE NO. 3333017	PAGE 1
CUSTOMER NO. 00001	BRANCH * 3 *

MISC CASH ACCOUNT
SOLD TO:
NEWARK NJ 07103

54

A TO Z EXCAVATING
SHIP TO: [REDACTED]
EAST HANOVER NJ [REDACTED]

CUSTOMER PO	REFERENCE NO	RT	001/000
026477			
*** CASH SALE ***			
JOB#01 00 000 01	MISC. REPAIR	WARRANTY	
AS PER CUSTOMER REQUEST INSPECTED TRAILER FOR PROPER WEIGHT DISTRIBUTION FOUND AXLE PLACEMENT WRONG BY STANDARD AXLE PRACTICE AND FORMULA INCLUDED WITH THIS INSPECTION IS AXLE PLACEMENT GUIDE TO SHOW PROPER AXLE INSTALLATION			
PARTS SUBTOTAL			0.00
LABOR SUBTOTAL			0.00
** JOB SUBTOTAL			0.00
*TOTAL PARTS:			0.00
*TOTAL LABOR:			0.00

*** CASH SALE - PAID WITH CASH ***

***** RE-TORQUE LUGNUTS AND U-BOLTS WITHIN 10 DAYS *****

Any warranties on the product sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the seller neither assumes nor authorizes any person to assume for it any liability in connection with the sale of said products. Any limitation contained herein does not apply where prohibited by law.

REMARK	AMOUNT	TAX	TOTAL
ZERO	0.00	*ZERO*	*ZERO*
REMIT TO: 50 BRANFORD ST.			
*CASH SALE			

CUSTOMER SIGNATURE

Triple Axle Hanger Kits, 1.75" Double Eye Springs (2,000 - 7,000 lb. Axles)

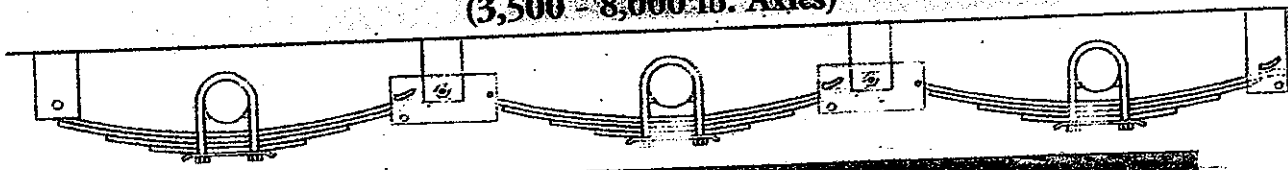
55



HANGER KIT CONTENTS				
Hanger Kit Part No.		APTT1	APTT3	APTT5
Hanger Kit Ref. No.		028800	029000	029200
PART NO.	DESCRIPTION			
HANGERS				
115917	1 1/2" TALL	-	4	-
115918	2 1/2" TALL	4	4	-
28-5	3 1/4" TALL	-	-	8
115919	5 7/16" TALL (3/4" BOLT)	4	-	-
EQUALIZERS				
A2251B3	8" STRAIGHT, 3/4" CENTER, 9/16" END HOLES	4	-	-
A2252CB	7 3/4" CURVED, ALL 9/16" HOLES	-	4	4
SHACKLE STRAPS				
115052	2 5/8" LONG	16	16	16
BOLTS & NUTS				
9163B	SHACKLE BOLT, 9/16" X 3"	20	24	24
916DLN	9/16" HEX LOCK NUT	20	24	24
126A1LN	WET EQUALIZER BOLT, 3/4" X 3 1/2"	4	-	-
165093	3/4" CASTLE NUT	4	-	-
165649	COTTER PIN, 2 1/4"	4	-	-
1610	GREASE ZERK, 1/8" MPT	4	-	-

SUSPENSIONS

Triple Axle Hanger Kits, 2.00" Slipper Springs (3,500 - 8,000 lb. Axles)



HANGER KIT CONTENTS					
Hanger Kit Part No.		APTT6SE	H302*	AP302*	AP316*
Hanger Kit Ref. No.		029400	029350	029250	029300
PART NO.	DESCRIPTION				
HANGERS					
721584	FRONT HANGER, 3 3/4" TALL	2	-	-	-
721585	REAR HANGER, 5 1/16" TALL	2	-	-	-
721586	CENTER HANGER, 3 3/8" TALL	4	-	-	-
28-1	FRONT HANGER, 4 1/4" TALL	-	2	-	-
29-1	CENTER HANGER, 3 1/2" TALL	-	4	-	-
30-28	REAR HANGER, 5 1/4" TALL	-	2	-	-
EQUALIZERS					
E5541	12" OAL	2	-	-	-
13-4	"SWAN-SHAPED", 33" A/C WHEN USED W/3T3 SPRINGS	-	-	4	-
13-44	13 1/8" OAL, 36" A/C WHEN USED W/3T3 SPRINGS	-	-	-	4
BOLTS & NUTS					
7-7	SPRING KEEPER BOLT, 5/16" X 3 1/4"	-	-	6	6
6-11	5/16" HEX LOCK NUT	-	-	6	6
91635B	SHACKLE BOLT, 9/16" X 3 1/2"	12	-	6	6
916DLN	9/16" HEX LOCK NUT	12	-	6	6
7-1-1	WET EQUALIZER BOLT, 7/8" X 4 1/2"	-	-	4	4
7845B	EQUALIZER BOLT, 7/8" X 4 11/16"	4	-	-	-
78CN	7/8" CASTLE NUT FOR 7845B	4	-	-	-
6-111	7/8" HEX LOCK NUT FOR 7-1-1	-	-	4	4
165649	COTTER PIN, 2 1/4" FOR 7845B	4	-	-	-

* Use H302 in combination with AP302 or AP316 for complete hanger kit

Hanger Locations and Specifications, pages D-8 & D-9. Replacement parts start on page D-11.

Section D-5

How To Order Tubular Axle Assemblies

Our part numbers for axles are assigned in accordance to the capacity, bolt pattern, type of brakes (if any) and type of spindle used. When ordering axles, the following information should be helpful to you.

EX: 20545I-ST-EZ 2,000 lb., 5 on 4 1/2" Idler Straight with E-Z Lube

20 / 545 / I / ST / EZ

AXLE
ASSEMBLIES

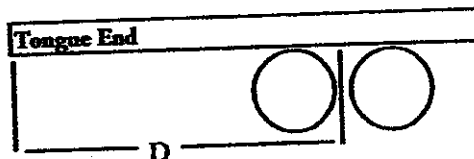
- 20: The first group of digits represent the capacity (20 = 2,000 lb. capacity).
 545: The next group represents the number of studs and the bolt pattern of the studs (545 = 5 on 4 1/2", 655 = 6 on 5 1/2", 865 = 8 on 6 1/2", etc.).
 I: This tells you which type of brakes are used, if any: (I = Idler, E = Electric, H = Hydraulic, HFB = Hydraulic Free-Backing, DS = Disc, A = Air).
 ST: This tells you which type of spindles are used (ST = Straight, 4D = 4" Drop).
 EZ: Any other options: (EZ = E-Z Lube Spindle, SPR = Springs Mounted)



DEXTER AXLE

How to Determine Correct Axle Position

1. Weigh the trailer (under wheels) "Wheel Weight".
2. Obtain "Tongue Weight" (actual).
3. Measure distance from tongue to axle, or to center between Dual Axle Set (D).
4. Determine Total Weight:
Total Weight = Tongue Weight + Wheel Weight.



IF TONGUE WEIGHT IS GREATER THAN 10% OF TOTAL WEIGHT

If tongue weight is greater than 10% of Total Weight, decrease distance "D" by "X" where

$$X = \frac{(\text{Tongue Weight} - 10\% \text{ Total})}{\text{Total Weight}} \text{ Times } D$$

Example #1 - Tongue greater than 10% of Total Weight

Tongue Weight = 1025#
 Wheel Weight = 7200#
 D = 264"
 Total Weight = 8225#
 Tongue Weight = 1025 = 0.1246 or 12 1/2%
 8225
 "X" = $\frac{1025 - 822.5}{8225} \text{ Times } 264 = 6.499"$

Move the Axle(s) toward the Tongue of the trailer approximately 6 1/2"

IF TONGUE WEIGHT IS LESS THAN 10% OF TOTAL WEIGHT

If tongue weight is less than 10% of Total Weight, increase distance "D" by "X" where

$$X = \frac{(10\% \text{ Total-Tongue Weight})}{\text{Total Weight}} \text{ Times } D$$

Example #2 - Tongue less than 10% of Total Weight

Tongue Weight = 300#
 Wheel Weight = 8200#
 D = 264"
 Total Weight = 8500#
 % Tongue Weight = $\frac{300}{8500} = 0.035$ or 3 1/2%
 "X" = $\frac{850 - 300}{8500} \text{ Times } 264 = 17"$

Move the Axle(s) toward the Rear of the trailer approximately 17"

VIGANI TECHNICAL SERVICES, INC.

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Tax ID# 22-2649628

Invoice

Bill To

Invoice No: 012008

Date: 4/9/2012

East Hanover, New Jersey

Attention:

Description

Amount

Ringo Trailer VIN No: 1R9GN202X3P
Cincinnati Insurance Companies Claim No:
VTS Ref: 1552

Professional Services:

Meetings on 10/18/11 & 1/10/12
Report

500.00

THIS CHECK IS DELIVERED FOR PAYMENT ON THE FOLLOWING ACCOUNTS	
DATE	AMOUNT



A & Z PLUMBING
EAST HANOVER, NJ

4-16-2012 55-216 24

PAY TO THE ORDER OF Vigani Technical Services Inc. \$ 500.00

Five Hundred 00/100 DOLLARS



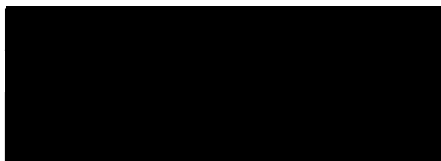
United Jersey Bank
19 Ridgedale Avenue
East Hanover, NJ 07838

FOR

Total Amount:

\$500.00

Any balance over 30 days subject to a finance charge of 1.5% per month or 18% per annum.



EAST HANOVER, N.J.

RETURN RECEIPT
REQUESTED



7010 1870 0000 4270 7039



1000



205

EAST HANOVER, NJ
07936
MAY 07, '12
AMOUNT

\$6.35

00019886-01

5/10/2012 12:35:03 PM

NHTSA Office
NVS-210
West Building
1200 New Jersey
Washington

DOT Mailroom

TO: W48- 226

Building: DOT

Mailstop: 4 West

Route Sym: NVS-200,210,300,010

external carrier: Certified

Sender:

Manufacturer:

Purchase Order:

Item 1 of 1



70101870000042707039

attn: Randy Reid