

DEC 10 2012

ENFIELD CT [REDACTED]
DEC. 3, 2012

US DOT
NHTSA

OFFICE OF DEFECTS INVESTIGATION (NVS-210)
1200 NEW JERSEY AVE SE
W. BLDG

WASH, DC 20590

* RE: ODI #'S 1044 0279 AND 1033 2538
DEAR SIR/MADAM:

THANK YOU FOR REQUESTING INFORMATION
ON MY SUBJECT CASE AGAINST VW OF
AMERICA, INC. RE: HUB/ROTOR SEPARATION.

ENCLOSED ARE SOME OF THE
DOCUMENTS THAT SUPPORT MY INJURY
IN AN ACCIDENT ON JULY 9, 2009 THAT
WAS THE RESULT OF A MECHANICAL
FAILURE (PER ONSCENE POLICE REPORT)
IN WHICH MY HUB/ROTOR SEPARATED
AND WHEEL DETACHED FROM MY VW
CABRIO. EXPERT OPINIONS ALREADY SUPPORT
THE HUB/ROTOR SEPARATION WAS DUE TO
MANUFACTURER DEFECT/NEGLIGENCE IN
MATERIALS AND WORKMANSHIP RESULTING IN
PREMATURE CORROSION OF THE SUBJECT
PART AND THUS SEPARATION AND WHEEL
DETACHMENT, COMPARE TO JEEP RECALL
IN ~1996.

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT
ME AT [REDACTED] SINCERELY, [REDACTED]

PS. - KINDLY SEND ME COPIES OF NHTSA # 99V340000 DOCS:
1) CRASH INJURY/FATALITY INCIDENTS (OVER)

NH
12/10/12
JFW

2) SUBROGATION CLAIMS

3) 3RD PARTY ARBITRATION PROCEEDINGS

4) ALL LAWSUITS

ON THIS MATTER

THE ALLEGED DEFECT IS IDENTICAL TO MINE
AND IS AS FOLLOWS:

"THE FAILURE, MALFUNCTION AND OTHER
UNSATISFACTORY PERFORMANCE OF THE DISC
BRAKE ROTOR INCLUDING THE SEPARATION OF
THE HUB"

THE DEFENDANT BEING DAIMLER CHRYSLER.
IF YOU DO NOT HAVE THESE DOCUMENTS
KINDLY PROVIDE ME WITH INFORMATION ON
HOW I MAY OBTAIN THEM SINCE THEY WERE
REQUESTED FROM THE DEFENDANT BY
YOU. THANK YOU

[REDACTED]
ENFIELD CT [REDACTED]
SEPTEMBER 21, 2012

ATTYS WILLIAMS AND POTHOBYLO
DAY PITNEY LLP
242 TRUMBULL ST.
HARTFORD CT 06103-1212
RE: DOCKET NO. HAD - CV11-5035963-S

DEAR ATTYS:

ENCLOSURE PLEASE FIND MY FIRST TEN
RESPONSES TO DEFENDANTS' FIRST SET
OF INTERROGATORIES AND REQUESTS
FOR PRODUCTION DIRECTED TO ME.

IF YOU HAVE ANY QUESTIONS
PLEASE CONTACT ME AT [REDACTED]

SINCERELY,
[REDACTED]

CC: AAG, SUPERIOR COURT
P.S. - DUE TO RELIGIOUS OBSERVANCE FOR
3 1/2 WEEKS AND MOVING PREPARATIONS I PLAN TO
COMPLETE THE REMAINING REPIES BY MID NOV, 2012.

v.
VW OF AMERICA INC.

RESPONSES TO DEFENDANTS' FIRST
SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION DIRECTED
TO PLAINTIFF [REDACTED].
(NUMBERS CORRELATE WITH THE
INTERROGATORIES NUMBER)

1. [REDACTED]; [REDACTED]
TERRACE EXT, ENFIELD CT [REDACTED];
PERMANENTLY 100% DISABLED; [REDACTED]
2. JULY 30, 2009; DR. MICHAEL MATTHEW,
YALE UNIVERSITY SCHOOL OF MEDICINE,
SECTION OF PLASTIC SURGERY, PO BOX
208041, NEW HAVEN CT 06520 AND/OR
ORTHOPEDIC FRACTURE CLINIC, YALE
UNIVERSITY SCHOOL OF MEDICINE, 800
HOWARD AVE, NEW HAVEN CT 06520
3. NONE
4. JULY 22, 2009 - ATTENDING DR. CONNOR TELLS
WITH EVALUATION AND TREATMENT BY ERIN
MEEHAN, DPT AND SIGNED BY DR. M JILENSKI
OCTOBER 8, 2009 - DR. MICHAEL MATTHEW

PERFORMED RIGHT LEG SCAR REVISION SURGERY
SECONDARY TO PAIN, SWELLING AND PRURULENT
DISCHARGE FROM "FLAP".

DECEMBER 24, 2009 - DR. JEFFREY SUMNER
REMOVED IM NAIL, RIGHT TIBIA TO ABATE
PAIN, SWELLING AND DISCHARGE FROM "FLAP"
UNSUCCESSFULLY ABATED BY PRIOR SURGERY
ON OCTOBER 8, 2009.

SEVERAL OTHER DATES, CURRENTLY
BEING RESEARCHED, EXAMINATIONS
OF PAIN, SWELLING AND "FLAP" DISCHARGE
PRIOR TO ABOVE CITED OPERATIONS AND
PERFORMED BY DR. MICHAEL MATTHEW
AND DR. JEFFREY SUMNER.

5. YALE NEW HAVEN HOSPITAL, 20 YORK ST,
NEW HAVEN CT 06504 FOR THE TWO
OPERATIONS INDICATED ABOVE
YALE NEW HAVEN PHYSICIANS BUILDING,
800 HOWARD AVE, NEW HAVEN CT 06504
FOR EVALUATION AND EXAMINATION OF
PAIN, SWELLING AND PRURULENT DISCHARGE
FROM RIGHT LEG "FLAP" PRIOR TO THE
TWO OPERATIONS INDICATED IN
RESPONSE #4, ABOVE.

JOHNSON MEMORIAL HOSPITAL WELLNESS CENTER
AT HEALTHTRAX, 3 WEYMOUTH RD,
ENFIELD, CT 06082. EVALUATION AND
EXAMINATION OF RIGHT ANKLE PAIN
AND SWELLING

6. DECEMBER 28, 2009 - DR. JEFFREY SUMNER
JANUARY 25, 2010 - RESIDENT DOCTORS
AT YALE NEW HAVEN FRACTURE CLINIC
WITH F/U EXAMS, DATES BEING RESEARCHED
7. I DID NOT RESUME ANY OF MY
DUTIES, TO DATE.
8. RIGHT ANKLE INJURY RESULTING IN
PAIN, SWELLING AND DISCHARGE.
SPECIFICALLY, LOOSENING OF THE MOST
DISTANT INTERLOCK (I.E., SCREW), FROM
ACCIDENT TRAUMA TO IT, RESULTING
IN PAIN, NON ABATING SWELLING
AND ASEPTIC INFLAMMATION (WITH
DISCHARGE OF FLUID) FROM THE RIGHT
LEG "FLAP". ALSO, SUBSEQUENT TRAUMA
TO THE RIGHT KNEE DURING THE NECESSARY
SURGERY TO REMOVE THE SCREW(S) AND IM

(4)

NAIL. THE SURGERY CAUSED TRAUMA TO THE KNEE DUE TO ADHERENCE OF THE IM NAIL AND THE DIFFICULT EXTRACTION OF IT. DURING THE ACCIDENT, THAT INVOLVED SPINNING OF THE AUTOMOBILE, THE RIGHT ANKLE RECEIVED BLUNT TRAUMA BY IMPACT WITH THE AUTOMOBILE PEDALS; THUS LOOSENING THE UNDERLYING DISTAL INTERLOCK FROM THE BLUNT TRAUMA RECEIVED AND SUBSEQUENT RELATED SYMPTOMATOLOGY AS INDICATED ABOVE. THEREFORE, SURGICAL INTERVENTION WAS NECESSARY TO RESOLVE THE PROBLEM, AND WAS SUCCESSFUL IN ITS RESOLUTION.

9. SCAR FORMATION CAUSING DECREASED RANGE OF MOTION ^(AND DISCOMFORT) OF THE RIGHT ANKLE FROM THE INFLAMMATION AND SURGICAL INTERVENTION. SCAR FORMATION CAUSING DECREASED RANGE OF MOTION AND ONGOING DISCOMFORT IN THE RIGHT KNEE SECONDARY TO SURGICAL INTERVENTION. DIMPLED AREA FROM SCARRING WHERE THERE WAS INFLAMMATION AND DISCHARGE OF FLUID.

5

10. THE GOVERNMENT PAID FOR PHYSICAL
REHABILITATION EITHER THROUGH
MEDICAID AND/OR MEDICARE

SIGNED AND AFFIRMED
9 OCTOBER 2012



affirmed
Subscribed and sworn to before me,
at Enfield, CT, this 9th day of
October, 2012 by
[Redacted]

J. Plasse

J. PLASSE
NOTARY PUBLIC 7/31/2013
MY COMMISSION EXPIRES

my
copy

[REDACTED]
ENFIELD CT [REDACTED]
NOVEMBER 14, 2012

ATTYS WILLIAMS AND POKORNYLO
DAY PITNEY LLP
242 TRUMBULL ST.
HARTFORD CT 06103-1212

RE: [REDACTED] V. VW OF AMERICA INC

DEAR ATTORNEY'S:
THANK YOU FOR YOUR PATIENCE
WITH MY ANSWERS TO YOUR FIRST SET
OF INTERROGATORIES. ENCLOSED ARE SOME
OF THE COPIES OF DOCUMENTS YOU HAVE
REQUESTED UNDER SECTION "REQUESTS
FOR PRODUCTION" AS WELL AS ADDITIONAL
RESPONSES TO YOUR EXTENSIVE LIST
OF "INTERROGATORIES".

I PLAN TO COMPLETE AND SEND
ANY INTERROGATORY RESPONSES AND REQUESTED
DOCUMENTS AS POSSIBLE WITHIN THE NEXT
SEVERAL MONTHS. IF YOU HAVE ANY QUESTIONS
PLEASE CONTACT ME,
CLAAG, MCGALONZO
ATTORNEYS - [REDACTED]
SINCERELY,

FIRST SET OF INTERROGATORIES (CONTINUED):

- 11) YES. JOHNSON MEMORIAL HOSPITAL, STAFFORD SPRINGS CT; DEPT OF PHYSICAL MEDICINE AND REHABILITATION AT HEALTHTRAXX FACILITY IN ENFIELD CT. PLEASE SEE 2 PAGES OF DOCUMENTS ESPECIALLY CONCERNING NOTES CONCERNING THE VW ACCIDENT.
- 12) YES. I WAS EMPLOYED BY THE CT DEPT. OF ENVIRONMENTAL REGULATION UNTIL JANUARY, 2008. DATES EMPLOYED WERE 1999-2008. MY AVERAGE WEEKLY COMPENSATION WAS APPROXIMATELY \$40,000/YR OR \$769/WK.
- 13) NONE
- 14) NO
- 15) ESTIMATED, IF I EVER RETURN TO WORK, APPROXIMATELY 50% OR GREATER.
- 16) NONE
- 17) NO. HAVE NOT BEEN EMPLOYED SINCE THE ACCIDENT

18) OFFICE VISITS TO DR'S MICHAEL MATTHEW, DRS. AT ORTHOPEDIC FRACTURE CLINIC BOTH AT THE DOCTORS BLDG FOR YALE UNIVERSITY HOSPITAL - NEW HAVEN. EXPENSES WILL BE FORTHCOMING. T SURGICAL PROCEDURES PERFORMED AT YALE UNIVERSITY HOSPITAL - NEW HAVEN BY DR. MICHAEL MATTHEW AND DR SUMNER RESPECTIVELY. EXPENSES WILL BE FORTHCOMING.

19) YES. MEDICATION MANAGEMENT FOR DISABILITY FROM BIPOLAR II CONDITION BY DR. DALE WALLINGTON; AND COUNSELING BY DUANE D'AGUID. ADDRESSES WERE 1216 FARMINGTON AVE., W. HARTFORD, CT AND 150 N. MAIN ST, RESPECTIVELY.

PHYSICAL DEFECTS INCLUDED IM NAIL IN RIGHT TIBIA INSERTED BY DR SUMNER AT YALE UNIVERSITY HOSPITAL - NEW HAVEN

20) YES. ^{UNSTABLE} RIGHT TIBIA FRACTURE REQUIRING PLACEMENT AND SUBSEQUENT REMOVAL IM NAIL, FRACTURE WAS ON DR ABOUT MARCH 15, 2009. WITH IMMEDIATE SURGICAL PLACEMENT BY DR MICHAEL MEDVECKY AT YALE UNIVERSITY HOSPITAL - NEW HAVEN, VW ACCIDENT

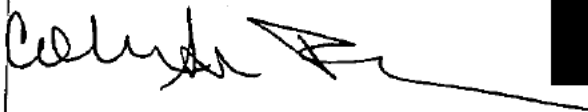
VW ACCIDENT IN JULY, 2009 INJURED AND LOOSENED A DISTAL SCREW OF THE IM NAIL. THIS REQUIRED TWO SURGICAL PROCEDURES TO CORRECT. FIRST ATTEMPT WAS A SURGICAL PROCEDURE ON OCTOBER 9, 2009 BY DR. MICHAEL MATTHEW; HOWEVER, THE "SCAR REVISION" CLOSED THE OPEN, INFLAMMED, PRURULENT DISCHARGING ULCERATIONS AND INITIALLY SEEMED TO RESOLVE MY PROBLEM. SUBSEQUENTLY, IT BECAME EVIDENT THAT THE TRUE PROBLEM INVOLVING LOOSENING OF MY IM NAIL DISTAL SCREW (INCURRED IN THE VW ACCIDENT) LED TO RECURRENCE OF SYMPTOMS PRIOR TO THE "SCAR REVISION". THEREFORE A SECOND SURGICAL PROCEDURE BY DR. SUMNER ON DECEMBER 24, 2009 REVEALED THE DISTAL SCREW OF THE IM NAIL WAS THE TRUE DIAGNOSIS AND RESOLUTION REQUIRED REMOVAL (WITH DIFFICULTY AND RELATED PERMANENT KNEE INJURY) OF THE IM NAIL AND SCREWS. THIS LED TO A SLOW, BUT TRULY NECESSARY, SURGICAL PROCEDURE AND ~~NON~~^{SUBSEQUENT} RECURRENCE OF MY COMPLAINTS, TO DATE. THEREFORE, AND AS TOLD TO ME BY DR. SUMNER, THAT THE VW ACCIDENT AND SUBSEQUENT SYMPTOMS

④ OF ④

WERE THE RESULT OF INJURY AND
LOOSENING OF THE DYSAL INTERLOCK DURING
THE VIO ACCIDENT + WAS THE ACTUAL
CAUSE OF ALMOST IMMEDIATE POST
ACCIDENT SYMPTOMS REQUIRING ^{HIS 12/24/09 SURGERY} AND
RESOLVING THE ^{POST} ACCIDENT PROBLEMS, TO
DATE.

AFFIRMED THIS 14th DAY OF
NOVEMBER, 2012

Sworn to and Subscribed before me
this 14th day of NOV, 2012



COLLEEN ANN REIDY
NOTARY PUBLIC
MY COMMISSION EXPIRES 11/31/2014

my copy

[REDACTED]
ENFIELD, CT [REDACTED]
DECEMBER 3, 2012

ATTY MICHAEL POHORYLO
DAY PITNEY LLP
242 TRUMBULL ST
HARTFORD CT 06103

DEAR ATT.Y:

ENCLOSED PLEASE FIND A DULY NOTARIZED COPY OF MY LAST AND FINAL SET OF ANSWERS TO YOUR "DEFENDANT'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION DIRECTED TO PLAINTIFF [REDACTED]". I REREAD THE DOCUMENT AND NOTICED THAT MY REPLIES MUST BE "UNDER OATH". ALL PREVIOUS RESPONSES TO YOUR REQUEST WERE SUBMITTED UNDER OATH. ALSO, ENCLOSED IS ADDITIONAL INFORMATION TO ADD TO MY COMPLETED REPLIES, IN THE PAST, TO YOUR FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION, DULY UNDER OATH.

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT ME AT [REDACTED] (NOTE: NEW TELEPHONE NUMBER).

SINCERELY,
[REDACTED]

ATTACHMENTS

C.C. HAG ALONZO

ALSO: NATSA

P.S. - ENCLOSED IS COPY OF NOTICE OF CONFORMANCE AND REQUEST TO DEMY MOTION FOR NOV 2012

RE: ADDITIONAL INFORMATION RE: DEFENDANT'S
FIRST SET OF INTERROGATORIES AND REQUESTS
FOR PRODUCTION DIRECTED TO PLAINTIFF
[REDACTED] DOCKET NO HHD-CV11-50359LS

THE FOLLOWING ADDITIONAL INFORMATION
COMPLETES, TO THE BEST OF MY KNOWLEDGE
AND ABILITY, TO DATE, DECEMBER 3, 2012,
MY REPLY TO THE SUBJECT DOCUMENT.
SUPPLEMENTARY RESPONSES WILL BE SERVED ON DEFENDANT ^{OR REPLY} AT
INTERROGATORIES (NUMBERS CORRESPOND TO THE
INTERROGATORY NUMBER IN THE SUBJECT
DOCUMENT).

#8, YES, TOWING + STORAGE FROM ACCIDENT
SITE BY MACKENZIE IN WEST HARTFORD, CT.
SEE NOTES. TOTAL COST = \$700. ALSO, INCLUDED
LETTER FROM AUTO INSURER FOR NON-
PAYMENT FOR THESE CHARGES. THEN
USED AAA TO TOW MY DAMAGED VW
HOME TO REPAIR. RECEIPTS ENCLOSED FOR
PARTS, EXPENSES FOR COPIES. INVOICE INCLUDED
RECEIPT FROM MACKENZIE ENCLOSED.

#20 SEE VALE ORTHO + REHAB VISIT NOTE
DATED 4/23/09

#25 THE AAG ALONZO AT THE CT OFFICE
OF THE AG, MACKENZIE HALL, 110 SHERMAN
ST., HARTFORD CT. SEE ATTACHMENT.

THE NHTSA (NATIONAL HIGHWAY TRANSPORTATION
AND SAFETY ADMIN.), OFFICE OF DEFECTS
INVESTIGATION, 1200 NJ AVE SE, WASHDC,
WASH, D.C. SEE SAFE CAR.GOV
DOCS.

#26 - DR ERNE COHEN, TC, PHD - CHEMICAL ENGINEER -

HE HAS SEEN THE DAMAGED PARTS AND CORROSION; ALSO WAS WITNESS TO TESTIMONY BY BOYD'S.

2. BOYD'S AUTO SALVAGE MANAGER AND TECHNICIAN; EXPERT IN AUTO SALVAGE AND CAUSES FOR DAMAGES TO PARTS; WILL TESTIFY ABOUT THE CORROSION ISSUE CAUSING HUB/DISC SEPARATION W/WHEEL DETACHMENT

3. SEE LIST OF METALLURGISTS TO TESTIFY ON THE CORROSION AND HUB/DISC SEPARATION.

4. NHTSA PROFESSIONAL AND DOCUMENTS OF EXACT SAME PROBLEM AND LIABILITY OF DAIMLER CHRYSLER ON JEEP HUB/DISC SEPARATIONS, SEE ENCLOSED DOCUMENTS ABOUT THAT IDENTICAL PROBLEM IN JEEPS AND RECALL. ALSO THEY HAVE BEEN ASKED TO SUPPLY OTHER LEGAL CIVIL CASES ON THE HUB/DISC SEPARATION CAUSING DEATH AND INJURIES.

#29 - DOCTORS THAT TREATED ME

B

IN PROBABLY WRITTEN OR RECORDED
MANNER CONCERNING THE
CAUSATION OF PHYSICAL DAMAGES
RESULTING FROM THE ACCIDENT.
ALSO PHYSICAL THERAPISTS AND
ATTENDING DOCTOR.

#31 - MONRO MUFFLER HELPED INSTALL
STRUT, RECEIPT W/ INFO ENCLOSED.

#34 SEE TRANSFER OF TITLE ALREADY
SUBMITTED. NO COMPENSATION REC'D.
NORTHEAST RECYCLERS IN WILLIMANTIC, CT.

#36 RELEVANT PAGE OF CARFAX ATTACHED

#37 BOYDS AUTO SALVAGE IN NORWICH,
CT AND ERNIE COTEN IN NORWICH, CT
PICS ATTACHED OF DEFECTIVE PART
(COLOR PICS AND PARTS ARE IN MY
CUSTODY)

REQUESTS FOR PRODUCTION

ADDITIONAL DOCUMENTS INCLUDE:

AFFIRMED THIS 3RD DAY OF DECEMBER, 2012

Subscribed and sworn to before me,
at Enfield, CT, this 3rd day of
December 2012 by
[REDACTED]

Heaven

J. PLASSE
NOTARY PUBLIC 7/31/2013
MY COMMISSION EXPIRES

- 1) SERVICE ADVISOR @ VW CARD AND
ON REVERSE THE SUGGESTION TO
SEE/CALL VW CUSTOMER CARE ^{CIRCUMSTANTIAL EVIDENCE} INDICATES
THAT THESE CASES MAY HAVE BEEN
"COVERED UP", HE SHOULD HAVE
REFERRED ME TO THE NHTSA
FOR PUBLIC SAFETY AND TRACKING
PURPOSES IN CASE THIS PROBLEM IS
CAUSING OTHER INJURIES AND/OR
DEATHS. HIS CONCERN WAS NOT PROTECTION
OF PUBLIC HEALTH AND SAFETY IF THIS
IS A DEFECT REQUIRING AN ALERT OR
RECALL, IT SHOULD HAVE BEEN
REPORTED TO THE GOV'T, ALSO (WHICH I DID).
- 2) COPY OF MY ^{PROOF OF} INSURANCE CARRIER FOR
OPERATIONS AND TREATMENT BY VALE
(FREE TREATMENT PROGRAM AND PAYBACK
REQ'T) AND BY AMERICHoice (INCL.
PAYBACK REQ'T. POSSIBLE).
- 3) COPY OF MY REQUESTS SEVERAL TIMES
TO GET DOCUMENTS WHICH STILL HAVE
NOT BEEN RECEIVED (ESP. BILLING INFO
AND ALL ORTHO CLINIC RECORDS), PROVES
MY ATTEMPTS TO GET ALL THE INFO
REQUESTED WITHOUT SUCCESS.

ENFIELD CT



US DOT
NHTSA
OFFICE OF DEFECTS INVESTIGATION (NVS-210)
1200 NEW JERSEY AVE SE
W. BLDG
WASH, DC 20590