

installation of EDR's in passenger cars sold in the USA.) Original recommendations were made as early as 1997. The FMC Report of 2004 provided the same recommendations and added data parameters and inclusions that the NHTSA believed, based upon their research, would be most helpful to the Auto Industry and Design Engineers concerned with safety systems to be included in cars in the future.

In the instant case, I have not confirmed, but have received credible information that the sensors in the C350 model should have been able to provide more information about the crash, than that information voluntarily supplied to me, by Mercedes-Benz. M-B, it appears to me, continues to cover-up dangers to the community and continues to attempt to control the dialogue in connection with cruise-control, "Lever-Confusion."

In reviewing the material presented in this packet, one thing regarding the Public Safety has become clear to me: A recall warning at a minimum or a recall to modify the memory sensors in the cruise control system, would mitigate one thing I have scientifically demonstrated, with no refutation from Mercedes-Benz: There is a design flaw with the Cruise-Control System. That flaw inherently provides the opportunity for, "Driver-Lever-Confusion." Selection Errors are made all the time by drivers of these cars in the USA. (See previously-mentioned WardsAuto.com article.)

Yet Mercedes-Benz refuses to acknowledge or admit their cruise-control design flaw. The closest M-B has come to admitting their design-flaw was their act of swapping the cruise-control and directional signal levers in their 2011 models. Citing only, "comments," M-B was not truthful about what they had learned about their cruise-control design.

Although my specific case included the unusual aspect of my foot also being pinned under the accelerator pedal, with circumstances unfolding in a manner that prevented me from braking, it is also true that if the design-flaw (required motion vector of human limbs through the operation-space of two different levers at the same time to activate these levers [which by nature of operation should be at different points in time]) had not existed, the accident as it occurred, would not have happened. As included in this packet (Distronic systems excluded) are photographs of M-B's latest cruise-control design. That design eliminates the cruise-control lever entirely from the left hand steering column and the result is that, "Driver-Lever-Confusion," cannot occur in this latest design. (Other dangers still exist.) But at least these latest designs eliminate even the potential for a, "Lever-Confusion," caused accident.

Notwithstanding the above, there are still thousands of M-B vehicles on the road from model-years 2011 through 2016, with the design flaw, and therefore the risk to the Public Safety still exists with those vehicles.

One more thing that to me is relevant, requires mention. Had traffic conditions been very light when my, "Lever-Confusion," occurred (including pinned foot) my car would have accelerated to a very high rate of speed before it would have then crashed. My wife and I would have been killed. How many others would have been killed would have only depended upon which other cars happened to be in the way at the time and how many passengers those cars would have carried.

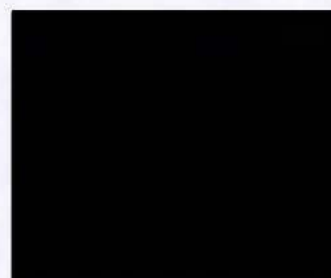
6
[REDACTED]

I will be glad to submit much more than I have at any time and will be happy to work with NHTSA at any time.

Very sincerely,
[Redacted Signature]

M-B -C350 W - VIN #: WDDGF5HB2EA [Redacted]

(Please See enclosed documents for further case #'s, if needed and applicable)



07/20/2019

Contents For NHTSA Reference Number: 11206504

(Note: Material has only a rough chronological order. dates are not always available. Material is listed in order for reference only and ease of seeing what is in this package. The purpose of this submission is to help to find a way to stop this dangerous design defect from causing injury to more people on the roads and taking property and money from users of the roadways of America, unnecessarily.

- i [REDACTED] Introductory Remarks written June 9, 2019 through June 29, 201
- ii - Contents
- iii - Acronyms and Abbreviations (I may have missed some and apologize in advance, if I did.
- iv - Note: Page numbering at bottom auto filled by printer preferences; I couldn't turn it off in situations where they do not apply; please ignore in those cases. [REDACTED]

CONTENTS:

PART ONE (1)

- 1) 5/09/2019 - COPY OF REFERRAL FORM FROM NHTSA.
- 2) 5/09/2019 - COPY OF LETTER FROM RAND REID, CHIEF, TO ME. FORM LETTER OF NO DATE.
- 3) Traffic Collision Report Group (TCR):
 - a) 3/05/2019 - TCR No. [REDACTED] by CHP - Accidnet of 02/23/2019
 - b) 2/23/2019 - CHP Report ID. Card (to later p/u report)
 - c) 2/23/2019 - Copy, Tip-Top Tow business card (Place to which C350W initially towed.
 - d) 3/14/2019 - Traffic Collision Report appealed (both formal e-mail & telephone contact).
 - e) 6/29/2019 - Driver Information - Self-Prepared, subject to verification of authorities
 - f) 7/31/2019 - Road and Environmental Conditions Relative to Accident of 2/23/2019
- 4) AAA Insurance Assessed Fault Letters:
 - a) 3/06/2019 - Initial Determination of Fault Letter to Driver/Insured

- b) 3/06/2019 - Letter of enhancement of Determination of Fault - Injury added
- c) 4/02/2019 - Additional Injury Claim enhancement Letter/Notice

5) Time-Line Group Prepared by Driver:

- a) 3/09/2019 - First complete written time line by Driver/Insured - Doc. 1
- b) 3/09/2019 - Timeline completed, acting as appeal of, "At Fault Determination." - Doc. 2
- c) 3/08 to 03/10/2019 - Timeline created over a couple of days, by Driver/Insured to provide basis for Visual Time Line - Doc. 3
- d) 3/10/ to 03/12/2019 - Adjunctive Time-Line to assist Driver/Insured in development of the Visual-diagram type time-line.
- e) 3/08/2019 to 3/12/2019 - Letter to AAA pointing out that Tiffany Nguyen had promised to hold off on determination of fault until all evidence was examined and a complete investigation of systems was done. See letter for details.

6) 3/07 to 3/17/2019 - Time-Line, Diagram Type (One each packet)

7) Publically Distributed Information From the Internet Re: M-B CRUISE-CONTROL; DESIGN FLAWS AND, "LEVER CONFUSION":

- a) March, 2019 (Finding) - "MERCEDES STYLE CRUISE CONTROL SUCKS!" Ineternet Forum Article on two web-sites: Tesla; Mercedees-Benz; 11/03/2014, Original date. Sent with material to Mercedes-Benz (Please See M-B Group)
- b) March, 2019 - WardsAuto.com Industry Insider Internet Posting originally dated, April 07/15/2011 - "M-Class Signals Change in Blinker Placement." Tom Murphy
- c) Natonal Public Radio Series called: "Leaving master switch of cruise control on does no harm; Updated 12:09, PST, Tuesday, January 15, 2019. From a reprint in 2018, from the San Francisco Chronicle Internet newspaper, "SFGATE," Copyright by Ray Magliozzi & Doug Berman, 2018.
- d) 3/17/2019 - General Letter to AAA and Mercedes-Benz covering material in a, b and c above.

8) Mercedes-Benz Inquiry and Notice Group

- a) 03/15/2019 Letter from Mercedes-Benz to Driver/Insured re: accident in M-B C350 with Cruise-Control Design Flaw Issues that present on-going safety and threat issues to the Pulice drivers of the cars of indicated dates.
- b) 03/15/2019 - Form supplied by Mercedes-Benz and filled out by Driver/Insured
- c) 05/04/2019 - Driver/Insured Letter to M-B, placing company on notice that their

Dangerous Design caused accident of 02/23/2019.

- 9) 03/05/2019 - Authorization to give up right to privacy for AAA, Mercedes-Benz and the CHP to examine the vehicle. In Connection with Preservation of Evidence. Investigator/Reader is referred to the, "AAA" document group to connect the preservation of evidence aspect & how it relates to the AAA Communications Group.

PART TWO (2)

- 10) E-MAIL CORRESPONDENCE FROM DRIVER/INSURED TO AND FROM AAA.
SERIES OF E-MAILS FROM AND TO AAA. SEE SECTION FOR DESCRIPTIONS, AND E-MAILS THEMSELVES TO OBSERVE RANGE OF TOPS. INCLUDES EXACT DATES WHEN POSSIBLE, APPROXIMATE DATES WHEN NOT OR A DATE RANGE WHEN THE E-MAILS APPEAR OVER A PERIOD OF TIME.

PART THREE (3)

PHOTOGRAPHIC SERIES

Part 3 - Camera Notes; Complete Listing of Forensic Photo Authentications

(Available for check over the Internet by request of the Investigator for authentication but included herein is copy for viewer's convenience.)

- 11) CONSTITUTES 8 SERIES OF PHOTOGRAPHS PRINTED ON A HOME PRINTER, NON-POTOGRAPHIC PAPER. [IT APPEARS THAT FOR THE PURPOSES OF THIS NOTICE TO THE NHTSA THAT THE PRINTED PHOTOGRAPHS ARE JUST FINE. THEY ARE ALL DIGITAL PHOTOGAPHS FROM A 2018/2019 GOOGLE PIXEL 3 XL CELLULAR TELEPHONE WITH BUILT IN LENS AND CAMERA. NO ADDED ATTACHMENTS WERE USED ON THE CELL PHONE OR CAMERA FOR IMAGES. SOMETIMES CROPPING WAS DONE TO MAKE THE NET RESULT A PROPER COMPOSITON [REMOVE EXTRANEIOUS AND UNRELATED MATERIAL. OTHER CROPPING WAS FOR THE PURPOSE OF ENLARGING TO MAKE CERTAIN EXTANT IMAGES OR PORTIONS THEREOF, MORE EASILY SEEN.]

SPECIAL NOTE: TO MY KNOWLEDGE, DESPITE BEING AFFORDED THE OPPORTUNITY, THE AGENCIES OF THE CHP, AAA AND MERCEDES-BENZ HAVE NOT MADE SETS OF SIMILAR PHOTOGRAPHS OR DONE STUDIES AS HAVE BEEN DONE, SEEN HEREIN.

I SAW RESPONSES FROM THE PROFESSIONALS FROM THESE AGENCIES THAT SHOWED TO ME THAT NO ONE IN THOSE AGENCIES EXPRESSED ANY CARING ABOUT FUTURE SAFETY. FURTHER NONE OF THOSE THREE AGENCIES PROVIDED ME ANYTHING IN WRITING OR DIAGRAMS OR PHOTOGRAPHS THAT WOULD DEMONSTRATE THAT THEY WANTED TO GET IT RIGHT. NONE OF THOSE I INTERACTED WITH SEEMED TO WANT THE TRUTH. NONE OF THEM SEEMED WILLING TO DO MORE THAN A VERY CURSORY EFFORT TO FIND OUT WHAT HAPPENED. I CAN ONLY ASSUME THAT THE AGENCIES INVOLVED IN THE POST-ACCIDENT EFFORTS HAD THEIR OWN NEEDS AND AGENDAS. FINDING OUT WHAT ACTUALLY HAPPENED WASN'T ON THEIR AGENDA AND WAS ANYTHING BUT THEIR PRIORITIES.

NOTE 2 - FOR THE MOST PART, THE PHOTOGRAPHS, ALL TAKEN WELL-AFTER THE ACCIDENT DATE, ARE MORE OR LESS CHRONOLOGICAL, AT LEAST AS TO THE GROUP.

SERIES 1 - FIVE (5) PHOTOS DEPICTING DAMAGE TO THE SUBJECT C350W 4-DOOR SEDAN WITH GENERAL PICTURES OF THE FRONT AND SIDES AT ANGLE AND THE DRIVER'S SIDE IN SILHOUETTE; LASTLY A REAR SHOT. THERE WERE TWO VEHICLES IN THE VICINITY MAKING IT VERY DIFFICULT TO GET EVEN ANGLES ALL AROUND. PHOTOGRAPHS DO NOT DEPICT OR RELATE JUST HOW DIFFICULT IT IS TO OPEN THE LIDS AND DOORS.

SERIES 2 - ELEVEN (11) PHOTOS DEPICTING THE PART OF THE INTERIOR SPECIFICALLY SHOWING THE DRIVER'S COCKPIT AND MORE SPECIFICALLY, THE LEVERS INVOLVED IN THE, "LEVER CONFUSION," THAT WAS PART OF THE END RESULT THAT INFLUENCED (WITH SOME OTHER CRITICAL FACTORS) THE DRIVER'S MOVEMENTS THAT RESULTED IN "DRIVER SELECTION ERROR,". THIS IS A PART OF PAST STUDIES BY NHTSA, FARMERS MARKET CRASH, SANTA MONICA IN 2003, WITH GERMANE PAGES OF THAT REPORT INCLUDED IN THIS PACKAGE. PICTURES THROUGHOUT THESE SERIES CONTAIN COMMENTARY, FACTS, BELIEFS AND REFERENCES TO WHAT PROFESSIONALS IN RELATED FIELDS HAVE DISCOVERED IN TRACING THE BACK STORY OF OFTEN HORRENDOUS, HORRIBLE CRASHES IN THE PAST. DRAWING ON EXPERIENCE MAKES SENSE; OTHERWISE NO LEARNING AND ADVANCEMENT WOULD BE MADE IN THIS OR ANY FIELD.

SERIES 3 - A TOTAL OF FOUR (4) PHOTOS DEPICTS A 2019 C-300W STEERING WHEEL AREA AND SYSTEMS ACTIVATION LEVERS. THIS IS PROVIDED TO SHOW WHERE MERCEDES IS HEADED WITH THEIR CRUISE-CONTROL DESIGN. IT PROVIDES A CONTRAST WITH THEIR EARLIER DESIGN IN THE 2014 MODEL (AND SEVERAL OTHER YEARS MODELS

WHICH HAD LIKE SYSTEMS IN PLACE. AFTER EXTENSIVE TESTING WITH THE NEW DESIGN IT IS BOTH SAFER AND LARGELY SAFE, ALTHOUGH NOT AS SAFE AS THE ACC SYSTEM IS WHICH IS AVAILABLE IN THE S-CLASS SERIES AND I BELIEVE A-SERIES SEDANS AND SUV'S AND PERHAPS OTHER SUV'S. CHANGES WERE ACTUALLY NMEROUS WITH ONE OF THEM BEING THE ELIMINATION OF, "LEVER CONFUSION WITH THE NEW DESIGN.

SERIES 4 - REQUIRING JUST TWO (2) PHOTOS TO DEMONSTRATE FLAWS IN THE ACCELERATOR PEDAL ASSEMBLY, CONSIDERABLY MORE COMMENTS WERE REQUIRED TO DISCUSS THE DESIGN FLAWS THAT M-B BUILT INTO THIS PART OF THE FUEL-CONTROL MECHANISMS OF THE SUBJECT CAR,

SERIES 5 - FIVE (5) PHOTOGRAPHS DEPICT THE ACCELERATOR PEDAL ASSEMBLIES AND PROVIDE A CONTRAST TO THE 2014 GAS-PEDAL ASSEMBLY. MARKINGS AND COMMENTARY ARE USED TO ASSIST THE READER IN UNDERSTANDING THE CHANGES IN DESIGN. THIS DESIGN IS 100% SAFER THAN IS THE EARLIER DESIGN FROM 2014, REPRESENTATIVE OF THE SUBJECT C350W.

SERIES 6 - FOUR (4) PICTURES ARE USED IN THIS SERIES TO DEPICT THE ACTUAL SHOES THAT THE DRIVER/INSURED WORE DURING THE DRIVING AND DURING THE ACCIDENT OF FEBRUARY 23, 2019. COMMENTS DESCRIBE HOW THE SHOES PLAY A SMALL BUT IMPORTANT PART IN THE CAUSE OF THE ACCIDENT, IN CONJUNCTION WITH THE TWO-PICTURE SERIES SHOWING THE THE 2014 ACCELERATOR-PEDAL ASSEMBLY.

SERIES 7 - FIVE (5) PHOTOS COMBINE WITH THOSE IN SERIES 6 TO EXPLAIN HOW THE SOLES COMBINED WITH A DANGEROUS DESIGN BY M-B TO IMPRISON THE DRIVING FOOT DURING THIS PARTICULAR ACCIDENT. COMBINING AND COMPARING THE NEW DESIGN, SHOWS JUST HOW MUCH SAFER THE NEW DESIGN IS. BY THE WAY, THOUGH. THERE ARE TENS OF THOUSAND OF CARS ON THE ROAD, STILL, WITH THE OLD DESIGN. THE DESIGN IS FLAWED AND DANGEROUS. MY CONCERN IS WITH THE CARS ON THE RAOD THAT HAS NEVER DRAW SO MUCH AS A WARNING FROM MERCEDES-BENZ.

SERIES 8 - THREE (3) PHOTOS OF DRIVER'S/INSURED'S RIGHT (PEDAL FOOT) FOOT. THERE WAS TREMENDOUS PAIN, THE MOMENT THAT THE ACCELERATOR PEDAL SUDDENLY CLAMPED DOWN UPON ON THE DRIVER'S FOOT, TO THE POINT WHERE AN AUTOMATIC JERKING RESPONSE OCCURRED WITH THE ENTIRE RIGHT LEG DOWN TO THE FOOT (HUMAN BODY'S FLIGHT RESPONSE, BYPASSING THE BRAIN, UTILIZING THE SHORT-CIRCUIT LOOP OF THE NERVOUS SYSTEM). DURING THE HEALING PERIOD, NO

MARKINGS APPEARED ON THE FOOT FOR A MATTER OF WEEKS. FINALLY, AROUND APRIL 10, AS PAIN WAS BEGINNING TO SUBSIDE IN THE RIGHT FOOT, A DISCOLORATION STARTED TO DEVELOP, NOT AT FIRST MARKEDLY DISCERNABLE. BY THE 15TH AND 16TH OF APRIL THE BRUISE HAD BECOME PROMINENT ENOUGH THAT MY WIFE COULD EASILY SEE. ON THE 17TH AS THE BRUISE STARTED TO LIGHTEN UP I REALIZED THAT THIS WAS MY CHANCE TO TAKE A PHOTOGRAPH OF THE BRUISE AND I DID SO WITH MY CELL PHONE ON 04/17/2019 AT 9:00 AM (AND 17 SECONDS). THE FORENSIC FILE NUMBER STORED BY THE CELL PHONE WITH THE PHOTOGRAPH PIN POINTS THE EXACT TIME PHOTO WAS TAKEN. (PEOPLE ASKED ME, WHY DIDN'T YOU TAKE THE PHOTO WITHIN THE FIRST COUPLE OF DAYS? AS MENTIONED THE BRUISE WAS DEEP AND DIDN'T SHOW UP FOR QUITE A LONG TIME. IT HADN'T OCCURED TO ME TO TAKE A PHOTOGRAPH UNTIL AFTER THE BRUISE STARTED TO LIGHT AND GO AWAY. LOCATIONS OF THE BRUISE ON THE FOOT ARE THE AREAS THAT THE ACCELERATOR PEDAL CLAMPED DOWN ON THE FOOT. THE EFFORTS OF JERKING A TOTAL OF THREE TIMES TO ATTEMPT TO UNPIN THE FOOT MAY HAVE CONTRIBUTED TO THE INJURY.

PART FOUR (4)

14) REFERENCE AND COLLATERAL MATERIALS

- a) Highway Accident Report: "Farmers Market Crash-Santa Monica";
applicable pages (non-applicable left out)
- b) The verge - Boeing 737 Max, The Unfinished Story
- c) Dowel Pins, Stainless Steel

PART FIVE (5)

15) DRIVER/INSURED'S INITIAL CONTACT LETTER TO NHTSA

PART SIX (6)

16) NOTES: ROUGH NOTES TAKEN BY DRIVER FROM 2/24/2019, REGARDING ANY ASPECT OF THE ACCIDENT OF 02/23/2019

National Highway Traffic Safety Administration Reference #11206504 - Driver's Potential Faulty Design Notification Post-Accident of February 23, 2019 on Interstate 405 - California

Acronyms and Abbreviations -- Definition of Terms

AAA	American Automobile Association; Automobile Club of Southern California; Interinsurance Exchange of the Automobile Club of Southern California
C-C; c-c	cruise-control (does not include DISTRONIC); Cruise-Control
CDMV	California Department of Motor Vehicles
CFM	Certified Farmers Market
CHP	California Highway Patrol
DCIM	Digital Camera Images - Part of camera digital file system
DOT	Department of Transportation
DMV	Department of Motor Vehicles (State Agency, in this case, California)
Driver	██████████; I; me; my (to be used at times, when it helps convey info. best)
D-S	Directional Signal (lever or stalk type also included)
ECM	Electronic Control Module (Includes sensors and memory components; Command Responses)
EDR	Event Data Recorder, or, "Black Box."
ER	Emergency Room (Kaiser - Woodland Hills)
FAA	Federal Aviation Administration
FMC	Farmer's Market Crash (2003) NHTSA Report of same (2004)
FMCR	Farmer's Market Crash Report prepared by NHTSA & completed, 2004
FR(S)	First Responder(s)
gas pedal	accelerator pedal (and the reverse)
GP3XL	Google Pixel 3 XL - A cellular or mobile telephone with camera

#	Number
ID.	Identification
IEEE	Institute of Electrical and Electronics Engineers
Info.	Information
LACFD	Los Angeles County Fire Department
LAFD	Los Angeles City Fire Department
MCAS	Maneuvering Characteristics Augmentation System (Boeing 737 Aircraft)
M-B	Mercedes-Benz, USA (LLC); Mercedes-Benz; Daimler Benz; Daimler
NHTSA	National Highway Traffic Safety Administration (Includes ODI - Office of Defects Investigation, when appropriate)
No.	Number
NTSB	National Transportation Safety Board
Photo(s)	Photograph(s)
Ref.	Reference
SAE	Society of Automotive Engineers
SA's	"Sudden Accelerations"; singular: SA
SDP	Steel Dowel Pin. Pleural: SDP's -tiny protrusion from base plate (attachment plate), or bottom of accelerator pedal located on the gas-pedal assembly.
Sec.	Second
TCR	Traffic Collision Report Prepared by an officer of the CHP
T-T	Technical Team (Either AAA or M-B)
UA's	Unintended (most of the time, sudden) Accelerations; singular: UA
VOQ	Vehicle Owner's Questionnaire (filled out by vehicle owners) from NHTSA
WFO	Wound Full out; Wound Fully Open (and similar others)

WOT Wide Open Throttle; Full Throttle

w/ with

w/o without

2/23/19 02/23/2019

Definition of Terms:

Accelerator-Pedal-Spring-Plate-Stop/Contact -- Feature of 2019 M-B C300 throttle system, which is part of the Gas-Pedal-Assembly unit, an advancement and departure from the 2014 design of the "Compact" series as in the C350W. Works in conjunction with a spring plate on the back of the 2019 gas pedal, the full functions of which, I was unable to locate in writing fo this point in my investigation.

Bottom-Plate-Contac-Stop - Same as the above; references only the stop.

"Confirmation Bias" - The tendency to interpret new evidence as confirmation of a person's existing beliefs or theories. (The Shoboygan Press, 01/25/2019.)

"Event Data Recorder" - Also commonly called a, "black box," is an electrically operated device known as, the brains of the car." In addition to making ongoing decisions based upon various input, the EDR has the capability of recording and storing data, even after the car's ignition has been turned off. The car's battery and sometimes a, "back-up," battery supply the power to this on-board device. There are different designs but all of them have a capacity (raw data) to provide information to investigators to explain how an accident or other catastrophic event happend to a vehicle, aircraft, train, ship, or other form of passenger or cargo transportation. Currently the parameters of automotive EDR's are not uniform. There is a push by the goveernment transportation agencies and some automotive manufacturers to develop uniform standards and to have them cover a certain minimum categories of data and data retention that is also time dependent.

Foot Migration: 1) During downhill stop and go, the tendency of the fott to move from where it was last on the floorboard to another location, from and inch to a few inches away from where the driver was last conscious of putting it. 2) The same occurrence but with long uses of the cruise-control function. (Discussion in the FMCR.)

"Inadvertent Activation" - On page 36 of the FMC Report, defined as, "making a correct choice mentally but executing the choice incorrectly." This is known as a response-

choice error or response execution error. Accounts for 0.03% of accidents reviewed in one study. Discussion in the Report provides many reasons for this to happen with a driver after a study of germane human behavior. There is no information, however, directly stated regarding the contribution of design flaws adding an additional influence to such, "Response Execution Error," or the, "Inadvertent Activation."

"Hypervigilant Reactions"; "Perceptual Narrowing"; "Panic" - Defined on Page 37 of the NHTSA FMC Report. When a strong startling stimulus occurs in situations sometimes perceived as, "life-threatening," accompanied by a perception that a solution must be found quickly. Individual responses may vary. They can include, "freezing, being unable to move; impairment of cognitive function; the individuals thinking and action-taking systems are overloaded. Attention to a variety of cues are also not noticed because of the focus upon that particular strong stimulus that just occurred. This reaction to extreme stress can cause a habitual or generic (and incorrect) response by a driver. The example given was that in a dangerous situation the driver automatically reverts to hard braking. The error, actually having the foot on the accelerator causes a, "speed up" which in turn increases stress and the driver presses even harder on the accelerator pedal and creates a kind of closed loop cycle until the accident occurs. This happenstance is known as, "Error Detection and Correction Failure." The brain's assumption that a response choice will be correctly executed is part of the cycle. The driver's failure to execute is not seen by him and thus he does not realize his mistake (which in theory would then allow him to make a correct response or a correction). Driver's expectancies that are violated account for his inability to recognize his failed execution to match his intention.

Influence; influenced; influencing (As it relates to the concept of "cause and effect," including connection with Accidents and their study as well as the study of defective systems) - Source: Vocabulary.Com; Miriam-Webster Dictionary

- 1) "The ability of something to influence an outcome without having actually caused it to happen."
- 2) "The power to have an important effect on someone or something."
- 3) "Something causes something to happen without direct or apparent connection."
- 4) "The act or power of producing an effect without apparent exertion or force or direct exercise of command;"
- 5) "Corrupt interference with authority for personal gain."

"Rush to Judgement" - Exact on line definitions, not found. However, a contributor mentioned that it includes moral implications on the one hand and legal implications on the other. My definition: "Forming an opinion before all the facts are in." In most cases this means not following a set procedure within the legal system (scientific community); medicine. 2) to assign blame for an outcome, or to attribute certain causes as being proven in a cause and effect relationship. 3) "A jump to conclusions before all the facts

are known."

The term is most often used by journalists to define elements of an event. Journalists are also guilty of a "rush to judgement." in assignning blame or cause before an official investigation has begun by authorities.

Steel Dowel Pin(s) - Also, Stainless Steel Dowel Drive Pins - Used to help assemble industrial and machined parts. Can also be used to line up parts removed for maintenance, during reassembly. May be used as, "stand-offs."

UA's and SA's - This is a significant acceleration of a driven vehicle by the vehicle without a driver's intentional input, i.e.: the acceleration was not intended by the driver who may or may not know why it has just occurred. The second phrase, "Sudden Acceleration," refers to a vehicle, "taking off at a high rate of speed," during normal traffic driving or maneuvers on improved or unimproved surfaces. It may be either intentinal or unintention by the driver. Sudden accelerations are considered to be dangerous in normal driving but can even be dangerous in closed course driving by a professional. This latter term is often used in association with complete or incomplete descriptions by drivers or witnesses after an accident of one or more vehicles has occurred.

Vector - Potential direction of travel; Direction of travel (unless acted upon by an outside force).

#



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

09-MAY-2019

Repository ☐

Reference No.
11206504

OWNER INFORMATION (Type or Print)

Name

City

SIMI VALLEY

State CA

Zip Code

Evening Telephone Number

CE

The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).

VEHICLE INFORMATION

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

WDDGF5HB2EA

Make

MERCEDES BENZ

Model

C350

Model Year

2014

Date Purchased

01/13/2017

Dealer's Name and Telephone Number

CARMAX SUPERSTORES-CA. (805-288-8005)

Engine:

No: Cylinders

6

Fuel Type:

91 RON OCTANE

Original Owner

☐

Dealer's City

Oxnard, Ca. 93036

State

CA. 93036

Transmission Type

7-Speed automatic

☒ Antilock Brakes

☒ Cruise Control

Powertrain

3.5 Liter V-6

Multiple Failure:

physical design - no air brakes on V-Speed, distance

Incident Date(s)

23-FEB-2019

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Code: 180000 VEHICLE SPEED CONTROL

Failure Mileage

34366

Failure Speed

30

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make

Michelin

Tire Model (Name or Number)

Tire Size (Example P215/65R15)

DOT No. (Example: DOTM19ABC036)

☐ Original Equipment
☐ Prior Repair

Failure Location:

N/A

Tire Component Code

Tire Failure Type:

N/A

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).

TL* THE CONTACT OWNED A 2014 MERCEDES-BENZ C350. THE CONTACT STATED THAT WHILE DRIVING AT APPROXIMATELY 15-30 MPH, THE VEHICLE INDEPENDENTLY ACCELERATED. THE CONTACT STATED THAT HE WAS UNAWARE OF HOW HIS FOOT ENDED UP UNDER THE ACCELERATOR PEDAL. THE VEHICLE WAS THEN INVOLVED IN A FOUR VEHICLE COLLISION. THE CONTACT STATED THAT ALONG WITH HIS WIFE WHO WAS IN THE CAR AT THE TIME, SHE WAS INJURED ALONG WITH ONE OTHER OCCUPANT OF ONE OF THE OTHER VEHICLES. IT WAS UNKNOWN WHERE THE WIFE WAS SEATED. MEDICAL ATTENTION WAS SOUGHT SEVERAL DAYS AFTER THE COLLISION BY THE CONTACT AND HIS SPOUSE. A POLICE REPORT WAS FILED. THE VEHICLE WAS TOWED TO A TOWING LOT. AAA WAS ABLE TO RETRIEVE DATA FROM THE VEHICLE DATA RECORDER. THE CONTACT WAS INFORMED THAT A COMPREHENSIVE REPORT COULD BE ATTAINED BY EQUIPMENT THAT ONLY THE DEALER OR MANUFACTURER POSSESSED. THE VEHICLE WAS NOT REPAIRED. THERE WAS NO DIAGNOSTIC CHECK OR INSPECTION PERFORMED ON THE VEHICLE. A DEALER WAS NOT CONTACTED. THE VEHICLE WAS DESTROYED. THE MANUFACTURER WAS NOTIFIED OF THE FAILURE. THE APPROXIMATE FAILURE MILEAGE WAS 34,366.

*wife visited E.R. 2/24/2019. Contact/Reporter visited E.R. 2/25/19.

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.

NHTSA No: 11206504. Please Read all attachments & forward

Narrative Description of Incident(s), Failure(s), Crash(es), and Injury(ies)

2-28-2019- 405 FWY (I) - S.B. (Past Olympic Blvd., Los Angeles, Ca.)
(Please See included materials.) Essentially, as I glanced at Lane # of FWY, my right foot moved from [REDACTED] FROM its normal position the floorboard to a position under the gas pedal (without [REDACTED] my knowing it (migration of foot) had occurred. I placed my hand on the steering wheel at about 9.5 to 2.5 positions. Eyes on road. I then intended to put on right-hand directional signal. Some steering corrections had just been made. Without looking at the lever, the arc of my hand motion inadvertently activated the CRUISE - Control at [REDACTED] ATTACH ADDITIONAL SHEETS IF NECESSARY the "Accel" position which is also the "Resume" position of the CRUISE control Lever. Immediately, the car accelerated at its highest possible rate of [REDACTED] my foot was pinned to the floorboard & [REDACTED] I lost control of the car resulting in 4-car injury collision. CHP did not ask me what had happened at scene or ever. [REDACTED]

U.S. Department of Transportation
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382
Official Business
Penalty for Private Use \$300

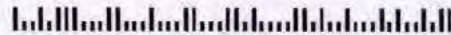
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POSTAGE WILL BE PAID BY ADDRESSEE

US Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NEF-100
1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382



Think your vehicle
has a safety defect?



If so:

Use the enclosed
form to file a report.

or visit:

www.safercar.gov

or call:

Vehicle Safety Hotline
888-327-4236



Vehicle Owner's Questionnaire (VOQ)
U.S. Department of Transportation
National Highway Traffic Safety Administration

2 of 2 identical copies included in this package.

Dangerous Design Flaw



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

Copy

Accident: 02/23/2019

1200 New Jersey Avenue SE
Washington, DC 20590

Dear Consumer:

NEF-160

As a follow-up to your report to the Vehicle Safety Hotline (VSH), we have recorded your information on the enclosed Vehicle Owner's Questionnaire (VOQ) form. Please review the form and make changes, additions and corrections as necessary. Additionally, please provide a more detailed description of the failure(s) you reported that you believe relevant to safety. Also, if available, include copies of repair invoices, letters to the manufacturer, or any other document related to the problem(s) you reported. If a crash or fire occurred, include a copy of the police or fire department report.

It is helpful to be as thorough as possible in your report so that our ability to use your report will be maximized. If you do not have the information, it is not necessary to complete all the boxes. However, it is very difficult to identify the scope of a vehicle problem unless the vehicle identification number (VIN) is known. The VIN is located inside the vehicle on the dashboard adjacent to the left (driver's side) of the windshield pillar and on the drivers' door or the driver's door jam. It may also be listed on a dealer repair invoice or your insurance or registration cards. When reporting a tire problem, the brand name, tire line and complete tire size should be included. Be certain to provide the DOT tire identification number. It is usually located near the rim flange of the tire on either side of the tire.

We do not make your personal information (name, address, phone numbers, etc.) available to the general public. However, if we open an investigation that involves your vehicle, we will provide the manufacturer of your vehicle with a complete copy of your report. The information you provide may assist the manufacturer and NHTSA in determining if a safety-related defect exists.

Any information provided is entirely voluntary. There is no consequence or penalty of any kind if you do not wish to provide it. We seek this information to develop both statistical and investigative evidence that will help identify potential safety related problems in vehicles or vehicle equipment, e.g., tires, child safety seats, jacks, etc.

When completed, please fold and staple or tape the form so that the pre-addressed portion of the form is on the outside. If a larger envelope is used, tape the VOQ form to the larger envelope so that the pre-addressed portion of the form is showing.

If further assistance is needed, please contact the VSH at their toll-free number, 1-888-327-4236.

Thank you for your cooperation.

Sincerely,

Randy Reid Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement

Enclosure: VOQ

2 of 2 identical copies included in this package.

★★★★★
NHTSA
www.nhtsa.gov

TRAFFIC COLLISION REPORT

CHP 555 PAGE 1 (REV. 04-11) DPI 060

NHTSA-Reference No. 11206504

PAGE 1 OF 14

SPECIAL CONDITIONS		NUMBER INJURED 4	HT & RUN PELVIS	CITY LOS ANGELES	JUDICIAL DISTRICT		LOCAL REPORT NUMBER	
		NUMBER KILLED 0	HT & RUN MISDEMEANOR	COUNTY LOS ANGELES	REPORTING DISTRICT	BEAT 062	DAY OF WEEK SATURDAY	TOW AWAY ☒ YES ☐ NO
LOCATION	COLLISION OCCURRED ON: I-405 SOUTHBOUND (SAN DIEGO FREEWAY)				MO 02/23/2019	DAY 1600	YEAR 2019	TIME (2400)
	MILEPOST INFORMATION:				GPS COORDINATES LATITUDE 34.038312°		LONGITUDE -118.439541°	
	☐ AT INTERSECTION WITH: ☒ OR: 250 FEET SOUTH OF OLYMPIC BOULEVARD				STATE HWY REL ☒ YES ☐ NO		PHOTOGRAPHS BY: ☒ NONE	
PARTY 1	DRIVER'S LICENSE NUMBER		STATE CA	CLASS C	AIR BAG L	SAFETY EQUIP. G	VEH. YEAR 2014	MAKE / MODEL / COLOR MERB C350 GRV
DRIVER	NAME (FIRST, MIDDLE, LAST)						OWNER'S NAME ☒ SAME AS DRIVER	
PEDESTRIAN	STREET ADDRESS						OWNER'S ADDRESS ☒ SAME AS DRIVER	
PARKED VEHICLE	CITY / STATE / ZIP SIMI VALLEY CA						DISPOSITION OF VEHICLE ON ORDERS OF: ☐ OFFICER ☒ DRIVER ☐ OTHER	
BICYCLIST	HAIR EYES HEIGHT WEIGHT BIRTHDATE YEAR RACE						TIP TOP TOW - (310)314-4040	
OTHER	HOME PHONE BUSINESS PHONE						PRIOR MECH. DEFECTS ☒ NONE APP. ☐ REFER TO NARRATIVE	
	INSURANCE CARRIER POLICY NUMBER						VEHICLE IDENTIFICATION NUMBER:	
	AAA						VEHICLE TYPE DESCRIBE VEHICLE DAMAGE SHADE IN DAMAGED AREA	
	DIR OF TRAVEL ON STREET OR HIGHWAY						CA DOT	
	S I-405						CAL-T TCP/PSC MC/MX	
PARTY 2	DRIVER'S LICENSE NUMBER		STATE CA	CLASS C	AIR BAG M	SAFETY EQUIP. G	VEH. YEAR 2014	MAKE / MODEL / COLOR JEEP GRAND CHEROKEE WHI
DRIVER	NAME (FIRST, MIDDLE, LAST)						OWNER'S NAME ☐ SAME AS DRIVER	
PEDESTRIAN	STREET ADDRESS						HOSKIN MUIR INC	
PARKED VEHICLE	CITY / STATE / ZIP SAN CLEMENTE CA						OWNER'S ADDRESS ☐ SAME AS DRIVER	
BICYCLIST	SEX HAIR EYES HEIGHT WEIGHT BIRTHDATE YEAR RACE						6611 PROSTON AVE STE C LIVERMORE CA 94550	
OTHER	HOME PHONE BUSINESS PHONE						DISPOSITION OF VEHICLE ON ORDERS OF: ☐ OFFICER ☒ DRIVER ☐ OTHER	
	INSURANCE CARRIER POLICY NUMBER						DRIVEN AWAY	
	STATE FARM						PRIOR MECHANICAL DEFECTS ☒ NONE APP. ☐ REFER TO NARRATIVE	
	DIR OF TRAVEL ON STREET OR HIGHWAY						VEHICLE IDENTIFICATION NUMBER:	
	S I-405						VEHICLE TYPE DESCRIBE VEHICLE DAMAGE SHADE IN DAMAGED AREA	
	65						CA DOT	
	CAL-T TCP/PSC MC/MX						CAL-T TCP/PSC MC/MX	
PARTY 3	DRIVER'S LICENSE NUMBER		STATE CA	CLASS C	AIR BAG M	SAFETY EQUIP. G	VEH. YEAR 2019	MAKE / MODEL / COLOR HOND PILOT WHI
DRIVER	NAME (FIRST, MIDDLE, LAST)						OWNER'S NAME ☒ SAME AS DRIVER	
PEDESTRIAN	STREET ADDRESS						OWNER'S ADDRESS ☒ SAME AS DRIVER	
PARKED VEHICLE	CITY / STATE / ZIP PALMDALE CA						DISPOSITION OF VEHICLE ON ORDERS OF: ☐ OFFICER ☒ DRIVER ☐ OTHER	
BICYCLIST	SEX HAIR EYES HEIGHT WEIGHT BIRTHDATE YEAR RACE						WESTSIDE TOW - (310)207-7909	
OTHER	HOME PHONE BUSINESS PHONE						PRIOR MECHANICAL DEFECTS ☒ NONE APP. ☐ REFER TO NARRATIVE	
	INSURANCE CARRIER POLICY NUMBER						VEHICLE IDENTIFICATION NUMBER:	
	HORACE MANN						VEHICLE TYPE DESCRIBE VEHICLE DAMAGE SHADE IN DAMAGED AREA	
	DIR OF TRAVEL ON STREET OR HIGHWAY						CA DOT	
	S I-405						CAL-T TCP/PSC MC/MX	
	65						CAL-T TCP/PSC MC/MX	
PREPARER'S NAME		DISPATCH NOTIFIED		REVIEWER'S NAME		DATE REVIEWED		
K SEPULVEDA 020958		☐ YES ☐ NO ☒ N/A		BRANDEN MATULICH 019859		03/05/2019		

Copy 1 of 2 as a part of this package.

SPECIAL CONDITIONS		NUMBER INJURED 4	HIT & RUN FELONY ☐	CITY LOS ANGELES		JUDICIAL DISTRICT 0565 2010 00057	
		NUMBER KILLED 0	HIT & RUN MISDEMEANOR ☐	COUNTY LOS ANGELES	REPORTING DISTRICT	BEAT 062	DAY OF WEEK SATURDAY
COLLISION OCCURRED ON: I-405 SOUTHBOUND (SAN DIEGO FREEWAY)		MO DAY YEAR 02/23/2019		TIME (2400) 1600		NCIC # 9565	OFFICER I.D. 020958
MILEPOST INFORMATION:		GPS COORDINATES LATITUDE 34.038312° LONGITUDE -118.439541°				PHOTOGRAPHS BY: ☒ NONE	
LOCATION	AT INTERSECTION WITH:		STATE HWY REL				
	☒ OR: 250 FEET SOUTH OF OLYMPIC BOULEVARD		☒ YES ☐ NO				
PARTY 4	NAME (FIRST, MIDDLE, LAST)	STATE CA	CLASS C	AIR BAG M	SAFETY EQUIP. G	VEH. YEAR 2015	MAKE / MODEL / COLOR CHEV TRAVERSE WHI
DRIVER ☒						LICENSE NUMBER	STATE CA
PEDESTRIAN ☐							
BIKE ☐							
VEHICLE	CITY / STATE / ZIP CAMARILLO CA						
BICYCLIST ☐	SEX	HAIR	EYES	HEIGHT	WEIGHT	BIRTHDATE	
OTHER ☐	HOME PHONE		BUSINESS PHONE NONE				
INSURANCE CARRIER MERCURY		POLICY NUMBER					
DIR OF TRAVEL S		ON STREET OR HIGHWAY I-405			SPEED LIMIT 65		
PARTY 5	DRIVER'S LICENSE NUMBER	STATE	CLASS	AIR BAG	SAFETY EQUIP.	VEH. YEAR	MAKE / MODEL / COLOR
DRIVER ☐	NAME (FIRST, MIDDLE, LAST)					LICENSE NUMBER	STATE
PEDESTRIAN ☐	STREET ADDRESS					OWNER'S NAME ☐ SAME AS DRIVER	
PARKED VEHICLE ☐	CITY / STATE / ZIP					OWNER'S ADDRESS ☐ SAME AS DRIVER	
BICYCLIST ☐	SEX	HAIR	EYES	HEIGHT	WEIGHT	MO BIRTHDATE DAY YEAR RACE	DISPOSITION OF VEHICLE ON ORDERS OF: ☐ OFFICER ☐ DRIVER ☐ OTHER
OTHER ☐	HOME PHONE		BUSINESS PHONE				
INSURANCE CARRIER		POLICY NUMBER					
DIR OF TRAVEL		ON STREET OR HIGHWAY			SPEED LIMIT		
PARTY 6	DRIVER'S LICENSE NUMBER	STATE	CLASS	AIR BAG	SAFETY EQUIP.	VEH. YEAR	MAKE / MODEL / COLOR
DRIVER ☐	NAME (FIRST, MIDDLE, LAST)					LICENSE NUMBER	STATE
PEDESTRIAN ☐	STREET ADDRESS					OWNER'S NAME ☐ SAME AS DRIVER	
PARKED VEHICLE ☐	CITY / STATE / ZIP					OWNER'S ADDRESS ☐ SAME AS DRIVER	
BICYCLIST ☐	SEX	HAIR	EYES	HEIGHT	WEIGHT	MO BIRTHDATE DAY YEAR RACE	DISPOSITION OF VEHICLE ON ORDERS OF: ☐ OFFICER ☐ DRIVER ☐ OTHER
OTHER ☐	HOME PHONE		BUSINESS PHONE				
INSURANCE CARRIER		POLICY NUMBER					
DIR OF TRAVEL		ON STREET OR HIGHWAY			SPEED LIMIT		
PREPARER'S NAME K SEPULVEDA 020958		DISPATCH NOTIFIED ☐ YES ☐ NO ☒ N/A		REVIEWER'S NAME BRANDEN MATULICH 019859			DATE REVIEWED 03/05/2019

DATE OF COLLISION (MO. DAY YEAR) 2/23/2019	TIME(2400) 1600	NCIG # 9565	OFFICER I.D. 020958	NUMBER
OWNER'S NAME		OWNER ADDRESS		NOTIFIED ☐ YES ☐ NO
PROPERTY DAMAGE DESCRIPTION OF DAMAGE				

SEATING POSITION Λ 1 2 3 4 5 6 7 1 - DRIVER 2 TO 6 - PASSENGERS 7 - STATION WAGON REAR 8 - REAR OCC TRK OR VAN 9 - POSITION UNKNOWN 0 - OTHER	SAFETY EQUIPMENT OCCUPANTS A - NONE IN VEHICLE B - UNKNOWN C - LAP BELT USED D - LAP BELT NOT USED E - SHOULDER HARNESS USED F - SHOULDER HARNESS NOT USED G - LAP/SOULDER HARNESS USED H - LAP/SOULDER HARNESS NOT USED J - PASSIVE RESTRAINT USED K - PASSIVE RESTRAINT NOT USED P - NOT REQUIRED CHILD RESTRAINT Q - IN VEHICLE USED R - IN VEHICLE NOT USED S - IN VEHICLE USE UNKNOWN T - IN VEHICLE IMPROPER USE U - NONE IN VEHICLE M / C BICYCLE HELMET DRIVER PASSENGER V - NO X - NO W - YES Y - YES	AIR BAG B - UNKNOWN L - AIR BAG DEPLOYED M - AIR BAG NOT DEPLOYED N - OTHER P - NOT REQUIRED EJECTED FROM VEHICLE 0 - NOT EJECTED 1 - FULLY EJECTED 2 - PARTIALLY EJECTED 3 - UNKNOWN	INATTENTION CODES A - CELL PHONE HANDHELD B - CELL PHONE HANDSFREE C - ELECTRONIC EQUIPMENT D - RADIO / CD E - SMOKING F - EATING G - CHILDREN H - ANIMALS I - PERSONAL HYGIENE J - READING K - OTHER
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ITEMS MARKED BELOW FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE.

PRIMARY COLLISION FACTOR LIST NUMBER (#) OF PARTY AT FAULT	TRAFFIC CONTROL DEVICES	1	2	3	SPECIAL INFORMATION	1	2	3	MOVEMENT PRECEDING COLLISION
VC SECTION VIOLATED: CITED ☐ YES ☒ NO A 22350	A CONTROLS FUNCTIONING				A HAZARDOUS MATERIAL		☒	☒	A STOPPED
B OTHER IMPROPER DRIVING*	B CONTROLS NOT FUNCTIONING*				B CELL PHONE HANDHELD IN USE	☒			B PROCEEDING STRAIGHT
C OTHER THAN DRIVER*	C CONTROLS OBSCURED				C CELL PHONE HANDSFREE IN USE				C RAN OFF ROAD
D UNKNOWN*	D NO CONTROLS PRESENT / FACTOR*	☒	☒	☒	D CELL PHONE NOT IN USE				D MAKING RIGHT TURN
	TYPE OF COLLISION				E SCHOOL BUS RELATED				E MAKING LEFT TURN
	A HEAD - ON				F 75 FT MOTORTRUCK COMBO				F MAKING U TURN
	B SIDE SWIPE				G 32 FT TRAILER COMBO				G BACKING
	C REAR END				H				H SLOWING / STOPPING
WEATHER (MARK 1 TO 2 ITEMS)	D BROADSIDE				I				I PASSING OTHER VEHICLE
A CLEAR	E HIT OBJECT				J				J CHANGING LANES
B CLOUDY	F OVERTURNED				K				K PARKING MANEUVER
C RAINING	G VEHICLE / PEDESTRIAN				L				L ENTERING TRAFFIC
D SNOWING	H OTHER*				M				M OTHER UNSAFE TURNING
E FOG / VISIBILITY FT.					N				N XING INTO OPPOSING LANE
F OTHER*	MOTOR VEHICLE INVOLVED WITH				O				O PARKED
G WIND	A NON - COLLISION								P MERGING
LIGHTING	B PEDESTRIAN								Q TRAVELING WRONG WAY
A DAYLIGHT	C OTHER MOTOR VEHICLE								R OTHER*
B DUSK - DAWN	D MOTOR VEHICLE ON OTHER ROADWAY	1	2	3	OTHER ASSOCIATED FACTORS (MARK 1 TO 2 ITEMS)				
C DARK - STREET LIGHTS	E PARKED MOTOR VEHICLE				A VC SECTION VIOLATED: CITED ☐ YES ☐ NO				
D DARK - NO STREET LIGHTS	F TRAIN				B VC SECTION VIOLATED: CITED ☐ YES ☐ NO				
E DARK - STREET LIGHTS NOT FUNCTIONING*	G BICYCLE				C VC SECTION VIOLATED: CITED ☐ YES ☐ NO				
ROADWAY SURFACE	H ANIMAL				D	☒	☒	☒	SOBRIETY - DRUG PHYSICAL (MARK 1 TO 2 ITEMS)
A DRY	I FIXED OBJECT				E VISION OBSCUREMENT				A HAD NOT BEEN DRINKING
B WET	J OTHER OBJECT				F INATTENTION*				B HBD - UNDER INFLUENCE
C SNOWY - ICY					G STOP & GO TRAFFIC				C HBD - NOT UNDER INFLUENCE*
D SLIPPERY (MUDDY, OILY, ETC.)	PEDESTRIAN'S ACTIONS				H ENTERING / LEAVING RAMP				D HBD - IMPAIRMENT UNKNOWN*
ROADWAY CONDITION(S) (MARK 1 TO 2 ITEMS)	A NO PEDESTRIANS INVOLVED				I PREVIOUS COLLISION				E UNDER DRUG INFLUENCE*
A HOLES, DEEP RUT*	B CROSSING IN CROSSWALK - AT INTERSECTION				J UNFAMILIAR WITH ROAD				F IMPAIRMENT - PHYSICAL*
B LOOSE MATERIAL ON ROADWAY*	C CROSSING IN CROSSWALK - NOT AT INTERSECTION				K DEFECTIVE VEH. EQUIP.: CITED ☐ YES ☐ NO				G IMPAIRMENT NOT KNOWN
C OBSTRUCTION ON ROADWAY*	D CROSSING - NOT IN CROSSWALK				L UNINVOLVED VEHICLE				H NOT APPLICABLE
D CONSTRUCTION - REPAIR ZONE	E IN ROAD - INCLUDES SHOULDER				M OTHER*				I SLEEPY / FATIGUED*
E REDUCED ROADWAY WIDTH	F NOT IN ROAD	☒	☒	☒	N NONE APPARENT				
F FLOODED*	G APPROACHING / LEAVING SCHOOL BUS				O RUNAWAY VEHICLE				
G OTHER*									
H NO UNUSUAL CONDITIONS									

SKETCH FOR SKETCH DIAGRAM, SEE PAGE 7

INDICATE NORTH

MISCELLANEOUS

TRAFFIC COLLISION CODING

HP 555 CARS PAGE2 (REV. 04-11) OPI 060

PAGE 4 OF 15

DATE OF COLLISION (MO, DAY, YEAR)	TIME (2400)	NCIC #	OFFICER I.D.	NUMBER
2/23/2019	1600	9565	020958	
OWNER'S NAME		OWNER ADDRESS		NOTIFIED ☐ YES ☐ NO
PROPERTY DAMAGE DESCRIPTION OF DAMAGE				

SEATING POSITION 	SAFETY EQUIPMENT OCCUPANTS A - NONE IN VEHICLE B - UNKNOWN C - LAP BELT USED D - LAP BELT NOT USED E - SHOULDER HARNESS USED F - SHOULDER HARNESS NOT USED G - LAP/SHOULDER HARNESS USED H - LAP/SHOULDER HARNESS NOT USED J - PASSIVE RESTRAINT USED K - PASSIVE RESTRAINT NOT USED P - NOT REQUIRED	CHILD RESTRAINT Q - IN VEHICLE USED R - IN VEHICLE NOT USED S - IN VEHICLE USE UNKNOWN T - IN VEHICLE IMPROPER USE U - NONE IN VEHICLE M / C BICYCLE HELMET DRIVER PASSENGER V - NO X - NO W - YES Y - YES	AIR BAG B - UNKNOWN L - AIR BAG DEPLOYED M - AIR BAG NOT DEPLOYED N - OTHER P - NOT REQUIRED EJECTED FROM VEHICLE 0 - NOT EJECTED 1 - FULLY EJECTED 2 - PARTIALLY EJECTED 3 - UNKNOWN	INATTENTION CODES A - CELL PHONE HANDHELD B - CELL PHONE HANDSFREE C - ELECTRONIC EQUIPMENT D - RADIO / CD E - SMOKING F - EATING G - CHILDREN H - ANIMALS I - PERSONAL HYGIENE J - READING K - OTHER
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ITEMS MARKED BELOW FOLLOWED BY AN ASTERISK (*) SHOULD BE EXPLAINED IN THE NARRATIVE.

PRIMARY COLLISION FACTOR LIST NUMBER (#) OF PARTY AT FAULT	TRAFFIC CONTROL DEVICES	4	5	6	SPECIAL INFORMATION	4	5	6	MOVEMENT PRECEDING COLLISION
VC SECTION VIOLATED: CITED ☐ YES ☒ NO A 22300 B OTHER IMPROPER DRIVING* C OTHER THAN DRIVER* D UNKNOWN*	A CONTROLS FUNCTIONING B CONTROLS NOT FUNCTIONING* C CONTROLS OBSCURED D NO CONTROLS PRESENT / FACTOR* TYPE OF COLLISION A HEAD-ON B SIDE SWIPE C REAR END D BROADSIDE E HIT OBJECT F OVERTURNED G VEHICLE / PEDESTRIAN H OTHER*				A HAZARDOUS MATERIAL B CELL PHONE HANDHELD IN USE C CELL PHONE HANDSFREE IN USE D CELL PHONE NOT IN USE E SCHOOL BUS RELATED F 75 FT MOTORTRUCK COMBO G 32 FT TRAILER COMBO H I J K L M N O				A STOPPED B PROCEEDING STRAIGHT C RAN OFF ROAD D MAKING RIGHT TURN E MAKING LEFT TURN F MAKING U TURN G BACKING H SLOWING / STOPPING I PASSING OTHER VEHICLE J CHANGING LANES K PARKING MANEUVER L ENTERING TRAFFIC M OTHER UNSAFE TURNING N XING INTO OPPOSING LANE O PARKED P MERGING Q TRAVELING WRONG WAY R OTHER*
WEATHER (MARK 1 TO 2 ITEMS) A CLEAR B CLOUDY C RAINING D SNOWING E FOG / VISIBILITY FT. F OTHER* G WIND	A NON - COLLISION B PEDESTRIAN C OTHER MOTOR VEHICLE D MOTOR VEHICLE ON OTHER ROADWAY E PARKED MOTOR VEHICLE F TRAIN G BICYCLE H ANIMAL I FIXED OBJECT J OTHER OBJECT:				OTHER ASSOCIATED FACTORS (MARK 1 TO 2 ITEMS) A VC SECTION VIOLATED: CITED ☐ YES ☐ NO B VC SECTION VIOLATED: CITED ☐ YES ☐ NO C VC SECTION VIOLATED: CITED ☐ YES ☐ NO D E VISION OBSCUREMENT: F INATTENTION* G STOP & GO TRAFFIC H ENTERING / LEAVING RAMP I PREVIOUS COLLISION J UNFAMILIAR WITH ROAD K DEFECTIVE VEH. EQUIP.: CITED ☐ YES ☐ NO L UNINVOLVED VEHICLE M OTHER* N NONE APPARENT O RUNAWAY VEHICLE				SOBRIETY - DRUG PHYSICAL (MARK 1 TO 2 ITEMS) A HAD NOT BEEN DRINKING B HBD - UNDER INFLUENCE C HBD - NOT UNDER INFLUENCE* D HBD - IMPAIRMENT UNKNOWN* E UNDER DRUG INFLUENCE* F IMPAIRMENT - PHYSICAL* G IMPAIRMENT NOT KNOWN H NOT APPLICABLE I SLEEPY / FATIGUED*
LIGHTING A DAYLIGHT B DUSK - DAWN C DARK - STREET LIGHTS D DARK - NO STREET LIGHTS E DARK - STREET LIGHTS NOT FUNCTIONING*	ROADWAY SURFACE A DRY B WET C SNOWY - ICY D SLIPPERY (MUDDY, OILY, ETC.)								
ROADWAY CONDITION(S) (MARK 1 TO 2 ITEMS) A HOLES, DEEP RUT* B LOOSE MATERIAL ON ROADWAY* C OBSTRUCTION ON ROADWAY* D CONSTRUCTION - REPAIR ZONE E REDUCED ROADWAY WIDTH F FLOODED* G OTHER* H NO UNUSUAL CONDITIONS	PEDESTRIAN'S ACTIONS A NO PEDESTRIANS INVOLVED B CROSSING IN CROSSWALK - AT INTERSECTION C CROSSING IN CROSSWALK - NOT AT INTERSECTION D CROSSING - NOT IN CROSSWALK E IN ROAD - INCLUDES SHOULDER F NOT IN ROAD G APPROACHING / LEAVING SCHOOL BUS								

SKETCH FOR SKETCH DIAGRAM, SEE PAGE 7

INDICATE NORTH

MISCELLANEOUS

INJURED / WITNESSES / PASSENGERS**

PAGE 5 OF 14

CHP 555 CARS PAGE 3 (REV 11-16) OPI 060

DATE OF COLLISION (MO. DAY YEAR) 02/23/2019				TIME(2400) 1600		NCIC # 9565		OFFICER I.D. 020958				NUMBER [REDACTED]						
WITNESS ONLY	PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY('X' ONE)				INJURED WAS ('X' ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED	
				FATAL INJURY	SUSPECTED SERIOUS INJURY	SUSPECTED MINOR INJURY	POSSIBLE INJURY	DRIVER	PASS.	PED.	BICYCLIST	OTHER						
☐ #	☐	☒	☒	☐	☐	☒	☐	☒	☐	☒	☐	☐	☐	1	1	L	G	0
[REDACTED] SIMI VALLEY CA [REDACTED] TELEPHONE [REDACTED]																		
(INJURED ONLY) TRANSPORTED BY: WILL SEEK OWN MEDICAL AID				EMS RUN NUMBER				TAKEN TO:										
DESCRIBE INJURIES: CUT TO TOP OF RIGHT HAND AND COMPLAINT OF PAIN TO LEFT KNEE.																		
☐ VICTIM OF VIOLENT CRIME NOTIFIED																		
☐ #	☐	☒	☒	☐	☐	☐	☒	☐	☒	☐	☐	☐	☐	1	3	L	G	0
NAME / D.O.B. / ADDRESS [REDACTED] SIMI VALLEY CA [REDACTED] TELEPHONE [REDACTED]																		
(INJURED ONLY) TRANSPORTED BY: WILL SEEK OWN MEDICAL AID				EMS RUN NUMBER				TAKEN TO:										
DESCRIBE INJURIES: COMPLAINT OF PAIN TO HEAD.																		
☐ VICTIM OF VIOLENT CRIME NOTIFIED																		
☐ #	☐	☒	☒	☐	☐	☐	☒	☒	☐	☐	☐	☐	☐	3	1	M	G	0
[REDACTED] PALMDALE CA [REDACTED] TELEPHONE [REDACTED]																		
(INJURED ONLY) TRANSPORTED BY: WILL SEEK OWN MEDICAL AID				EMS RUN NUMBER				TAKEN TO:										
DESCRIBE INJURIES: COMPLAINT OF PAIN TO LEFT ARM.																		
☐ VICTIM OF VIOLENT CRIME NOTIFIED																		
☐ #	☐	☒	☒	☐	☐	☐	☒	☐	☒	☐	☐	☐	☐	3	3	M	G	0
[REDACTED] PALMDALE CA [REDACTED] TELEPHONE [REDACTED]																		
(INJURED ONLY) TRANSPORTED BY: WILL SEEK OWN MEDICAL AID				EMS RUN NUMBER				TAKEN TO:										
DESCRIBE INJURIES: COMPLAINT OF PAIN TO NECK.																		
☐ VICTIM OF VIOLENT CRIME NOTIFIED																		
☐ #	☒	☒	☒	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	2	3	M	G	0
[REDACTED] SAN CLEMENTE CA [REDACTED] TELEPHONE [REDACTED]																		
(INJURED ONLY) TRANSPORTED BY:				EMS RUN NUMBER				TAKEN TO:										
DESCRIBE INJURIES:																		
☐ VICTIM OF VIOLENT CRIME NOTIFIED																		
☐ #	☒	[REDACTED]	☒	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	4	3	M	G	0
[REDACTED] CAMARILLO CA [REDACTED] TELEPHONE [REDACTED]																		
(INJURED ONLY) TRANSPORTED BY:				EMS RUN NUMBER				TAKEN TO:										
DESCRIBE INJURIES:																		
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PREPARER'S NAME K SEPULVEDA				I.D. NUMBER 020958		MO. DAY YEAR 02/23/2019		REVIEWER'S NAME BRANDEN MATULICH 019859				MO. DAY YEAR 03/05/2019						

DATE OF COLLISION (MO. DAY YEAR) 02/23/2019				TIME(2400) 1600		NCIC # 9565		OFFICER I.D. 020958				NUMBER [REDACTED] 7					
WITNESS ONLY	PASSENGER ONLY	AGE	SEX	EXTENT OF INJURY ('X' ONE)				INJURED WAS ('X' ONE)					PARTY NUMBER	SEAT POS.	AIR BAG	SAFETY EQUIP.	EJECTED
				FATAL INJURY	SUSPECTED SERIOUS INJURY	SUSPECTED MINOR INJURY	POSSIBLE INJURY	DRIVER	PASS.	PED.	BICYCLIST	OTHER					
☐ #	☒	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	4	4	P	Q	0
NAME / D.O.B. / ADDRESS [REDACTED] CAMARILLO CA [REDACTED] TELEPHONE [REDACTED]																	
(INJURED ONLY) TRANSPORTED BY:						EMS RUN NUMBER				TAKEN TO:							
DESCRIBE INJURIES:																	
☐ VICTIM OF VIOLENT CRIME NOTIFIED																	
☐ #	☒	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	4	6	P	Q	0
NAME / D.O.B. / ADDRESS [REDACTED] CAMARILLO CA [REDACTED] TELEPHONE [REDACTED]																	
(INJURED ONLY) TRANSPORTED BY:						EMS RUN NUMBER				TAKEN TO:							
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NAME / D.O.B. / ADDRESS [REDACTED] TELEPHONE [REDACTED]																	
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☐ #	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐					
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NAME / D.O.B. / ADDRESS [REDACTED] TELEPHONE [REDACTED]																	
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NAME / D.O.B. / ADDRESS [REDACTED] TELEPHONE [REDACTED]																	
(INJURED ONLY) TRANSPORTED BY:						EMS RUN NUMBER				TAKEN TO:							
DESCRIBE INJURIES:																	
☐ VICTIM OF VIOLENT CRIME NOTIFIED																	

PREPARER'S NAME K SEPULVEDA				I.D. NUMBER 020958		MO. DAY YEAR 02/23/2019		REVIEWER'S NAME BRANDEN MATULICH 019859				MO. DAY YEAR 03/05/2019	
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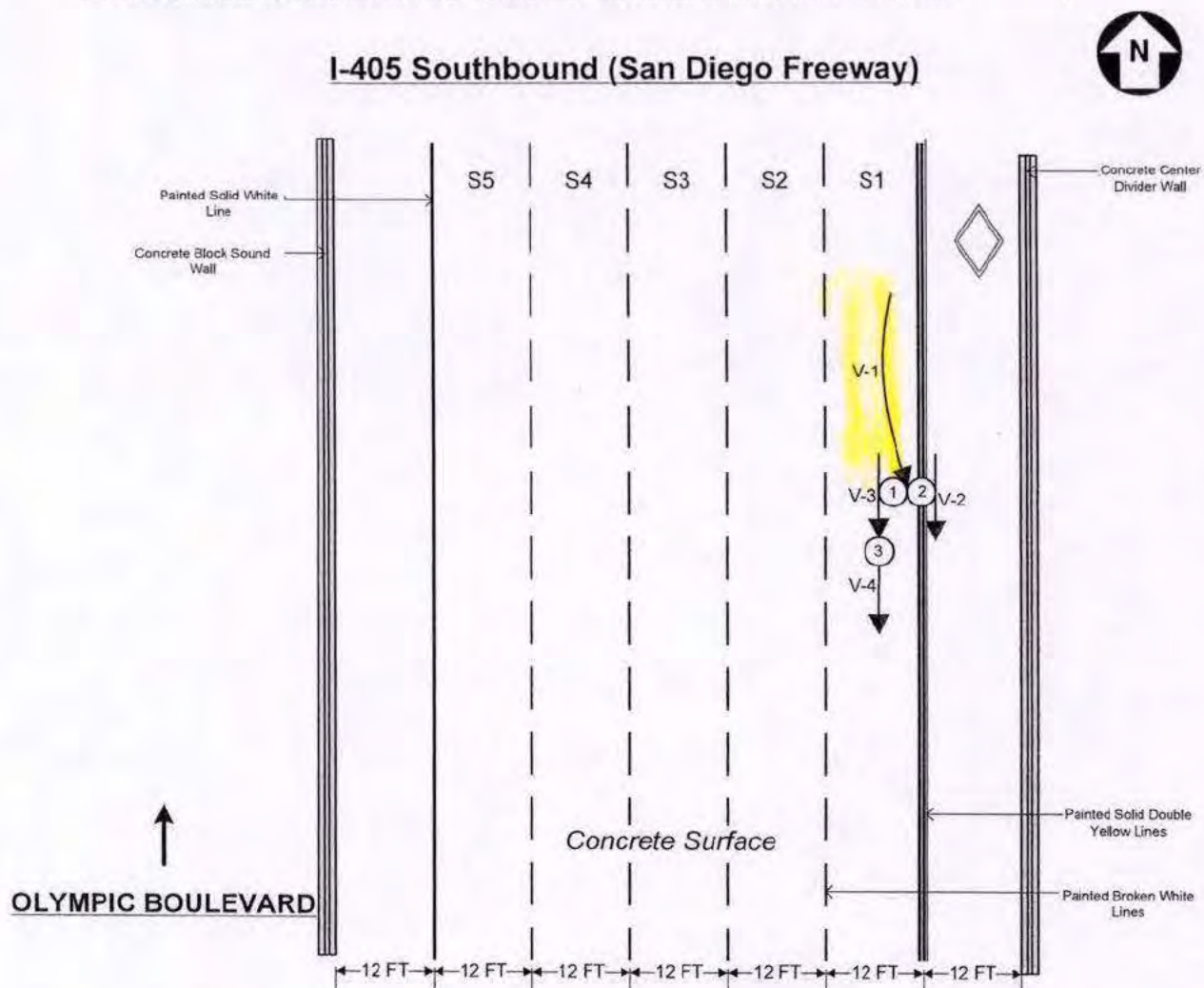
STATE OF CALIFORNIA
SKETCH DIAGRAM

CHP 555 Page 4 (Rev. 04-11) OPI 060

PAGE 7 OF 14

DATE OF INCIDENT 02/23/2019	TIME 1600	NCIC NUMBER 9565	OFFICER I.D. 020958	NUMBER [REDACTED]
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ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)



PREPARED BY K SEPULVEDA	I.D. NUMBER 020958	DATE 03/05/2019	REVIEWER'S NAME BRANDEN MATULICH 019859	DATE 03/05/2019
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STATE OF CALIFORNIA
FACTUAL DIAGRAM

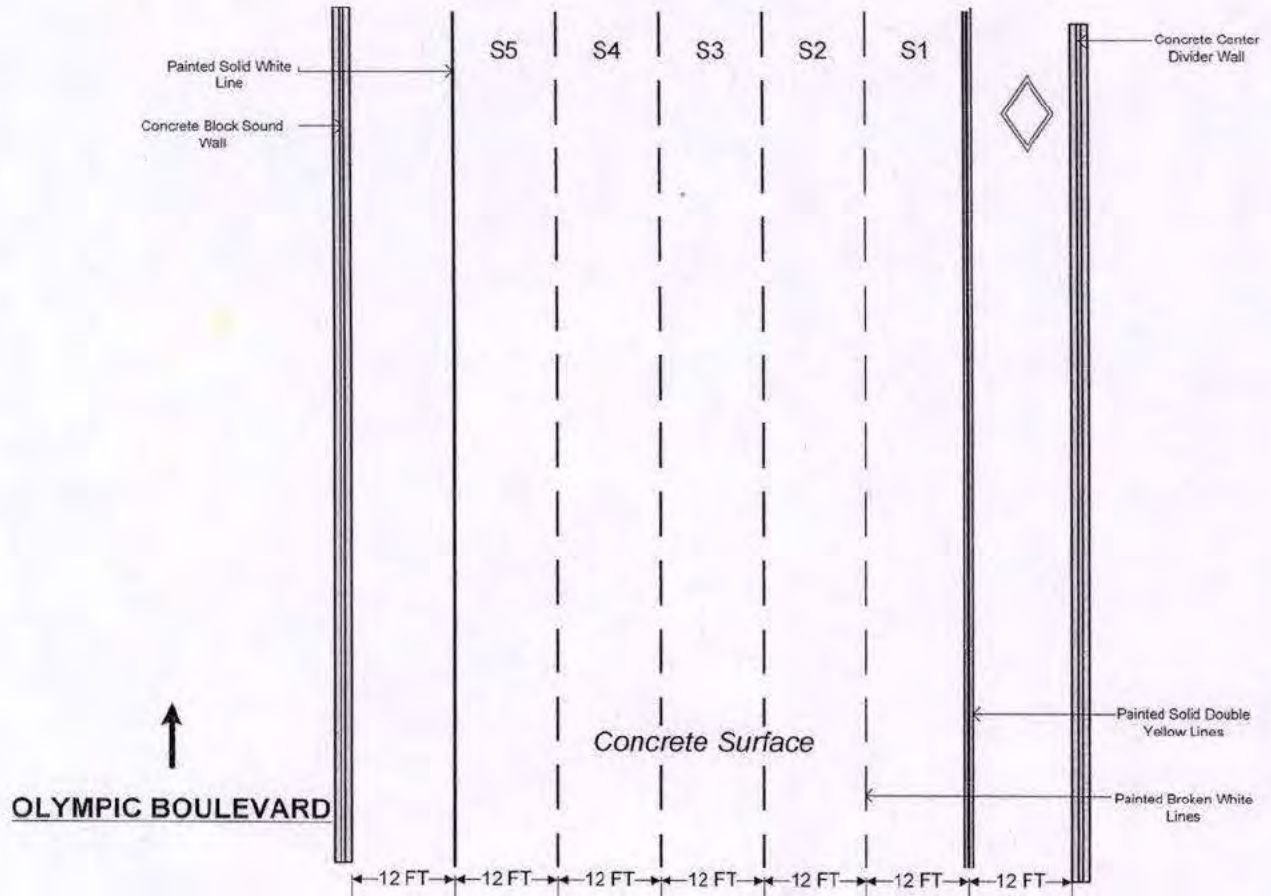
CHP 555 Page 4 (Rev. 04-11) OPI 060

PAGE 8 OF 14

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
02/23/2019	1600	9565	020958	

ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE=)

I-405 Southbound (San Diego Freeway)



PREPARED BY K SEPULVEDA	I.D. NUMBER 020958	DATE 03/05/2019	REVIEWER'S NAME BRANDEN MATULICH 019859	DATE 03/05/2019
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DATE OF INCIDENT
02/23/2019TIME
1600NCIC NUMBER
9565OFFICER I
020958NUMBER
[REDACTED]**FACTS:****NOTIFICATION:**

On Saturday, February 23, 2019 I received a call of a traffic collision with an ambulance responding that occurred on I-405 southbound, north of I-10 at approximately 1612 hours. I responded from I-405 northbound, south of Constitution Avenue and arrived on scene at approximately 1623 hours. Upon my arrival, I determined this collision to have occurred on I-405 southbound, south of Olympic Boulevard and to involve minor injuries.

All times, speeds and measurements are approximate. Measurements were obtained by visual estimation and party statements.

SCENE:

The collision occurred on I-405 southbound, south of Olympic Boulevard. At this location I-405 southbound is a flat asphalt-concrete paved roadway located within the City of Los Angeles. There is one H.O.V. lane for southbound traffic, and 5 traffic lanes. The H.O.V. is separated by a set of solid double yellow lines with one white line and the other traffic lanes are separated by a broken white line at this location. I-405 southbound, south of Olympic Boulevard is bordered on the east by a concrete center divider wall and to the west by a concrete sound wall. The speed limit at this location is posted at 65 miles per hour.

No roadway defects or vision obstructions were noted or reported at the time of this collision. All roadway signs and markings were in good condition. For further information refer to the Factual Diagram in this investigation.

PREPARED BY
K SEPULVEDAI.D. NUMBER
020958DATE
03/05/2019REVIEWER'S NAME
BRANDEN MATULICH
019859DATE
03/05/2019

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
02/23/2019	1600	9565	020958	000000007

1 **PARTIES:**

2

3 Party #1 (P-1) [REDACTED] was contacted standing next to Vehicle #1 (V-1) (Mercedes) on I-405
4 southbound, south of Olympic Boulevard in the #1 lane. P-1 was identified by his California Driver
5 License as [REDACTED] and was determined to be the driver of V-1 at the time of the collision by his
6 own admission, he is the registered owner of V-2, and his injuries are consistent with being the
7 driver of V-1 at the time of collision.

8

9 Vehicle #1 (V-1) (Mercedes) was located on I-405 southbound, south of Olympic Boulevard within
10 the #1 lane. V-1 was moved and no measurements were obtained. V-1 sustained moderate
11 damage including but not limited to: dented and scratched right and left front bumper, gouged left
12 front fender, dented left rear fender, and broken right headlight.

13

14 Party #2 (P-2) [REDACTED] was contacted standing next to Vehicle #2 (V-2) (Jeep) on I-405 southbound,
15 south of Olympic Boulevard in the #1 lane. P-2 was identified by his California Driver License as
16 [REDACTED] and was determined to be the driver of V-2 at the time of the collision by his
17 own admission.

18

19 Vehicle #2 (V-2) (Jeep) was located on I-405 southbound, south of Olympic Boulevard in the #1
20 lane ; V-2 was moved prior to my arrival , therefore no measurements were obtained. V-2
21 sustained moderate damage including but not limited to: a scratched and dented right front and
22 rear passenger door.

23

24

25

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27

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29

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
K SEPULVEDA	020958	03/05/2019	BRANDEN MATULICH 019859	03/05/2019

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
02/23/2019	1600	9565	020958	

1 Party #3 (P-3) [REDACTED] was contacted standing next to Vehicle #3(V-3)(Honda) on I-405
2 southbound, south of Olympic Boulevard in between the #1 and #2 lane. P-3 was identified by his
3 California Driver License as [REDACTED] and was determined to be the driver of V-2 at
4 the time of the collision by his own admission, he is the registered owner of V-3, and his injuries
5 are consistent with being the driver at the time of collision.

6
7 Vehicle #3 (V-3)(Honda) was located on I-405 southbound, south of Olympic Boulevard in
8 between the #1 and #2 lanes. V-3 was moved and no measurements were obtained. V-3
9 sustained moderate damage including but not limited to: dented and gouged left rear fender and
10 bumper, dented and scratched front bumper.

11
12 Party #4 (P-4) [REDACTED] was contacted standing next to Vehicle #4(V-4)(Chevrolet) on I-405
13 southbound, south of Olympic Boulevard in the #1 lane. P-4 was identified by his California Driver
14 License as [REDACTED] and was determined to be the driver of V-4 at the time of the
15 collision by his own admission, and he is the registered owner of V-4.

16
17 Vehicle #4 (V-4)(Chevrolet) was located on I-405 southbound, south of Olympic Boulevard in the
18 #1 lane. V-4 was moved and no measurements were obtained. V-4 sustained minor damage
19 including but not limited to: dented and scratched rear bumper.

20

21 **OTHER FACTUAL INFORMATION:**

22

23 Regarding P-1's statement concerning V-1's accelerator pedal; I asked the Tip Top Tow employee
24 to sit in the driver seat and apply pressure to the pedal. He related the pedal was moving
25 smoothly.

26

27

28

29

PREPARED BY K SEPULVEDA	I.D. NUMBER 020958	DATE 03/05/2019	REVIEWER'S NAME BRANDEN MATULICH 019859	DATE 03/05/2019
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DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D. NUMBER
02/23/2019	1600	9565	020958

1 **PHYSICAL EVIDENCE:**

2

3 **Damage sustained to the involved vehicles and injuries to the involved parties.**

4

5 **STATEMENTS:**

6

7 **STATEMENTS ARE NOT VERBATIM AND ARE WRITTEN IN SUMMARY FORM. THE**

8 **STATEMENTS WERE READ BACK TO THE INVOLVED PARTIES FOR VERIFICATION.**

9

10 Party #1 (P-1) (██████████) related in essence the following: he was driving Vehicle #1 (V-1) (Mercedes)
11 on I-405 southbound, south of Olympic Boulevard in the #1 lane at approximately 15-20 mph. He
12 felt the accelerator pedal "press forward" and felt V-1 "get faster." He took his foot off the pedal
13 and it became "pinned somewhere" He could not stop V-1 so he attempted to steer V-1 in
14 between the HOV and #1 lane to avoid hitting another car. V-1 collided into V-2 and V-3. After the
15 collisions, he remained on scene and waited for CHP arrival.

16

17 Party #2 (P-2) (██████████) related in essence the following: he was stopped in Vehicle #2 (V-2) (Jeep) on
18 I-405 southbound, south of Olympic Boulevard in the HOV lane for approximately 10 seconds. P-2
19 suddenly felt an impact to the left of V-2. P-2 Passenger observed V-1 through the right side
20 mirror, V-1 between the HOV and #1 lane collide into V-2 and V-3, and she saw V-3 get pushed
21 into V-4. After the collision, P-2 drove V-2 into the #1 lane and they remained on scene for CHP
22 arrival.

23

24 Party # (P-3) (██████████) related in essence the following: he was stopped in Vehicle #3 (V-3) (Honda)
25 on I-405 southbound, south of Olympic Boulevard in the #1 lane for approximately 2 seconds. P-3
26 suddenly felt an impact to the left rear of V-3. The impact caused V-3 to be pushed forward into V-
27 4. After the collisions, he remained on scene for CHP arrival.

28

29

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
K SEPULVEDA	020958	03/05/2019	BRANDEN MATULICH 019859	03/05/2019

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
02/23/2019	1600	9565	020958	9565-2019-00957

1 STATEMENTS:

2

3 Party #4(P-4) [REDACTED] related in essence the following: he was stopped in Vehicle #4 (V-4)
4 (Chevrolet) on I-405 southbound, south of Olympic Boulevard in the #1 lane for approximately 10-
5 15 seconds. P-4 heard the sound of a collision and suddenly felt an impact to the rear of V-4. After
6 the collision, he checked on everyone involved and called 911 to wait for CHP arrival.

7

8

OPINIONS AND CONCLUSIONS:

9

10 SUMMARY:

11

12 P-1 was driving V-1 on I-405 southbound, south of Olympic Boulevard at 20 mph in the #1 lane to
13 the right rear of V-2 and left rear of V-3. P-2 was stopped in V-2 on I-405 southbound, south of
14 Olympic Boulevard in the HOV lane to the left front of V-1. P-3 was stopped in V-3 on I-405
15 southbound, south of Olympic Boulevard in the #1 lane to the right front of V-1 and behind V-4.
16 P-4 was stopped in V-4 on I-405 southbound, south of Olympic Boulevard in the #1 lane in front of
17 V-3. Due to P-1's unsafe speed for traffic conditions (slow/stopped traffic), V-1 collided with the
18 right of V-2 and the left of V-3. The impact from this collision caused V-3 to propel forward and
19 collide with the rear of V-4. After the collisions, all parties remained on scene for CHP arrival.

20

PREPARED BY	I.D. NUMBER	DATE	REVIEWER'S NAME	DATE
K SEPULVEDA	020958	03/05/2019	BRANDEN MATULICH 019859	03/05/2019

DATE OF INCIDENT	TIME	NCIC NUMBER	OFFICER I.D.	NUMBER
02/23/2019	1600	9565	020958	

1 AREAS OF IMPACT (A.O.I.)'s:

2

3 A.O.I. #1 (V-1 vs. V-2) was located approximately 250 feet south of the south road edge of
4 Olympic Boulevard and 12 feet west of the concrete center divider wall on I-405 southbound.

5

6 A.O.I. #2 (V-1 vs. V-3) was located approximately 251 feet south of the south road edge of
7 Olympic Boulevard and 14 feet west of the concrete center divider wall on I-405 southbound.

8

9 A.O.I. #3 (V-3 vs. V-4) was located approximately 265 feet south of the south road edge of
10 Olympic Boulevard and 18 feet west of the concrete center divider wall on I-405 southbound.

11

12 CAUSE:

13

14 Party #1 (P-1) caused this collision for driving Vehicle #1 (V-1)(Mercedes) in violation of
15 22350 V.C. – Unsafe Speed.

16

17 **THE SUMMARY, AREA OF IMPACT AND CAUSE WERE BASED ON MY OBSERVATIONS,**
18 **VEHICLE DAMAGE AND STATEMENTS.**

19

20 RECOMMENDATIONS:

21

22 None.

copied by



NHTSA-Reference #: 11206504.

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL COLLISION REPORT INFORMATION CHP 418 (Rev. 9-05) OPI 065		California Highway Patrol West Los Angeles Area 6300 Bristol Parkway Culver City, CA. 90230 (310) 642-3939
DATE 02/23/19	TIME 1600	
[REDACTED]	OFFICER'S I.D. NUMBER 20958	
YOUR VEHICLE WAS REMOVED TO:		

A copy of the collision report can be obtained from the address above and will normally be available within eight working days from the date of the collision. A request by mail is preferred and must include: date, time, NCIC number, and Officer's I.D. number printed above. The certification for purchase information (see reverse) must also be completed, signed and attached to your written request with your check for payment. Make your personal check or money order payable to the California Highway Patrol (CHP) for \$10.00.

Reports may also be obtained in person during the office hours stamped above. Please call to determine if the report is ready. In the event the cost exceeds \$10.00, you will be notified. Reports are retained 4 years.

Received by [REDACTED]
02/23/19.

Victim/Driver
officer #: 20958 - California Highway Patrol

Report #: [REDACTED]

T.C.R. (Traffic Collision Report) - Appeal of Report
Contents, accuracy and conclusions, Filed on or
ABOUT: 03/14/2019. Through 06/25/2019, There has been
no response from the officer, her Sergeant, nor his Lieutenant.
Number of typo errors in report not corrected during
proof reading. Gist of report generally not affected.

No. 1 of 2 duplicates submitted.

1. The following information is being provided to you for your information only. It is not intended to be used for any other purpose.

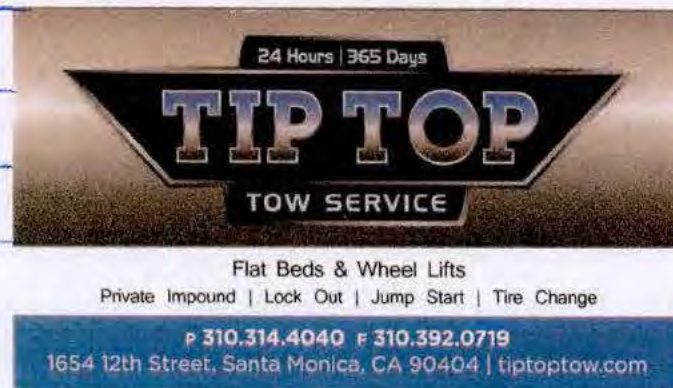
62

— NH TSA Ref. No. 11206504 —

Copy 1 of 2 identical images included in this package.

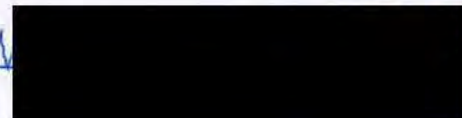
TOW TRUCK Driver did requested test of accelerator-pedal
(by CHP officer, K. Sepulveda). However, name and contact
information of the employee are not listed in the T.C.R.*

Driver/Employee
failed to place his
name on the business
card.



Business-Card
provided by driver
of truck, 2/23/2019,
who towed subject car
to Santa Monica P.D.
Contract tow yard.

*
T.C.R., or Traffic Collision Report



— Culver City Station —
— CHP —

Relevance?

Employee who did
pedal test for CHP
works here & provided card.

Reference #: 11206504
— NH TSA —

Ref. # 11E 06504

03/14/2019 [REDACTED]

[REDACTED], 2014 Mercedes-Benz, C350 (W) on 2-23-2019 - Collision/405 Freeway

Simi Valley, Ca [REDACTED]
[REDACTED]

To: California Highway Patrol
West Los Angeles Area
6300 Bristol Parkway
Culver City, Ca. 90230 (310) 642-3939

Subject: Traffic Collision Report #: [REDACTED]; P-1's Statements; Validity of the Report-
Review Requested by P-1 [REDACTED]; Corrections Requested; Completed 3-5-2019.

Dear: To Whom It May Concern, Watch Commander or Watch Sergeant 2-23-2019 @ 1600 Hrs.,

I am [REDACTED] driver of the C350 Mercedes-Benz causing 4-car collision, South 405 Freeway
around 4 P.M.

First of all I would like to thank and commend all of the officers who responded to the scene
who very professionally took over the accident scene and professionally administered the area
to ensure the safety of all on hand and to organize a large number of first responders and
victims at the scene and to efficiently remove all parties and their vehicles and property from
the scene with no further incidents occurring.

I have some concerns concerning the actual investigation of the injury collision accident, the
information that wound up in the traffic collision report in connection with its accuracy; and
lastly the general portrayal within the report and its portrayal of what happened, in the chain of
events leading up to the end of the collision. I have some concerns also with the approach of
obtaining the statements and the validity of the process in which the statements were obtained
and then reproduced in the official report, as follows.

Officer K. Sepulveda, Employee # 020958, investigator and author of the report and Branden
Matulich, Employee # 019859, Reviewer.

14 Page report. First Page of Concern: Page 5 - Suspected Minor Injury checked; Depends upon
what minor is. 18 days later, ligament damage cause by accident is not close to being healed.
Secondly, "Describe Injuries," section: "Cut to top of right hand and complaint of pain to left
knee." But not noted, the following: I also had a cut or abrasion to the back of my left hand, not
noted; I had extreme pain to the top of my right foot; I had extreme pain to my right knee, calf
and thigh; I had extreme pain to my chest; (Accelerator pedal caused injury to right foot,
top/arch area; Air bag deployment caused pain to chest/solar plexus area; front knee/lower
dash air curtain bag deployment caused extensive damage to right knee, going off while driver

1 of 2 identical copies included with this package.

foot was pinned under the accelerator pedal. Emotional condition: unable to see properly; very emotionally upset and teary; dazed; in a state of shock; unable to articulate normally. Also, I did not experience much pain in the left leg extremity and I do not recall complaining of pain in that leg.

██████████ - "Complaint of pain to head." Not noted: Extreme neck and upper back pain; extreme chest pain. (whip lash and air bag deployment and crash, probably causes. As of 3/14/2019, ██████████ still in great deal of pain in both neck and back and in solar plexis region.

Page 10 of 14 - (second page of concern) - lines 6 and 7 - "...and his injuries are consistent with being the driver of V-1 at the time of the collision." It might have been informative if all the trauma was listed in order to compare the consistency not only of being the driver, but the consistency with the statements of what happened by P-1 ██████████, myself).

Page 11 of 14, lines 21 through 25 - "Other Factual Information": I am not sure why Officer Sepulveda pursued this line of investigation. Did she have information leading to the need to request and conduct such a test or was this part of what is always done in cases such as excessive speed? (I ask this, because I thought it was unusual for several different first responders to come up to me, and out of the blue, without talking to me about any other subject relative to what had happened or what was occurring at that time, A Fire Fighter; a tow truck driver and at least one CHP officer, possibly two and possibly more than once address the question to me [all using slightly different words or phrasing but essentially the same question]: "Did you put your foot on the accelerator pedal and then the pedal stuck?" I was puzzled why so many people kept asking me that same question. To each of them, I replied the following statements: "No."; "No, I did not."; "No, that never happened;" and, "No, absolutely not." Another thing surprised me. In normal questions about what happened, the questioners or investigators would usually inquire further: "Well if that didn't happen, what exactly did happen?" No one asked me that question nor anything along those lines.

I do recall from page 11, near the very end of our time standing on the freeway just before being driven off and some vehicles already gone that the officer asked the tow truck driver to check the pedal, but I don't recall him sitting in the seat and rather I saw him somewhat prone and I asked him what he was doing and he told me that he was looking for the key to the vehicle. It seemed to me that while he was down there doing this other thing that he checked the pedal and then said, "It's not stuck." I think it was then the officer who said, "The pedal is moving smoothly?" and the Tip Top Tow employee assented. (Because I was quite dazed and in a state of shock, however, I could be wrong about this particular sequence.)

Page 12 of 14 is my next page of concern - Line 8 - "Statements were read back to the involved parties for verification" - In point of fact, I do not recall my statements being read back to me for verification at all. Rather, I recall not being able to articulate what I wanted to because of my physical and emotional conditions. I also did not have the energy to really check the officer about any errors I thought the officer might be making, also due to my non-normal condition. Continuing with line 11 - "...in the #1 lane at approximately 15-20 mph." - I must add that I told the officer that I wasn't exactly sure of the speed. Not only did I mention 15-20 miles per hour, I mentioned other speeds (prior to the specific event sequence proximate cause of the accident)

I mentioned the numbers 25mph and 26 and 27 mph and also, "...maybe even 30 mph." I wasn't sure, but prior to the triggering event(s) I thought that maybe the average speed I was driving at was somewhere in one of those ranges. Again, my memory was impaired and I was feeling really bad due to pain and shock and just wasn't able to coherently figure out anything that was not really "concrete"; that is the moment estimates or abstractions were involved I was not enough myself to be accurate in my 'then and there' statements.

Lines 11, 12 and 13 - The officer kept missing the essence of what I was attempting to tell her about the sequence of events leading to the collision. I made several attempts to tell her the same thing and I noted that I misused words and made some verbal mistakes and was attempting to correct them to a more accurate version. Thus I was not able to adequately articulate to the officer what was in my head and memory of exactly what happened. Thus I object to the characterization, "...felt the accelerator pedal 'press forward'..." And I object to the next portion on line 12 as follows: "...and felt V-1 'get faster'." These things were said by me in this order as definitive and they were taken out of order and out of context. In fact I never was able to reveal the exact chain of events in the order of their happening to the officer, because the way she conducted the questioning did not lend itself for me to tell things as I saw and experienced them happen. (I will add, that the amount of time that Officer Sepulveda spent with me was very little. In my condition I recall her coming to me two or three times and remaining with me at most, a matter of seconds.)

In particular, I object to ever having said certain words as printed on lines 12 and 13, to wit: "He took his foot off the pedal..." Really specific as to that, I was asked by a number of people at the scene if I had put my foot on the accelerator and each time, I told them, "No." (Please see my above statements regarding being asked about a stuck pedal.) In point of fact, one of the things I remembered most clearly, because they did not require any estimates of how fast the car was going at some point was what I told each person who gave me a chance to finish telling them what happened (maybe one or two officials) was that, "I had earlier put my foot on the brake." And I believe I also said to another, "I took my foot off the brake. Then I think I put it on the floorboard (area between brake and accelerator) and as the car was nearly stopped at that moment and I was some safe distance from the nearest vehicle in front of me, I very briefly glanced at my wife who was giving me some advice not to leave so much space between me and the driver in front of me." (I'm not all that fond of backseat or co-pilot assistance when I'm driving, especially of this type.) I also used this opportunity to look at the traffic in lane # 2. I had decided at this point in the sequence of events to try to move into lane 2 and then soon thereafter, lanes 3, 4, and 5. This is because I decided that it would be best to get off the Freeway at this point and then find a parking space and bring the car to a stop. I would then let [REDACTED] (my wife) drive the rest of the way to Palos Verdes. I then looked back at the road in front of me and the traffic had just begun to move a bit. Because I was being extra cautious, I was maintaining an extra couple of car lengths in front of me so that I might drive this stop and go traffic condition as smoothly as I could and I would minimize that way, braking as frequently and starting back up so frequently. Thus I used slow coasting, slightly slower than the flow of traffic as my general driving in lane #1.

Rather than taking my foot off the accelerator as Officer Sepulveda wrote that I said on line 12 of page 12 of 14 of the report, I actually did nothing with my foot that I noticed. (I believe that

when I looked over my shoulder to the right to check traffic conditions in lane #2, my foot while on the floor board may have moved to the right by 2 or 3 inches.) What I did instead of putting my foot on the accelerator is I used my left hand, taken from the steering wheel at the 10 o'clock position and attempted to turn on the directional signal. In the process of that attempt, I inadvertently instead, hit the cruise control lever, driving it past position 1 and position 2 and pushed it all the way to the "Resume" position. (Except that I didn't know that I had done that. I thought I'd put on the right turn signal.) (One should remember, that despite all the words to describe all of this, much of this happened within a second or less and some of it was at the same time including what happened next.)

At that moment I still had my eyes on the road ahead, just after having checked that traffic in lane #2. The Accelerator reacted to my unintentioned and inadvertent input to the cruise control lever which apparently moved to "Resume" and the accelerator pedal instantaneously moved all the way to the floor board. At the same time, my foot which had somehow moved those two or three inches without my knowing it was clamped down by the accelerator pedal right to the floor and was pinned. Also in that instant, I felt a terrible pain shoot through my foot, as the metal bar that attaches to the gas pedal, underneath also was bearing down on my foot. As a result of this pain, I did an involuntary jerk of my left, left and up. But this did not unpin my foot. In the meantime while this is going on, the fuel injection system was providing fuel at the maximum level, just as if or like I had tromped on the pedal to do a pass of a car on a mountain road and required maximum acceleration for safety. I recognized immediately that I'd already lost control of the car and I also then did at least two very fast conscious jerks in attempt to get my foot out from under the accelerator. It took a very short duration of time for the Mercedes-Benz C350 to reach a speed much faster than the surrounding traffic. On top of that the acceleration just kept increasing so that it felt, "exponential." (The "pinned somewhere" phrase is when I got confused with what I was saying and was mumbling to myself to try to work out what I wanted to say and briefly I erroneously entertained the idea that my foot may have been pinned between the gas pedal and the tunnel. I quickly realized, "...no, that did not happen."

From that point forward starting with the words, "He could not stop, those events are as they happened or very close to it. However, just before that, I also made two attempts to lean all the way forward to attempt to turn the key off in the ignition but the very closest I could get to the ignition key was about 5" distant with my right hand (due to the g-force acceleration pushing me back in the seat combined with the Mercedes-Benz seat belt system which will not allow that much movement. (I did not attempt to place the gear box in neutral. Subsequently, a person familiar with Mercedes-Benz told me that under full acceleration, the shifter cannot be move out of drive anyway.)

I saw that in a mere second or so more I was going to collide with the car in front of me causing a rear-end collision. In order to avoid that, I made a left maneuver and quickly was between the HOV lane and Lane # 1. With the car continuing to accelerate at full throttle, now long out of my control (a few to several seconds), I observed my car collide with the car on the diamond lane or HOV lane and just a fraction of a second later, also collide with the car that had been in front of me as though I was sandwiched in between the two cars and was simultaneously side swiping both cars. Then the air bags deployed in my car and immediately after that the three cars



moved together as one of two of the cars careened into the center divider, first once and then again and then scraped the divider a bit. Perhaps others braked as well to help bring all of our vehicle to a stop.

At the moment the airbags deployed, I noticed that the accelerator pedal immediately relaxed and the pedal did a usual pace return to its normal ready (not being gassed) position. I was able to move my foot just a little bit, but not that much due to the deployment of the knee curtain air bag in the car. In fact, with my right knee pinned, I got the full brunt force of the knee curtain airbag on to my right knee and from six inches down to six inches above the knee I was for a time in excruciating pain. (As a side note, all of the sudden pain and surprise at the sudden acceleration, which I did not immediately figure out what happened is why I never made an attempt to use my left foot to put on the brake. If I had been able to do that, perhaps the crash would have been less serious, if the brake would have at that time had sufficient time to be applied so that the car would slow down some.)

I will add that immediately after and then for several minutes after the cars came to a stop, I was unable to get out of the car. My wife and I both required assistance with the doors. I still wasn't seeing much as I was wheezing and coughing from a gas that appeared to be coming from the air bags. I was very much traumatized. I had gone from taking extra care to be safe on the freeway to having a cruise control instrument engage and cause full acceleration and it was within that first second that I lost all control over the car except for the steering.

As to officers statement that I remained on scene for CHP, the primary reason is that I was way too hurt to do anything but remain on the scene. However, even if I had not been hurt I would have remained on the scene.

Page 14 of 14 - I have a bit of concern over lines 14 and 15 on page 14 of 14 - Violation of 22350 CVC because I drove at an unsafe speed. Two things. I've read a number of police and traffic collision reports in my life but none of them ever blamed a party for unsafe speed unless that party did something either intentional or because of distracted driving to cause the unsafe speed. Beyond that, is, "Intent." Normally, someone must fail to do something, or intend to do something that then causes something to happen. Further that something to happen is a predictable consequence of the person's actions. In this case, I had absolutely no intention to speed and I was actually being unusually safe when a systems design failure intervened to cause the car to immediately accelerate out of my control. From the moment I touched the cruise control lever and it moved to "Resume", control was lost. I was not driving and accelerating of my own volition and disregarding the public safety or road conditions.

Although there are ways to shut off the cruise control that should have been done a half hour earlier, there are a lot of drivers who stop the cruise control and then re-engage it again as the traffic conditions change. In this case, a rather long time had elapsed from when the cruise control was last engaged. No monitor of speed mechanism was within the control to gauge the safe acceleration from the cruise control memory which was likely in the 65-70 range. No monitor in the system detected a long distance or terrain changes to then mitigate and turn off the control as no longer safe. Position wise: The two levers were placed one directly on top of the other, and very close together. It is likely that people hit one lever instead of the other all



the time. As a result of these design flaws, Mercedes-Benz should have some blame for allowing a design likely to eventually cause a crash, into thier automobile for sale to the general public.

It was the car, not the driver which engaged in a violation of the Basic Speed Law of California, not the driver. The driver has demonstrated herein, no intent.

Please change the Traffic Collision Report to reflect the actual P-1's statements. Please change the report to reflect a different overall picture of P-1 from being a perpetrator to being a victim himself as were all of the other people in this most unfortunate occurrence.

Respectfully submitted,

[REDACTED]

[REDACTED]

6/29/2019

NHTSA Reference No. 11206594**Driver Information -**

The driver of the car in the instant report, and during the accident was/is [REDACTED] old adult male citizen by birth of the USA. (Oakland, Ca., 1945)

[REDACTED] (Hereinafter, "the Driver."), began driving at [REDACTED] getting his first license in Chula Vista, San Diego County, California after completing a course at Hilltop High School in Driver Education and Driver Training, learning on a 3-Speed Stick Shift Dodge Lancer. He has continuous been licensed to drive through the date of the accident and to the date of this writing. He has never had his license revoked. The driver has driven many cars including Fords, AMC's, Volkswagens, 1 Ferrari, Porsche (6), Mercedes-Benz (9 of them), Toyota, and Honda. He is also licensed since 1976, to drive a motorcycle, continuously licensed. He has never had a ticket on a motorcycle. The driver has been cited for vehicle code violations that include speeding, failure to completely stop for stop signs, and 22350 CVC in the instant Accident Investigation (a citation which he disputes). He has driven a variety of stick shift vehicles and automatic transmissions and with a variety of cars containing different designs of cruise-control. The driver has received a professional course of instruction by the Porsche Club of America in the 1970's at a Los Angeles County Race Track and finished 5th out of 13 in his only race, a Novice Porche Club of America event, completed without incident. The Driver also completed the California Targa rallye in 2013, without incident. The driver has been in a variety of mostly minor traffic accidents, almost all of which were determined to be the other driver's fault. Last, at fault accident, was a rear end contact accident with a small pick up truck on a down hill on Topanga Canyon south of the 118 Freeway when several cars in a row did an emergency brake causing a series of light 5 mph bumper touch. Damage was about \$150.00 to straighten the bumper of the truck. No damage to the Driver's car.

During December of 2018, the Driver's 5-Year license was up for renewal. In the renewal process, the driver was referred to the eye doctor (Kaiser) for examination. The Driver has had blindness in his left eye since he was 41 years of age, but retains peripheral vision in the eye. In the right eye, the Driver has 20-40 vision. Doctor stated that the Driver's vision met the requirement for driving without glasses. None-the-less a prescription was provided for all around wear including driving and the Driver filled that prescription. He was not wearing the prescription lenses at the time of the accident. After completing the written test in which he received one-wrong and on the motorcycle written received a 100%, the Driver was then required to take the California monitored behind-the-wheel test, which he did in the subject M-B C350W. Results were that [REDACTED] had a total of -3. (Passing is not exceeding -23). [REDACTED] not only was informed that he is an excellent driver by the DMV monitor, but the monitor disclosed that his best score ever was a -4.

The driver is of at least average intelligence with a high school diploma (1963), AA degree (Southwestern J.C. -1966), Bachelor of Arts, 1969 (San Diego State University), and a Master of Arts Degree, Chapman University, 1981, Orange, Ca., USA.

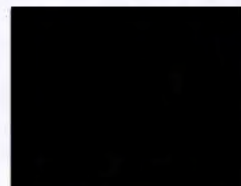
The driver has had a variety of part time jobs, but his primary occupation from 7 July 1969 to 30

March 2006 was Probation Deputy for the County of Los Angeles. His primary assignments were Supervision of Adult and Juvenile Probationer, 20 years of which was in a specialized anti-gang unit which entailed close association with multiple policing agencies and departments. The other Primary job was that of Investigator for the courts, both Adult and Juvenile.

Additionally, while working for probation, the Driver received his Private Investigator's License with the State of California in the mid-1970's; additionally the Driver received his Marriage and Family Therapist License with the State of California, as well.

[REDACTED]

prepared by Driver,
[REDACTED] 06/29/2019



NHTSA Ref. No. 11206504.

**ROAD AND ENVIRONMENTAL CONDITIONS AS THEY RELATE TO ACCIDENT
OF FEBRUARY 23, 2019**

THE ROAD CONDITIONS WERE EXCELLENT AS WAS THE WEATHER. THE TRAFFIC CONDITIONS WERE OF THE, "STOP AND GO," VARIETY.

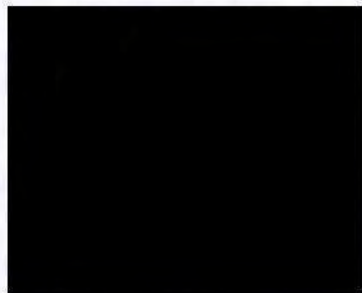
THE AUTOMOBILE ITSELF, WAS IN EXCELLENT CONDITION, WITH ALL SYSTEMS EXCELLENT AND THE TIRES WERE RELATIVELY NEW, HAVING BEEN RECENTLY REPLACED. THE TIRE PRESSURE MONITORS SHOWED FACTORY AIR PRESSURES IN PLACE. RECORDS OF RECENTLY COMPLETED SERVICES WERE ON FILE WITH MERCEDES-BENZ OF THOUSAND OAKS.

THE TRAFFIC COLLISION REPORT ALSO INDICATES THAT THERE WERE NO ROAD HAZARDS OR CONDITIONS OF NOTE.

--COMPILED BY [REDACTED]

--NONE OF THE PROFESSIONAL AGENCIES WITH THE POSSIBLE EXCEPTION OF MERCEDES-BENZ, CHECKED INTO THIS ASPECT OF POTENTIAL CONTRIBUTARY FACTORS OF THE ACCIDENT.

Contents: Part 1; No. 3, section f.



Copy 2 of 2 NHTSA - Reference No. 11206504



Interinsurance Exchange of the Automobile Club

27240 Turnberry Lane Suite 100 Valencia, CA 91355

March 6, 2019

AAA joins CHP in, "rush to judgement" resulting in their fiduciary responsibility to guard the "Public Safety," to ~~guard~~ have been disregarded.

SIMI VALLEY CA [REDACTED]

RE: Insured : [REDACTED]
Claim Number : [REDACTED]
Date of Loss : 02/23/2019

Dear [REDACTED]

California law requires all insurance carriers to notify an insured or driver once it has made a determination that a driver is principally at-fault for an accident. California law provides, in part, that a driver may be considered principally at-fault for an accident if the driver's actions or omissions were at least 51 percent of the legal cause of the accident.

Based on our liability investigation we have determined that you were at least 51% of the legal cause of the accident. This determination is based on the following:

The insured vehicle hit the front cars. See below for full-out of this statement.

This determination of fault may be used for rating and underwriting purposes if the accident resulted in bodily injury or death or, for an accident that resulted only in damage to property, the total loss or damage caused by the accident exceeded \$1,000. We will notify you separately of the basis of any determination that the accident resulted in bodily injury or death.

You may request reconsideration of this determination of fault within 30 days of receiving this notice. If you choose to do so, please send your written request to the address below. Please include any pertinent details about the loss which you believe will have a bearing on the determination. In order to promptly process your request we ask that you include the complete claim number on all correspondence. When your request for reconsideration is received, all information will be reviewed by the Claims Manager and you will be notified of our decision within 30 days.

The Interinsurance Exchange of the Automobile Club prides itself on providing legendary service and prompt attention to claims. Should you have any questions concerning the accident please do not hesitate to contact us.

Extremely, "Simplistic," explanation which excludes the actual "causes and effects," that caused the accident. "Excludes the truth." This "determination-statement," literally excludes the majority of the facts, occurrences and sequences that resulted in the accident. Also shows a complete lack of interest, by AAA, in taking the time needed to fully investigate all factors involved in the development of the accident. Two words: "The insured vehicle hit the front cars. Result: There has been a complete lack of "context," in this statement. And this, just 11 days after the accident, is a "Rush to Judgement"



from: Tiffany Nguyen, Adjust r
add: Nguyen. Tiffany 2 @aaa-calif.
com

NHTSA-Reference No. 11206504



Interinsurance Exchange of the Automobile Club

27240 Turnberry Lane Suite 100 Valencia, CA 91355



March 6, 2019

*Copy 2 of 2
in packet*

[REDACTED]
[REDACTED]
SIMI VALLEY CA [REDACTED]

RE: Insured : [REDACTED]
Claim Number : [REDACTED]
Date of Loss : 02/23/2019

Dear [REDACTED]

The Interinsurance Exchange of the Automobile Club prides itself on providing legendary service and prompt attention to claims. This letter is in addition to our correspondence outlining the determination of fault made on the above-referenced claim. California law requires we notify you that an injury claim has been presented under the policy and the basis of any determination that the accident resulted in bodily injury or death. This claim has been opened on the basis of our investigation which included a statement from the injured party.

Our claims professionals are committed to exceeding expectations when handling claims. You may request reconsideration of our determination that you were principally at-fault within 30 days of receipt of this notice.

Should you have any questions concerning the accident please do not hesitate to contact me. I can be reached at the number listed below or you may use my e-mail address.

Sincerely,

Tiffany Nguyen
Claims Service Representative
Phone No: 661-481-4156
Fax No: 714-800-2794
Email Address: nguyen.tiffany2@aaa-calif.com

