

EA02-025

FORD 10/27/03

LETTER TO ODI

APPENDIX M

BOOK 9 OF 22

PART A-D

PART A

[REDACTED] [REDACTED]
HARRIS COUNTY, TX

REDACTED

W 36112 025-0022

[REDACTED]



LAW OFFICES OF FRANK J. WEBB

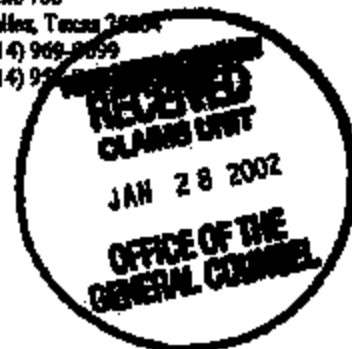
Frank J. Webb
Attorney at Law
Direct Dial (214) 969-9099

A Professional Corporation
3131 McKinney Avenue
Suite 700
Dallas, Texas 75204
(214) 969-9099
(214) 969-9099

January 25, 2002

SENT VIA CMRRR No. 7091 0320 0003 9717 8270

Office of the General Counsel
Ford Motor Company
Parklane Towers West, Suite 300
Three Parklane Blvd.
Dearborn, Michigan 48126-2568



Re: Our Insured: [REDACTED]
Claim No.: [REDACTED]
Loss Location: 23351 Earlist Dr., Spring,
Texas
Date of Loss: 10/06/01
Type of Loss: Fire

Dear Sirs:

Please be advised that this firm has been retained by Liberty Mutual Insurance Company in regards to the above referenced loss. The initial investigation into this loss indicates that an 1994 Lincoln Town Car was the cause of the fire involved in this claim. Currently, this loss is estimated at \$100,000.00 which includes both structural and contents damages to our insured's residence paid by Liberty Mutual.

At this point, our experts have examined the fire scene and determined that the Lincoln Town Car was the cause of the fire. No destructive testing has been performed on the vehicle in order to allow Ford a chance to examine the vehicle and perform any necessary testing. Should you or your designated representative and/or experts wish to examine either the vehicle or any portion of our file in regards to this loss, please notify me immediately so that the necessary arrangements can be made. If your representative does not wish to examine the evidence, we will be more than happy to share our photographs and reports with your company or designated representative.

If your corporation has a liability carrier in reference to claims of this nature, please notify them immediately. Once you have had the opportunity to perform your investigation into this matter, Liberty Mutual will make a demand upon your company for the funds they expend in regards to this loss. Liberty Mutual is willing, however, to negotiate a settlement in this matter before any formal litigation becomes necessary.

Office of the General Counsel
Re: Tommy Hall
January 25, 2002

Page 1 of 2

ER02-025 38115

Should you have any questions in regards to this claim, please feel free to call me.

Sincerely,



Frank Webb

Office of the General Counsel
Re: Tommy Hall
January 25, 2002

Page 2 of 2

ERG2-025 38118

WARD & WHITEMORE
UNIVERSAL FIRE CONSULTANTS

WARD & WHITEMORE

UNIVERSAL FIRE CONSULTANTS

CINCINNATI
DALLAS / FT. WORTH
JACKSONVILLE
MIAMI
MINNEAPOLIS
TALLAHASSEE
WINTER HAVEN

P.O. BOX 5102
GRAPEVINE, TX 75099
(817) 329-5252
FAX: (817) 421-7802

November 30, 2001

Ms. Mary Sue Flatley
Liberty Mutual Insurance Company
P.O. Box 40459
Houston, TX 77240

Re: [REDACTED]

Spring, Texas
Claim # [REDACTED]
Date of Loss: October 7, 2001
W&W File #01-T093

Dear Ms. Flatley,

On October 9, 2001 Ward & Whitmore Universal Fire Consultants, Inc. was retained by Liberty Mutual Insurance Company for the purpose of conducting an investigation to determine the origin and cause of a fire, which damaged a residential structure owned by [REDACTED] located at [REDACTED] in Spring, Texas. On October 10, 2001, I conducted my investigation of this loss. This report will provide you with a synopsis of that investigation.

BACKGROUND

On October 7, 2001 at approximately 9:00 a.m. a fire occurred which caused extensive damage to a single-family residence owned by [REDACTED] located in Spring, Texas. At the time of loss, [REDACTED] and his wife were in residence. According to Mr. Hall, his wife initially discovered the fire.

In her interview, [REDACTED] stated she was preparing to go to work and had walked out into the garage and started her car to let it warm up. After a few minutes, [REDACTED] stated she turned the car "off" and walked back into the kitchen to get a last cup of coffee. As she sat in the kitchen, she began to smell the odor of smoke. After a few moments, [REDACTED] began looking for the source of the odor. After

Liberty Mutual Insurance Company

Re: [REDACTED]

Spring, Texas

Claim [REDACTED]

Date of Loss: October 7, 2001

W&W File #01-T093

Page 2

checking the kitchen and laundry room [REDACTED] opened the garage door where she observed smoke inside the garage. [REDACTED] alerted her husband of the situation and then called 9-1-1. While [REDACTED] was reporting the fire, [REDACTED] attempted to pull the car out of the garage.

Information provided by [REDACTED] related upon learning of the fire, he ran to the garage opened the garage door and attempted to back the car out of the garage. [REDACTED] stated he got into the Lincoln started the motor but it died before the vehicle moved. As he exited the vehicle, flames began burning through the engine compartment hood just forward of the driver's seat. Realizing the situation, [REDACTED] abandoned his efforts and evacuated the residence.

Units of the Spring Volunteer Fire Department responded to this alarm arriving within minutes of the alarm. Upon arrival fire fighters discovered heavy fire which had engulfed the interior of the garage. The fire was confined and extinguished without incident.

The structure involved in this loss is a single family residence located at [REDACTED] [REDACTED] in Spring, Texas. The [REDACTED] residence reflects approximately 2,000 square feet and is comprised of three bedrooms, two bathrooms, living area, kitchen, dining room, a small utility room and a two car attached garage. Construction features include a slab on grade foundation, exterior brick veneer and a composition roof.

The vehicle involved in this loss is a 1994 Lincoln Towne Car Signature Series, four door sedan, Texas license [REDACTED] and VIN# 1LNLM82W1RY661077. Information from the insured indicates he purchased this vehicle new in 1994. Since that time the vehicle has received normal maintenance. In 1999 the engine was replaced by Precision Motors located at I-45 and the North Loop in Houston, Texas.

ANALYSIS

The exterior survey of this loss revealed heavy fire damage concentrated in the side entry garage of this residence. In addition to the garage, the eaves surrounding the roof exhibit heavy smoke and soot stains. The internal survey revealed heavy smoke damage throughout the structure. The survey of the garage revealed heavy

Liberty Mutual Insurance Company

Re: [REDACTED]

Spring, Texas

Claim # [REDACTED]

Date of Loss: October 7, 2001

W&W File #01-T093

Page 3

fire damage concentrated along the west half of the garage with extension into the attic above. It was noted that the 1994 Lincoln Towne Car was parked on the west side of the garage when this fire occurred.

The examination of the garage revealed burn patterns and damage indicating a fire origin in the area where the 1994 Lincoln Towne car was sitting. Burn patterns on the back and side garage walls indicate fire extension from the engine compartment located in the front of the vehicle. Debris removal from the floor revealed extensive discoloration of the concrete slab from the fire, which occurred in the engine compartment.

The initial examination of the vehicle found it to be a 1994 Lincoln Towne Car, Signature series. The examination documented fire related damage indicating the origin of the fire to be in the front engine compartment with extension into the passenger area.

Detailed examination of the vehicle revealed a complete burn through of the engine compartment hood in the back left corner just forward of the firewall. The hood material was noted to have burned away exposing the brake system master cylinder and firewall in the area directly forward of the driver's seat. Replacement of the remains of the hood documented an opening of the rear quarter of the engine compartment from the centerline of the compartment to the left front headlight assembly.

Removal of fire debris from the engine compartment revealed burn patterns and damage indicating a fire origin along the rear drivers' side of the compartment between the motor and brake system. Burn patterns indicate the origin to be in the lower portions of this area. Analysis of the damage to the property and the circumstances indicates a fire originating in the closed engine compartment while the engine was not running.

It should be noted that although not subject to the notice, this fire and the circumstances are very similar to fires encountered in other Lincoln Towne Cars subject to a recent NHTSA vehicle recall campaign. In that notice, the NHTSA details a recall program regarding an equipment failure scenario, which can result in fire incidents involving Lincoln Towne Cars, manufactured in 1992 and 1993.

Liberty Mutual Insurance Company

Re: [REDACTED]

Spring, Texas

Claim # [REDACTED]

Date of Loss: October 7, 2001

W&W File #01-T093

Page 4

In response to direct questions, [REDACTED] related he purchased the vehicle new and has driven it since that time. The vehicle has been subject to normal routine maintenance by him and others. The only major repairs consist of the replacement of the motor in 1999 by Precision Motors in Houston, Texas.

The examination of the vehicle has documented the origin of this fire as being in the engine compartment. Analysis of damage and burn patterns indicate a fire origin in the rear drivers' side of the engine compartment with vertical extension through the hood. Information from both [REDACTED] and [REDACTED] confirm the initial flames were observed burning through the hood just forward of the steering wheel in the rear of the compartment. Examination of the passenger compartment has documented the fire extension into this area via the front windshield and by conduction through the firewall.

After completion of the scene examination, it is evident that the fire, which damaged the [REDACTED] residence, originated in the engine compartment of the 1994 Lincoln Towne Car. Examination and analysis of the vehicle has documented the origin of the fire to be in the rear engine compartment with extension to the remainder of the vehicle and to combustible materials located in the garage around this vehicle. As noted, the circumstances and details of this loss closely parallel those, which have been documented involving other Lincoln Towne Cars manufactured in 1992 & 1993.

As a result, it is recommended that the vehicle be secured and subjected to detailed analysis by an engineering specialist. It is believed that such detailed examination will be able to determine the exact failure scenario, which is responsible for this fire.

CONCLUSION

Upon completion of the investigation of this fire, it is my opinion that this fire originated as described, inside the rear driver's side engine compartment of the 1994 Lincoln Towne Car which was parked inside of the garage of the Hall residence. The analysis supports a conclusion of an accidental fire event resulting from a suspected failure of an engine component located in the rear engine compartment.

Liberty Mutual Insurance Company

Re: [REDACTED]

Spring, Texas

Claim # [REDACTED]

Date of Loss: October 7, 2001

W&W File #01-T093

Page 5

This concludes my investigation of this loss. Should you have questions regarding these findings, please contact me at your convenience at (817) 329-5252 and refer to our loss file #01-T093.

Very truly yours,

Ward & Whitmore Universal Fire Consultants, Inc.

David R. Sneed

David R. Sneed, CFI

DRS:kd

INVESTIGATION PHOTOGRAPHS

SP82-825 35123

INVESTIGATION PHOTOGRAPHS

W&W File # 01-T093

Claim # 183256401

Insured: [REDACTED]

Location/View: [REDACTED]

Spring, Texas

Date/Time:

October 10, 2001

By:

David R. Sneed, CFI

Photo No.

1-6

Comments:

This series of photographs depict external views of the [REDACTED] residence located in Spring, Texas. Photograph #6 documents the vehicle and items removed from the garage by fire personnel.



WARD & WINTERBORN
UNIVERSAL FIRE CONSULTANTS

Photo #2



Photo #3



Photo #4



Photo #5

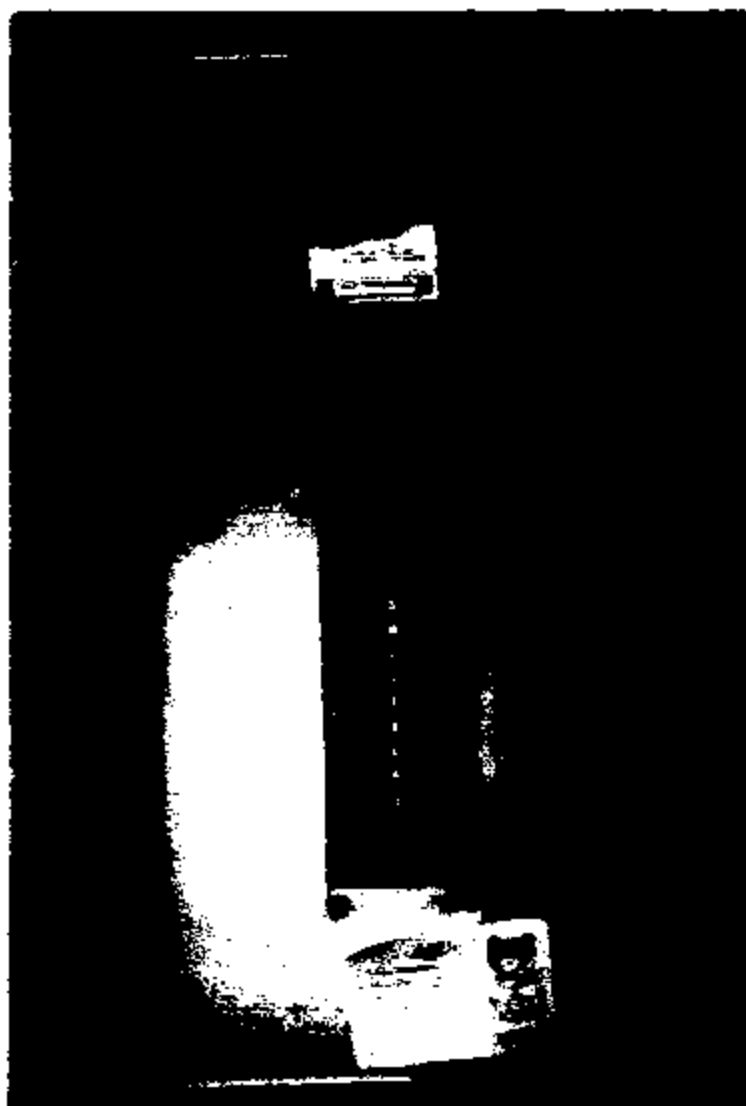




Photo #6



INVESTIGATION PHOTOGRAPHS

W&W File # 01-T093

Claim [REDACTED]

Insured: [REDACTED]

Location/View: [REDACTED]

Spring, Texas

Date/Time:

October 10, 2001

By:

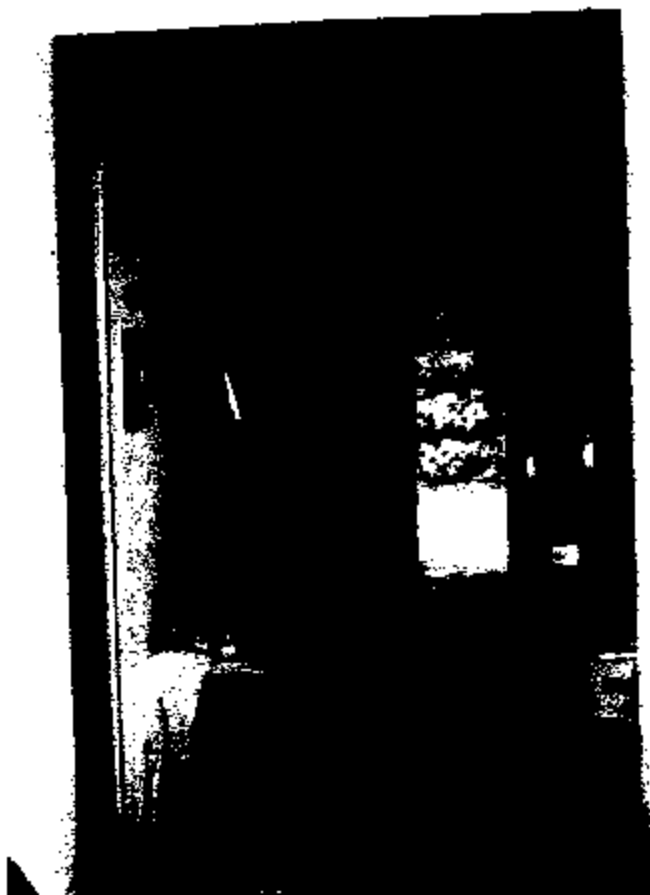
David R. Sneed, CFI

Photo No.

7-18

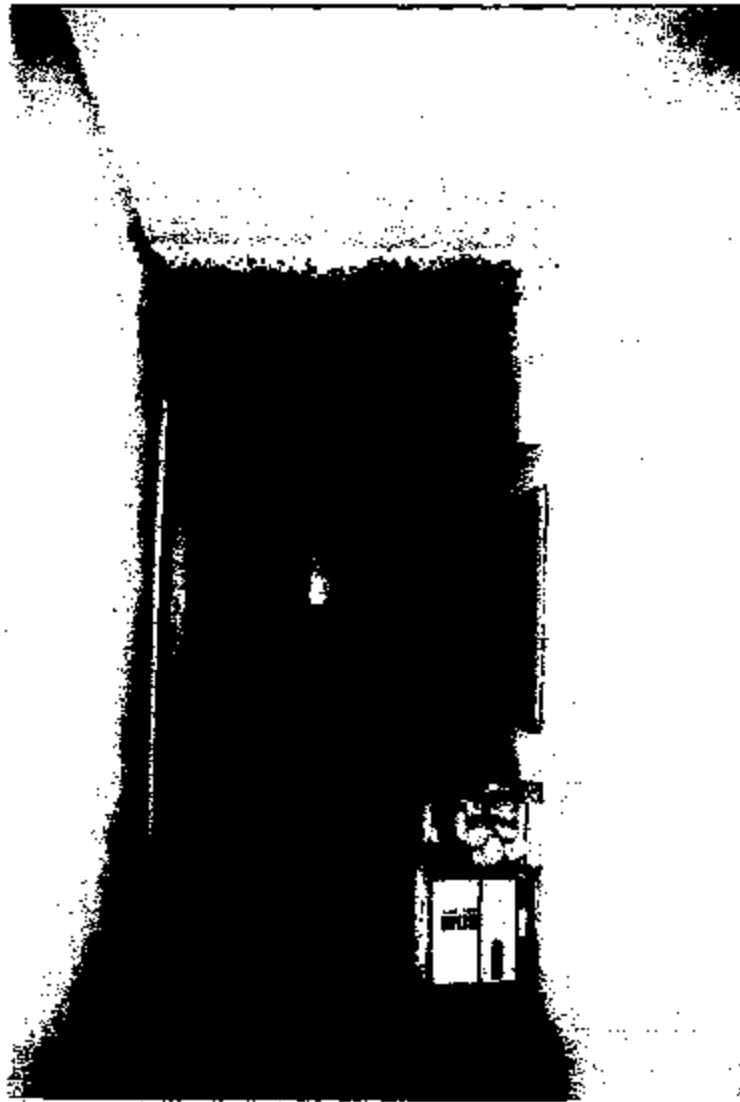
Comments:

This series of photographs depict interior views of the rooms inside the Hall residence. Each room exhibits moderate to heavy smoke damage.



X

Photo #8



X

Photo #9



X

Photo #10



Photo #11

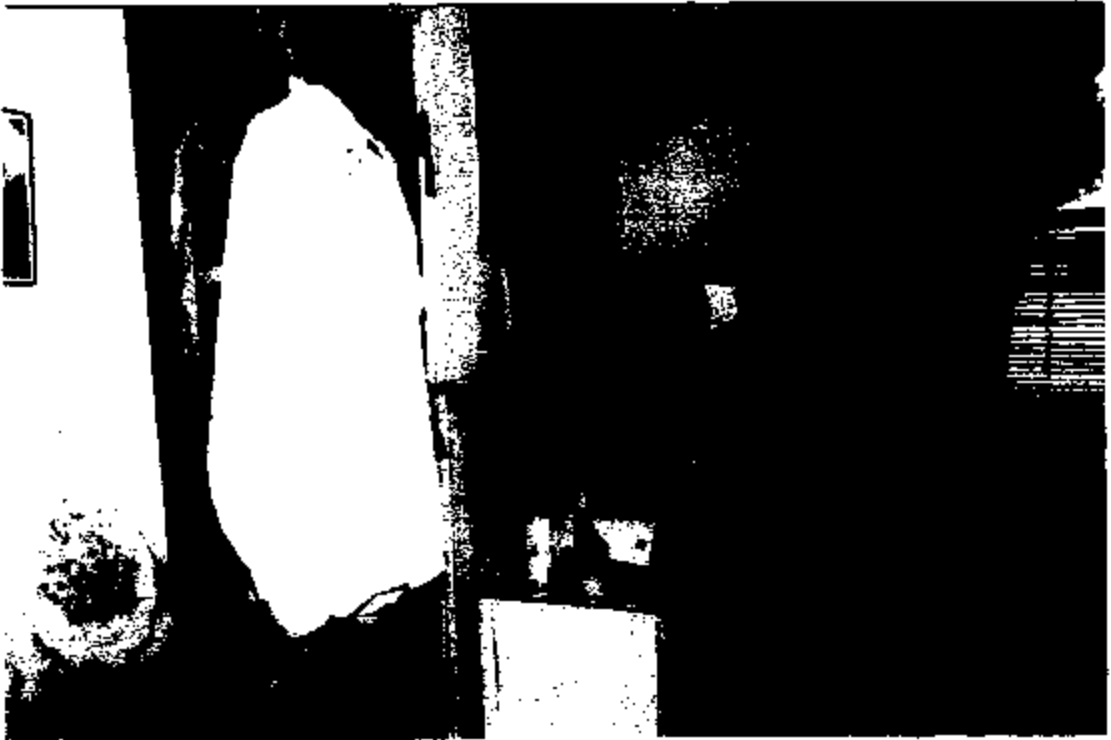


Photo #12



X

Photo #13



Photo #14



Photo #15



Photo #16



Photo #17



Photo #18



X

INVESTIGATION PHOTOGRAPHS

W&W File # 01-T093

Claim # 183256401

Insured:

Location/View:

Spring, Texas

Date/Time:

October 10, 2001

By:

David R. Sneed, CFI

Photo No.

19-25

Comments:

This series of photographs depict the interior of the two car attached garage. The fire which damaged this residence originated inside the garage when the 1994 Lincoln Town car caught fire.



Photo #20



Photo #21



Photo #22



X

Photo #23



Photo #24



Photo #25



INVESTIGATION PHOTOGRAPHS

W&W File # 01-T093

Claim # 183256401

Insured:

Location/View:

Spring, Texas

Date/Time:

October 10, 2001

By:

David R. Sneed, CFI

Photo No.

26-30

Comments:

This series of photographs depict exterior views of the 1994 Lincoln Town car which was parked inside the garage. The vehicle exhibits extensive damage with the greatest amount of damage located in the engine compartment.



Photo #27



Photo #28



Photo #29

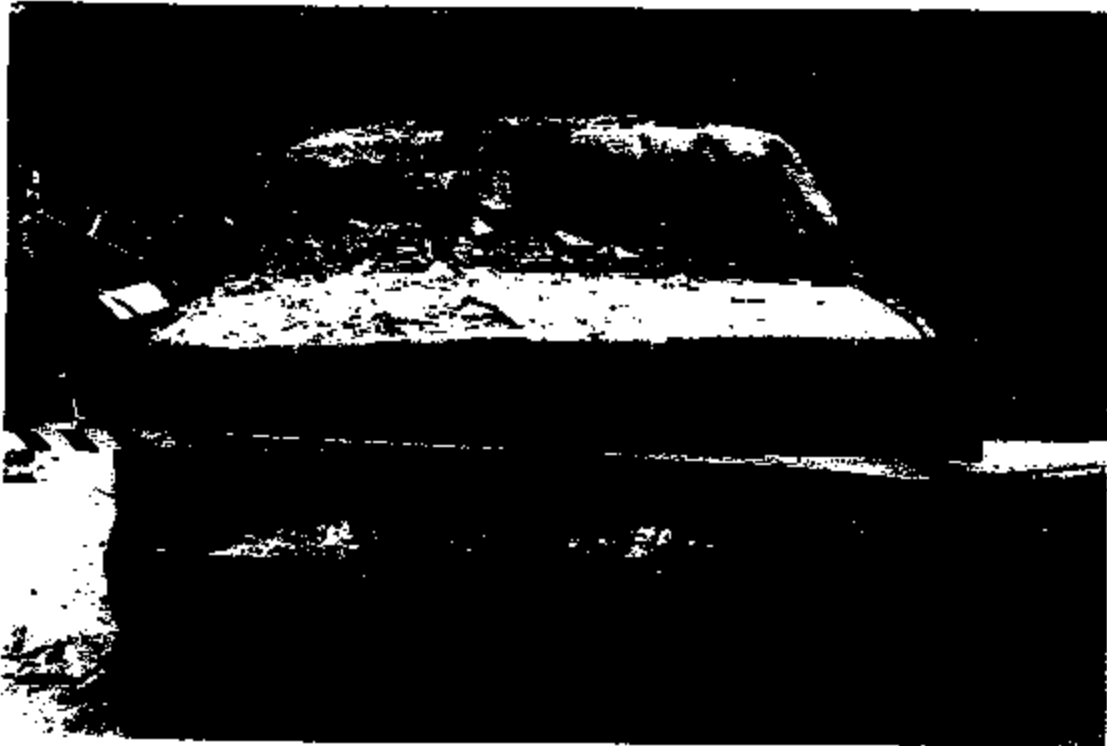


Photo #30



INVESTIGATION PHOTOGRAPHS

W&W File # 01-T093

Claim # 183256401

Insured:

Location/View:

Spring, Texas

Date/Time:

October 10, 2001

By:

David R. Sneed, CFI

Photo No.

31-36

Comments:

This series of photographs depict the vehicle interior and the damage sustained. These photographs document the fire extension into the passenger compartment from the front engine area.



Photo #32



Photo #33



Photo #34



Photo #35

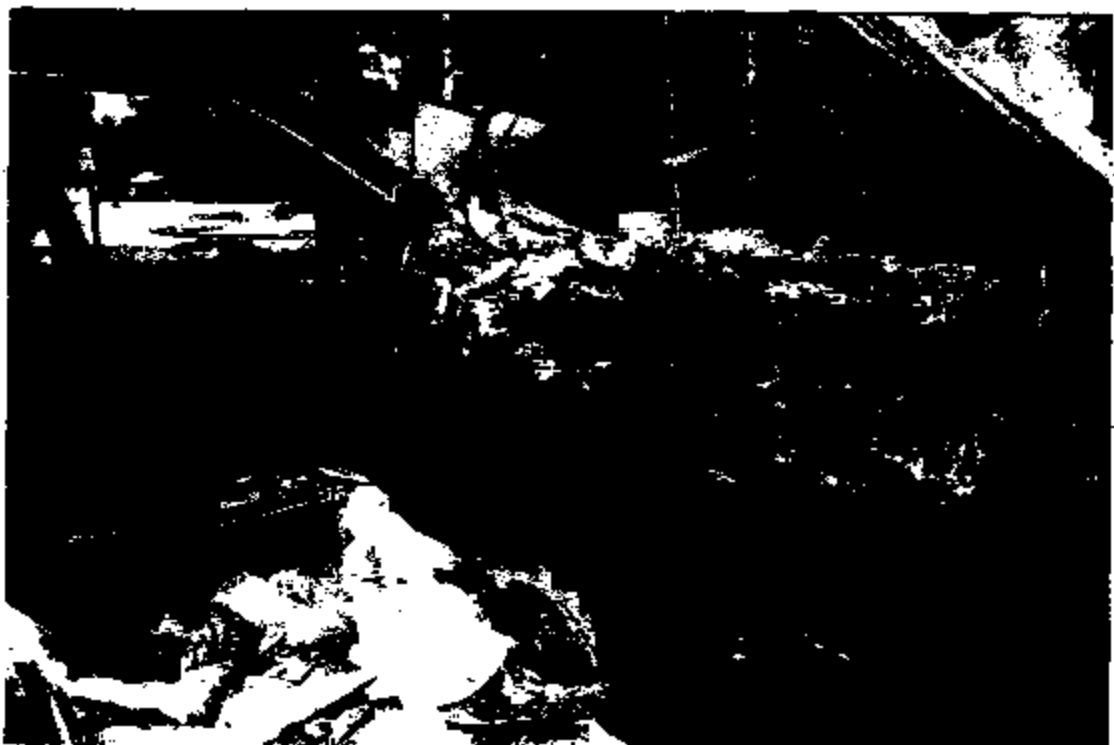




Photo #36



INVESTIGATION PHOTOGRAPHS

W&W File # 01-T093

Claim # 183256401

Insured:

Location/View:

Spring, Texas

Date/Time:

October 10, 2001

By:

David R. Sneed, CFI

Photo No.

37-42

Comments:

This series of photographs depict the vehicle interior and the damage sustained. These photographs document the fire extension into the passenger compartment from the front engine area.



Photo #38



Photo #39



Photo #40





Photo #41



Photo #42

INVESTIGATION PHOTOGRAPHS

W&W File # 01-T093

Claim # 183256401

Insured:

Location/View:

Spring, Texas

Date/Time:

October 10, 2001

By:

David R. Sneed, CFI

Photo No.

43-53

Comments:

This series of photographs depict the engine compartment and motor after debris removal and exposure. The red arrow indicates the area of fire origin. This area is forward of the driver's position, low below the braking system.



Photo #44



Photo #45



Photo #46



Photo #47

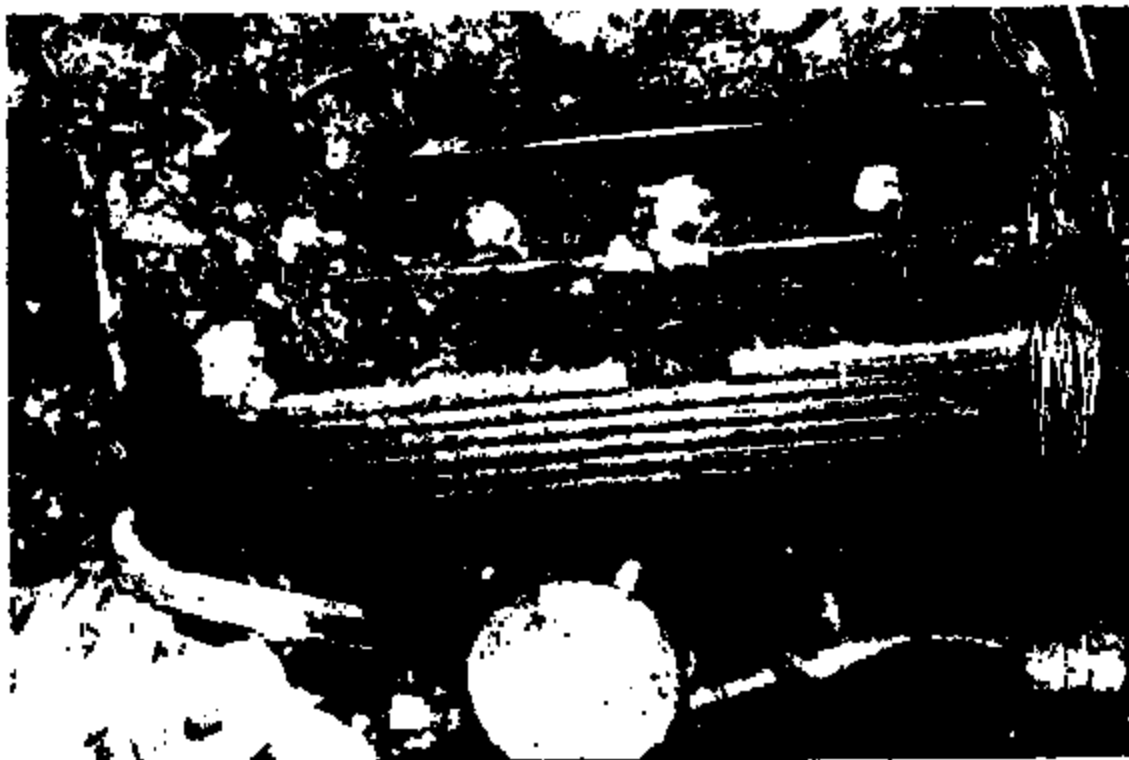


Photo #48



Photo #49



Photo #50

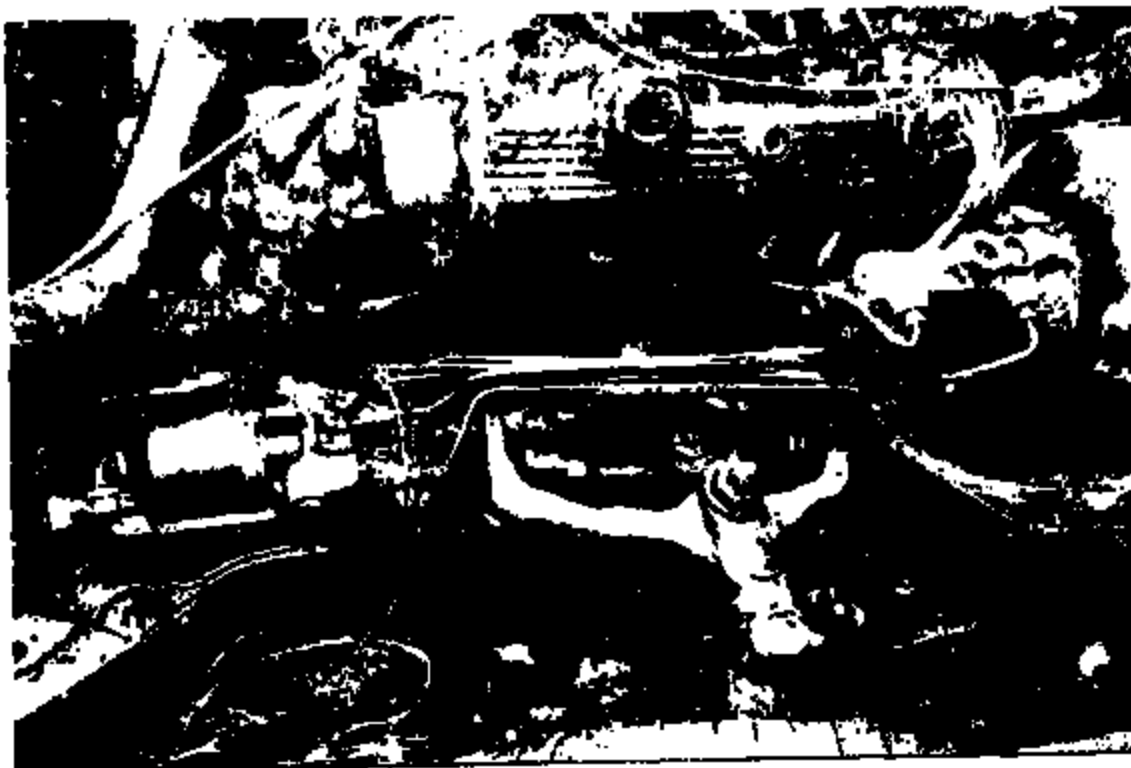


Photo #51



Photo #52



Photo #53



INVESTIGATION PHOTOGRAPHS

W&W File # 01-T093

Claim # 183256401

Insured:

Location/View:

Spring, Texas

Date/Time:

October 10, 2001

By:

David R. Sneed, CFI

Photo No.

54-59

Comments:

This series of photographs depict detailed views of the driver's side engine compartment. Note the deterioration of the fiberglass valve cover. This damage indicates fire exposure from below, the area where the fire originated.



Photo #55



Photo #56



Photo #57



Photo #58

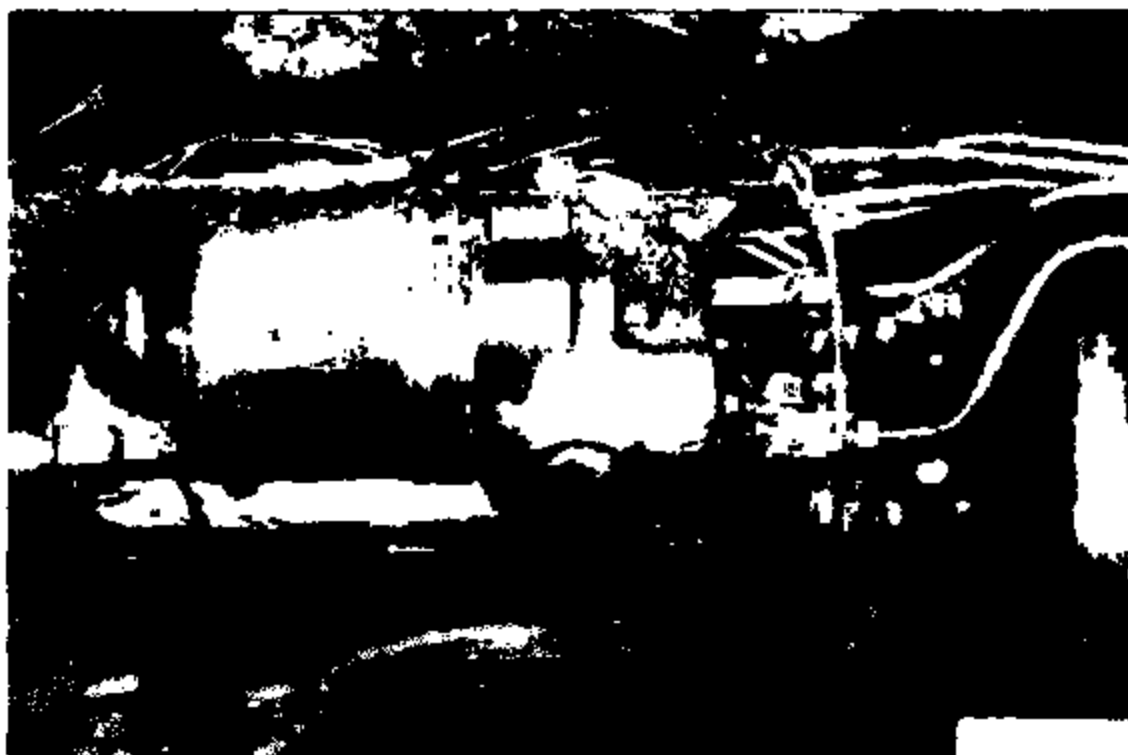


Photo #59



INVESTIGATION PHOTOGRAPHS

W&W File # 01-T093

Claim # 183256401

Insured:

Location/View:

Spring, Texas

Date/Time:

October 10, 2001

By:

David R. Sneed, CFI

Photo No.

60-65

Comments:

This series of photographs depict the north portion of the garage where the Lincoln Town car was parked when this fire occurred. Debris removal indicates no fuel leakage from the vehicle. Burn patterns inside the garage indicate fire origin in the area of the vehicle engine compartment.

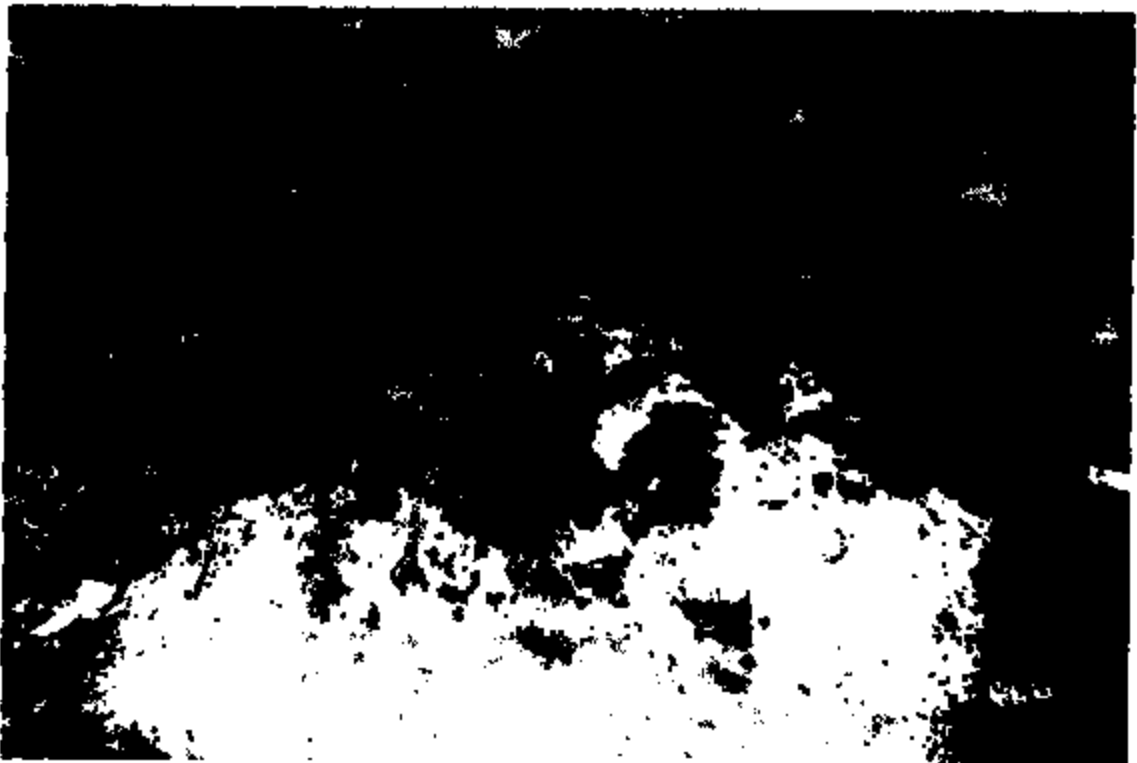


Photo #61

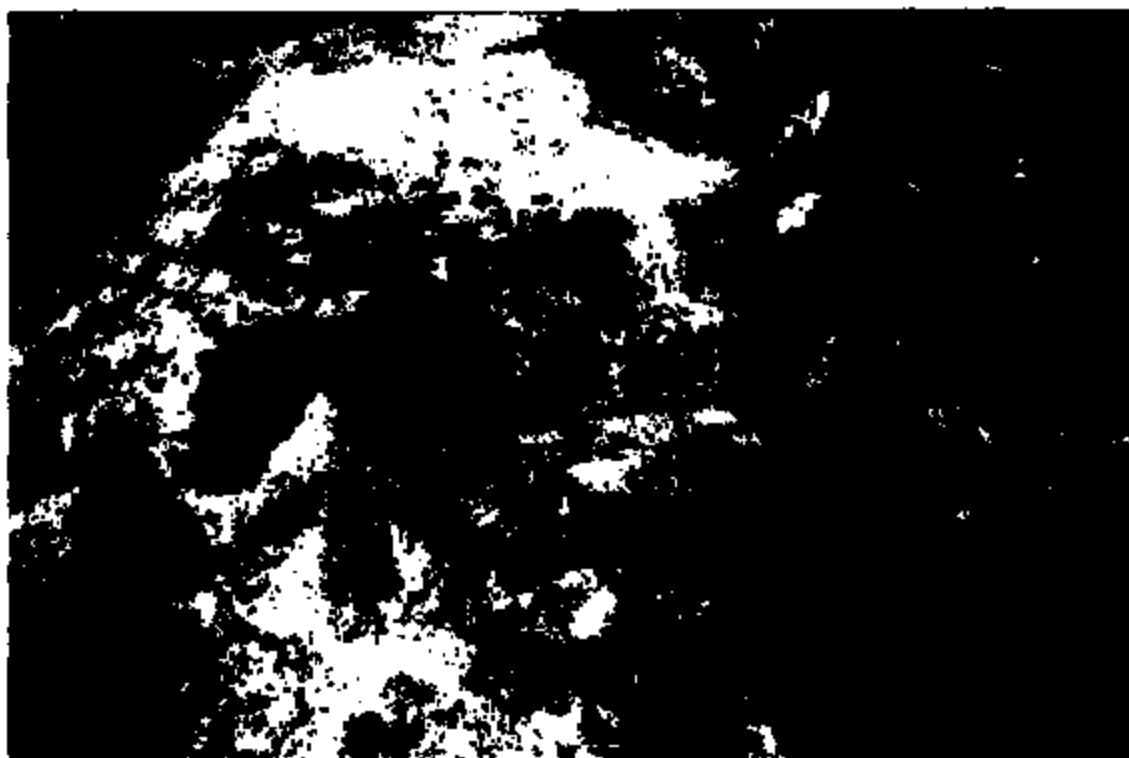


Photo #62



Photo #63



Photo #64



Photo #65



INVESTIGATION PHOTOGRAPHS

W&W File # 01-T093

Claim # 183256401

Insured:

Location/View:

Spring, Texas

Date/Time:

October 10, 2001

By:

David R. Sneed, CFI

Photo No.

66-69

Comments:

This series of photographs depict the freezer which sat along the north garage wall. This appliance exhibits burn patterns indicating fire exposure from the Lincoln Town car.





Photo #67



Photo #68

X

Photo #69



INVESTIGATION PHOTOGRAPHS

W&W File # 01-T093

Claim [REDACTED]

Insured: [REDACTED]

Location/View: [REDACTED]

Spring, Texas

Date/Time:

October 10, 2001

By:

David R. Sneed, CFI

Photo No.

70-72

Comments:

This series of photographs depict the reconstructed engine compartment. Replacement of the hood clearly documents the area of origin and path of fire progression.

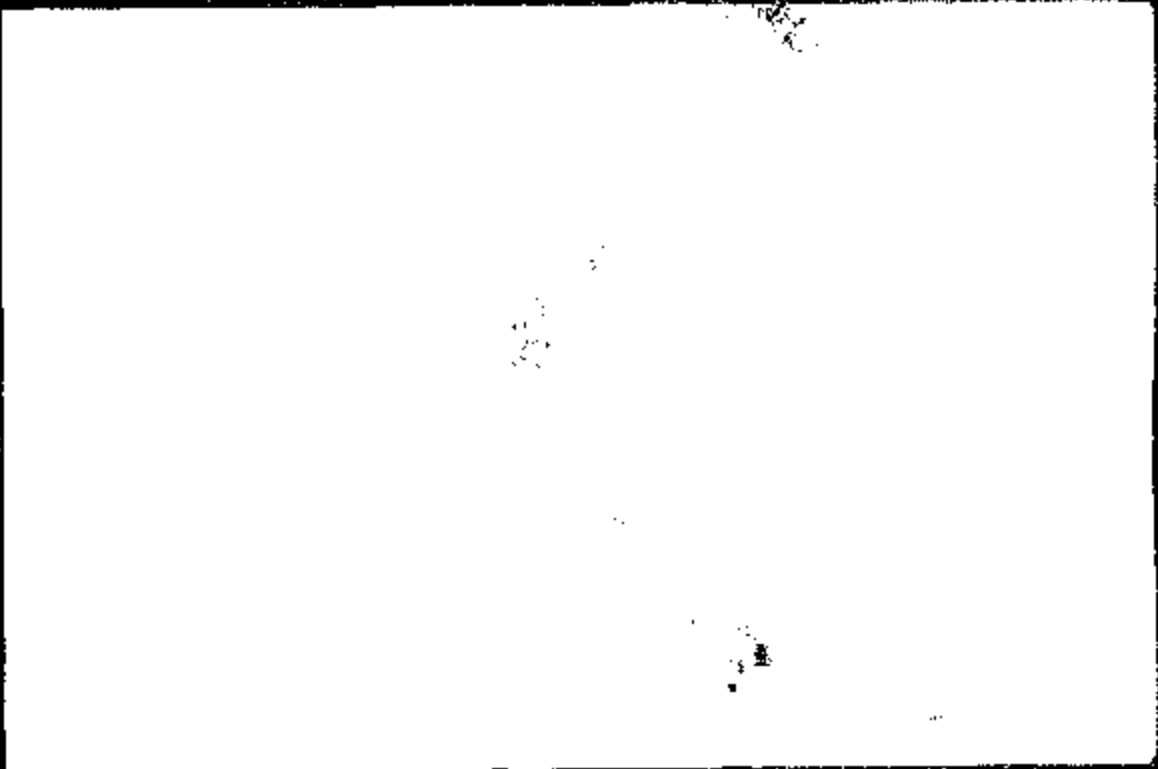
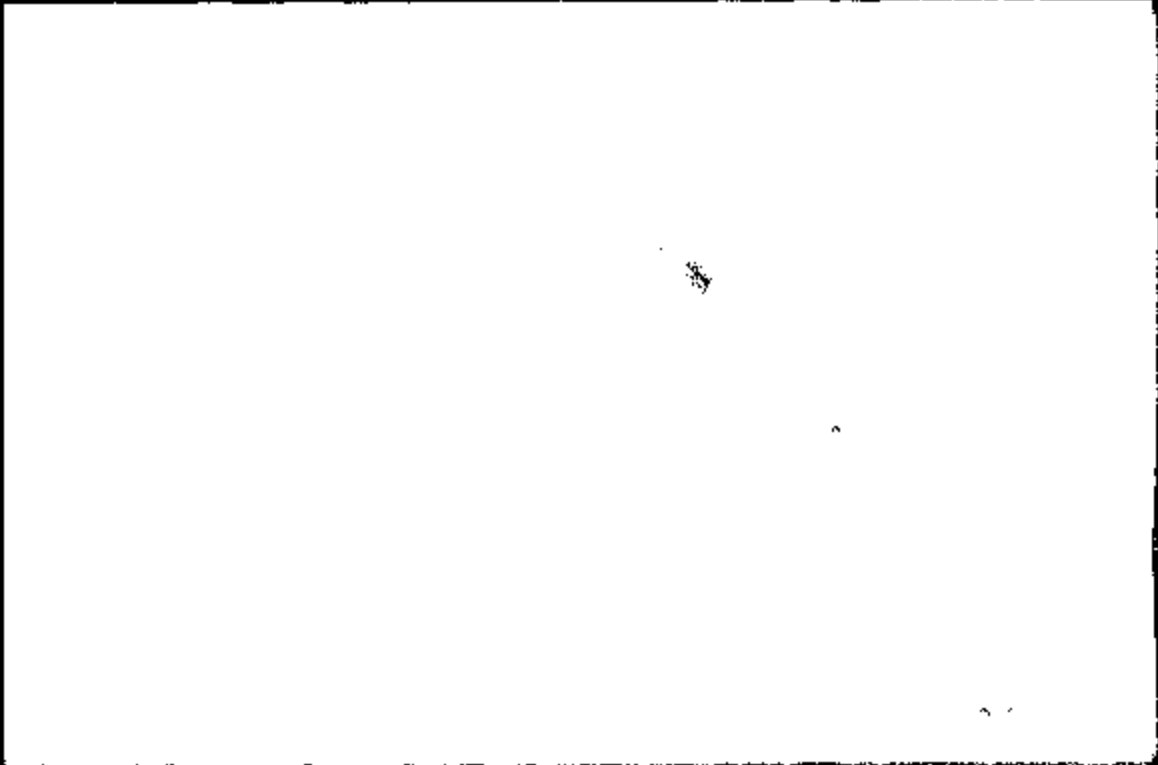


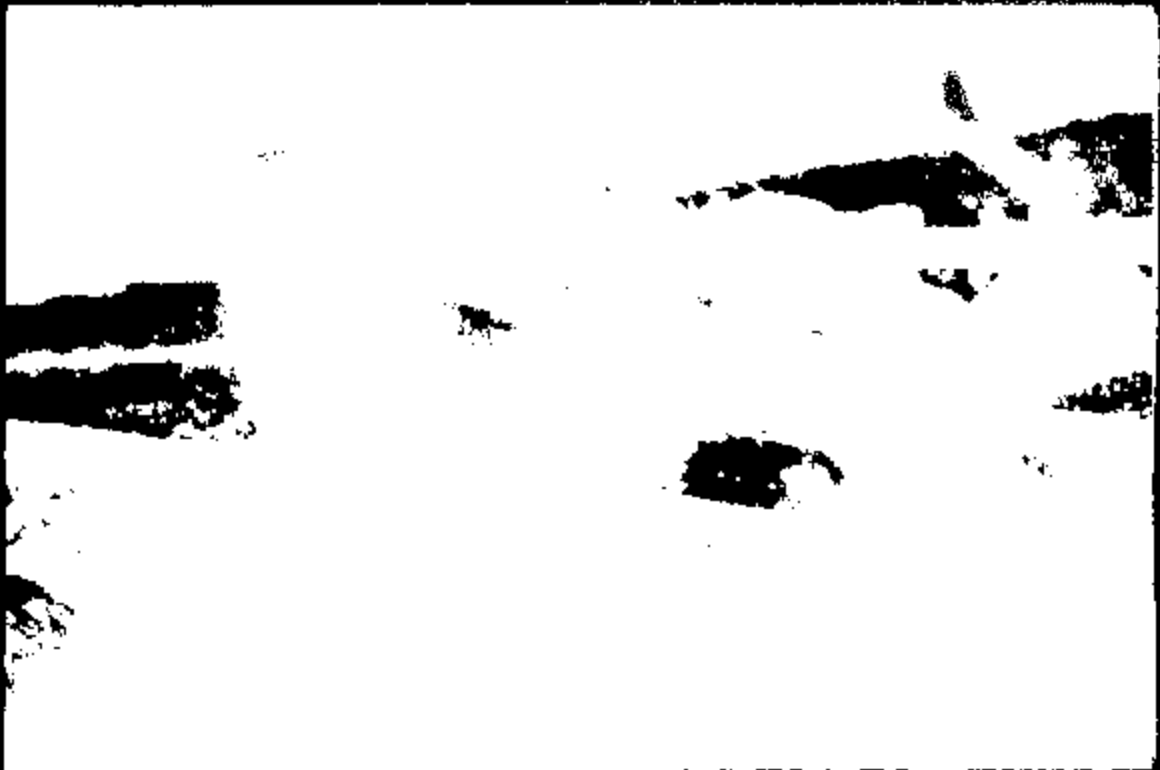
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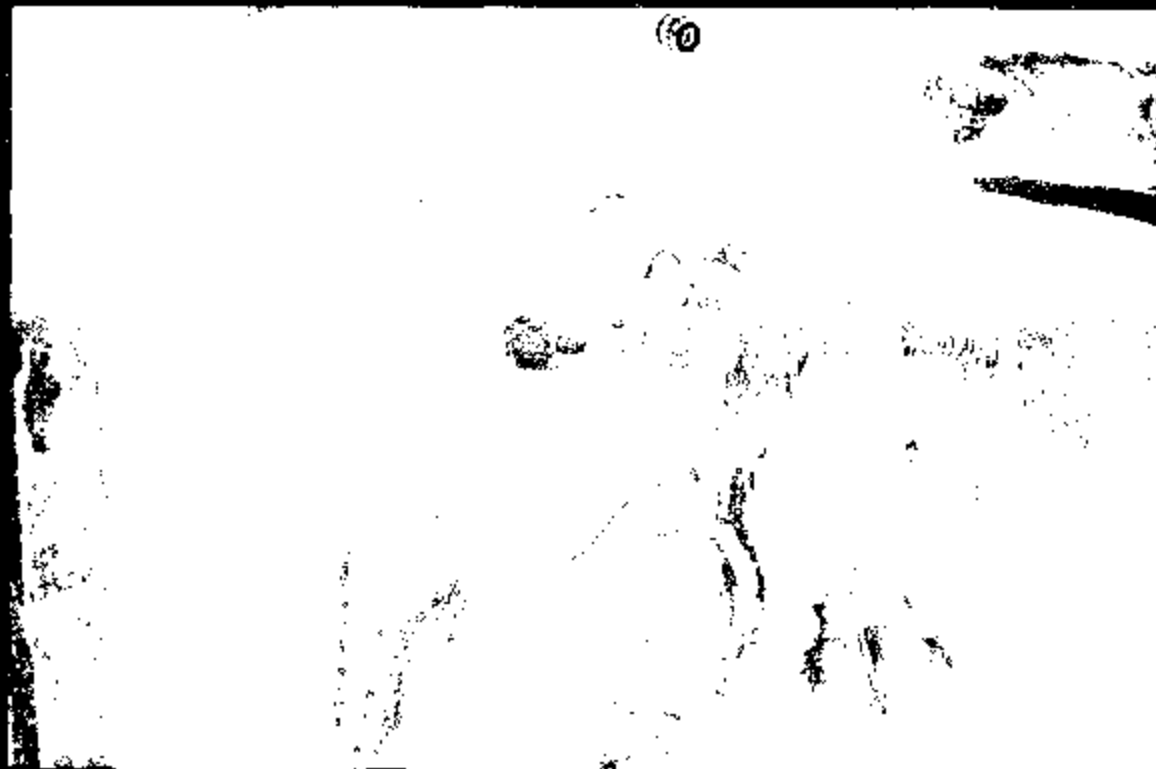
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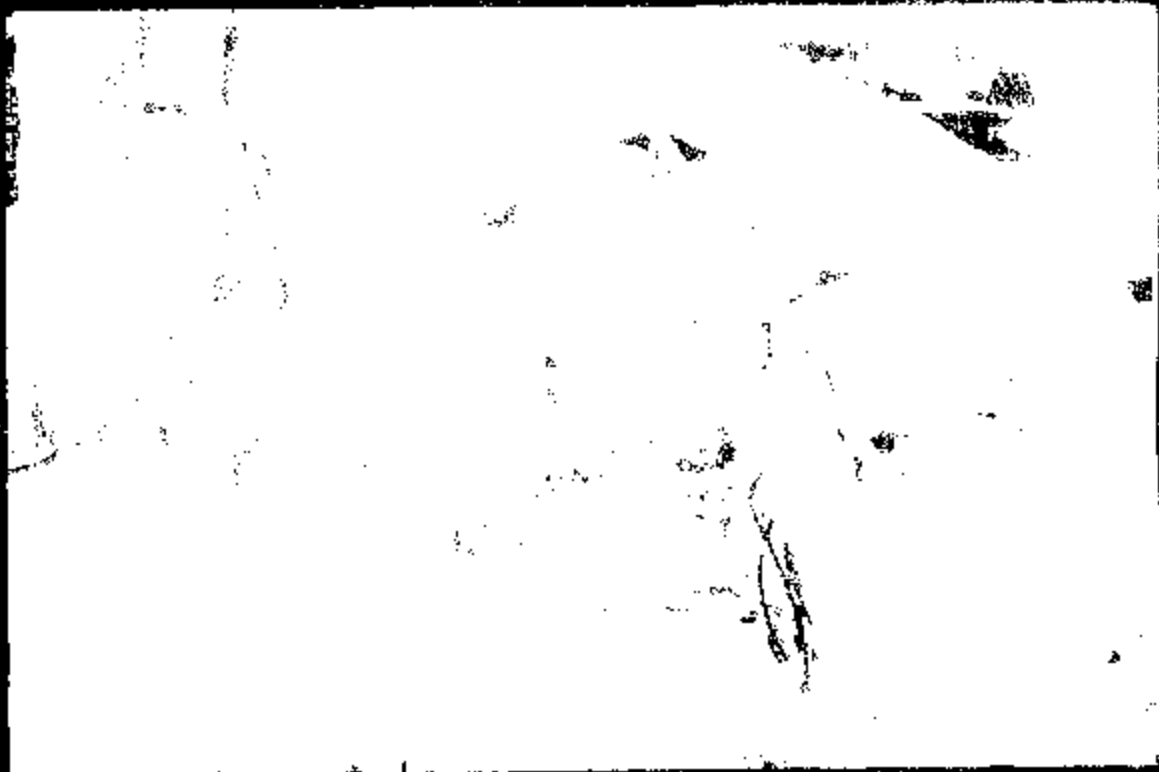


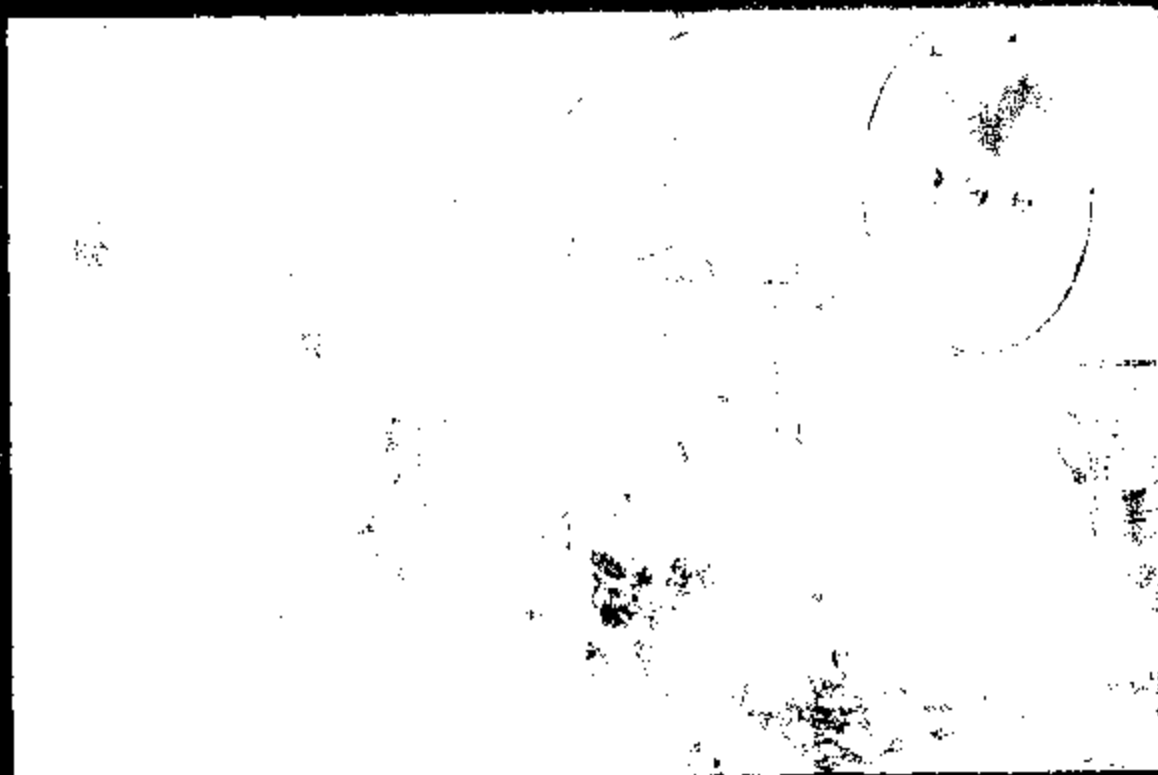
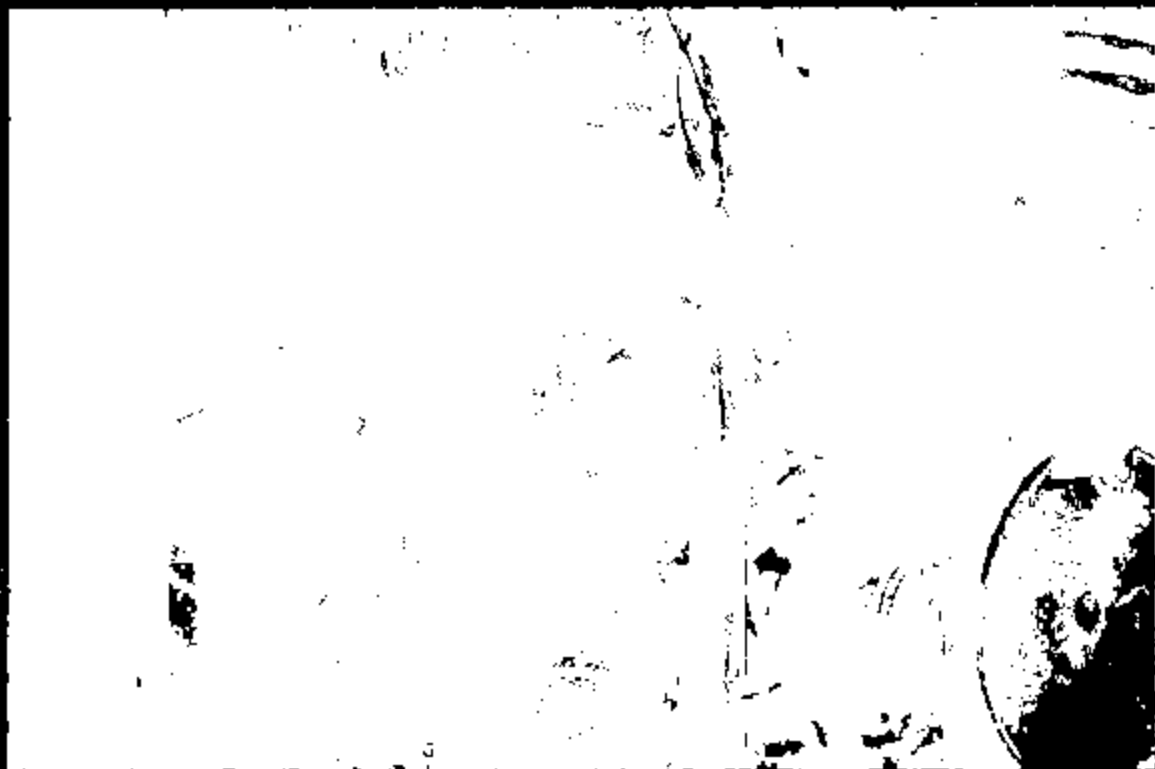


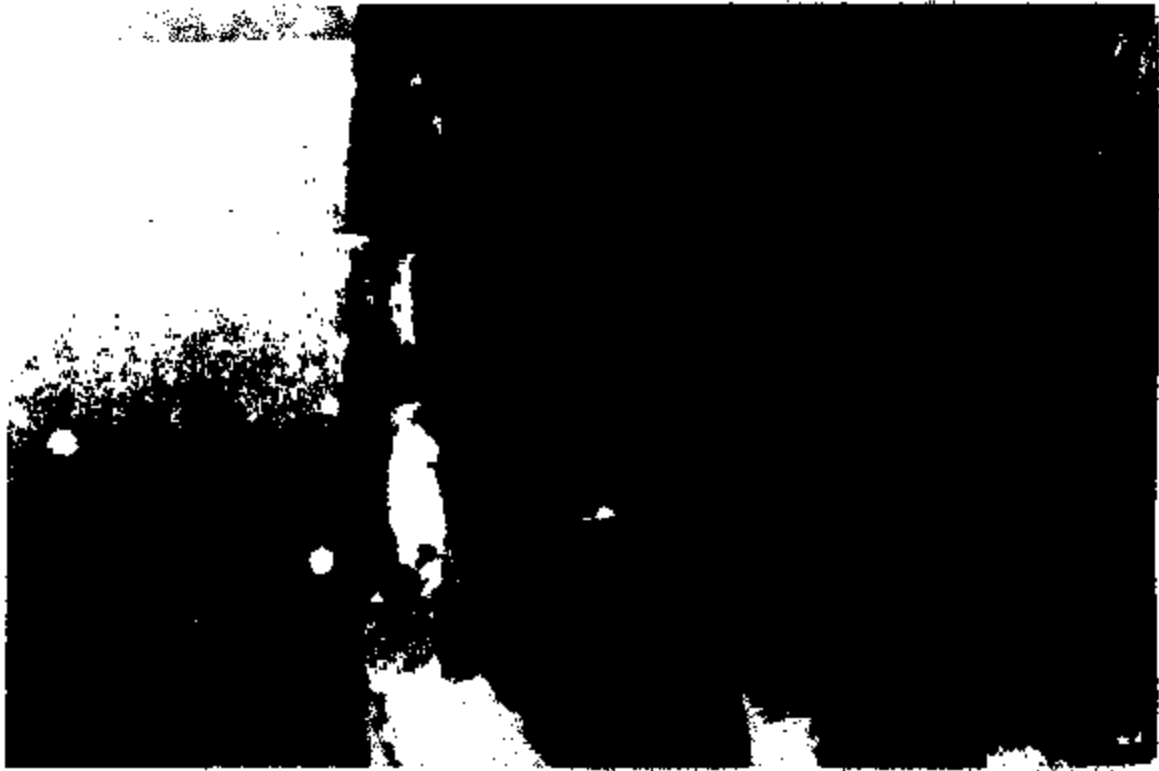






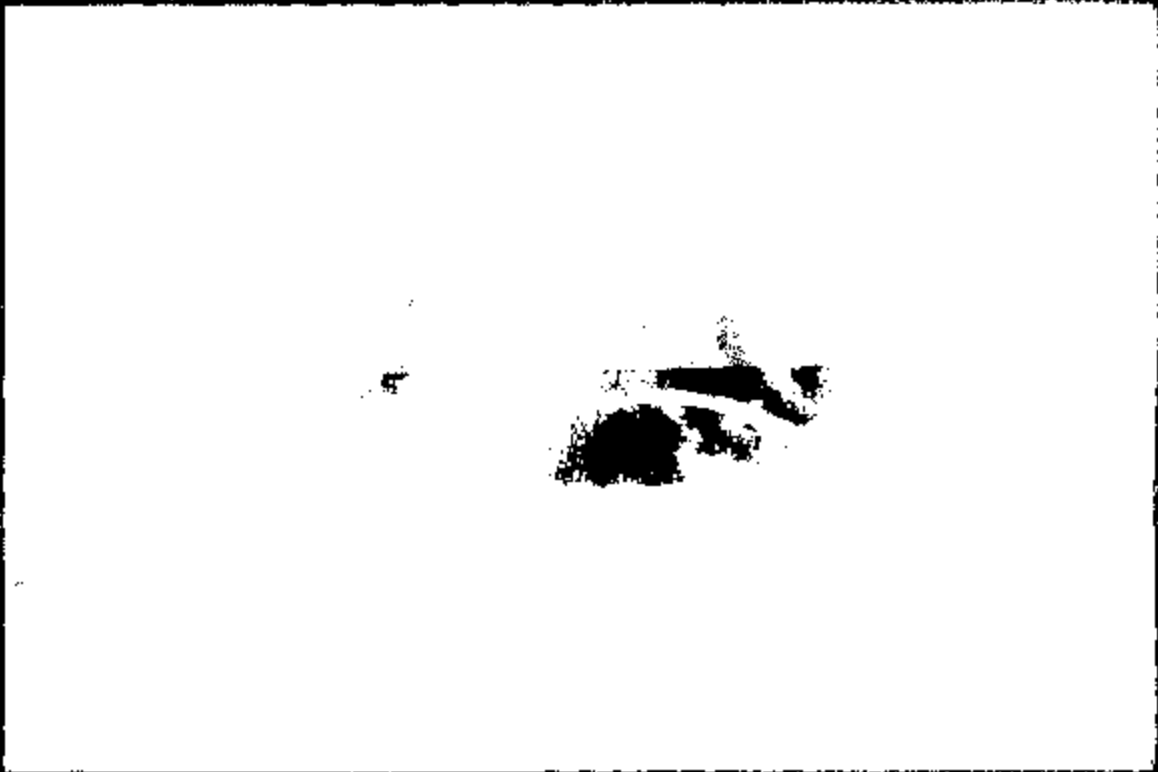




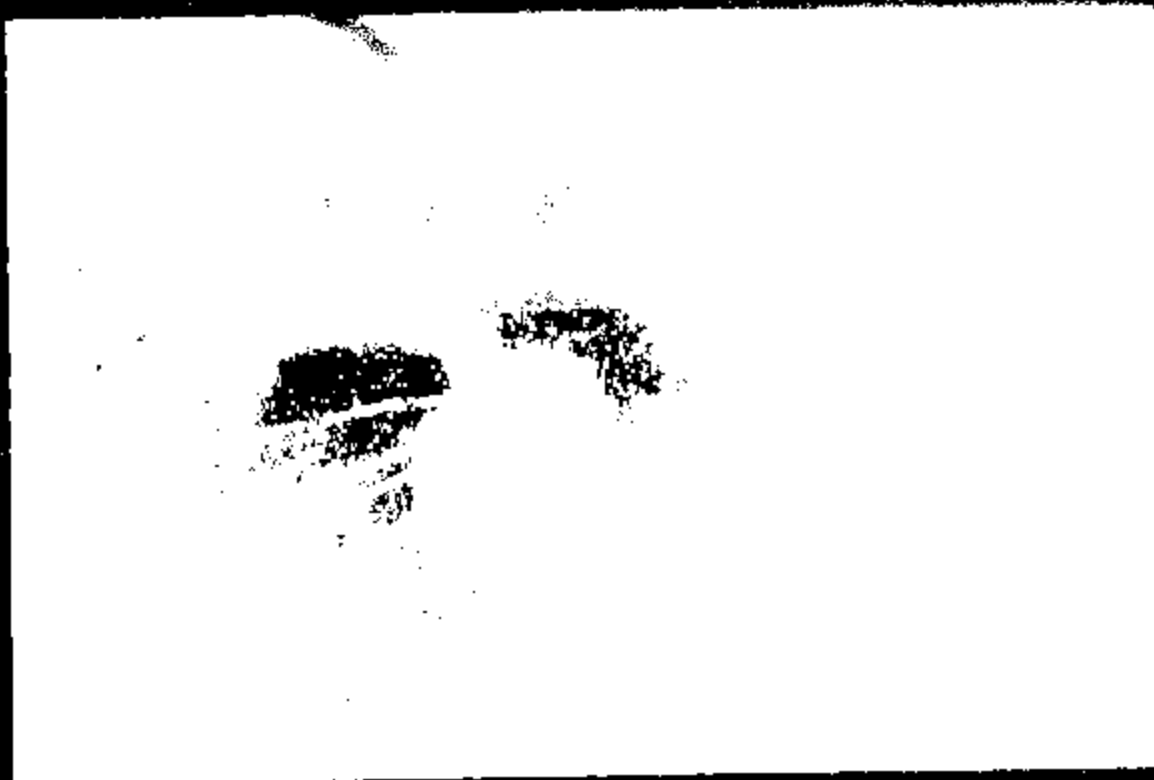
















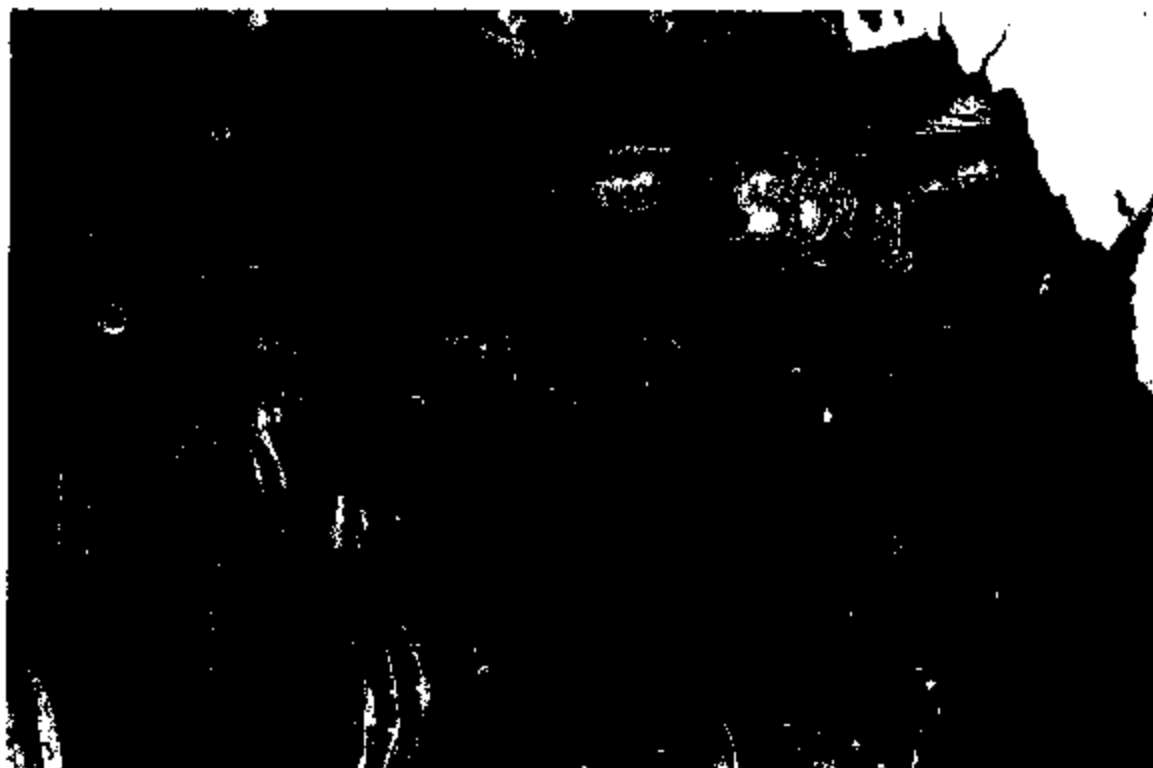
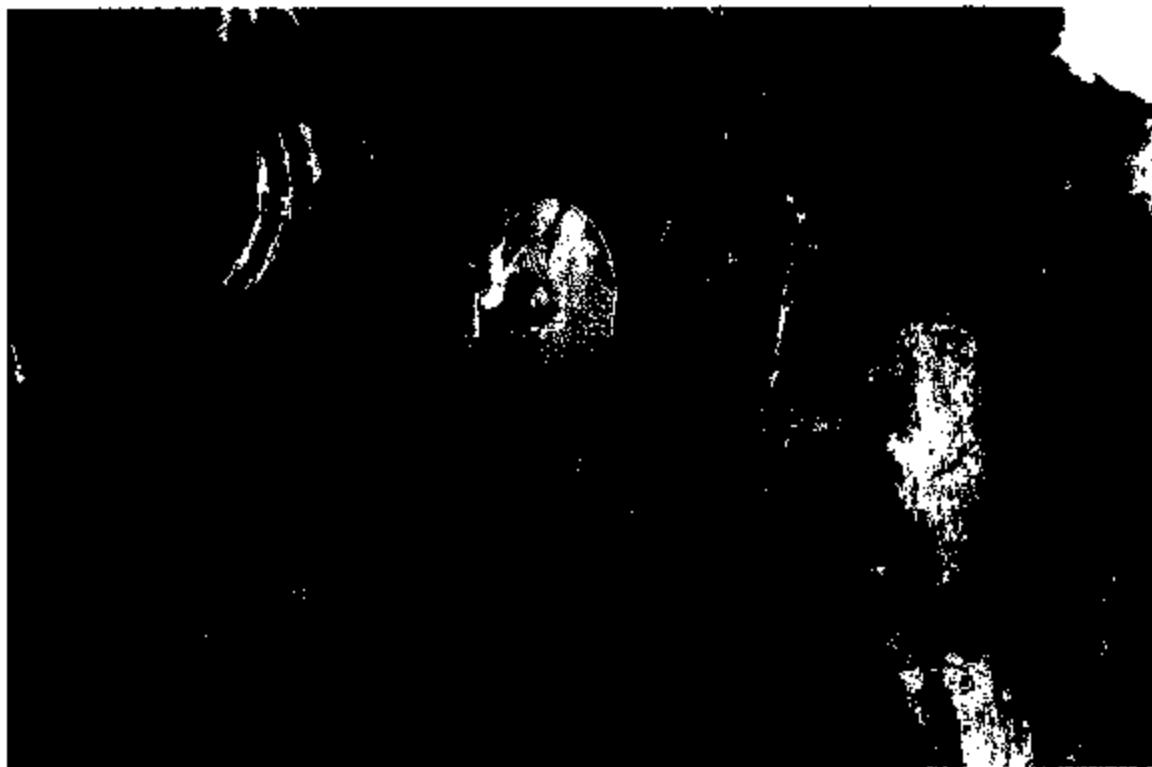




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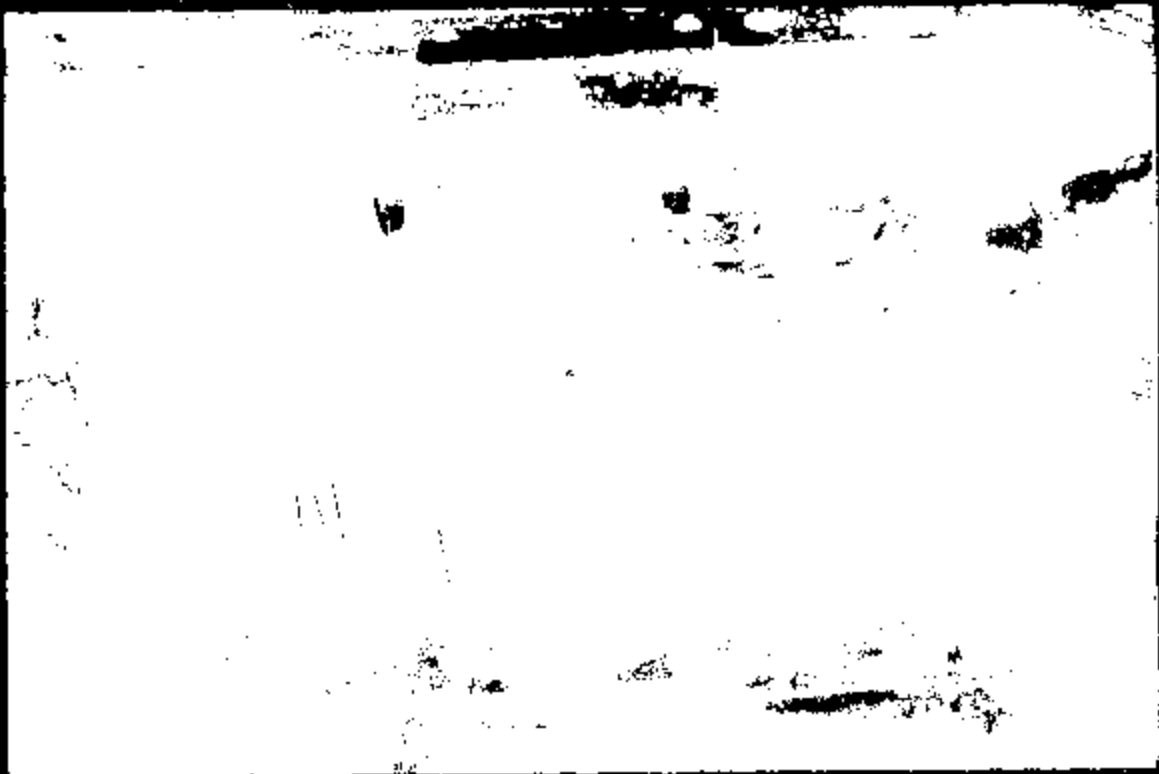


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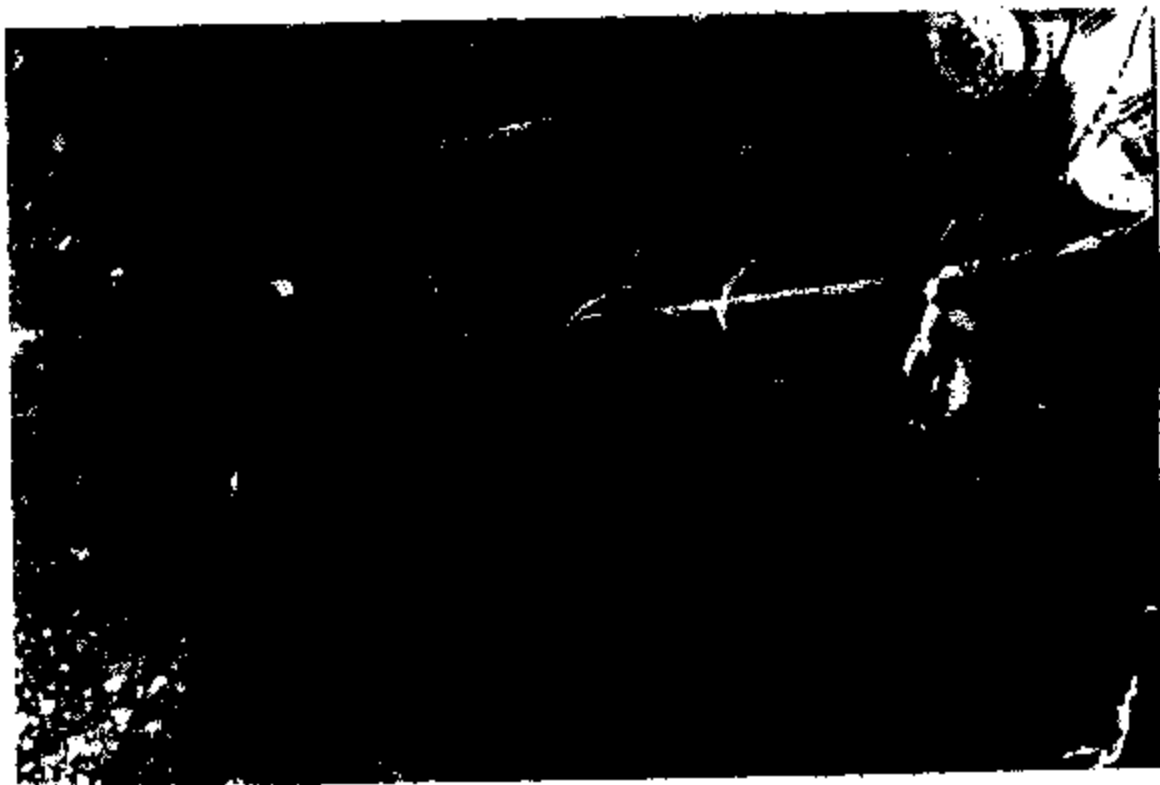


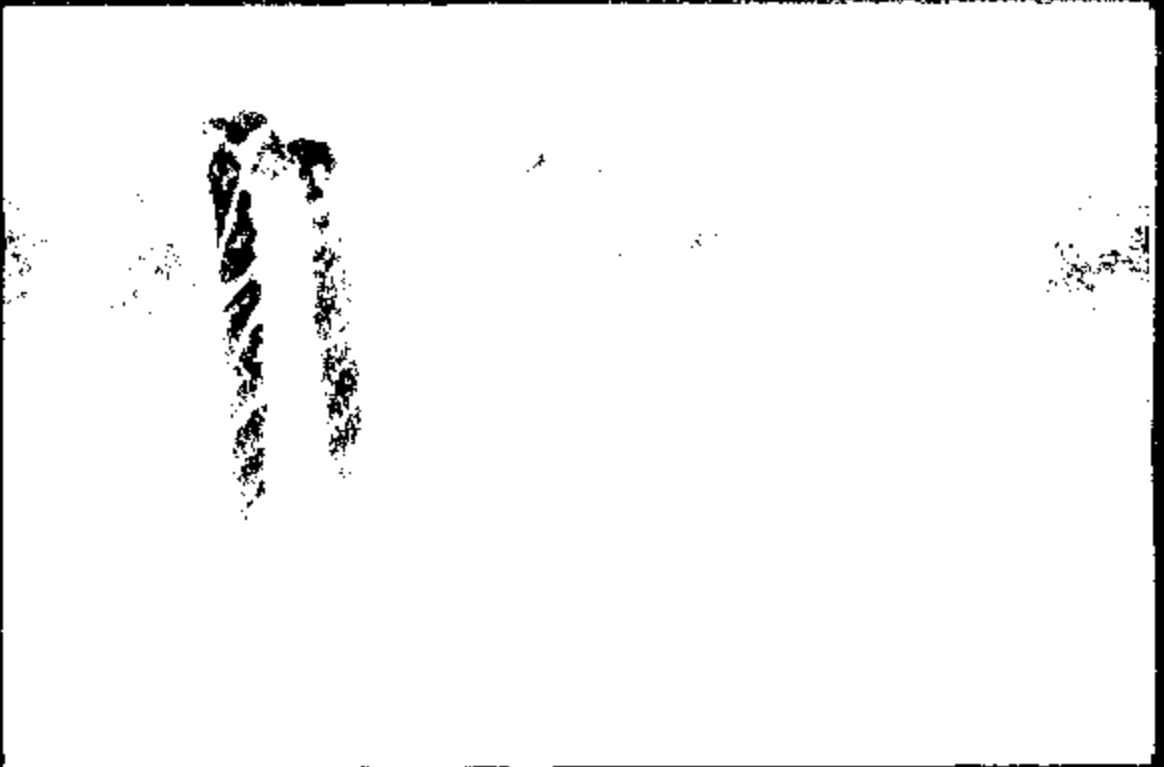
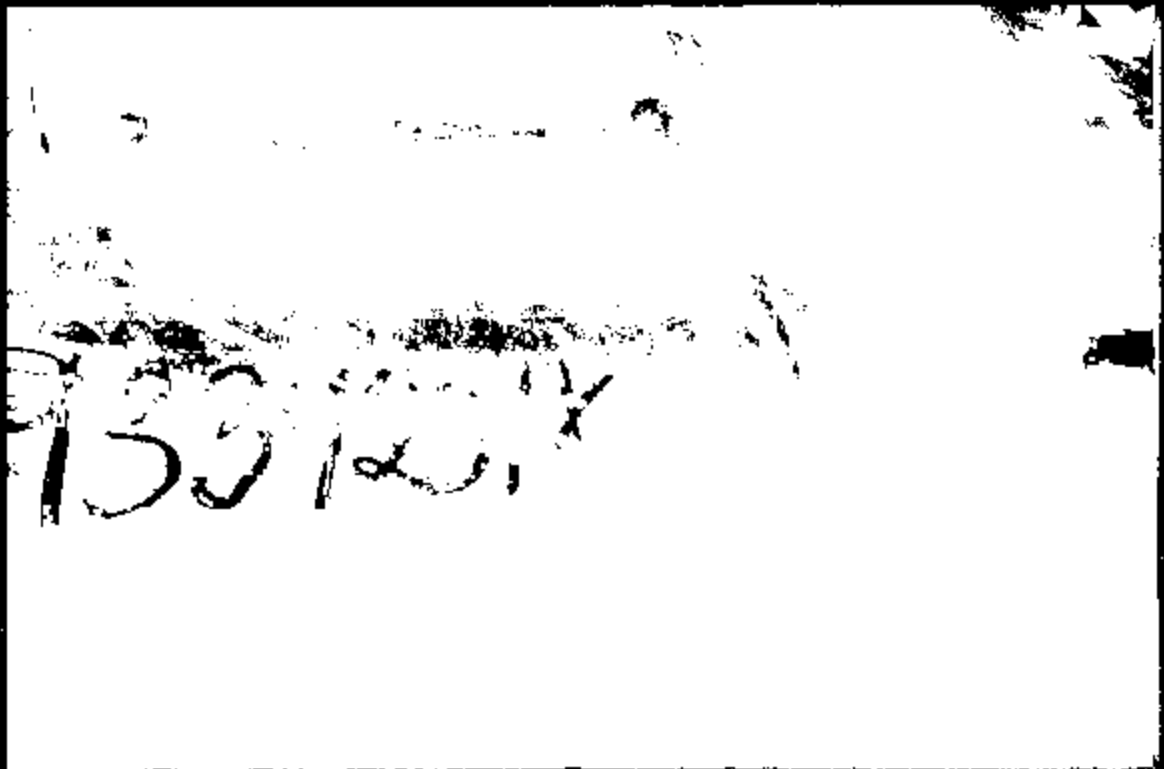


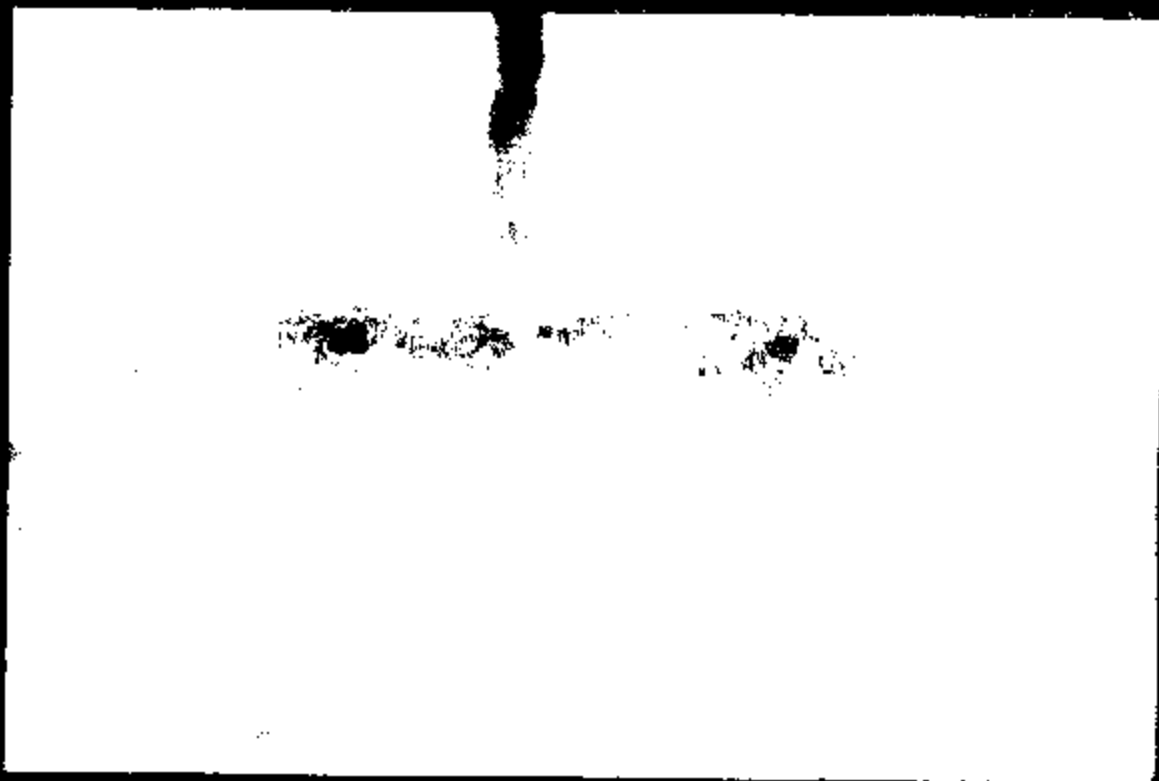
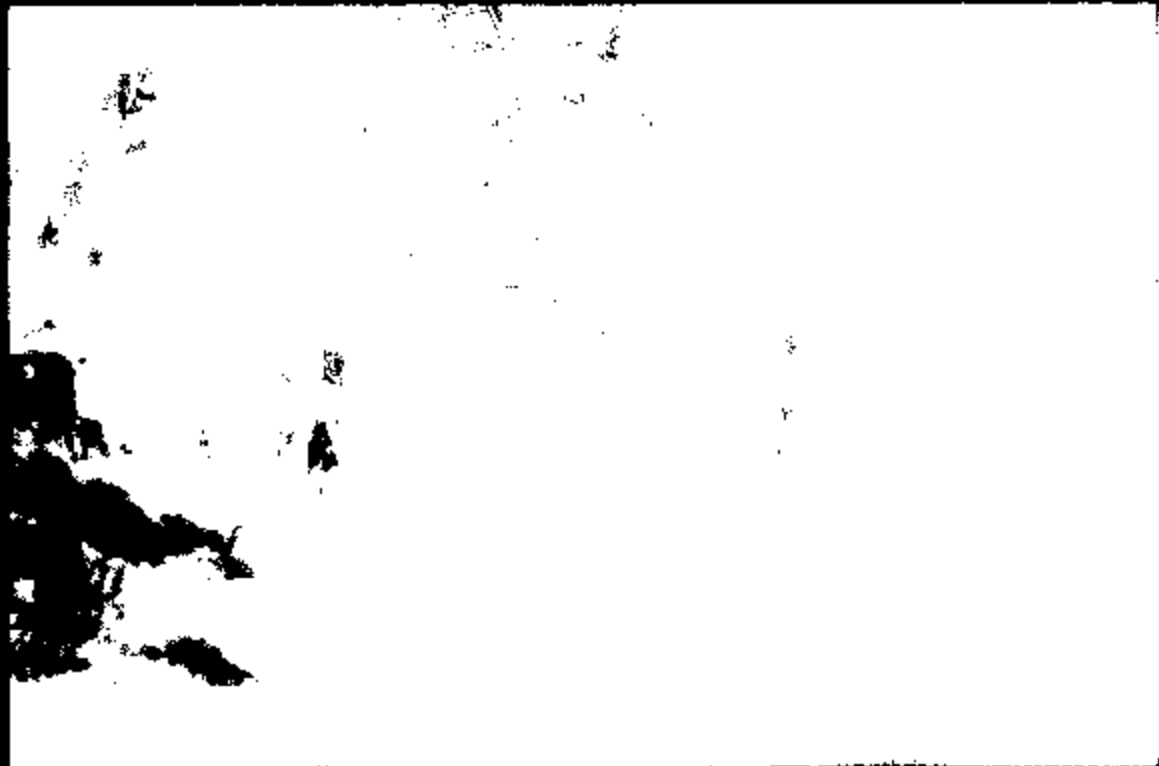






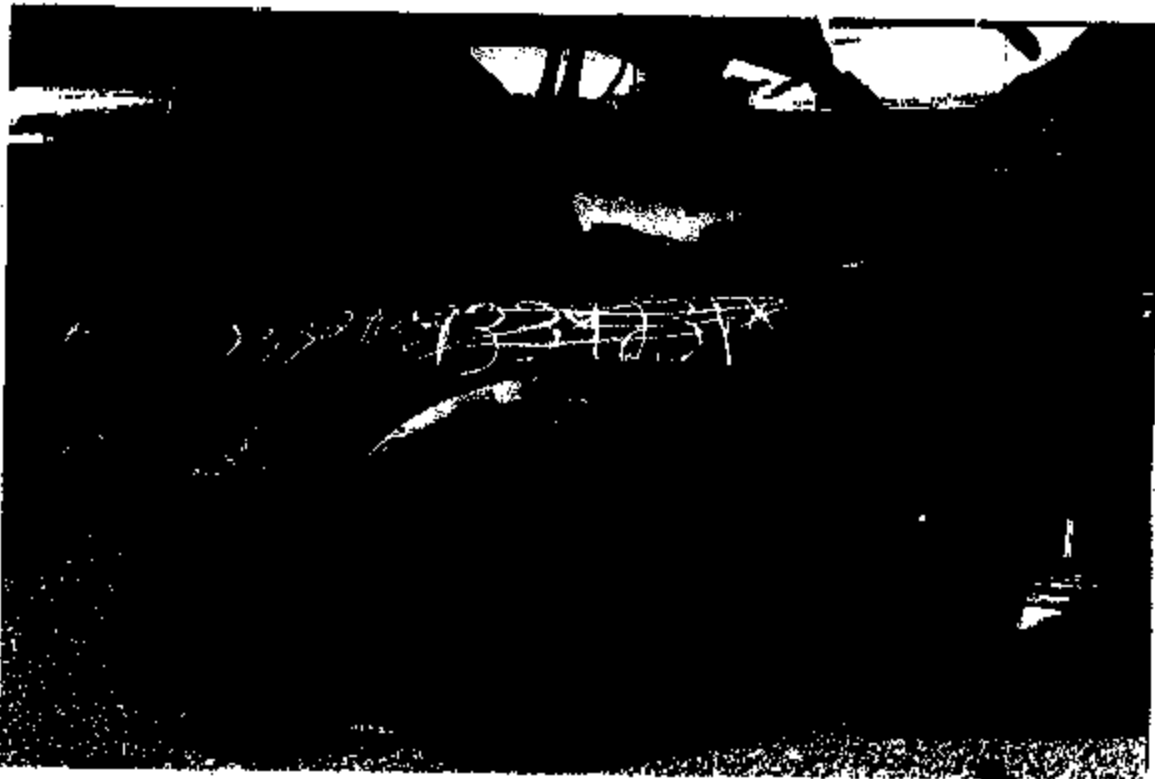




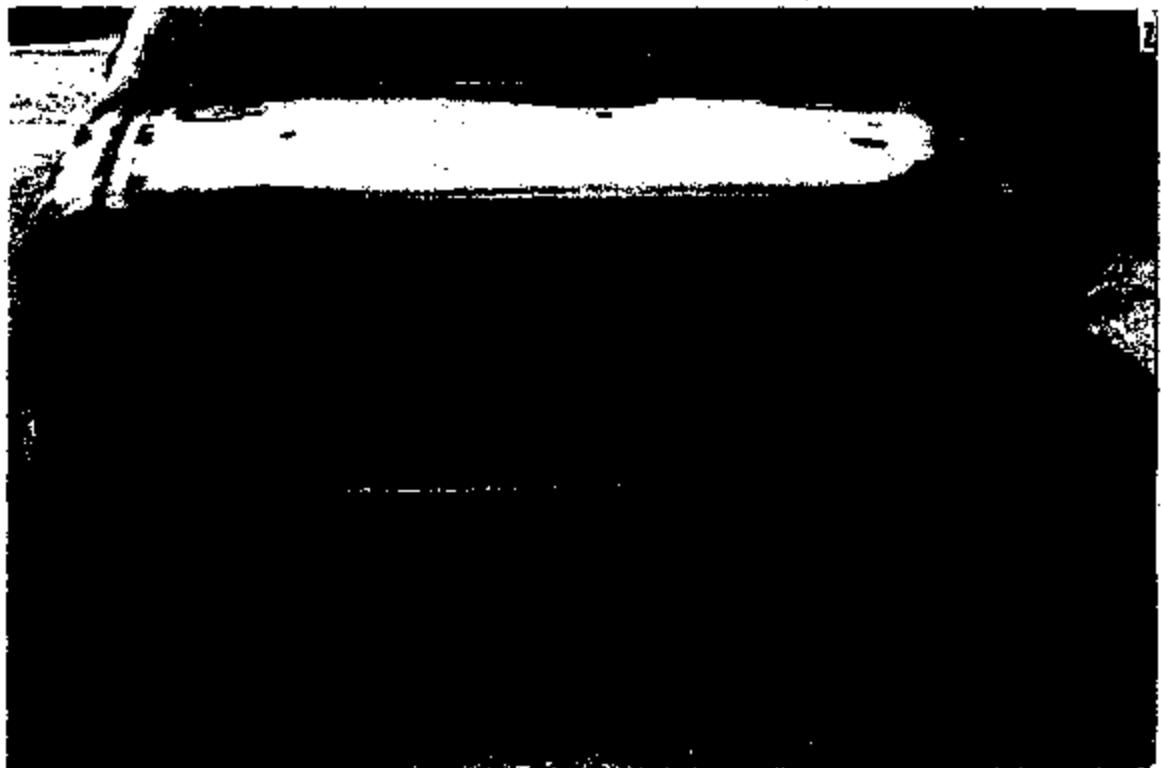








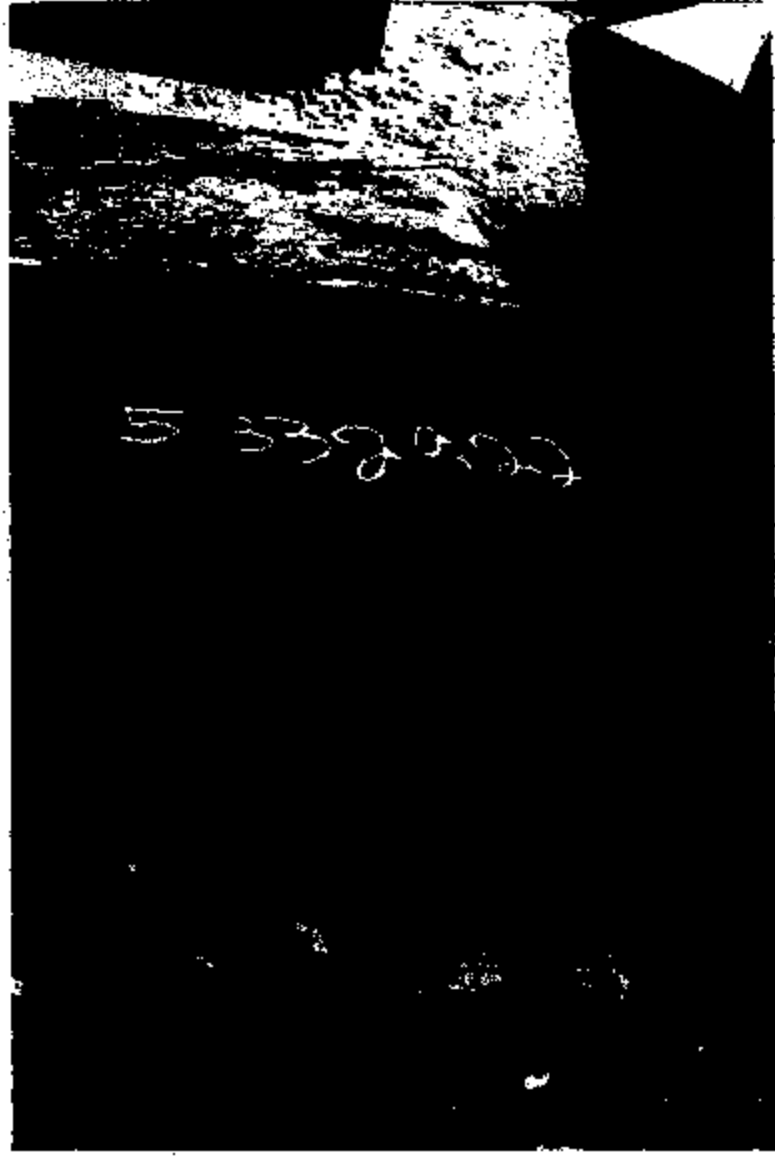






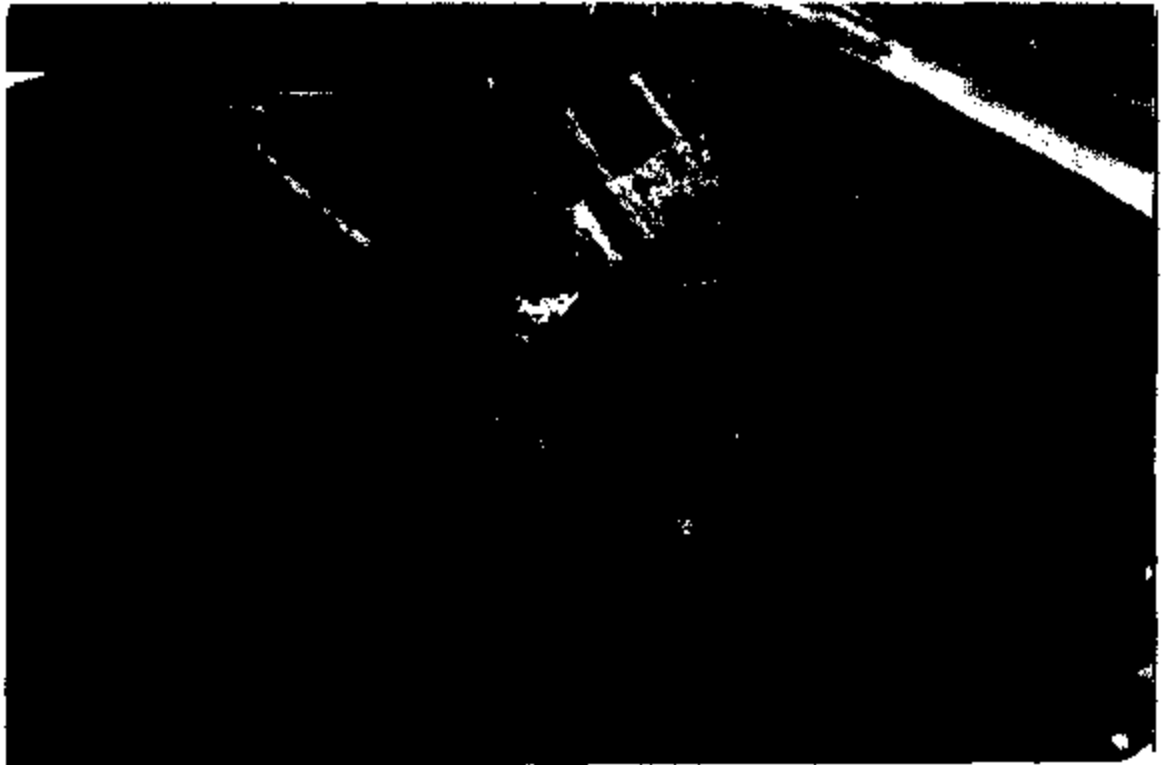
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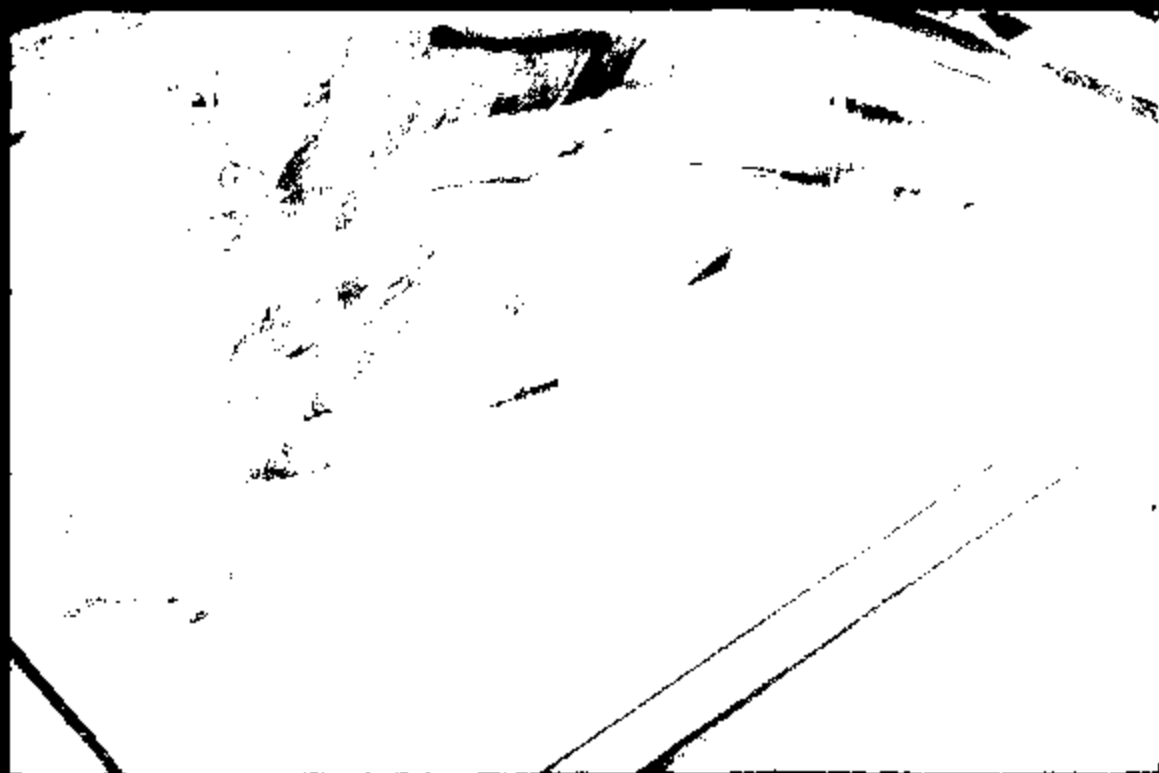






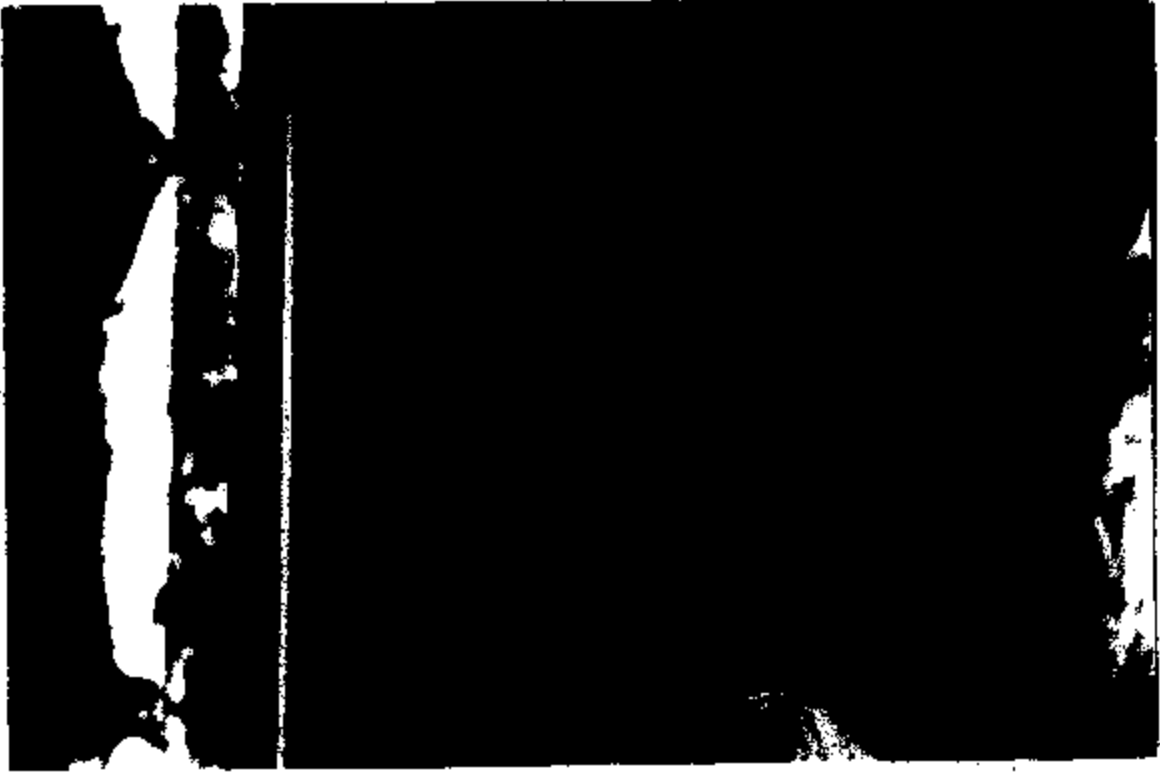


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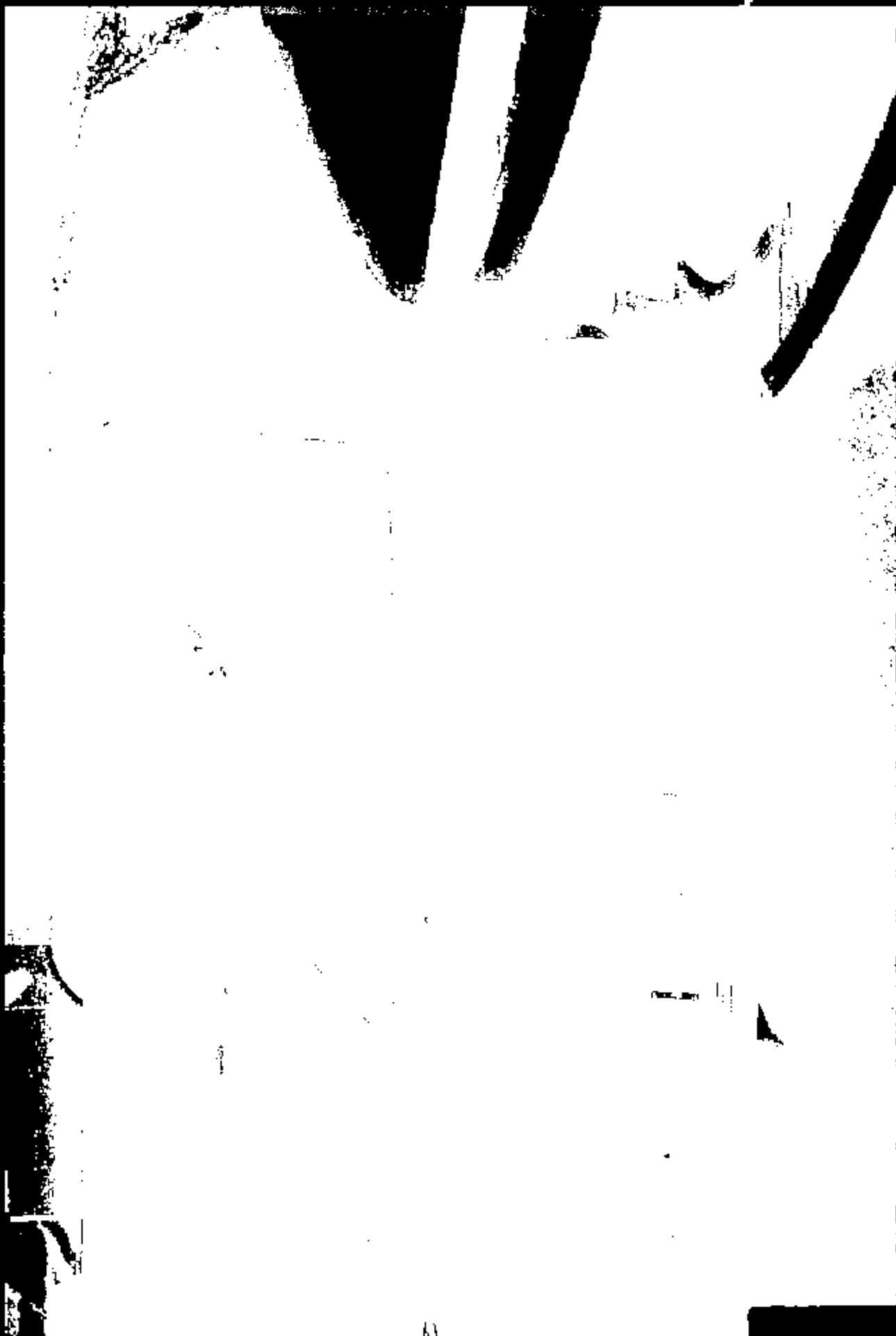
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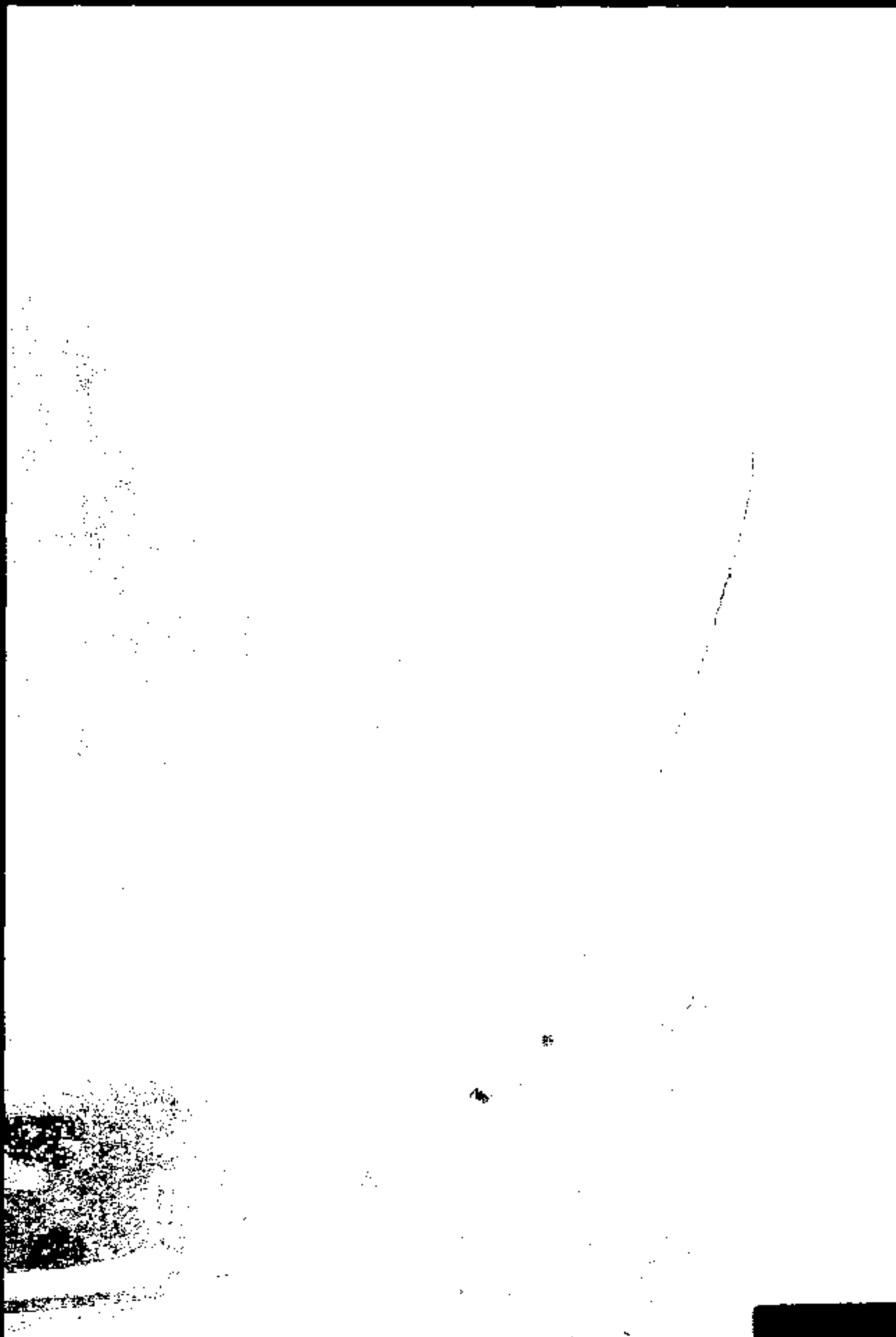
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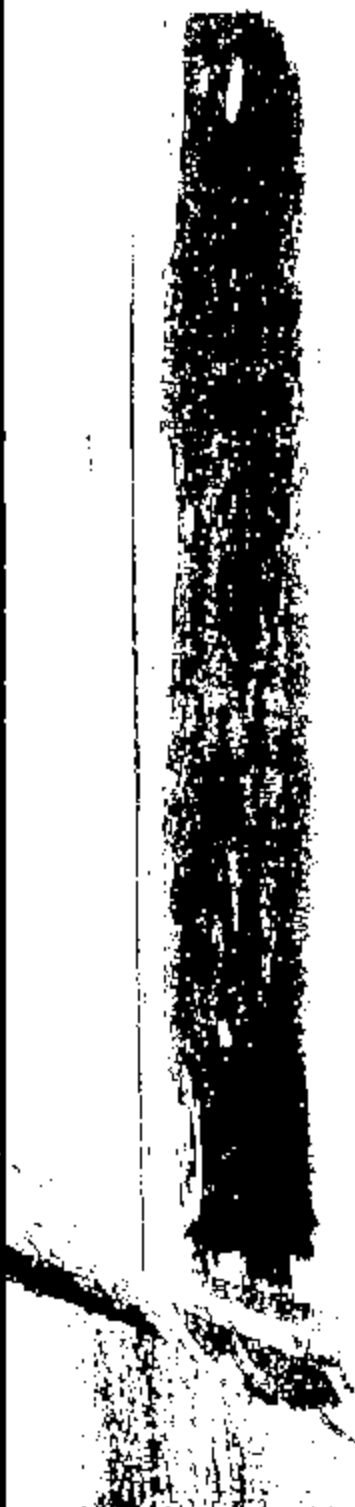
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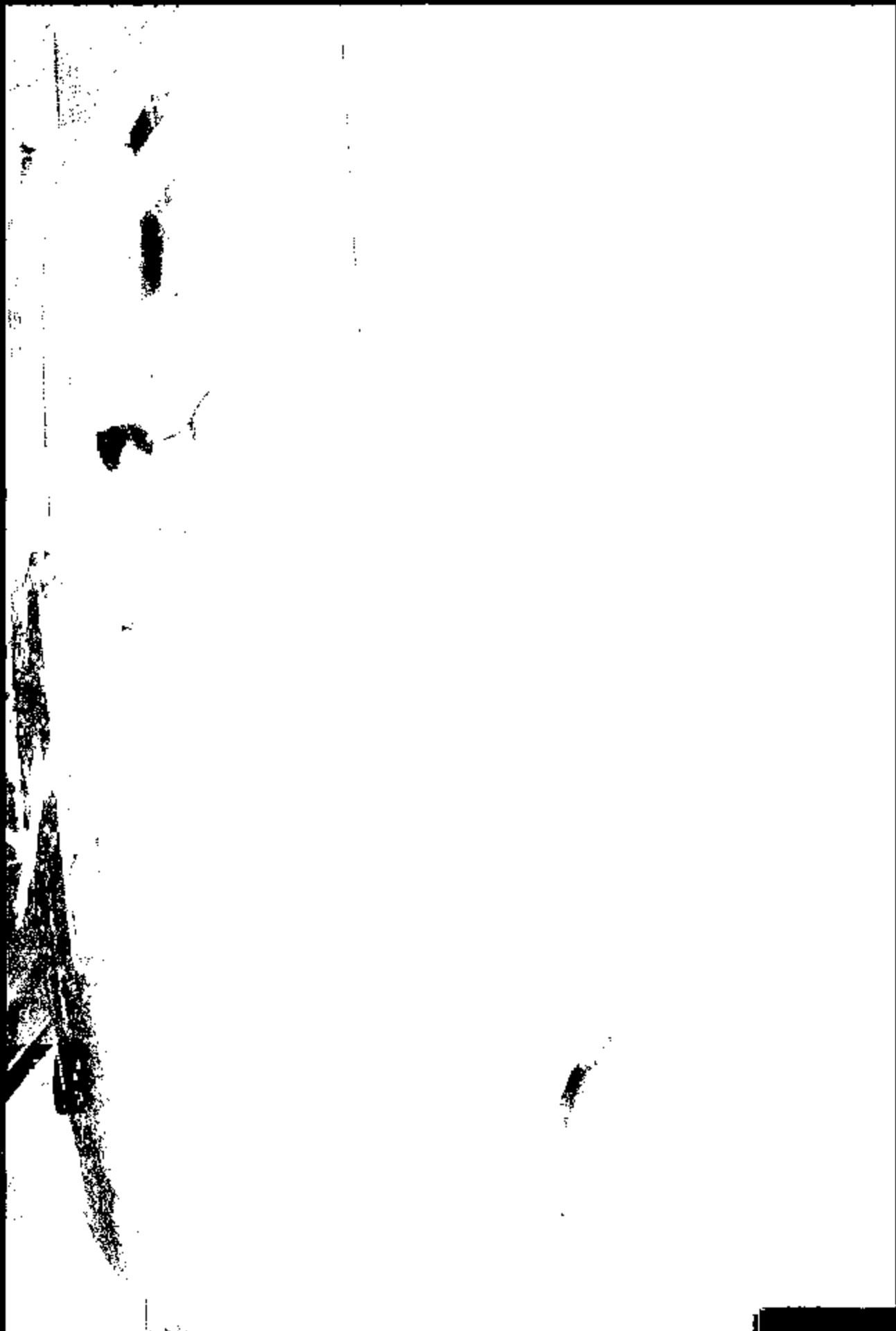


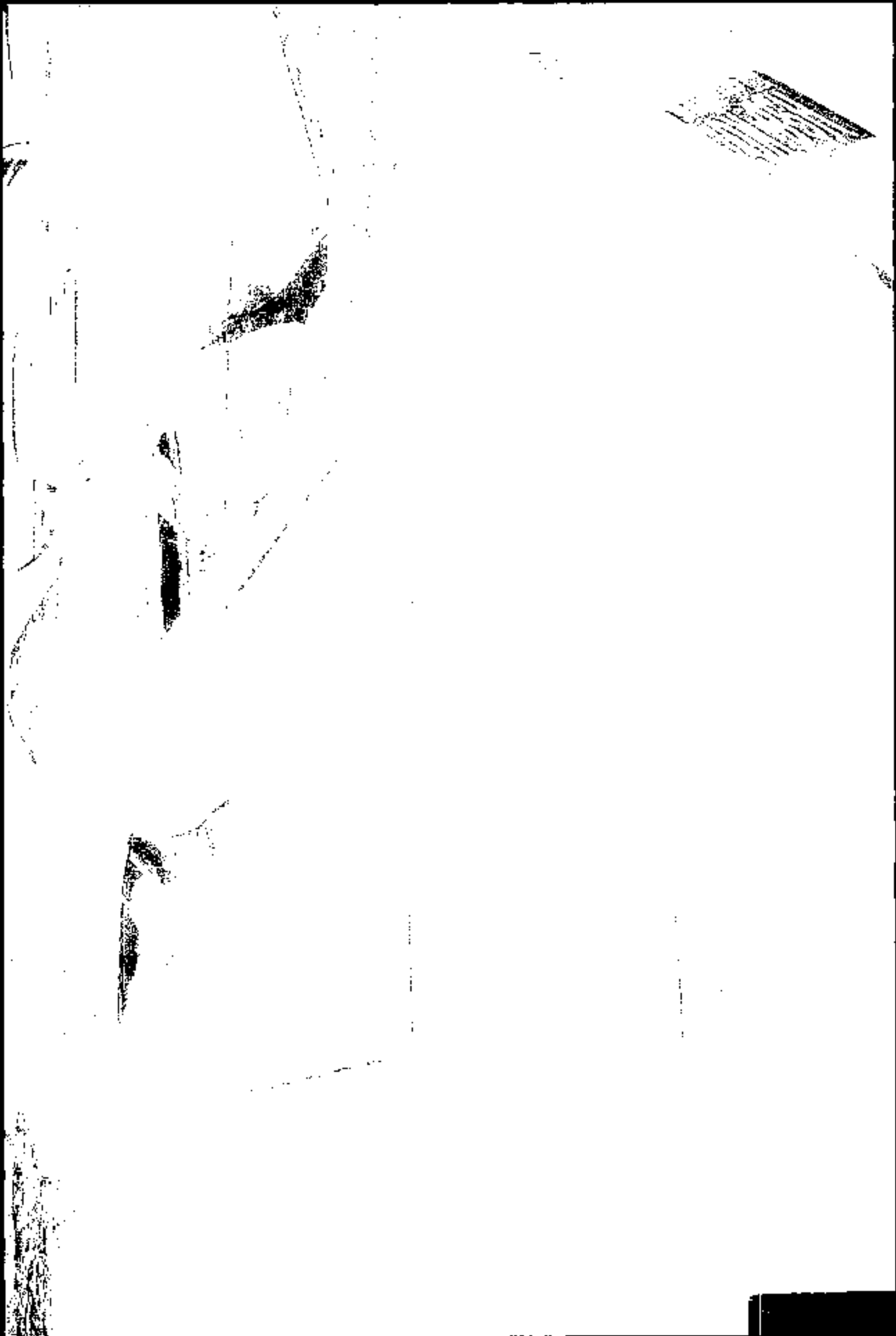
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EA02-025 34286







Handwritten notes on the left margin, including the number '10' and some illegible scribbles.



