

PE04-078
FORD
1/28/2005
BOOK 5 OF 12
ATTACHMENT F
PART 5 OF 6



FARMERS

National Document Center
P.O. Box 268992
Oklahoma City, OK 73126-8992
claimsdocument@farmersinsurance.com
Fax : 877-217-1389

08/13/2004

Ford Motor Company
P.O. Box 6248 Mid-3rd-B
Dearborn, MI 48126
ATTN: CONSUMERS AFFAIRS

Re: Our Insured: [REDACTED]
Our Claim #: [REDACTED]
Date of Loss: 07/01/2004
Your Claim #: [REDACTED]
Amount Owed: \$3,515.40

FORD MOTOR COMPANY
RECEIVED
AUG 1 2004
GENERAL COUNSEL

CONSUMERS AFFAIRS
AUG 19 11:14

Dear Shawn Norton:

We have made payment to our insured for damages resulting from this accident. Our investigation has established that the above loss was caused by the negligence of your product. By virtue of our subrogation rights this letter is to advise you that we expect payment from you for the amount of damages within 14 days of the receipt of this letter.

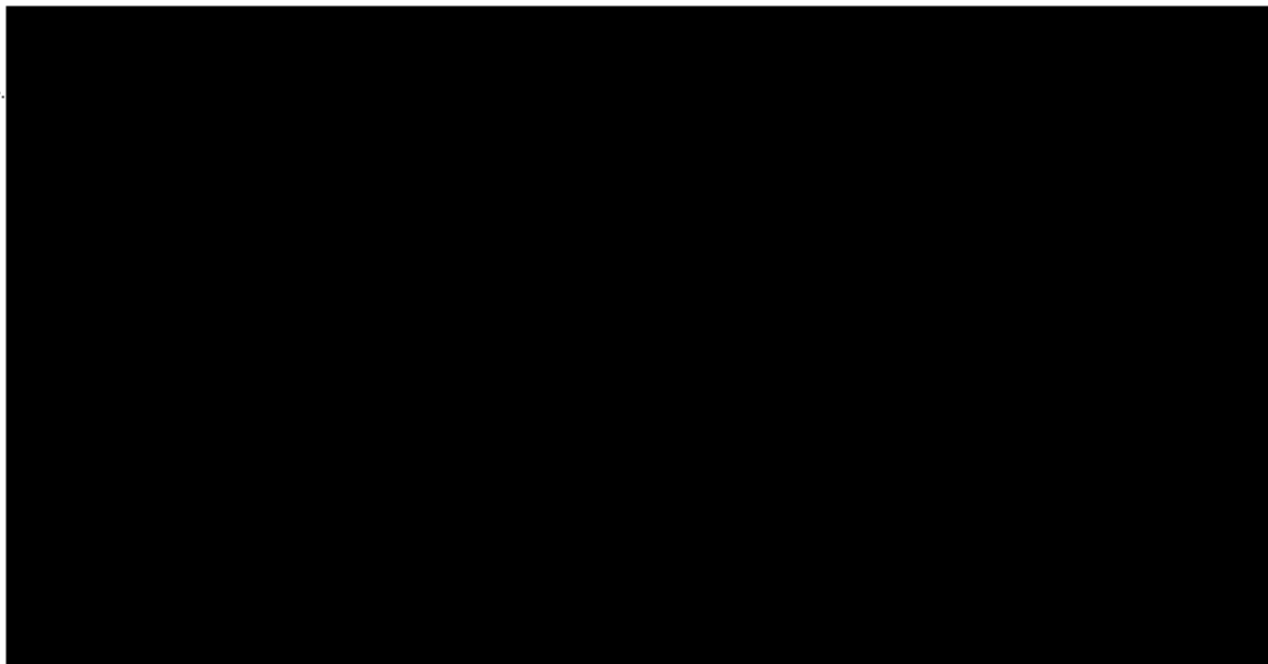
Be advised that no partial payment, which is less than the full amount claimed herein, will be considered in any way an acceptance of benefits, a novation or an accord and satisfaction of this claim without the express written release of our claim executed by an individual who identifies himself/herself as a member of our subrogation department. Therefore, our legal rights to enforce collection on the remaining amount of the claim shall not be waived or estopped due to a partial payment by you.

If you need additional support for our claim or require further information, please call me at 512-238-5739 with your FAX number so that the requested information can be sent to you.

Sincerely,
Mid-Century Insurance Company of Texas

Scott Sheffield
Subrogation Representative

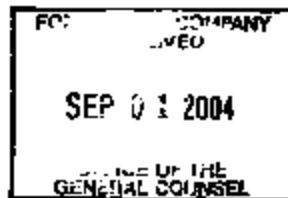
ATTACHMENT(S)



FE84-278 C 1889

3773 S.Sanford Ave * Sanford, FL 32773 **

Ford Motor Company
Consumer Affairs Dept
P.O.Box 6248
Dearborn, MI 48126



August 25, 2004

4 SEP -7 11:53

OUR INSURED : [REDACTED]
OUR CLAIM NUMBER : [REDACTED]
DATE OF ACCIDENT : 08-12-2004

As of August 25, 2004, NATIONWIDE MUTUAL FIRE INSURANCE COMPANY has made phone contact concerning the above referenced fire loss and is placing you on written notice that , we hold you responsible for the damages to our insured's vehicle. Deland Ford dealership service department informed us that cruise control mechanism was cause of engine fire on 2000 Ford F150 Pick Up.

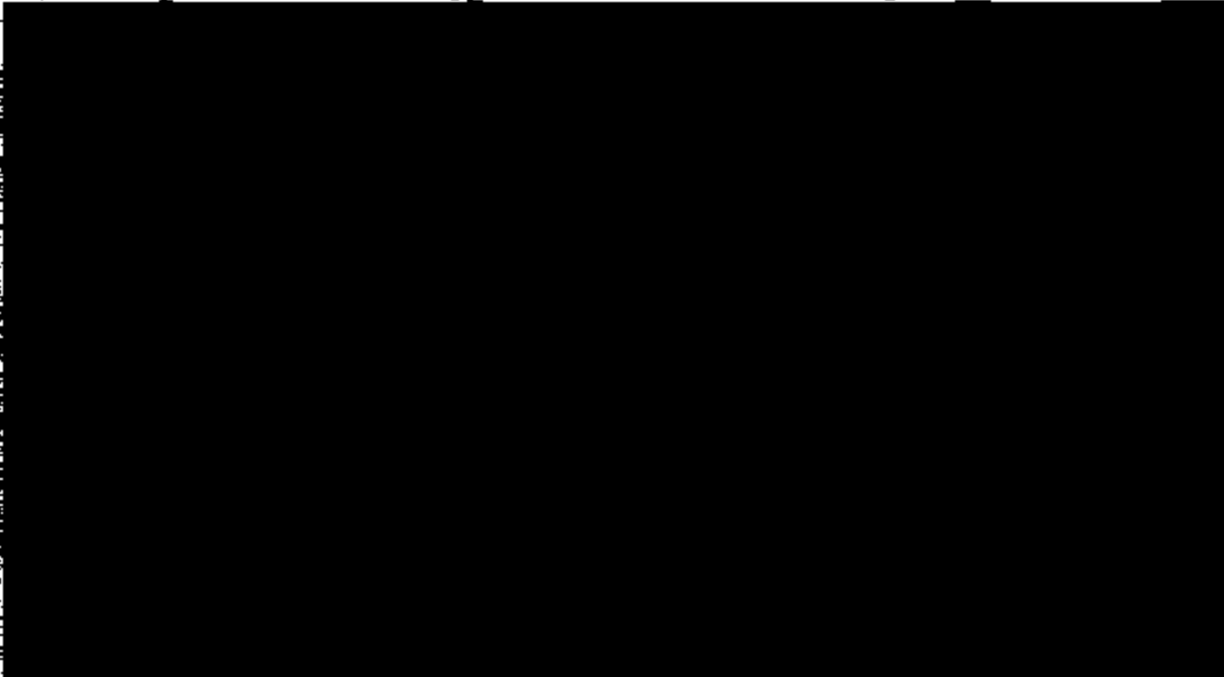
See attached copy of estimate showing vehicle in question and location of dealership where vehicle is going to be repaired

If you do not wish to dispute this claim , please pay amount of estimate which is \$3355.90 which includes insured's \$100 deductible. Please .

NATIONWIDE MUTUAL FIRE INSURANCE COMPANY
George Alexander
Claims Department
(888)688-6886 Ext 13, (866)743-4057, alexang@nationwide.com
CC: Ford Motor Copany , Consumer Affairs Dept sent via First Class U.S. Mail

NOTICE - Section §17.234, Florida Statutes, provides in part: "Any person who knowingly and with intent to injure, defraud or deceive any insurer files a statement of claim or an application containing any false, incomplete or misleading information is guilty of a felony of the third degree."

PE04-078 C 1810





American National Property And Casualty Companies

American National Property And Casualty Co.
American National General Insurance Co.
American National Lloyd's Insurance Co.
Pacific Property And Casualty Co.
ANPAC Louisiana Insurance Co.
American National County Mutual Insurance Co.

American National Corporate Center
1849 Karl Swoboda
Springfield, MO • 65809-0001
417-887-0220 • Fax 417-887-1881
<http://www.anpac.com>

RECEIVED JUL - 6 2004

June 21, 2004

Handwritten: *ca 4/64* and a large handwritten *P*

CLAIMS AFFAIRS SECTION

4 JUN 30 10:10

Ford Motor Company
P. O. Box 6248
Dearborn, MI 48126

Re: Our Claim #10-A-0VW-585
Date of Loss: November 16, 2003
Our Insured: [Redacted]

FORD MOTOR COMPANY
RECEIVED
CLAIMS DEPT
JUN 30 2004
OFFICE OF THE
GENERAL COUNSEL

We have been informed that you are the insurance carrier for the party designated in the caption of this letter. Our investigation of this accident established that your insured was responsible for this accident.

In order to assist you in evaluating and processing a subrogation claim we are asserting, we may provide nonpublic personal information about our customers. We are sharing this information to effect, administer, or enforce a transaction authorized by the customer. However, you are neither authorized nor permitted to: (1) use the customer information we provide for any purpose other than to evaluate and process the subrogation claim; or (2) disclose or share the customer information we provide for any purpose other than to evaluate or process the subrogation claim.

Please accept this letter as a notice of our subrogation rights. We have made payments and request reimbursement for \$15,378.64. Our complete support has been forwarded. Our insured vehicle is available for your inspection. Please reply to this letter within 60 days or our file will go to our company's Litigation Department. Salvage will be sold as it has been kept in a secure condition, creating additional expense which will also be included in our total amount to be recovered.

Sincerely,

Gaylene Smith

Gaylene Smith
Subrogation Specialist
Eastern Region
American National Property And Casualty Company
#1-800-333-2861
Extension #2282

jta

PE04-878 C 1812



"Members of the American National Family of Companies"

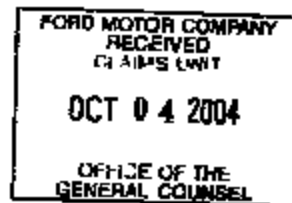
RECEIVED OCT 6 2004



September 24, 2004

Ford Motor Company
PO Box 6248
Dearborn, MI 48126

P



RE: Our File Number : 2142-61755
Date of Loss : November 16, 2003
Our Client : American National Property & Casualty
Our Insured : [REDACTED]
Amount of Loss : \$15,378.64

To Whom It May Concern:

Crawford & Company is the Third Party Administrator representing American National Property & Casualty in the recovery of monies paid on the claim referenced above. American National Property & Casualty paid the sum of \$15,378.64 to their insured as the result of an incident occurring November 16, 2003. Our client's vehicle caught on fire, and after inspection, was found to be a manufacturing problem. Therefore, our investigation indicates your company is responsible for the damages.

This file has been sent to my attention for possible further action. To avoid legal action, please forward the sum of \$15,378.64 to Crawford & Company referencing your account number 2142-61755 within fifteen (15) days of receipt of this letter. If you are unable to pay the full amount, I will assist you in setting up a payment plan. Should you choose to ignore the opportunity to work out this matter in an amicable manner, legal action may be taken in the very near future. If American National Property & Casualty is granted a judgment against you, it is my intent to do whatever allowed by law to satisfy the judgment. I am willing to discuss this matter with you to avoid such action, and I may be reached by telephone at the number listed below from 8:00 AM until 5:00 PM CST, Monday through Friday. Your prompt attention to this matter is appreciated.

Sincerely,

Gordon Cummings
Attorney at Law
Crawford & Co.
888-301-3339 Ext. 294

Crawford and Company
2448 E. 81st St., Suite 800 • Tulsa, OK 74137
Tele: (888) 301-3339 • Fax (918) 493-2118

PEB4-878 C 1813

ANPAC

American National Property
And Casualty
Company

American National Corporate Centre
1949 East Suezline
Springfield, MO • 65886-0001
417-887-0220 • Fax 417-887-1661
http://www.anpac.com

American National Property And Casualty Co.
American National General Insurance Co.
American National Lloyd's Insurance Co.
Pacific Property And Casualty Co.
ANPAC Louisiana Insurance Co.
American National County Mutual Insurance Co.

July 14, 2004

CONSUMER AFFAIRS
SECTION

FORD MOTOR COMPANY
ATTN 8003923673
P O BOX 6248
DEARBORN MI 48126

4 JUL 20 09:23

FORD MOTOR COMPANY
RECEIVED
CLAIMS UNIT
JUL 20 2004
OFFICE OF THE
GENERAL COUNSEL

Re: Our Claim # [REDACTED]
Date of Loss: November 16, 2003
Our Insured: [REDACTED]
Our Policy # 10-A-E45702
Your Insured: FORD MOTOR COMPANY
P O BOX 6248
DEARBORN MI 48126
Your File # NOT GIVEN

We have been informed that you are the insurance carrier for the party designated in the caption of this letter. Our investigation of this accident established that your insured was responsible for this accident.

In order to assist you in evaluating and processing the subrogation claim we are asserting, we may provide nonpublic personal information about our customer. We are sharing this information to effect, administer, or enforce a transaction authorized by the customer. However, you are neither authorized nor permitted to: (1) use the customer information we provide for any purpose other than to evaluate and process the subrogation claim, or (2) disclose or share the customer information we provide for any purpose other than to evaluate and process the subrogation claim.

Please accept this letter as notice of our subrogation rights. We have made the following payments and request reimbursement for \$15,378.64 as shown below:

COVERAGE	TOTAL
Comp 200 Ded (\$200.00 deductible included)	\$14,928.64
Car Rental (comp)	\$450.00
Total of claim	\$15,378.64

Enclosed is requested support.

Sincerely,

Gaylene Smith
Gaylene Smith
Subrogation Specialist
American National Property And Casualty Co

660
c60
VCC 4 yrs.
DOW-2 yrs

WED 1/12/00
DOW
NOESP

F105
Fayetteville, GA
VIN [REDACTED] (in August 3 months prior)
- (37,171)
- 100 F-150



"Members of the American National Family of Companies"

PE04-078 C 1014



Office of the General Counsel

PRIVILEGED & CONFIDENTIAL

Ford Motor Company
Parliane Towers West
Suite 300
Three Parliane Boulevard
Dearborn, Michigan 48126-0300

July 8, 2004

AN PAC
1949 East Sunshine
Springfield, MO 65899-0001
ATTENTION: GAYLENE SMITH
2ND REQUEST

RE: Claimant: [REDACTED]
Your Claim #: [REDACTED]
DOL: 11-16-2003

Dear Ms. Smith:

We acknowledge your recently submitted subrogation claim. In order to assist us in evaluating your claim, we request that you provide us with the following information: (Please note that the information requested is in regard to the Ford manufactured vehicle.)

- 1. Attach your insured's statement with a complete description of the incident, including events that occurred prior to and subsequent to the loss.
- 2. A copy of the police and/or fire report.
- 3. Original color photographs of the vehicle's collision/fire damage & the alleged defective parts, from several different angles.
- 4. Original color photographs of the inside of the vehicle showing the steering wheel, dash and roof areas.
- 5. Original color photographs of the accident / fire scene from several different angles.
- 6. Attach a copy of your expert's report and the expert's original photographs.
- 7. Attach the repair estimate, repair order, or your total loss worksheet for the vehicle's damage and any losses associated with this incident, and copies of draft payments.
- 8. Attach the complete service history for the subject vehicle, including any tune-ups or oil changes.

Please answer the following in the space provided. If you need additional space, please use the back of the form;

- 9. What was the city and state of occurrence: Fayetteville - Ga
- 10. The 17 digit vehicle identification number: 1FTRX17W9Y [REDACTED]
- 11. What was the mileage at time of occurrence: N/A 37,171 in aug
- 12. What is the alleged defect: potential voltage spikes at brake pressure switch
- 13. Has the alleged defective part been repaired or replaced? (circle one) Yes or No?

7 RECEIVED

JUL 13 04

PEBA-678 C 1815

ANPAC, ANO and ANCAC CLAIMS

14. What is the current location of the vehicle, and the alleged defective part(s)?

Safeguard -

15. List all after market additions or modifications that were made to the vehicle:

16. Was the engine running? (circle one) Yes or No

17. Were the keys in the ignition? (circle one) Yes or No

18. Was this vehicle purchased new or used _____

If purchased used, provide the date of purchase, mileage at the time of purchase, and from whom the vehicle was purchased: 7-14-03 035519

Alexander Rickey

Once we are in receipt of the requested information, it will be reviewed and you will be notified of our decision concerning your claim. Should you not send all of the requested information and materials, we will assume that you are not interested in pursuing a claim and we will close our file. Please note that your vehicle will not be inspected until all the above information has been submitted and a determination has been made as to whether an inspection is warranted.

Please be advised that all necessary steps should be taken to ensure that the subject vehicle and all of its component parts are maintained and preserved for trial. Ford Motor Company has the right to inspect the vehicle and remove and test any component part that you claim to be defective, and to be presented with the vehicle and the subject component part(s) at the time of trial, should litigation ensue from this informal claim.

If you propose to repair the vehicle for continued usage, such repairs may not be performed until after Ford Motor Company has inspected the vehicle and removed and tested any component part you claim to be defective or advised you in writing that it does not intend to perform such inspection and/or testing at this time. But even in that event, Ford Motor Company will insist that all components claimed to be defective are maintained and preserved for trial.

Sincerely,



Shawn L. Norton
Claims Analyst /
Litigation Assistant

7 RECEIVED

JUL 13 04

ANPAC, ANO and
ANCNC CLAIMS

Fayetteville Fire Dept.

A	06602	GA	11/16/2003	81	6301884	000	<input type="checkbox"/> Defile <input type="checkbox"/> Change <input type="checkbox"/> No Activity	NFIRS-1 Basic
	FDOI	State	Incident Date	Station	Incident Number	Exposure		

B Location Address on Wildland Form Census Tract **050135**

Street Address Ave. _____

Intersection Number _____ Prefix _____ Street _____ Ave. Type _____

In front of Fayetteville GA _____ State _____ Zip Code _____

Rear of Apt/Suite _____ City _____ State _____ Zip Code _____

Adjacent to _____

Directions Cross Street or Directions, as applicable _____

C Incident Type 130 Mobile property (vehicle) fire	E1 Dates & Times	E2 Shifts / Alarms																															
D Aid Given or Received	<table border="1"> <tr> <th></th> <th>Mon.</th> <th>Day</th> <th>Year</th> <th>Time</th> </tr> <tr> <td>Alarm</td> <td></td> <td></td> <td>11/16/03</td> <td>17:30:29</td> </tr> <tr> <td>Arrival</td> <td><input checked="" type="checkbox"/> Arrival</td> <td></td> <td>11/16/03</td> <td>17:34:29</td> </tr> <tr> <td>Control</td> <td><input checked="" type="checkbox"/> Control</td> <td></td> <td>11/16/03</td> <td>17:38:47</td> </tr> <tr> <td>Last Unit Cleared</td> <td><input checked="" type="checkbox"/> Last Unit Clear</td> <td></td> <td>11/16/03</td> <td>18:03:37</td> </tr> </table>		Mon.	Day	Year	Time	Alarm			11/16/03	17:30:29	Arrival	<input checked="" type="checkbox"/> Arrival		11/16/03	17:34:29	Control	<input checked="" type="checkbox"/> Control		11/16/03	17:38:47	Last Unit Cleared	<input checked="" type="checkbox"/> Last Unit Clear		11/16/03	18:03:37	<table border="1"> <tr> <th>C</th> <th>1</th> <th>81</th> </tr> <tr> <td>Shift</td> <td>Alarms</td> <td>Dist.</td> </tr> </table>	C	1	81	Shift	Alarms	Dist.
	Mon.	Day	Year	Time																													
Alarm			11/16/03	17:30:29																													
Arrival	<input checked="" type="checkbox"/> Arrival		11/16/03	17:34:29																													
Control	<input checked="" type="checkbox"/> Control		11/16/03	17:38:47																													
Last Unit Cleared	<input checked="" type="checkbox"/> Last Unit Clear		11/16/03	18:03:37																													
C	1	81																															
Shift	Alarms	Dist.																															
1 <input type="checkbox"/> Received Their FDOI 2 <input type="checkbox"/> Automatic Rec'd Their State 3 <input type="checkbox"/> Given 000000 4 <input type="checkbox"/> Automatic Given Their Incident 5 <input type="checkbox"/> Other Aid Given 6 <input checked="" type="checkbox"/> None		E3 Special Studies																															
		ID# _____ Value _____																															

E Actions Taken	G1 Resources	G2 Dollar Loss & Value												
11 Extinguish	<table border="1"> <tr> <th></th> <th>Apparatus</th> <th>Personnel</th> </tr> <tr> <td>Suppression</td> <td>2</td> <td>4</td> </tr> <tr> <td>EMS</td> <td>0</td> <td>0</td> </tr> <tr> <td>Other</td> <td>1</td> <td>1</td> </tr> </table>		Apparatus	Personnel	Suppression	2	4	EMS	0	0	Other	1	1	LOSSES: NONE Property 5000 <input type="checkbox"/> Contents 5000 <input type="checkbox"/> PRE-INCIDENT VALUE Property 15000 <input type="checkbox"/> Contents 15000 <input type="checkbox"/>
	Apparatus	Personnel												
Suppression	2	4												
EMS	0	0												
Other	1	1												
Primary Action Taken (1) 12 Salvage & overhaul	<input type="checkbox"/> Check if counts include mutual aid resources													
Additional Action Taken (2)														
Additional Action Taken (3)														

F Completed Modules	H1 Casualties	H3 Hazmat Release	I Mixed Use Property
<input checked="" type="checkbox"/> Fire-2 <input type="checkbox"/> Structure-3 <input type="checkbox"/> Civ. Casualty-4 <input type="checkbox"/> Fire Casualty-5 <input type="checkbox"/> EMS-6 <input type="checkbox"/> Hazmat-7 <input type="checkbox"/> Wildland-8 <input checked="" type="checkbox"/> Apparatus-9 <input type="checkbox"/> Personnel-10 <input type="checkbox"/> Arson-11	<input checked="" type="checkbox"/> None Deaths Inj. _____ Fire Service _____ Civilian _____ H2 Detector Alerted Occupants 1 <input type="checkbox"/> Yes 2 <input checked="" type="checkbox"/> No U <input type="checkbox"/> Unknown	<input checked="" type="checkbox"/> None 1 <input type="checkbox"/> Natural Gas 2 <input type="checkbox"/> Propane Gas 3 <input type="checkbox"/> Gasoline 4 <input type="checkbox"/> Kerosene 5 <input type="checkbox"/> Diesel Fuel/Fuel Oil 6 <input type="checkbox"/> Household Solvents 7 <input type="checkbox"/> Motor Oil 8 <input type="checkbox"/> Paint 9 <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Not Mixed 10 <input type="checkbox"/> Assembly Use 20 <input type="checkbox"/> Education Use 33 <input type="checkbox"/> Medical Use 40 <input type="checkbox"/> Residential Use 61 <input type="checkbox"/> Row of Stores 63 <input type="checkbox"/> Enclosed Mall 68 <input type="checkbox"/> Business & Resid. 69 <input type="checkbox"/> Office Use 89 <input type="checkbox"/> Industrial Use 93 <input type="checkbox"/> Military Use 95 <input type="checkbox"/> Farm Use 99 <input type="checkbox"/> Other Mixed Use

J Property Use 962

*Residential street, road or rd

6 RECEIVED
 EC 11 03
 APAC, ANG and
 A/CNC CLAME

Fayetteville Fire Dept.

K1, Person/Entity Involved

Business name (if applicable) _____ Phone _____

Check if same address as incident

Mr. Ms. Mrs. First Name _____ MI _____ Last Name _____ Suffix _____

Number _____ Prefix _____ Street or Highway _____ Street Type _____ Suffix _____

Post Office Box _____ Apt./Suite/Room _____ City Fayetteville

GA _____ State _____ Zip _____

K2 Owner

Same as Person Involved Phone 7787199851

Business name (if applicable) _____

Check if same address as incident

Mr. Ms. Mrs. First Name _____ MI _____ Last Name _____ Suffix _____

Number _____ Prefix _____ Street or Highway _____ Street Type _____ Suffix _____

Post Office Box _____ Apt./Suite/Room _____ City Fayetteville

GA _____ State _____ Zip _____

L Remarks

E-81, E-82, 905 responded to the above location to investigate a reported vehicle fire. Upon arrival E-81 crew found smoke and flames from the engine compartment of the vehicle. E-81 driver deployed one 1-3/4" preconnected hoseline. E-81 and E-82's crew extinguished the fire. E-82 returned to service; 905 assisted the owner of the vehicle in moving it to the side of the road. E-81, 905 returned to service.

Received: 17:28:42

Vehicle Information:

2000 Ford F-150
 Vin# 1FTRX17W9YM _____
 Tag# 6455 ART
 Insurance company: American National Property policy# 10-A-E45702-8

6 RECEIVED
 DEC 1 2003
 ANPAC, ANG and
 ANCMC CLAIMS.

W Authorization

00029	X	A/Sgt.	Suppressor	11/16/2003
Officer in charge ID	Erran Brown	Position or Rank	Assignment	Date
00011	X	FF	Suppressor	11/16/2003
Member Making Report	Chris Zahrt	Position or Rank	Assignment	Date

Fayetteville Fire Dept.

A	85582	GA	11/06/2003	91	4301884	000	<input type="checkbox"/> Delete <input type="checkbox"/> Change <input type="checkbox"/> No Activity	NFIRS-2 Fire
	FDID	State	Incident Date	Station	Incident Number	Exposure		

B Property Details	C On-Site Materials or Products
B1 0 <input checked="" type="checkbox"/> Not Residential No. of residential units in building of origin	811 <input type="checkbox"/> None Autos, trucks, buses, recreat
B2 0 <input checked="" type="checkbox"/> Bldgs not involved No. of buildings involved	On-site materials (1)
B3 0 <input checked="" type="checkbox"/> None Acres burned (outside fire) <input type="checkbox"/> Less than one acre	On-site materials (2)
	On-site materials (3)
	1 <input type="checkbox"/> Bulk storage or warehousing 2 <input type="checkbox"/> Processing or manufacturing 3 <input type="checkbox"/> Packaged goods for sale 4 <input type="checkbox"/> Repair or Service
	1 <input type="checkbox"/> Bulk storage or warehousing 2 <input type="checkbox"/> Processing or manufacturing 3 <input type="checkbox"/> Packaged goods for sale 4 <input type="checkbox"/> Repair or Service
	1 <input type="checkbox"/> Bulk storage or warehousing 2 <input type="checkbox"/> Processing or manufacturing 3 <input type="checkbox"/> Packaged goods for sale 4 <input type="checkbox"/> Repair or Service

D Ignition	E1 Cause of Ignition <input type="checkbox"/> Exposure Report	E3 Human Factors Contributing to Ignition
D1 83 Area of origin Engine area, running gear, wh	1 <input type="checkbox"/> Intentional 2 <input checked="" type="checkbox"/> Unintentional 3 <input type="checkbox"/> Failure of equipment 4 <input type="checkbox"/> Act of nature 5 <input type="checkbox"/> Cause under investigation U <input type="checkbox"/> Undetermined after invest.	1 <input type="checkbox"/> Asleep <input checked="" type="checkbox"/> None 2 <input type="checkbox"/> Possibly impaired by alcohol or drugs 3 <input type="checkbox"/> Unattended person 4 <input type="checkbox"/> Mentally disabled 5 <input type="checkbox"/> Physically disabled 6 <input type="checkbox"/> Multiple persons
D2 13 Heat Source Arcing	E2 Factors Contributing <input checked="" type="checkbox"/> None NN None	7 <input type="checkbox"/> Age was a Factor
D3 81 Item first ignited Electrical wire, cable leads	Factor contributing to ignition (1)	Estimated age 1 <input type="checkbox"/> Male 2 <input type="checkbox"/> Female
D4 41 Type of material first ignited Plastic	Factor contributing to ignition (2)	
<input type="checkbox"/> Confined to item		

F1 Equipment Involved in Ignition <input checked="" type="checkbox"/> None	F2 Equipment Power	G Fire Suppression Factors <input checked="" type="checkbox"/> None
Equipment Involved	Equipment Power Source	NNN None
Brand	F3 Equipment Portability	Fire suppression factor (1)
Model	1 <input type="checkbox"/> Portable 2 <input type="checkbox"/> Stationary	Fire suppression factor (2)
Serial #	Portable equipment normally can be served by one person, is designated to be used in multiple locations.	Fire suppression factor (3)
Year		

H1 Mobile Property Involved <input type="checkbox"/> None	H2 Mobile Property Type & Make	Local Use
1 <input type="checkbox"/> Not involved in ign, burned 2 <input type="checkbox"/> Involved in ign, did not burn 3 <input checked="" type="checkbox"/> Involved in ignition and burned	11 Passenger car. Mobile property type FO Ford Mobile property make	<input type="checkbox"/> Pre-Fire Plan Available Some of the information presented in this report may be based upon reports from other agencies: RECEIVED
F-180 Pickup Truck Mobile property model	2000 Year	<input type="checkbox"/> Arson report attached <input type="checkbox"/> Police report attached 11 '03 <input type="checkbox"/> Coroner report attached <input type="checkbox"/> Other reports attached PAC, ANT, ANEMG CLAIM
6485 ART License Plate Number	GA State	
1FTRX17WBYN VIN Number		

03822	GA	11/16/2003	HQ	0301884	000	<input checked="" type="checkbox"/> Delete	NFIRS-0	
FDID	State	Incident Date	Station	Incident Number	Exposure	<input type="checkbox"/> Change	Apparatus	
B Apparatus or Resource		Date and Time			Number of People	Use On Scene		Actions Taken
Apparatus ID	885	Dispatch	<input checked="" type="checkbox"/> 11/16/03	17:34:29	1	<input checked="" type="checkbox"/> Suppression		81
Apparatus Type	91	Arrival	<input checked="" type="checkbox"/> 11/16/03	17:38:28		<input type="checkbox"/> EMS		
		Clear	<input checked="" type="checkbox"/> 11/16/03	17:57:52		<input type="checkbox"/> Other		
Personnel ID	Name and Rank			Off-Duty	Action Taken	Action Taken	Action Taken	Action Taken
00087	Padovano, G. LT			<input type="checkbox"/>	81			

6 RECEIVED

DEC 11 03

ANPAC, ANG and
ANCMC CLABS.

FD-204-078 C 1-20

08602	GA	11/16/2003	02	0301994	000	<input checked="" type="checkbox"/> Delete	NFIRS-0	
FOID	State	Incident Date	Station	Incident Number	Exposure	<input type="checkbox"/> Charge	Apparatus	
B Apparatus or Resource		Date and Time			Number of People	Use On Scene		Actions Taken
Apparatus ID	E-92	Dispatch	<input checked="" type="checkbox"/> 11/16/03	17:34:39	2	<input checked="" type="checkbox"/> Suppression		11 12
Apparatus Type	11	Arrival	<input checked="" type="checkbox"/> 11/16/03	17:34:28		<input type="checkbox"/> EMS		
		Clear	<input checked="" type="checkbox"/> 11/16/03	17:45:38		<input type="checkbox"/> Other		
Personnel ID	Name and Rank			Off-Duty	Action Taken	Action Taken	Action Taken	Action Taken
00034	Carden, B. FF			<input type="checkbox"/>	11	12		
00027	Verza, S. Sg			<input type="checkbox"/>	11	12		

6 RECEIVED

DEC 11 03

ANPAC, ANG and
ANCMC CLAIMS

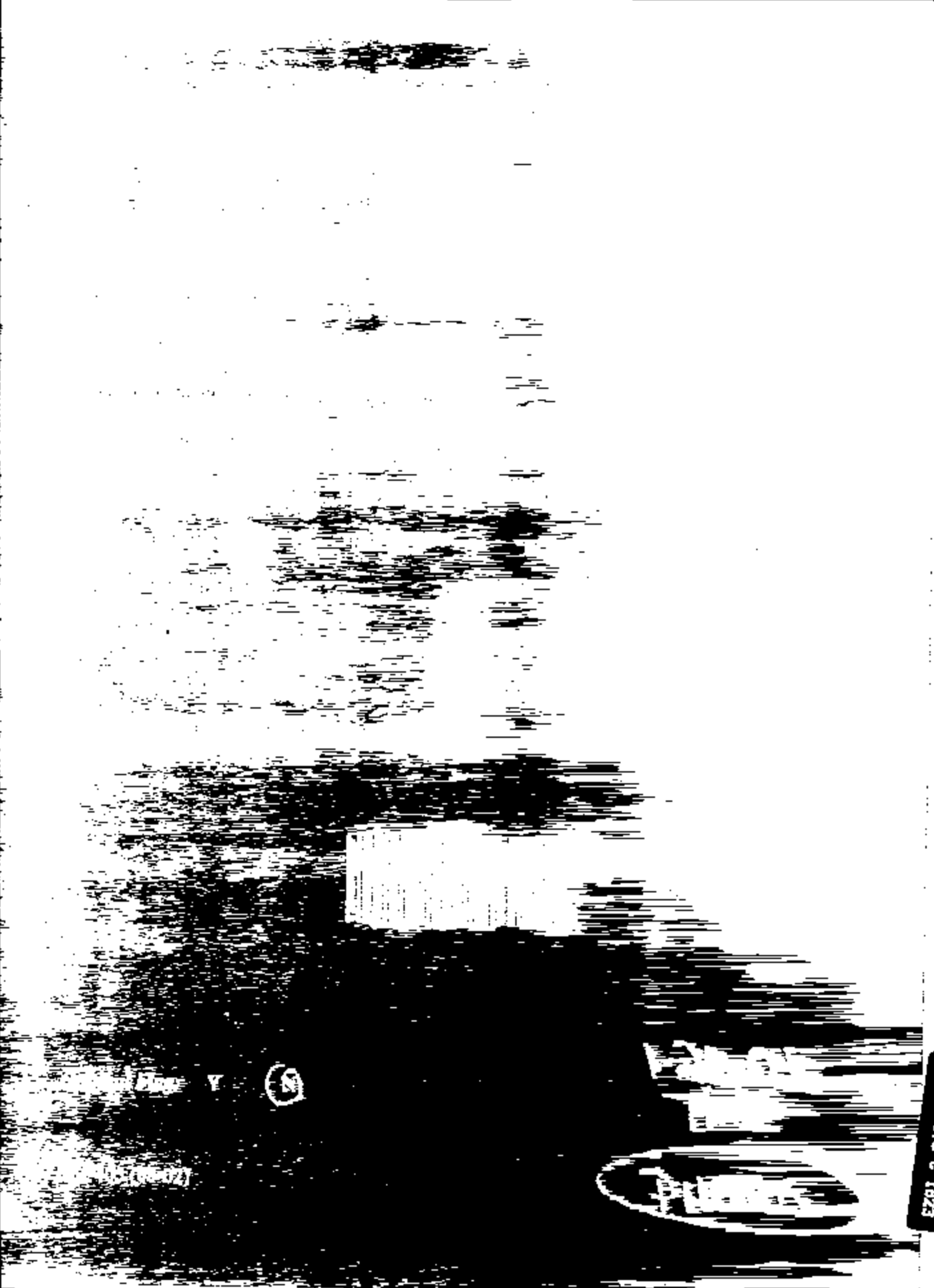
05682	GA	11/16/2003	01	0301824	008	<input checked="" type="checkbox"/> Delete	NFIRS-0	
FDD	State	Incident Date	Station	Incident Number	Exposure	<input type="checkbox"/> Change	Apparatus	
B Apparatus or Resource		Dates and Times			Number of People	Use On Scene		Actions Taken
Apparatus ID	E-01	Dispatch	<input checked="" type="checkbox"/> 11/16/03	17:30:30	2	<input checked="" type="checkbox"/> Suppression	11	12
Apparatus Type	11	Arrival	<input checked="" type="checkbox"/> 11/16/03	17:34:29		<input type="checkbox"/> EMS		
Engine		Clear	<input checked="" type="checkbox"/> 11/16/03	18:02:37		<input type="checkbox"/> Other		
Personnel ID	Name and Rank			Off-Duty	Action Taken	Action Taken	Action Taken	Action Taken
00029	Brown, E. Sg			<input type="checkbox"/>	11	12		
00011	Zehrt, C. FF			<input type="checkbox"/>	11	12		

0 RECEIVED

06 11 03

ANY...
ANG...

FE04-078 C 1022



PEBA-078 C 1823

10/10 VW1585

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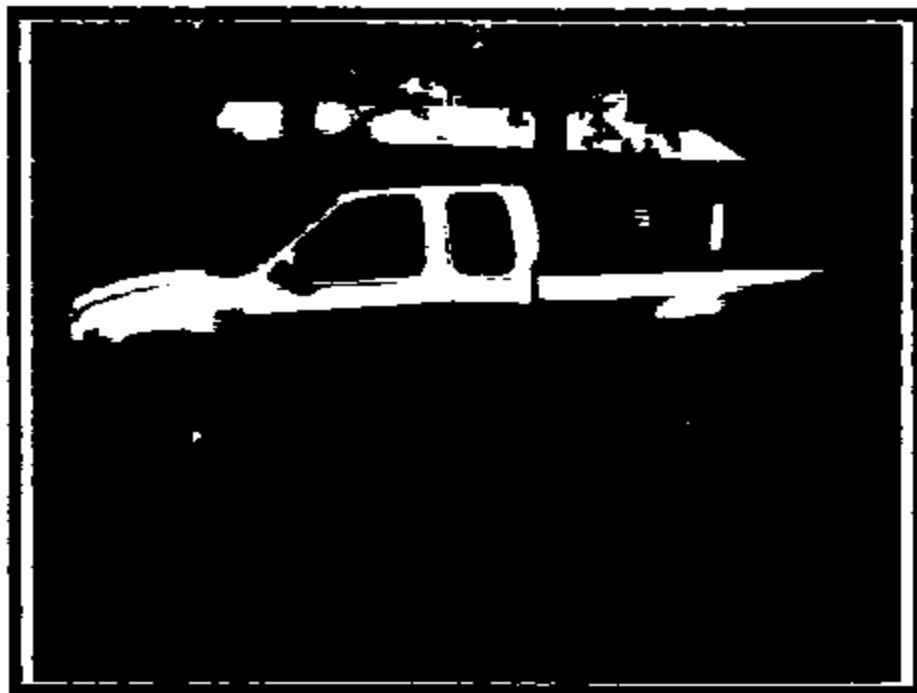


FIGURE 1

Vehicle
examined.

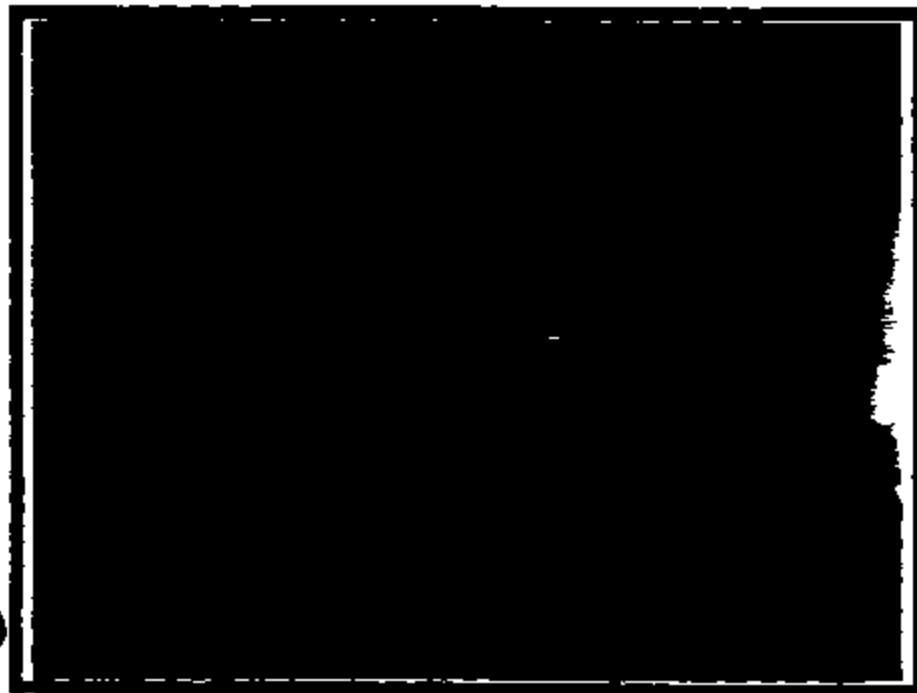


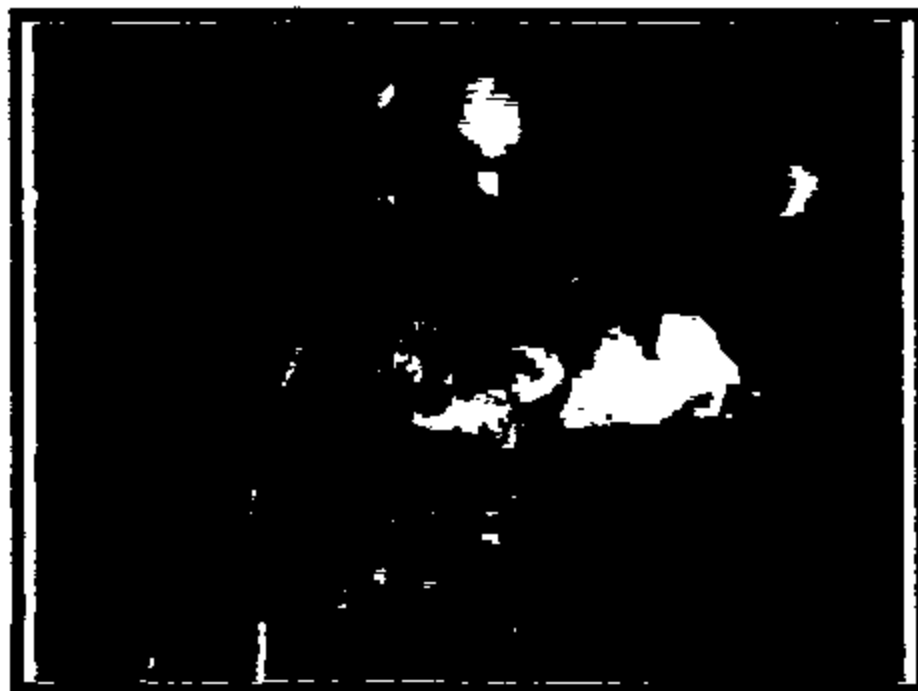
FIGURE 2

Vehicle
nameplate.

Page 3

**FIGURE 3**

Vehicle engine
(taken from front
of vehicle). Fire
origin area
circled.

**FIGURE 4**

Closer view of
fire origin area
(taken from
driver side of
vehicle).

Arrow points to
the brake
pressure switch.

**FAILURE ANALYSIS
VEHICLE FIRE
2000 Ford F-150
Fayetteville, Georgia**

Claim No.: [REDACTED]
Insured: [REDACTED]
D.O.L.: 11/16/2003
EFI No.: 98340-01541

Prepared For:

Mr. Mark Bowers
American National Property and Casualty
P.O. Box 3558
Springfield, MO 65890

**FAILURE ANALYSIS
VEHICLE FIRE
2000 Ford F-150
Fayetteville, Georgia**

Claim No.: [REDACTED]
Insured: [REDACTED]
D.O.L.: 11/16/2003
EFI No.: 98340-01541

Prepared For:

Mr. Mark Bowers
American National Property and Casualty
P.O. Box 3558
Springfield, MO 65890

2 RECEIVED

17 03

ANPAC, ANG and
ANCMC CLAIMS

PE04-078 C 1828



EFI

Engineering and Fire
Investigations, Inc.

Frank E. Hagan, P.E.
Consulting Engineer
Cellular: (770) 380-0297
Frank_Hagan@efiglobal.com

December 5, 2003

Mr. Mark Bowers
American National Property and Casualty
P.O. Box 3558
Springfield, MO 65890

Claim No.: [REDACTED]
Insured: [REDACTED]
D.O.L.: 11/16/2003
EFI No.: 98340-01541

Dear Mr. Bowers:

As requested, we have examined a 2000 Ford F-150 (VIN 1FTRX17W9Y1 [REDACTED]) reported to have caught on fire several hours after the vehicle had last been used. A site visit to the Insured's residence was conducted on 12/4/2003, and a visual and photographic survey was made.

Examination of the vehicle burn patterns suggests the fire originated at or near the area of the brake master cylinder. Potential voltage exists at the brake pressure switch (Figure 4) (located at or near the tire origin area) even when the vehicle is unoccupied. A failure in this switch could ignite the brake fluid in the adjacent brake master cylinder reservoir.

We recommend the manufacturer be notified of these findings and a joint inspection be scheduled to examine the fire origin area and related components further. Please feel free to contact us with any questions.

Respectfully submitted,

Frank E. Hagan, P.E.



FEH/wh

4405 International Boulevard ~ Suite B-115
Norcross, Georgia 30093-3013
(770) 925-9600 ~ (800) 245-9601 ~ FAX (770) 925-9649
www.efiglobal.com

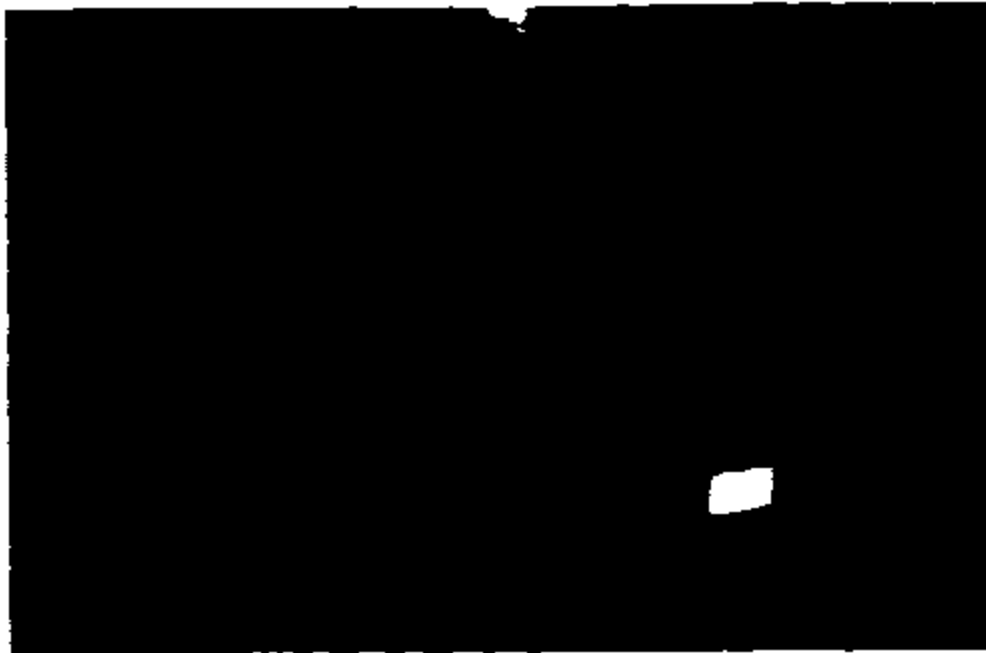
2 RECEIVED

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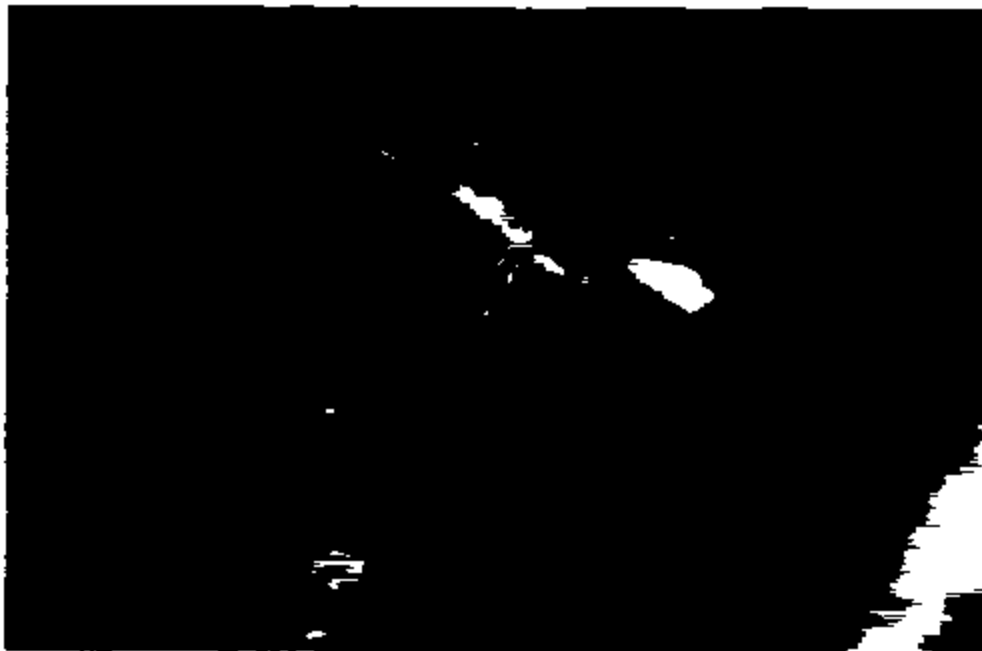
ANPAC, ANG and
ANMC CLAIMS

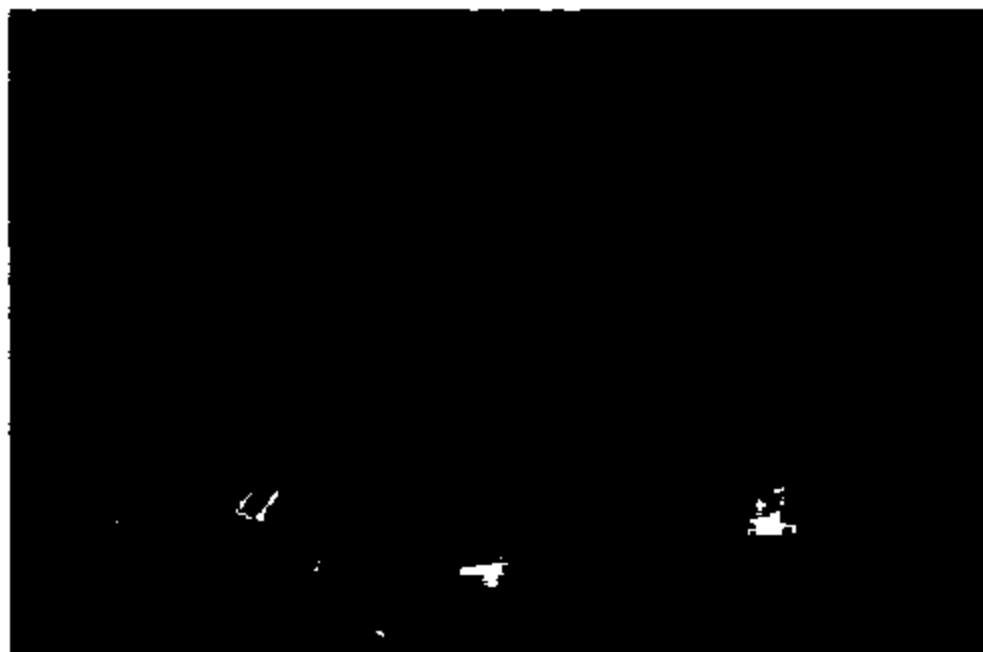
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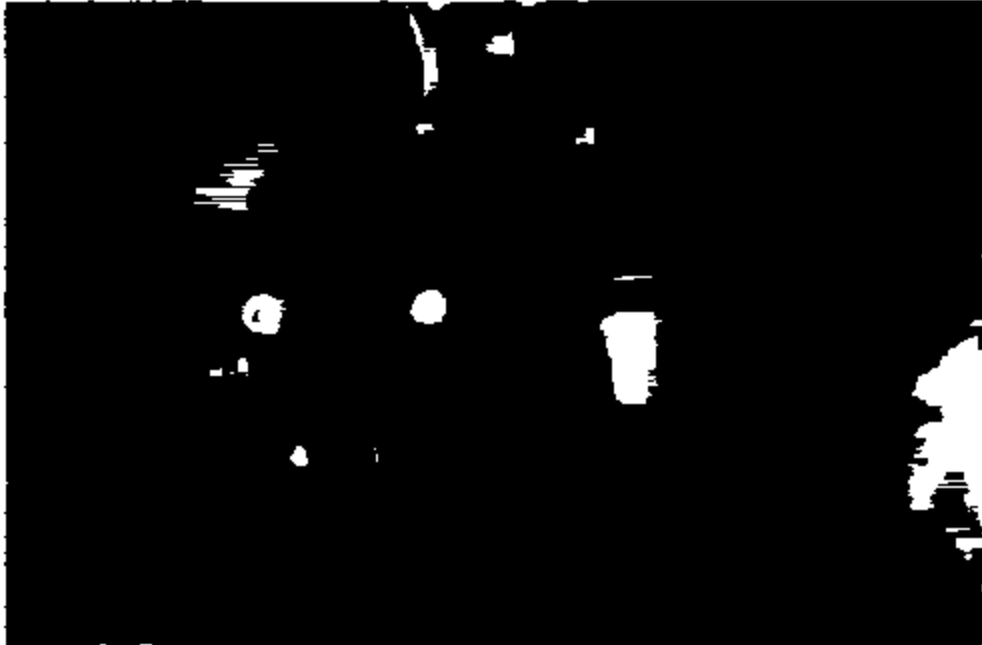


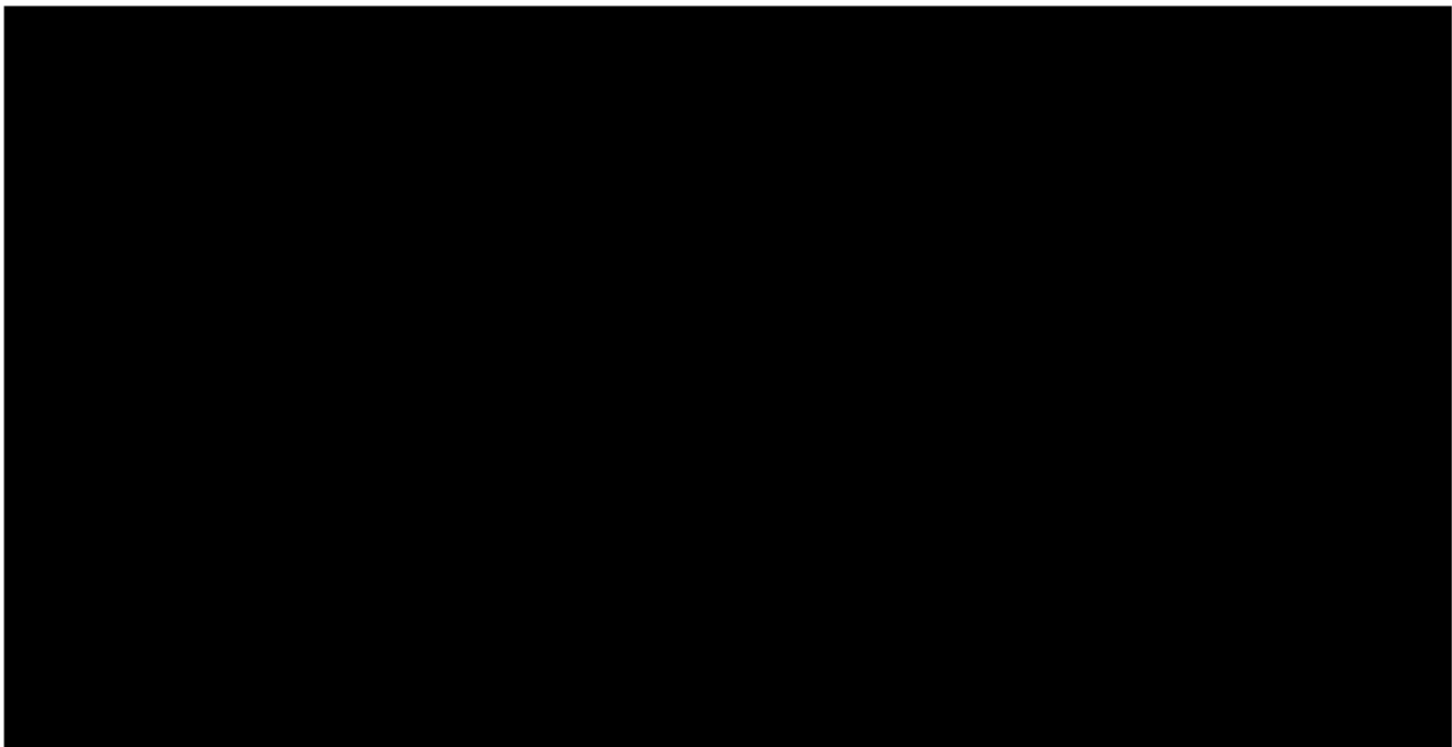


PE84-878 C 1831











ALLMERIC FINANCIAL®
 CITIZENS INSURANCE®
 HANOVER INSURANCE®

RECEIVED

NOV 18 2004

ES

440 Lincoln Street
 PO Box 15145
 Worcester MA 01653
 Fax Number: 508/926-2635
 Telephone: 800/6280250 Ext. 5796

November 9, 2004

Ford Motor Company
 Consumer Affairs Department
 PO Box 6248 MD 3NE-B
 Dearborn, MI 48126

Regarding Customer: Edward Hale
 Vehicle: 2000 Ford Expedition
 Claim Number: 03 394233
 Policy Number: [REDACTED]
 Date of Loss: October 5, 2004

NOV 18 2004
NOV 18 2004

To Whom It May Concern:

Our Insured Edward Hale insures his 2000 Ford Expedition VIN 1FMRU1569YL [REDACTED] with Hanover Insurance Company. His vehicle caught on fire on October 5, 2004. Mr. Hale states no recent work had been done to this vehicle that may have caused the fire. It was deemed necessary to send out a forensic expert in the field of fire to determine the cause of the loss.

Please consider this a notice of our intent to subrogate, as the fire was caused by a defect with the speed control sensor. Please feel free to contact me at 1-800-628-0250 x5796 if you wish to see the vehicle and do your own investigation as to the cause of the fire.

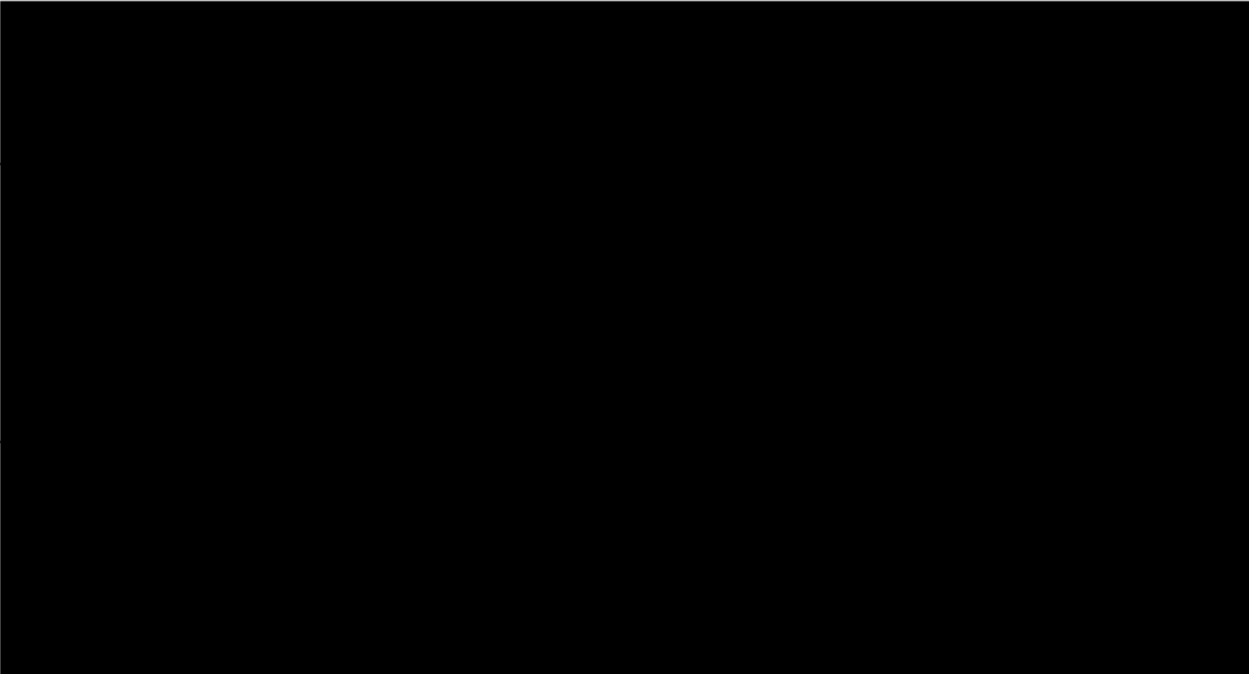
Sincerely,

Laura Ortiz
 Laura Ortiz
 Claims Adjuster

F105
10/5/04
160 Exped
VIN
WSD 2/12/00
ESP 60/60000 (exp 2/12/05)

4 NOV 17 04 23

CONSUMER AFFAIRS
 SECTION



State Farm Insurance Companies®



EMERYTECH SERVICE CENTER
1476 - 66th Street
Emeryville, CA 94608
(510) 985-8200

9/16/2004

Ford Motor Company
Attn: Consumer relations
Parklane Towers West
3 Parklane Blvd. Suite 400
Dearborn, MI 48126-2568



VIA CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Claim Number: 75-A866-753

Date of Loss: 8-30-04

Insured: [REDACTED]

Vehicle: 2000 Ford F150

Vin: 1FTZX1727YK [REDACTED]

Dear Gentle Person:

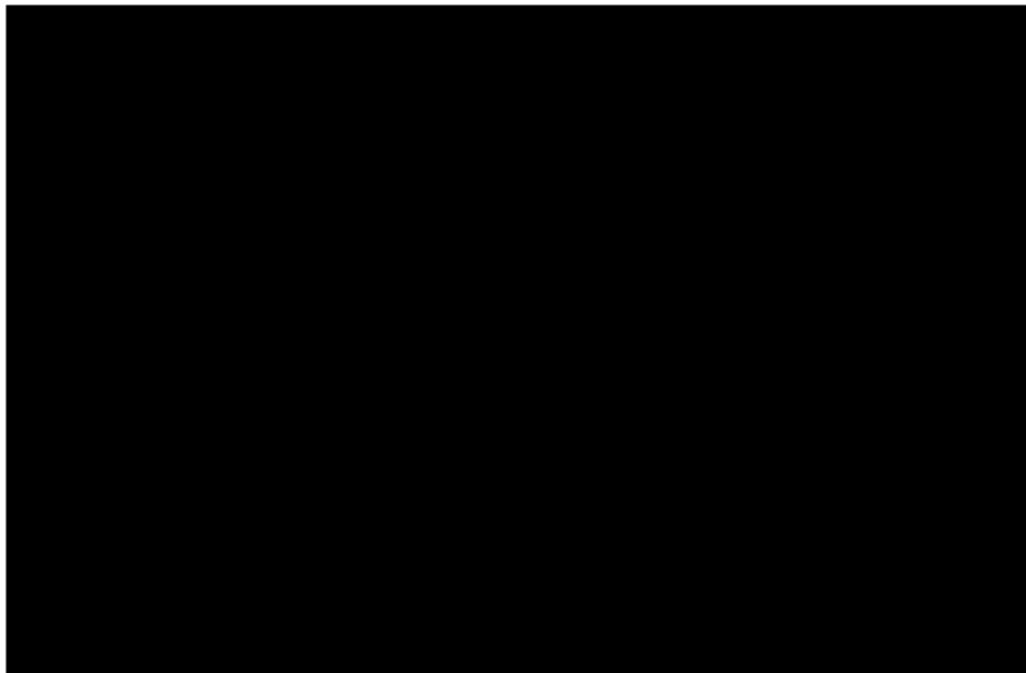
The identified vehicle is insured by State Farm Mutual Automobile Insurance Company. This vehicle was involved in a comprehensive fire loss as a result failure to the brake pressure switch. State Farm Insurance would like to give you an opportunity to inspect the damaged vehicle or parts. In addition, we would like to give you advanced notice of potential subrogation. Please contact me at 925-779-2965 to set up a time for your inspection. We request that the inspection occur within 15 days from the date of this letter so we may move forward with the resolution of this matter.

Sincerely,

Manuel Bento
Vehicle Investigator
State Farm Mutual Automobile Insurance Company

CC.

PE84-878 C 1838



State of Texas. It can be served with process by serving its registered agent, CT Corp, 350 N. St. Paul Street, Dallas, Texas 75201.

1.4. ARIC is a duly and properly licensed and authorized insurance company operating in the State of Texas. It can be served with process by serving its registered agent, CT Corp, 350 N. St. Paul Street, Dallas, Texas 75201.

II. Venue and Jurisdiction

2.1. Pursuant to § 15.002 of the Texas Civil Practice and Remedies Code, venue is proper in Williamson County, Texas as to all Defendants because, *inter alia*, all or a substantially all of the events giving rise to Plaintiff's causes of action, which are more particularly described below, occurred in Williamson County, Texas, and because Covert Ford's principal place of business is in Williamson County, Texas.

2.2. The amount in controversy in this action, exclusive of interest and costs, falls within the jurisdictional limits of this Court.

2.3. Plaintiff asserts it seeks monetary relief not to exceed \$50,000 and intend that discovery be conducted under Level I of Rule 190, Texas Rules of Civil Procedure.

III. Common Law and Statutory Authority

3.1. This suit is brought against Defendants, in part, pursuant to the common-law cause of action of negligence, negligent misrepresentation, breach of contract, breach of express and implied warranties, and strict products liability. This suit is also brought, in part, pursuant to Tex. Bus. & Com. Code Section 17.41, et seq., commonly known as the Deceptive Trade Practices and Consumer Protection Act and cited in this petition as the "DTPA".

IV. Factual Background

4.1. Farmers Insurance Group, Plaintiff, brings this lawsuit to pursue its subrogation interests and rights in connection with a fire involving a 1999 Ford F-150, VIN: 1FTX17W9XK [REDACTED] Texas Registration Plate: 4CT-M31 (the "Ford Truck").

4.2. In October, 2001, [REDACTED] purchased the Ford Truck used with 37,000 miles from Jack Ray at Covert Ford. At the time of the purchase, the Stegliches also purchased a four-year or 48,000 mile extended care warranty through Ford Extended Service Plan.

4.3. When they purchased the Ford Truck, the Stegliches obtained insurance through AMIG/ARIC, policy number: [REDACTED]. They paid \$182.00 on the AMIG/ARIC policy and then were not billed for three months. When they received a bill exceeding \$600.00, the Stegliches informed AMIG that they would not pay on that policy. The policy was then cancelled effective March 8, 2002.

4.4. On March 7, 2002, [REDACTED] purchased a Farmers insurance policy to cover the subject truck which had an effective date of March 8, 2002.

4.5. Prior to the fire made the subject of this lawsuit, [REDACTED] reported no problems with the Ford Truck except that the cruise control had stopped working and a button cover over the overdrive switch on the transmission selector lever was missing. He had performed two oil changes.

4.6. On Thursday, March 7, 2002, [REDACTED] left his home at approximately 7:25 a.m. and drove the Ford Truck to work at Bartlett Electric Co-operative. He noted no problems with the truck as he parked it about 7:35 a.m. Between 1:00 p.m. and 2:00 p.m. [REDACTED] who was out of the office, was notified by his boss that his truck was smoking. He returned to his office about twenty-five minutes later and opened the hood of the Ford Truck. He noticed that there had been an extensive amount of heat at the top of the master cylinder. There was a component at the end of the master cylinder that was blackened and the electrical connectors had melted.

4.7. [REDACTED] immediately contacted Covert Ford, who referred him to the Extended Warranty Program ("EWP"). The EWP agent then told [REDACTED] to contact Covert Ford to pick up and examine the truck before warranty coverage could be assessed. [REDACTED] contacted Covert Ford again, and he was informed that nobody was available to pick up the truck at that time, and that there would be a delay of two to three days because of workload. Covert Ford then instructed [REDACTED] to bring the Ford Truck in himself by 5:30 that evening or first thing the next morning and that it would be fine for him to drive the Ford Truck home.

4.8. [REDACTED] drove his truck home and parked it in his driveway around 6:00 p.m. At about 1:30 a.m. on March 8, 2002, [REDACTED] were awakened by popping noises outside their home. They went outside to find the Ford Truck fully engulfed in flames. They called 911 at approximately 1:36 a.m. and fire fighters were in route by 1:46 a.m. As they awaited the fire fighters' arrival, they doused the flames with a garden hose.

4.9. When the fire fighters arrived, they continued to apply water to the engine and passenger compartments to extinguish the fire. An examination of the Ford Truck indicates that the cause of the fire originated on the left side of the engine compartment in the area nearest the firewall and started sometime on March 7, 2002. There were no aftermarket electrical components installed in the passenger compartment.

4.10. On March 18, 2002, Vehicle Inspection Services examined the Ford Truck. It told [REDACTED] that Vehicle Inspection Services represented Ford under the extended warranty plan that the [REDACTED] had purchased. On March 22, 2002, the [REDACTED] were informed by phone that Ford would not cover the damages under the warranty. The [REDACTED] never received written confirmation of denial of coverage at that time.

4.11. TO THE COURT ONLY: This paragraph is to be read to the Court only: for the record,

part of the [REDACTED] action has been subrogated to Plaintiff in the amount of \$17,605.43, which was paid to the Steglices as a collateral source by FARMERS INSURANCE, said party being a party in interest to the extent of said payment; however, the [REDACTED] maintain their real interest in recovering their deductible, rental expenses, personal injury damages, lost wages, and other damages in this cause - all as allowed under Texas law.

V.
Causes of Action

5.1. Negligence / Negligence Per Se. Plaintiff hereby incorporates Paragraphs I through IV. Plaintiff brings this suit against Ford and Covert Ford based on negligence. A fire of this nature would not have occurred in the Ford Truck absence of negligence on the part of the manufacturer or dealer and/or a defect in the Ford Truck. Further, Covert Ford negligently informed [REDACTED] that he could drive the vehicle to his home. Such negligent actions were a proximate cause of actual damages to Plaintiff. The amount of Plaintiff's damages fall within the minimum jurisdictional limits of the Court.

5.2. Negligent Misrepresentation. Plaintiff hereby incorporates Paragraphs I through IV. Plaintiff brings suit against Ford and Covert Ford for negligent misrepresentation. As set forth above, these Defendants negligently failed to disclosure material facts and made negligent and false representations of fact to the Steglices in connection with the purchase of the truck and its care after the truck first started smoking. Such negligent and false misrepresentations were reasonably relied upon by the [REDACTED] to their detriment and served to induce the [REDACTED] to purchase the Ford Truck and for [REDACTED] to drive the truck home after it first started smoking. The negligent misrepresentations described in the preceding paragraphs were a proximate cause of actual damages to Plaintiff. The amount of Plaintiff's damages fall within the minimum jurisdictional limits of the Court.

5.3. Strict Liability. The electrical system in the Ford Truck or some part of same was defective. Plaintiff further contends that this defect existed at the time the Ford Truck left the control of Ford and Covert Ford. Because of this electrical defect, the Ford Truck was unreasonably dangerous or not reasonably safe. This defect caused the electrical fire at issue, and damaged the Ford Truck. The negligent misrepresentations described in the preceding paragraphs were a proximate cause of actual damages to Plaintiff. The amount of Plaintiff's damages fall within the minimum jurisdictional limits of the Court.

5.4. Breach of Warranty. Plaintiff hereby incorporates Paragraphs I through IV. Plaintiff seeks to recover from Defendants its actual damages for Ford and Covert Ford's breach of contractual obligations under the warranty. The warranty at issue specifically covers damage to the engine and electrical components. Ford and Covert Ford failed to honor and breached the warranty by refusing to correct the electrical problem or pay for the damages caused due to this malfunction. Plaintiff seeks and is entitled to recover all of the actual, special, incidental and consequential damages suffered as a result of Defendants' breaches of their contractual obligations under the warranties.

5.5. Further, as a result of Defendants' failure to honor their contractual obligations, Plaintiff has been forced to retain the undersigned attorneys to pursue and prosecute this lawsuit, and has agreed to pay their attorneys a reasonable fee. Accordingly, pursuant to § 38.001, *et seq.*, of the Texas Civil Practice and Remedies Code and Texas law, Plaintiff is entitled to recover its reasonable attorneys' fees, for which they herein sue and seek to recover from Defendants.

5.6. DTPA. Plaintiff, as subrogee, hereby incorporates Paragraphs I through IV. Ford and Covert Ford violated the DTPA by failing to disclosure material facts and by making false representations of fact to Plaintiffs about the Ford Truck and by breaching express and implied warranties in regards to the Ford Truck. Defendants were given notice in writing of the claims made

in this petition, including a statement of plaintiff's economic losses and expenses, including attorney's fees, more than sixty days before this suit was filed in the manner and form required by DTPA § 17.505(a). Further, all conditions precedent necessary to maintain this action have been performed or have occurred.

5.7. Causation; actual damages. The conduct described in the preceding paragraphs was a producing and proximate cause of actual damages to Plaintiffs. The amount of Plaintiff's damages exceed the minimum jurisdictional limits of the Court.

5.8. Attorneys' fees. Plaintiff seeks to recover all reasonable and necessary attorneys' fees in this case which include the following: (a) preparation and trial of this lawsuit; (b) post-trial, pre-appeal legal services; (c) an appeal to the court of appeals; (d) making or responding to a petition for review to the Supreme Court of Texas; (e) an appeal to the Supreme Court of Texas in the event the petition is granted; and (f) post-judgment discovery and collection in the event execution on the judgment is necessary.

5.9. Breach of Contract / Insurance Policy. Plaintiff hereby incorporates Paragraphs I through IV. The damage to the Ford Truck began while the AMIG/ARIC policy was in effect. Accordingly, such Defendants bear responsibility for this loss under the terms of the policy at issue. Plaintiff, as subrogee, therefore, seeks and is entitled to recover all of the actual, special, incidental and consequential damages suffered, which were encompassed by the policy. Further, Plaintiff has been forced to retain the undersigned attorneys to pursue and prosecute this lawsuit, and has agreed to pay their attorneys a reasonable fee. Accordingly, pursuant to § 38.001, *et seq.*, of the Texas Civil Practice and Remedies Code and Texas law, Plaintiff is entitled to recover its reasonable attorneys' fees, for which they herein sue and seek to recover from AMIG/ARIC..

5.10. Additional Claims. Plaintiff reserves the right to supplement this petition and include

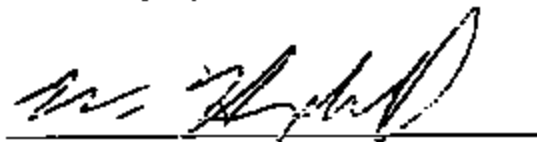
other claims as warranted.

VI.
Request for relief.

- 6.1. Plaintiff requests that Defendants be cited according to law to appear and answer.
- a. Plaintiff seeks a judgment for damages for negligence, negligent misrepresentation, strict liability, negligence per se, breach of contract / warranty, and violations of the DTPA - all as set forth above;
 - b. Plaintiff seeks judgment against Defendants for all actual damages and attorneys' fees, and all statutory damages as set forth above, costs of court, and prejudgment and post-judgment interest at the highest lawful rates.
- 6.2. Demand for Jury. Plaintiff demands a jury trial. Plaintiff's jury fee is tendered with this petition.

Respectfully submitted,

**KASLING, O'TOOLE,
HEMPHILL & DOLEZAL, L.L.P.**
700 Lavaca Street, Suite 1000
Austin, Texas 78701
Telephone: (512) 472-6800
Facsimile: (512) 472-6823



William R. Hemphill, Jr.
State Bar No. 09414020

ATTORNEYS FOR PLAINTIFF

AUSLEY, ALGERT, ROBERTSON & FLORES, L.L.P.

* Thomas L. Ausley
* Kristen A. Algert
* Eric Robertson
* Kelly Ausley-Flores
Kelly J. Capps

ATTORNEYS AT LAW

1307 NORTHLAND DRIVE, SUITE 430
MORAC AT NORTHLAND
AUSTIN, TEXAS 78731
(512)454-8791
FAX (512)454-9091
www.ausley-algert.com

* Board Certified - Family Law &
Civil Trial Law
* Fellow - American Academy of
Matrimonial Lawyers
* Board Certified - Family Law
Texas Board of Legal Specialization

June 12, 2003

Brian J. O'Toole
Hemphill & Dolezal, L.L.P.
823 Congress Avenue, Suite 1010
Austin, Texas 78701

VIA CERTIFIED MAIL

Re: Subrogation Claim of Farmer's Insurance Group
in Claim of [REDACTED]
re 1999 Ford F-150

Dear Mr. O'Toole:

This letter will acknowledge Covert Ford of Taylor, Inc.'s receipt of your May 20, 2003 letter, in which you make known your intention to pursue Farmers Insurance's subrogation interest against Covert Ford of Taylor, Inc., and several other third party defendants regarding the claims of [REDACTED] for the damages to their 1999 Ford F-150 which caught on fire.

The representatives of Covert Ford of Taylor, Inc. deny any negligence in this matter and deny having instructed [REDACTED] to drive his smoking vehicle and deny otherwise stating or implying that the car was safe to drive. As such Covert Ford of Taylor, Inc. respectfully declines to make any settlement offer in this matter.

Very truly yours,


Kelly J. Capps

cc: Mr. Duane Lebens, General Manager
Covert Ford of Taylor, Inc.

cc:

Ford Extended Service Plan Headquarters
Attn: Claims
P.O. Box 6045
Dearborn, MI 48121

VIA CERTIFIED MAIL

Ford Motor Company, Inc.
c/o Registered Agent
CT Corporation System
350 North St. Paul St.
Dallas, TX 75201

VIA CERTIFIED MAIL

American Mercury Insurance Group
Attn: Claims
P.O. Box 25530
Oklahoma City, OK 73125

VIA CERTIFIED MAIL

The American Road Insurance Company
Attn: Claims
P.O. Box 6045
Dearborn, MI 48121

VIA CERTIFIED MAIL

**KASLING, O'TOOLE,
HEMPHILL & DOLEZAL, L.L.P.**

823 CONGRESS AVENUE, SUITE 1010
AUSTIN, TEXAS 78701
(512) 472-6800
FAX: (512) 472-6823

May 20, 2003



Duane Lebens, General Manager
Covert Ford of Taylor, Inc.
1200A Highway 79 East
Hutto, TX 78634

VIA CERTIFIED MAIL

Ford Extended Service Plan Headquarters
Attn: Claims
P.O. Box 6045
Dearborn, MI 48121

VIA CERTIFIED MAIL

Ford Motor Company, Inc.
c/o Registered Agent
CT Corporation System
350 North St. Paul St.
Dallas, TX 75201

VIA CERTIFIED MAIL

American Mercury Insurance Group
Attn: Claims
P.O. Box 25530
Oklahoma City, OK 73125

VIA CERTIFIED MAIL

The American Road Insurance Company
Attn: Claims
P.O. Box 6045
Dearborn, MI 48121

VIA CERTIFIED MAIL

Re: 1999 Ford F-150, VIN number: 1FTX17W9X[REDACTED] Registered to [REDACTED]
[REDACTED] Texas Registration Plate: [REDACTED]

Dear Sir or Madame:

We have been retained by Farmers Insurance Group to pursue its subrogation interests in connection with a fire involving the subject vehicle. In October, 2001, [REDACTED] purchased a used 1999 Ford-150 truck with 37,000 miles, referenced above, from Jack Ray at Covert Ford in Hutto, Texas. At the time of the purchase, the Stegliches also purchased a four-year or 48,000 mile extended care warranty through Ford ESP. When they purchased the subject truck, the [REDACTED] obtained insurance through American Mercury Insurance Group, policy number: [REDACTED]. They paid \$182.00 on the American Insurance Group policy and

PE04-076 C 1050

Farmers

*\$ 17,605.23
- FLEET
- TX
- 1999 F150
- VIN
- ESP??*

Duane Lebens
Ford Extended Service Plan Headquarters
Ford Motor Company, Inc.
American Mercury Insurance Group
The American Road Insurance Company
May 20, 2003
Page 2

then were not billed for three months. When they received a bill exceeding \$600.00, they informed American Insurance Group they would not pay on that policy. The policy was cancelled effective March 8, 2002 at 12:01 a.m.

On March 7, 2002, [REDACTED] purchased a Farmers Insurance policy to cover the subject truck which had an effective date of March 8, 2002 at 12:00 a.m.

Prior to the fire made the subject of this claim, [REDACTED] reported no problems with the truck except that the cruise control had stopped working and a button cover over the overdrive switch on the transmission selector lever was missing. He had performed two oil changes. On Thursday, March 7, 2002, [REDACTED] left his home at approximately 7:25 a.m. and drove his vehicle to work at Bartlett Electric Co-operative. He noted no problems with the truck as he parked it about 7:35 a.m. Between 1:00 and 2:00 p.m., [REDACTED] who was out of the office, was notified by his boss that his truck was smoking. He returned to his office about twenty-five minutes later and opened the hood of his truck. He noticed that there had been an extensive amount of heat at the top of the master cylinder. There was a component at the end of the master cylinder that was blackened and the electrical connectors had melted.

[REDACTED] immediately contacted Covert Ford who referred him to the Extended Warranty Program. The ESP agent then told [REDACTED] to contact Covert Ford to pick up and examine the truck before warranty coverage could be assessed. [REDACTED] contacted Covert again and was informed that nobody was available to pick up the truck at that time, and that there would be a delay of two to three days because of workload. [REDACTED] was instructed to bring the truck in himself by 5:30 that evening or first thing the next morning and that it would be fine to drive it home. [REDACTED] drove his truck home and parked it in his driveway about 6:00 p.m. At about 1:30 a.m. on March 8, 2002, [REDACTED] were awakened by popping noises outside their home. They went outside to find their vehicle fully engulfed in flames. They called 9-11 at approximately 1:36 a.m. and fire fighters were in route by 1:46 a.m. As they awaited the fire fighters' arrival, they doused the flames with a garden hose.

When the fire fighters arrived, they continued to apply water to the engine and passenger compartments to extinguish the fire. The investigation indicates that the cause of the fire originated on the left side of the engine compartment in the area nearest the firewall and started sometime on March 7, 2002. There were no aftermarket electrical components installed in the passenger compartment.

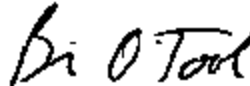
Duane Lebens
Ford Extended Service Plan Headquarters
Ford Motor Company, Inc.
American Mercury Insurance Group
The American Road Insurance Company
May 20, 2003
Page 3

On March 18, 2002, Jim Webb of Vehicle Inspection Services examined the subject truck. He told [REDACTED] that he was representing the Ford Warranty that they purchased. On March 22, 2002, [REDACTED] were informed by phone that Ford would not cover the damages under the warranty. [REDACTED] never received written confirmation of denial of coverage.

Please consider this letter your formal sixty (60) day notice that Farmers Insurance intends to pursue its subrogation interests under theories of negligence, negligent misrepresentation, breach of contract, deceptive trade practices, breach of express and implied warranties and strict products liability. A fire of this nature would not have occurred in the absence of negligence on the part of the manufacturer or dealer and/or a defect in the truck. In addition, all evidence indicates the fire that destroyed this truck originated in the engine beginning sometime on March 7, 2002, and was probably electrical. The warranty specifically covers damage to the engine and electrical components. Fort ESP breached the warranty by refusing to correct the problem or pay for the damages, and Covert was negligent in advising [REDACTED] to continue driving the truck after the engine started smoking. Since the engine began smoking while the American Mercury policy was in effect, American Mercury should also bear responsibility for this loss.

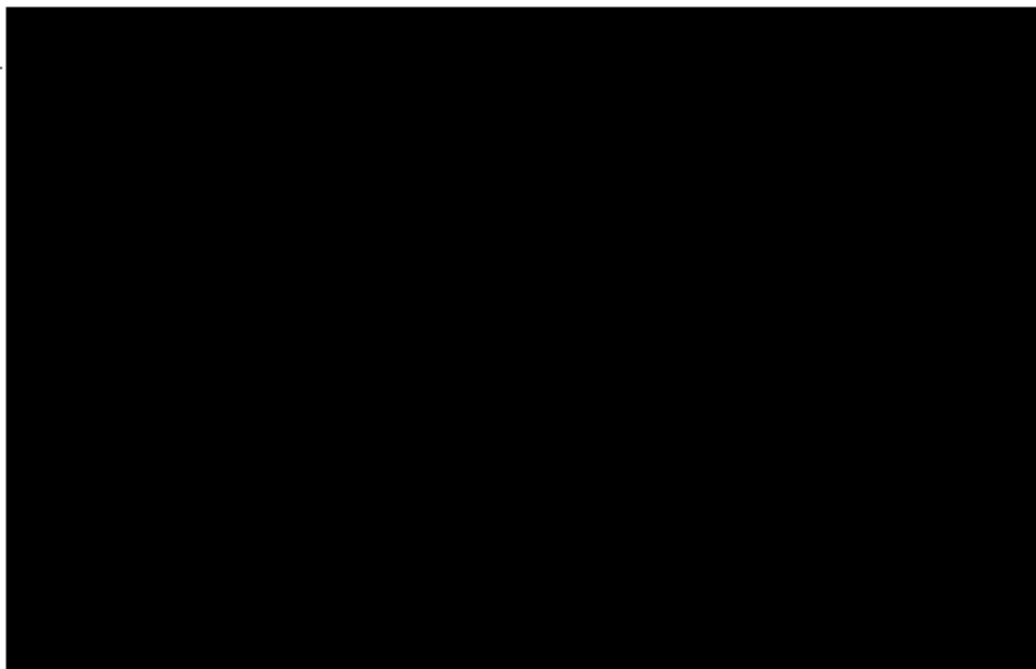
Please contact this office within sixty days to avoid litigation. The total subrogation damages in this case total \$17,605.43 plus \$1,000.00 in attorney fees. We will make the truck available for your inspection until July 31, 2003, after which time it will be sold for salvage. Please contact me at your earliest opportunity to arrange an inspection time.

Sincerely,



Brian J. O'Toole

BJO/mac



PE04-078 C 1853

RECEIVED OCT 13 2004

State Farm Insurance Companies®



October 6, 2004

State Farm Insurance Claim Office
NW Frontage Rd
4220 Hwy 52,
Rochester, MN 55903-6996

Ford Motor Company
Attn: Shawn Norton
Office of the General Counsel
3 Parklane Blvd Suite 300
Dearborn, MI 48126-2568



RE: Your file reference: [REDACTED]
Claim Number: 23-L218-345
Date of Loss: 12-07-2003
Our Insured: [REDACTED]

500788

Dear Mr. Norton,

This letter is in follow-up to your letter for production dated August 25, 2004.

Please be advised the owner of the Ford F-150 is our insured [REDACTED] neighbor [REDACTED] is insured with Met Life Insurance. We have the understanding your representatives have visited the site and have done a thorough investigation. We have the understanding [REDACTED] vehicle ignited due to a defect within the pickup.

Please find enclosed a building estimate from German Construction. We also received a verbal quote from Gehling Landscaping of Spring Valley, MN for the Betsingers' damaged trees (\$426.00). We made payment to the Betsingers in the amount of \$2806.44 for the above damages. The Betsingers also incurred a \$500 deductible.

Regarding your request for production, our documentation will not exceed the information you have already received from [REDACTED] insurer and from your own investigation. We simply ask you make a settlement offer based on that information.

If you have any questions, please contact me.

Sincerely,

Brent Lampa
Claim Representative
State Farm Fire and Casualty Company
(507)280-2153

K1 Person/Entity Involved

Local Option

Name (if applicable)

Area Code

Phone Number

Check this box if same address as incident location. Then skip the above telephone address lines.

Mr./Ms./Mrs. First Name MI Last Name Suffix
 Number Prefix Street or Highway Street Type Suffix
 Post Office Box Apt./Suite/Room City
 State Zip Code

More people involved? Check this box and attach Supplemental Form (FD-204-10) if necessary

K2 Owner

Same as person involved? Then check this box and skip the rest of this section.

Local Option

Business Name (if applicable)

Area Code

Phone Number

Check this box if same address as incident location. Then skip the above telephone address lines.

Mr./Ms./Mrs. First Name MI Last Name Suffix
 Number Prefix Street or Highway Street Type Suffix
 Post Office Box Apt./Suite/Room City
 State Zip Code

L Remarks

Local Option

When we arrived on scene the garage was totally involved with flames shooting about 25-30 feet in the air. The fire was already starting to extend into the attic. The heat was so intense that it warped the siding on the house to the west that is owned by Russel Betsinger. To try to minimize damage to the neighbors house and to slow down fire spread untill the other trucks got here we knocked down most of the fire with the deck gun from the pumper. Then we did an interior attack but the fire had already extendet though the attic.

M Authorization

Officer in charge ID No Staff ID Position or rank Assignment Month Day Year

Check box if Same as Officer in charge. Number issuing report ID Signature Position or rank Assignment Month Day Year

Starling Field Claim Office
500 Economy Court
P.O. Box 441-8221
Freeport, IL 61032
(800) 854-6011

MetLife Auto & Home

August 18, 2004

Ford Motor Co Office Of General Counsel
Attn: Shawn Norton
3 Parklane Blvd., Suite 300
Dearborn, MI 48126-2568

Our Customer: [REDACTED]
Our Claim Number: [REDACTED]
Date of Loss: December 8, 2003
Amount of Loss: \$174,097.80

490504
[REDACTED]
RECEIVED AUG 31 2004

Dear Shawn:

Please find a copy of our cause and origin report and repair estimates for the above-captioned claim. It is our belief that this fire was caused by a fuel leak in this truck's engine compartment, we have not yet done further testing in order to be more specific.

We ask that you recognize our right to subrogation and send a check for the amount listed above to the address at the top of this letter.

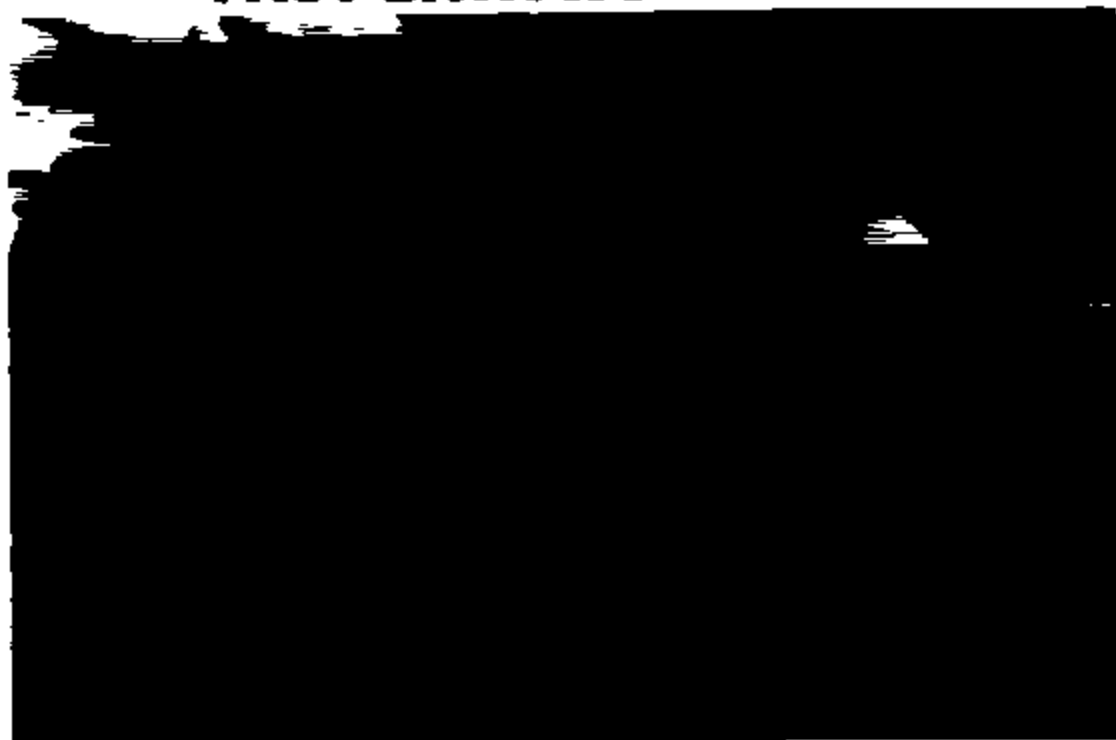
If you need have any additional questions, please contact me at (608) 835-1913.

Sincerely,

[Signature]
Mark Hagen
Metropolitan Property and Casualty Insurance Company
Recovery Analyst
(608) 835-1913
Fax: (608) 835-0773

*Amberley
SPRINGS VALLEY, MN*

FACT DATA WORKBOOK.



RESIDENCE
SPRING VALLEY, MINNESOTA

prepared for:

MET LIFE, AUTO AND HOME

prepared by:

INVESTIGATIVE & LOSS CONTROL SERVICES, INC.
PRIOR LAKE, MINNESOTA

**RESIDENCE
SPRING VALLEY, MINNESOTA**

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- I. **REQUEST FOR INVESTIGATION.**
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- X. **PHOTOGRAPHS.**

FACT DATA WORKBOOK.

REQUEST FOR INVESTIGATION.

prepared by

**Investigative & Loss Control Services, Inc.
Prior Lake, Minnesota**

PE04-078 C 1859

**LLC
REQUEST FOR INVESTIGATION**

DATE: DECEMBER 9, 2003 **TIME:** 10:00 A.M.

REQUEST FROM: MET LIFE, AUTO & HOME

ADDRESS: PO BOX 126, ONALASKA, WISCONSIN 54650

TELEPHONE:

DATE OF LOSS: DECEMBER 8, 2003 **TIME:** 11:00 P.M.

LOCATION OF LOSS: SPRING VALLEY, MINNESOTA

NAME OF INSURED: [REDACTED]

ADDRESS: [REDACTED] SPRING VALLEY, MINNESOTA [REDACTED]

TELEPHONE: [REDACTED]

PERSON TO CONTACT: [REDACTED]

TELEPHONE: [REDACTED]

TYPE OF INVESTIGATION: FIRE ORIGIN AND CAUSE

INVESTIGATOR: JEFFREY J. WASHINGTON, SR.

DATE INVESTIGATION STARTED: DECEMBER 11, 2003

RESPONSIBLE ATTORNEY: N/A

ADJUSTER ASSIGNED: SPENCER FUNK **PHONE:** (608) 792-3785

LOCAL AUTHORITY: SPRING VALLEY FIRE DEPARTMENT

ADDRESS: 120 WEST COURTLAND, SPRING VALLEY, MINNESOTA 55975

EXPERTS INVOLVED: SID BHATT, ENGINEER

PHOTOGRAPHS: LL.C.: YES **OTHERS:** YES

MEDIA COVERAGE: YES

EVIDENCE COLLECTED: YES (SEE EVIDENCE COLLECTION LIST)

FACT DATA WORKBOOK.

PARTIES INVOLVED.

prepared by:

**Investigative & Loss Control Services, Inc.
Prior Lake, Minnesota**

FE84-878 C 1881

**[REDACTED] RESIDENCE
SPRING VALLEY, MINNESOTA**

PARTIES INVOLVED

INSURANCE COMPANY:

Met Life, Auto & Home
PO Box 126
Onalaska, Wisconsin 54650

Spencer Funk, General Adjuster
Mark Hagen, Recovery Specialist

(608) 792-3785
(608) 835-1913

RESPONSIBLE INVESTIGATOR:

Investigative & Loss Control Services, Inc.
13909 Fern Ridge Way
Apple Valley, Minnesota 55124

(952) 891-2192

Jeffrey J. Washinger, Sr., Investigator

RESPONSIBLE ENGINEER:

MEM Engineering
4200 Kingspoint Road
Excelsior, Minnesota 55331

(952) 472-5595

Sid Bhatt, Engineer

INSURED/LOSS SITE:

[REDACTED]
Spring Valley, Minnesota **[REDACTED]**

[REDACTED]

AUTO DEALER:

Rochester Ford
4900 Highway 52 North
Rochester, Minnesota 55901

(507) 288-7564

MAINTENANCE PROVIDER:

Peterson Motors
1100 North Broadway Street
Spring Valley, MN 55975

(507) 346-7335

INSURANCE FOR MAINTENANCE PROVIDER:

Auto Owners Insurance Company
P.O. Box 7159
Rochester, MN 55903

(507) 288-6162

Greg Thompson, Claims Representative

INVESTIGATOR FOR MAINTENANCE PROVIDER:

E.F.I.
7160 Shady Oak Road
Eden Prairie, MN 55344

(763) 424-8918

Stephen Woodford, Investigator

BODY WORK PROVIDER:

Preston Service Plus
608 Houston Street, NE
Preston, MN 55965

(507) 765-3846

INVESTIGATOR FOR FORD MOTOR COMPANY:

Newell Investigative Services, Inc.
P.O. Box 907068
Gainesville, GA 30501

(770) 297-7138

Larry Helton, Investigator

EVIDENCE LOCATION:

Mooty Towing and Repair
#17 11th Street, N.E.
Rochester, MN 55906

(507) 289-2955

LOCAL AUTHORITY:

Spring Valley Fire Department
120 West Courtland
Spring Valley, MN 55975

(507) 346-02150

Chris Czapiewski, Fire Chief

STATE FIRE MARSHAL:

Minnesota Department of Public Safety
State Fire Marshals Office
444 Cedar Street
St. Paul, MN 55101

Steve Wolf, Deputy State Fire Marshal

FACT DATA WORKBOOK.

FIRE DEPARTMENT REPORT.

prepared by

**Investigative & Loss Control Services, Inc.
Prior Lake, Minnesota**

PE04-878 C 1853

**I
L
C**

Investigative/Loss Control Services

8028 150th Street, S.E.
Prior Lake, Minnesota 55372
952/447-1234
Fax: 952/447-1233

December 18, 2003

Chief Chris Czapiewski
Spring Valley Fire Department
120 West Courtland
Spring Valley, MN 55975

COPY

Re: Request for Fire Department Report

[REDACTED]
Spring Valley, Minnesota
D.O.L.: December 8, 2003

Dear Chief Czapiewski;

Please accept this communication as my formal request for copies of the Spring Valley Fire Department Response Report for the above referenced fire loss occurrence.

We are conducting an independent investigation into this fire on behalf of the property insurance carrier, Met Life, Auto and Home Insurance Company. The fire occurred at the [REDACTED] residence; [REDACTED] in Spring Valley. The date of fire occurrence was December 8, 2003 with the fire being reported at approximately 2300 hours.

I would request one copy of your response report for that incident. If you wish, you may fax the report to my attention at fax number (952) 432-8376. Thank you for your attention to this request. Please contact me if you have any questions.

Very truly yours;

Jeffrey J. Washinger, Sr.
Investigator

FACT DATA WORKBOOK.

FACT DATA.

prepared by:

**Investigative & Loss Control Services, Inc.
Prior Lake, Minnesota**

[REDACTED] RESIDENCE
SPRING VALLEY, MINNESOTA

FACT DATA

A. DATE OF LOSS: December 8, 2003
2300 hrs.

B. LOCATION OF LOSS: [REDACTED]
Spring Valley, MN

C. NAME OF INSURED: [REDACTED]

D. LOCAL AUTHORITY: Spring Valley Fire Dept.
Chief Chris Czapiewski

E. STATE AUTHORITY: State Fire Marshals Office
Steve Wolf, D.S.F.M.

F. VEHICLE INVOLVED: 2001 Ford F-150 Pick-Up
VIN #: 211RX17W910 [REDACTED]

G. VEHICLE PURCHASED FROM: Rochester Ford
4900 Highway 52 North
Rochester, MN 55901

H. PERIODIC MAINTENANCE: Preston Service Plus
608 Houston Street, N.E.
Preston, MN 55965

I. COLLISION REPAIR WORK: Peterson Motors
1100 North Broadway St.
Spring Valley, MN 55975

J. PRE-FIRE FACT DATA:

- All periodic maintenance recommended for vehicle followed by owner.
- No problems encountered with electrical system of vehicle.
- Engine sensor replaced in September of 2003.
- Recall for seatbelt problem taken care of by dealer.
- Accident involving deer occurred in December, 2002. Body repairs made by local Body Shop. No engine damage reported as a result of this collision.
- Vehicle operated on day of fire occurrence. Travel to and from place of employment. No problems encountered.

[REDACTED] RESIDENCE
SPRING VALLEY, MINNESOTA

FACT DATA: (cont.)

J. PRE-FIRE FACT DATA: (cont.)

- Vehicle returned to residence at approximately 2250 hours on December 8, 2003.
- Vehicle pulled into eastern-most bay of double car garage common to west side of structure.
- Vehicle turned off after parking in bay. No vehicle located in western-most bay.
- Interior garage lights turned off.
- Both garage doors closed.
- Exterior coach lights are turned off.
- No appliances plugged into outlets common to garage.
- No unusual smells of smoke or visible smoke observed in garage at time of return.
- No hot odors from vehicle observed at time of return to garage.
- [REDACTED] enters structure through east side personnel entry door leading from garage.

K. FIRE DISCOVERY FACT DATA:

- At 2300 hours on December 8, 2003, [REDACTED] hears a "popping" sound coming from garage area. No smoke noticeable in dwelling at this time.
- Travels to west side entry door leading into northeast corner of garage and opens this door.
- Observes fire consuming engine hood of Ford F-150 pick-up. Fire also observed coming from passengers side front wheel well.
- Observes no fire in passengers compartment of vehicle. All fire is observed burning in the engine compartment.
- Advised Wife [REDACTED] to call the fire department. Retrieved a fire extinguisher from laundry room and attempted to enter garage from west side personnel door.
- Was unable to gain entry to garage due to heavy heat. Reached through door and attempted to activate automatic garage door openers. West side door went up. East side door did not go up. Unsure if he completely pushed east side door opener mechanism.
- Traveled through house to the south side main entry door and proceeded to the exterior south wall of the west side garage.
- Observed west side garage door open and east side garage door closed.
- Attempted entry through open west side garage door, but encountered heavy black smoke from interior.
- Observed fire still burning in engine compartment of Ford F-150 Pick-Up. No visible fire occurring anywhere else in garage area.

[REDACTED] RESIDENCE
SPRING VALLEY, MINNESOTA

FACT DATA: (cont.)

K. FIRE DISCOVERY FACT DATA: (cont.)

- Was unable to get close enough to vehicle to use extinguisher.
- Exited structure and was greeted by County Sheriff who arrived on the scene and prevented him from attempting further entry.
- [REDACTED] enters vehicle parked in west-side driveway and removes vehicle from premises.
- As [REDACTED] is removing her vehicle from driveway, [REDACTED] observes west side overhead door close by itself. Then observes east-side overhead door open completely by itself and then close 1/2 way.
- Observes fire beginning to spread on garage roof. Siding on the southwest corner of structure beginning to melt. Soffits common to south side of structure beginning to fall off.
- Observes roof collapse over garage 10 minutes later.

L. FIRE DEPARTMENT OBSERVATIONS:

- Spring Valley Fire Department Dispatched at approximately 2300 hours. Unit arrival under the command of Fire Chief Chris Czapiewski.
- Heavy fire involvement through west side garage area.
- Roof collapse over garage area already occurring.
- Fire burning through north side garage roof with horizontal fire spread to the east.
- Involvement beginning to take place on west side of north side roof deck common to the dwelling.
- Initial attack through open garage doors on south side of garage. Secondary lines to north exterior of structure.
- Entry into structure through south side main entry door. Advance to interior northwest corner of dwelling.
- All fire common to structure located above ceiling level and spreading through the north interior attic space.
- Attack crews overhaul ceiling spaces in laundry, kitchen and dinette. Fire discovered burning in attic space common to north interior portion of dwelling.
- Exterior and interior attacks utilized to extinguish fire in interior attic space.

[REDACTED] RESIDENCE
SPRING VALLEY, MINNESOTA

FACT DATA: (cont.)

M. SITE EXAMINATION FACT DATA:

- Heavy collapse of entire garage roof assembly.
- Outward collapse of south, west and north walls of garage.
- Heavy consumption of roof deck structural elements common to northeast interior corner of garage.
- Heavy consumption of northeast corner wall construction elements.
- Remains of sheetrock common to east garage wall develop pattern extending from front passengers side of vehicle.
- Examination of upper portions of collapsed wall sections illustrate heavier flame impingement damage to upper sill plates. Lower wall sections illustrate lesser direct flame impingement damage.
- Fire travel to east through common wall between garage and dwelling. Fire travel through north end of common wall into joined west side attic space.
- Examination of interior attic space common to laundry room establishes fire travel moving eastward from the garage area.
- Heavy consumption and collapse of north side roof deck over kitchen, laundry and dining room area.
- Lesser amounts of fire damage to east side of attic space common to dwelling.
- No low level fire damage to rooms located on main floor of dwelling.
- No fire damage extension in basement level of structure.
- Complete consumption of engine compartment hood for vehicle.
- Melt down of lighter weight metals and plastics common to engine compartment.
- Outward fire travel from engine compartment through fire wall and into center portions of interior passengers compartment dash board area.
- Heat patterns established on upper portions of rear fire wall common to engine compartment.
- Heavy consumption of aluminum radiator components.
- Heavy consumption of insulation jackets common to wiring harnesses and bundles.
- Downward melting of upper portions of battery.
- Complete consumption of radiator hoses and engine drive belts.

**RESIDENCE
SPRING VALLEY, MINNESOTA**

FACT DATA: (cont.)

N. INVESTIGATION STATUS:

- Investigation is continuing. File status is open.
- Notified parties inspection of site scheduled for December 29, 2003.
- Vehicle removal on that date.
- Vehicle and associated evidence storage at Mooty Towing and Repair in Rochester, Minnesota.
- Ongoing examination of evidence to be scheduled at a later date.

FACT DATA WORKBOOK.

WITNESS STATEMENTS.

prepared by:

**Investigative & Loss Control Services, Inc.
Prior Lake, Minnesota**

[REDACTED] RESIDENCE
SPRING VALLEY, MINNESOTA

WITNESS STATEMENT

This is Jeff Washinger, Fire Investigator for Met Life, Auto & Home. Today's date is December 11, 2003. It is approximately 1:15 p.m. We are going to be speaking with [REDACTED] and [REDACTED] are the owners of the single-family dwelling located at [REDACTED] in Spring Valley, Minnesota. A fire occurred here on December 8, 2003 at approximately 11:00 p.m. We are taking [REDACTED] statement as part of a fire origin and cause investigation into that incident.

JW: [REDACTED], pronounce your name and spell your last name for me please.

RB: [REDACTED]

JW: [REDACTED] the correct address for the house is what?

RB: [REDACTED]

JW: In Spring Valley, Minnesota?

RB: Yes.

JW: What is the zip code?

RB: [REDACTED]

JW: Did you have a telephone at the house?

RB: Yes.

JW: What was the phone number at the house?

RB: [REDACTED]

JW: Richard, are you aware I am tape recording the conversation?

RB: Yes.

JW: Same for you [REDACTED]

KB: Yes.

JW: And I'm doing that with your permission?

RB: Yes.

JW: The house is relatively new correct?

RB: Two years old.

JW: This was a modular home?

RB: Yes from Winona Homes.

JW: When did you establish residence in the house?

RB: April a year and a half ago.

JW: April of 2001?

RB: Yes.

JW: Aside from you and [REDACTED] does anybody else live in the house?

RB: No.

JW: [REDACTED] are you employed?

RB: Yes.

JW: Who do you work for?

RB: Stewartville Care Center; I'm an LPN.

JW: [REDACTED] how about you?

KB: I'm an RN.

JW: Same place?

KB: No.

JW: Where do you work?

KB: Spring Valley Care Center.

JW: When you bought the house, mortgage on the house?

RB: Yes.

JW: Who was that through?
RB: Penn Federal.
JW: What was the purchase price of the house?
RB: \$67,000 just for the house.
JW: Was there a lot expense?
RB: Lot and basement.
JW: How much were they?
RB: About \$60,000.
JW: So total your loan amount was about \$127,000.
RB: Yeah, \$133,000 I think.
JW: That was the amount of the mortgage, \$133,000?
RB: Yes.
JW: What were your monthly payments?
RB: Right now its \$9...
KB: For the first year it was \$1098.
RB: Yeah, but now we refinanced it and they are \$954.
JW: You refinanced when?
RB: Six months ago.
JW: June/July of this year?
RB: Yes.
JW: All payments up to date when the fire occurred?
RB: Yes.

JW: I want to talk about the day of the fire and your observations and then we'll get some more details on the vehicle itself. You returned home from work the night of the fire. You got home at what time?

RB: About 10:50 p.m.

JW: Was [REDACTED] already home?

RB: Yes, she was off that night.

JW: You parked your truck in the east side of the garage?

RB: Correct.

JW: And went in the house?

RB: Yes.

JW: Ten minutes later roughly?

RB: Right, we heard a popping sound.

JW: Just tell me what you did next?

RB: I went out through the kitchen to the back door.

JW: This is the door that goes into the garage?

RB: Goes into the garage. I opened the door.

JW: Tell me what you saw?

RB: Saw the hood of the truck on fire. Fire coming out from underneath and around the wheel-well.

JW: Fire was burning the hood of the truck and coming out from the wheel-well?

RB: Right.

JW: Was there any fire in the passenger's cab at that time?

RB: No.

JW: Had the fire got to the ceiling at all yet?

RB: No.

JW: All contained in the engine?

RB: Right there.

JW: What did you do next?

RB: Shut the door and told [REDACTED] to call 911. I grabbed the fire extinguisher and tried to go back through the door to the garage.

JW: You couldn't get through there?

RB: It was too hot. I reached to open the overhead doors.

JW: That was for both of the doors?

RB: Yes.

JW: Did both of those doors open?

RB: The west door did; the east door did not.

JW: So the west door went up; your east door where your truck is parked did not go up?

RB: Did not right away. I grabbed my coat, went out the front door and I had [REDACTED] she opened up the patio doors and then followed me out.

JW: In the meantime [REDACTED] you used the phone to call 911?

KB: Yes.

JW: Did you get through? Did the phone work ok?

KB: Yes.

JW: When you get outside [REDACTED] just take me through that.

RB: I went to the garage and tried to get in. Smoke was rolling out. I was unable to get in there.

JW: Let me stop you. When you get out is the east side door still down?

RB: It is still down yes.

JW: The west side door is open?

RB: Open yes.

JW: You tried to go through the west door?

RB: West door. Smoke was just pouring out.

JW: Heavy smoke?

RB: Yes.

JW: Black?

RB: Black.

JW: Could you see any fire from the west door?

RB: Yes, coming from underneath from the engine area.

JW: Still up in the engine compartment?

RB: Yes.

JW: Cab not burning yet that you could tell?

RB: Just on the hood.

JW: So you weren't able to get in and use your extinguisher?

RB: No, and that's when the Deputy Sheriff pulled up [REDACTED] then moved her car away from the garage.

JW: [REDACTED] was that parked exterior to the garage? It wasn't parked in the garage correct?

KB: It was on the driveway about 2 to 2½' from the west door.

RB: She backed out and then the west door went down and the east door went up and back down about halfway.

JW: So that was as [REDACTED] was backing her car out?

RB: Yes.

JW: The west door came down?

RB: Came down.

JW: By itself?

RB: By itself.

KB: I have that control in my car and I didn't push it.

JW: And the east door went the whole way up and then halfway down?

RB: Yes, halfway down and stopped.

JW: I'm assuming you just waited for the fire department to get there?

RB: Right.

JW: As you are waiting for the fire department, can you tell me about how this fire progressed?

RB: It went up through the roof.

JW: You're talking about the garage roof right?

RB: Garage. The siding started melting in the front and the soffits were falling off. Shortly thereafter it went up through the roof of the garage. About ten minutes later, it collapsed straight down.

JW: So within about 10 minutes of it breaching the roof that roof collapsed?

RB: Yes.

JW: Could you ever see fire burning through the roof of the house?

RB: Later yes.

JW: That's all I wanted to establish. That was later.

RB: Yes, probably 10 or 15 minutes later.

KB: The fire department was there dousing it with water.

JW: Let's talk about the truck a little bit. This is a 2001 Ford F-150?

RB: Correct.

JW: Where did you buy it from?

RB: Rochester Ford.

JW: It was new when you bought it?

RB: Yes, 72 miles on it.

JW: When did you buy it?

RB: June of 2001.

JW: Since the time that you bought the truck have you had any problems with the vehicle?

RB: I had a sensor go bad on it about six months ago. It was replaced by the Ford dealership here in town. I had a recall on seatbelts.

JW: That was taken care of?

RB: That was taken care of. Had some body work done on it due to a deer.

JW: Let's talk about that. When did you hit the deer?

RB: Four or five months ago. It was this late summer.

JW: So we're looking at August or September?

RB: Yes.

JW: What kind of damage was done to your vehicle when you hit the deer?

RB: Front driver's side light was knocked out; front quarter panel, front driver's side door and rear quarter panel were dented and repaired by Preston Service Plus; it's a body shop.

JW: Was there any damage done to the engine or the components thereof?

RB: No.

JW: Were you able to drive the vehicle after you hit the deer?

RB: Yes.

JW: Any other problems with the vehicle?

RB: No.

JW: You've been pretty religious about the periodic maintenance on it?

RB: Yes, oil changed every three months. That was done by the dealer here in town.

JW: Who is that?

RB: Peterson Motors.

JW: Aside from just the oil changes and stuff like that did Peterson do any other work to it?

RB: They changed the sensor, rotated the tires and they had to change a head gasket. That was leaking.

JW: The head gasket was leaking?

RB: Yeah, they replaced it.

JW: How long ago was that?

RB: This spring.

JW: Spring of 2003?

RB: Yes.

JW: When you returned from work on the evening of the fire [REDACTED] both garage doors were down after you entered?

RB: Yes.

JW: Were any of the interior lights on in the garage?

RB: No.

JW: Is there anything plugged into any of the outlets in the garage?

RB: The garage door opener.

JW: That's the one on the ceiling?

RB: On the ceiling and that light stays about two minutes.

JW: But as far as the wall outlets, there isn't anything plugged into the wall outlets?

RB: No.

JW: Were any of the coach lights on?

RB: No.

JW: You had some Christmas decorations that were up on the main part of the house correct?

RB: Christmas lights along the gutters.

JW: But nothing on the garage?

RB: No, and they were unplugged.

JW: Where do you normally plug those in?

RB: By the front door; the exterior outlet.

JW: Is there any ceiling in the garage?

RB: No.

JW: You were telling me about the insulation of a firewall between the house and the garage attic space?

RB: Right.

JW: You put that in yourself?

RB: My father-in-law and I did yes.

JW: What did that consist of?

RB: Sheetrock.

JW: Size 5/8"?

RB: Yes.

JW: Two sheets, one sheet?

RB: One sheet thick.

JW: So the entire west exterior wall of the house was all 5/8" sheetrock, floor the whole way up to the roof peak?

RB: Yes.

JW: From that wall out into the garage was all open?

RB: Right.

JW: Had you been having any problems at all with the electrical circuits common to the garage area?

RB: No.

JW: Any problems at all with the overhead garage door openers?

RB: No.

JW: Were there any flammable liquids stored in the garage?

RB: Can of gas, Coleman fuel, for the stove.

JW: That was in the camper topper?

RB: Yes.

JW: No gasoline?

RB: No gasoline. No mowers.

JW: The rear door, the north side door, was that locked and secured?

RB: Yes.

JW: Is kept locked?

RB: Yes.

JW: [REDACTED] I think that's all the questions we have for you right now. Once again you are aware we tape-recorded the conversation?

RB: Yes.

JW: That was ok with you?

RB: Yes.

JW: All done thank you.

FACT DATA WORKBOOK.

DIAGRAMS.

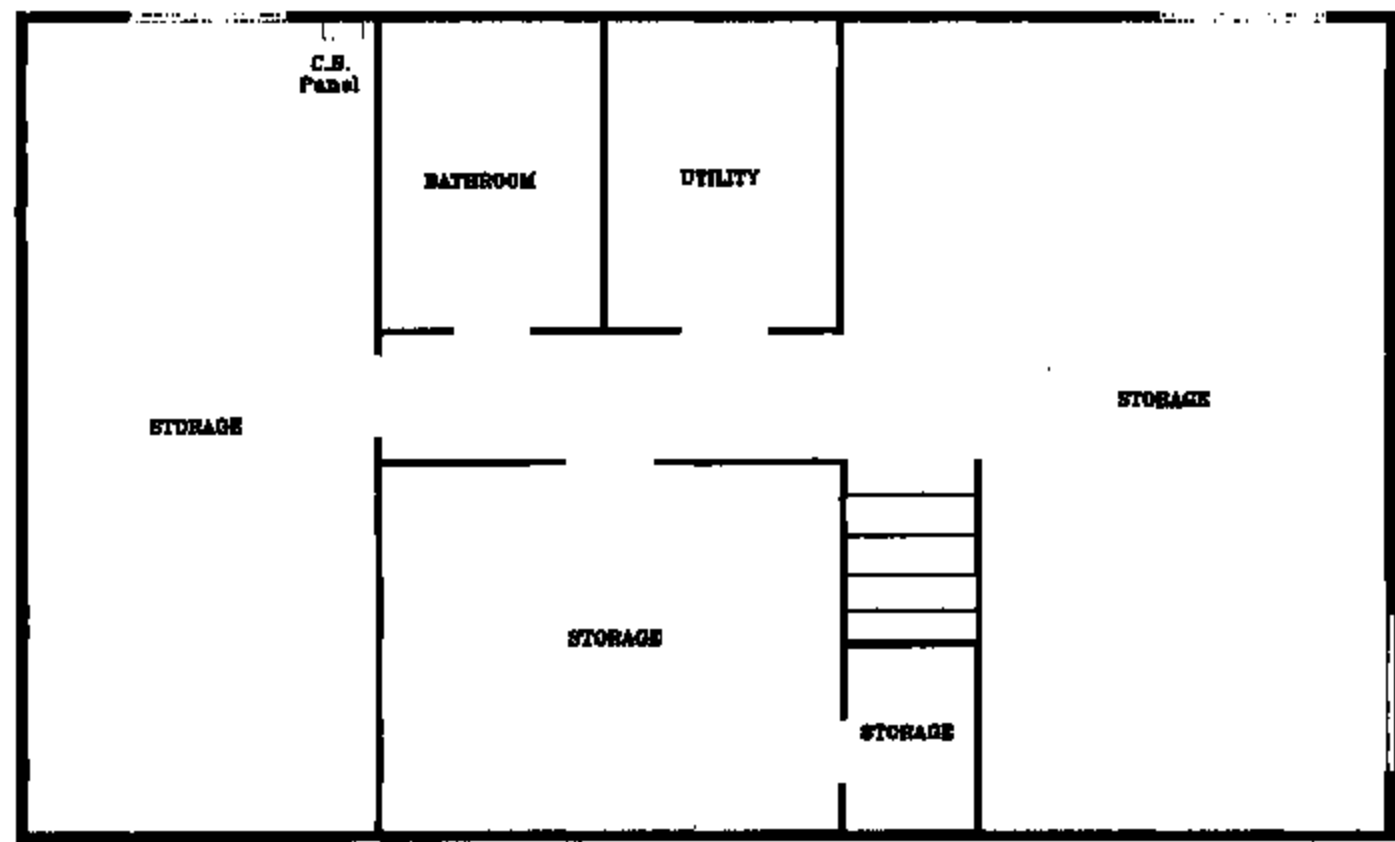
prepared by:

**Investigative & Loss Control Services, Inc.
Prior Lake, Minnesota**

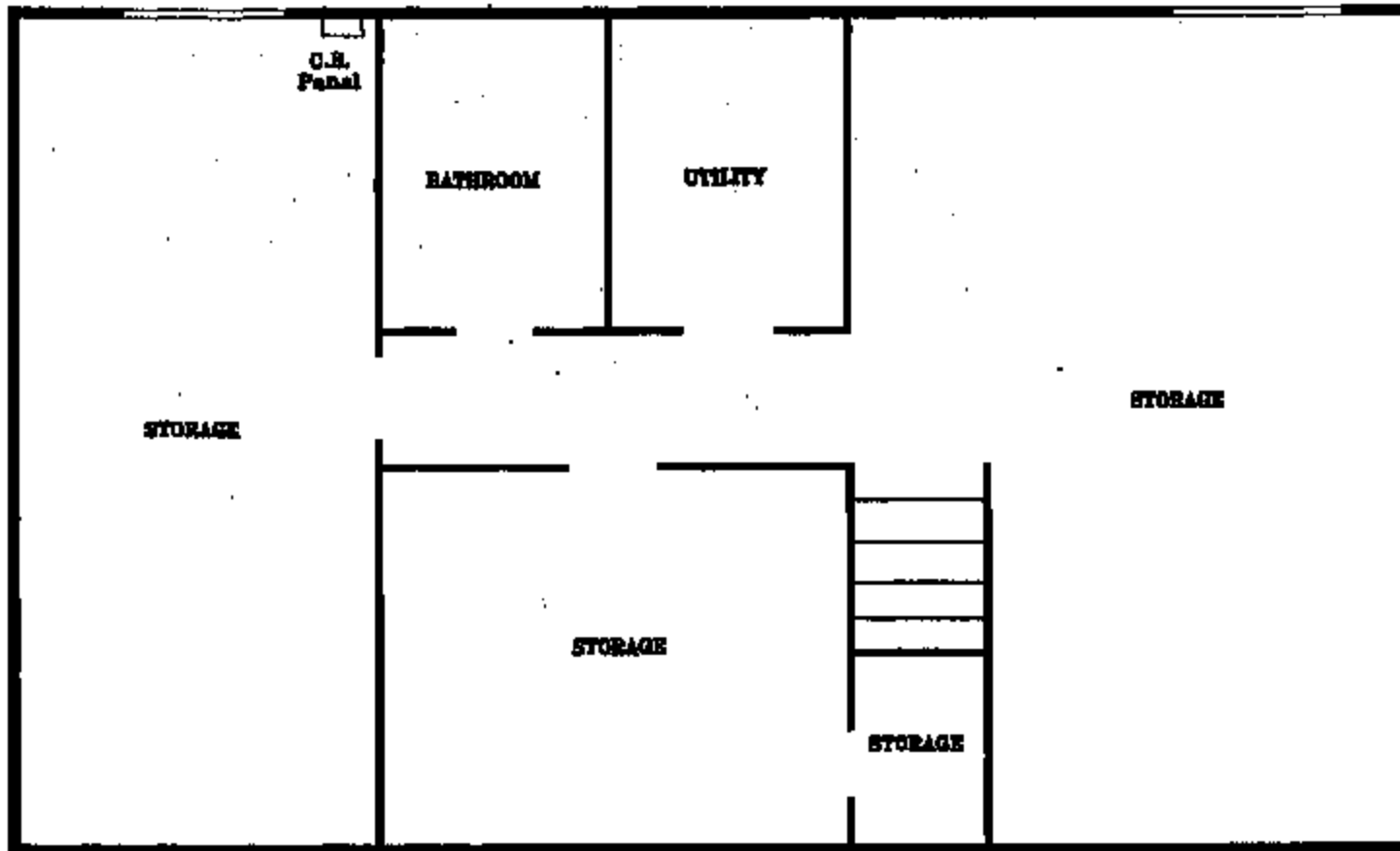
PE84-078 C 1845



PERA-076 C 1886

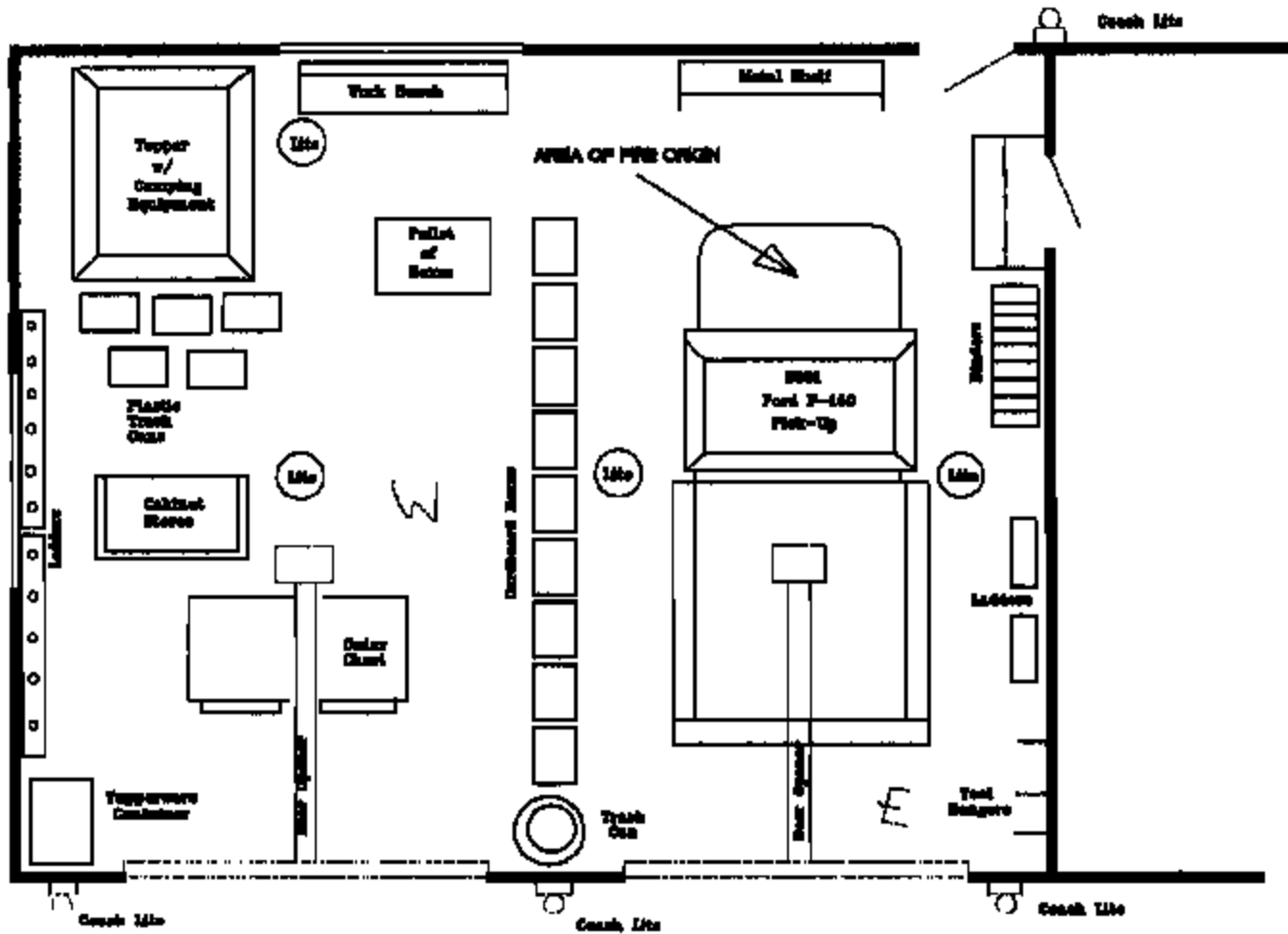


BATH RESIDENCE
SPRING VALLEY, MINNESOTA
BASEMENT LEVEL LAYOUT



BARTH RESIDENCE
SPRING VALLEY, MINNESOTA
BASEMENT LEVEL LAYOUT

PERM-978 C 1887



BARTH RESIDENCE
SPRING VALLEY, MINNESOTA
GARAGE LAYOUT

PC84-878 C 103B

FACT DATA WORKBOOK.

EVIDENCE COLLECTION LIST.

prepared by:

**Investigative & Loss Control Services, Inc.
Prior Lake, Minnesota**

PED4-878 C 1889

**RICHARD BARTH RESIDENCE
SPRING VALLEY, MINNESOTA**

EVIDENCE COLLECTION LIST

<u>ITEM #:</u>	<u>DATE:</u>	<u>LOCATION:</u>	<u>ITEM:</u>
B-001	12/29/03	EAST BAY, WEST SIDE GARAGE.	FORD F-150 PICK-UP TRUCK.
B-002	12/29/03	SOUTH INTERIOR FLOOR, EAST SIDE BAY, WEST SIDE GARAGE.	ENGINE & FLOOR DEBRIS.
B-003	12/29/03	NORTH INTERIOR FLOOR, EAST SIDE BAY, WEST SIDE GARAGE.	ENGINE & FLOOR DEBRIS.

FACT DATA WORKBOOK.

SITE INSPECTION SIGN-IN SHEET

prepared by:

**Investigative & Loss Control Services, Inc.
Prior Lake, Minnesota**

PED4-878 C 1881

RESIDENCE INSPECTION
 SITE INSPECTION SIGN-IN SHEET
 DECEMBER 29, 2003

NAME	COMPANY ADDRESS	REPRESENT	PHONE	FAX	TIME IN	TIME OUT
JEFF WASHBURN	13909 FRODOBIA W. APPLE VALLEY, MN 55124	NET LIFE	952- 891- 292	952- 432- 8376	-	-
STEVE WOODFORD	7160 SHAW OAK RD BOON PRANSKY 55344	REPRESENTOR PETER PETERSON MOTORS	763- 424- 8918	SAME		
S-N-Bhatt	4200 Kings Pt Rd Excelsior MN 55331	Met Life	952- 476- 5595	952- 477- 6945		
Larry Halter	470-C Woods Mill Guinnessville Ga.	Ford	770- 277- 2138	770- 297- 7133		
[REDACTED]	[REDACTED] 759 Rochester MN	Auto Amers	[REDACTED]	[REDACTED]		

X-100

11

FACT DATA WORKBOOK.

PHOTOGRAPHS.

prepared by:

**Investigative & Loss Control Services, Inc.
Prior Lake, Minnesota**

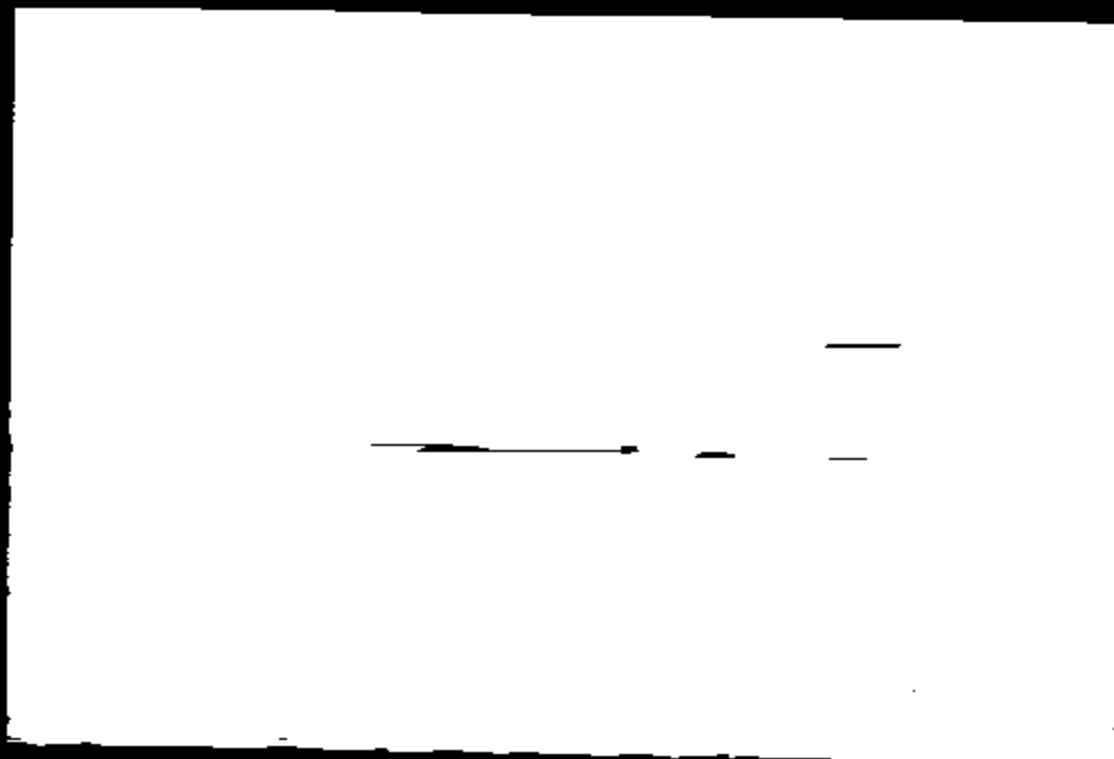


Photograph #1- Series identification documenting the loss site as [REDACTED] in Spring Valley, Minnesota.

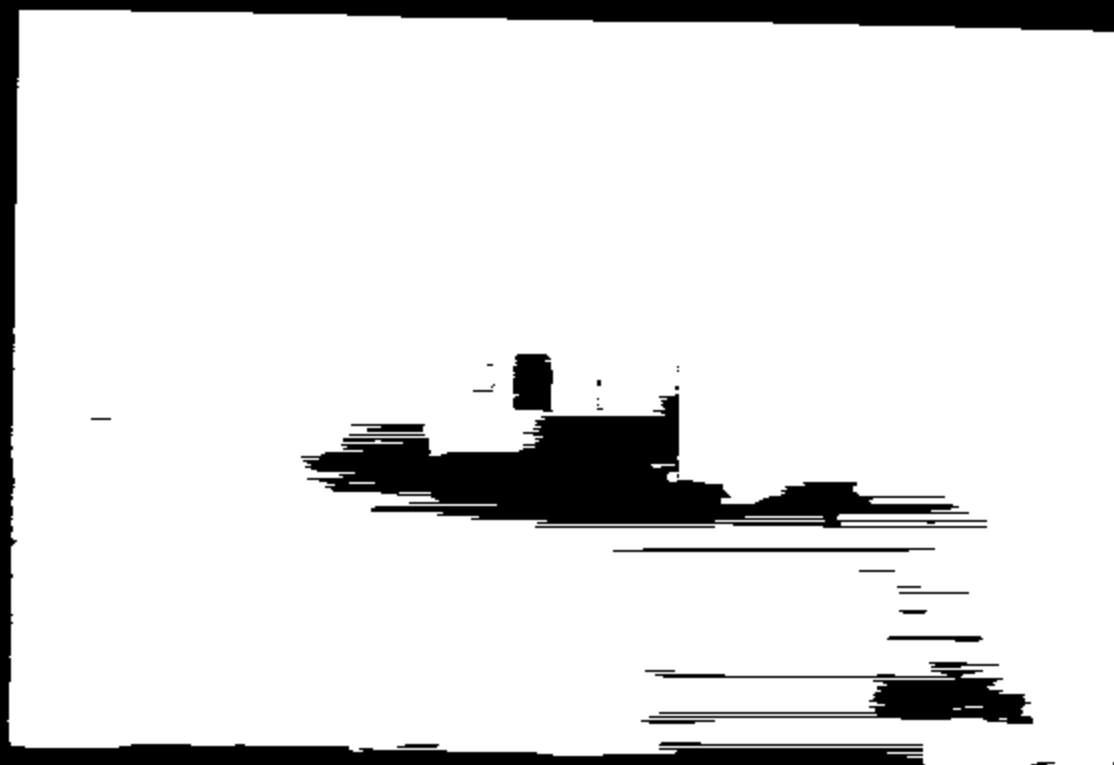


Photograph #2- Overview of conditions exhibited on the southwest corner of the structure. View is looking north.

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INVESTIGATION PHOTOGRAPHY



Photograph #3- Overview of the south exterior wall of the dwelling unit looking north.



Photograph #4- View taken from the southeast exterior corner looking northwest.

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INVESTIGATION PHOTOGRAPHS

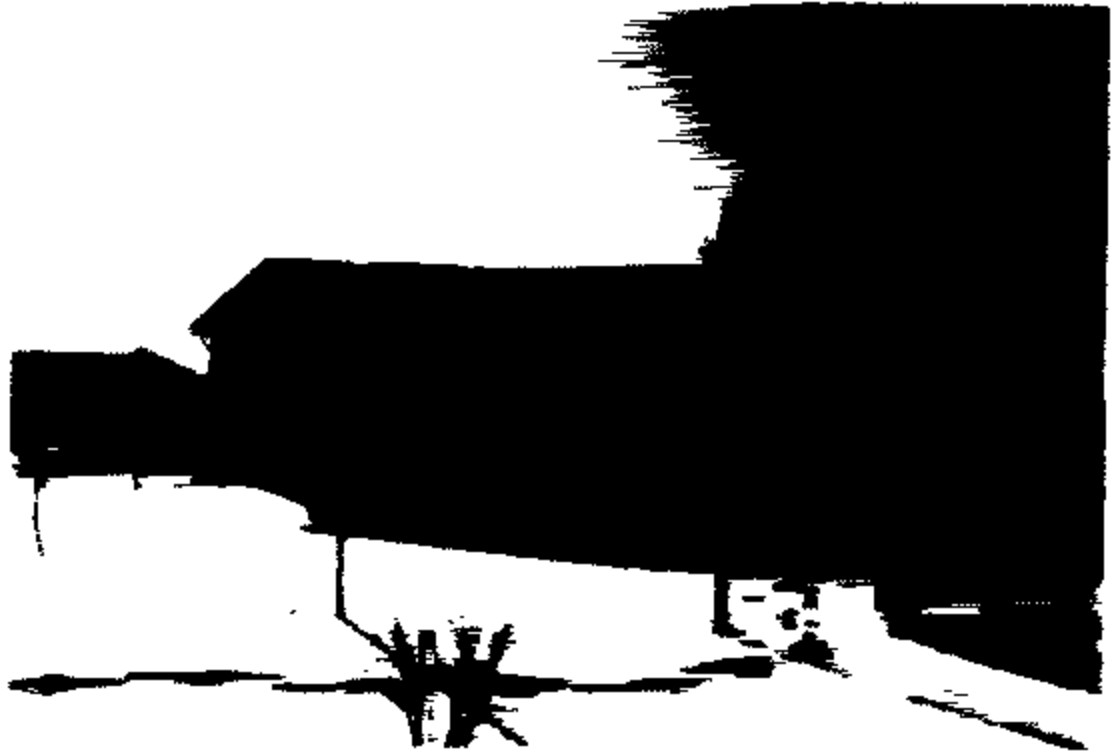


Photograph #5- Documents conditions on the east exterior wall of the structure looking west.



Photograph #6- View taken from the northeast exterior corner looking southwest

COOPERATIVE SUSTAINABLE ENERGY
LIVABLE HUMAN PROGRESS



Photograph #7- Overview of conditions exhibited on the north exterior wall of the dwelling looking south.



Photograph #8 View taken from the northwest exterior corner looking southeast



Photograph #9- View looking east along the north exterior wall of the west side garage area.



Photograph #10- View looking south along the west exterior wall of the garage

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INVESTIGATION PHOTOGRAPHS



Photograph #11- Overview of conditions exhibited on the west exterior wall of the structure looking east.



Photograph #12 View taken from the southwest exterior corner looking northeast

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Photograph #15- Shows the remains of the roof deck as it collapsed onto the rear bed of the Ford Pickup.



Photograph #16- Depicts conditions along the separation wall between the garage and the dwelling unit. This view shows the remains of sheetrock along the center and southern portions of the east interior wall.

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INVESTIGATION PHOTOGRAPHS



Photograph #13- View taken from the southwest corner looking east along the south exterior wall.



Photograph #14- Documents collapse along the south exterior wall of the garage area looking north

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INVESTIGATION PHOTOGRAPHS



Photograph #17- Depicts the position of the Ford F-150 Truck in the east side garage bay area. View is looking south.

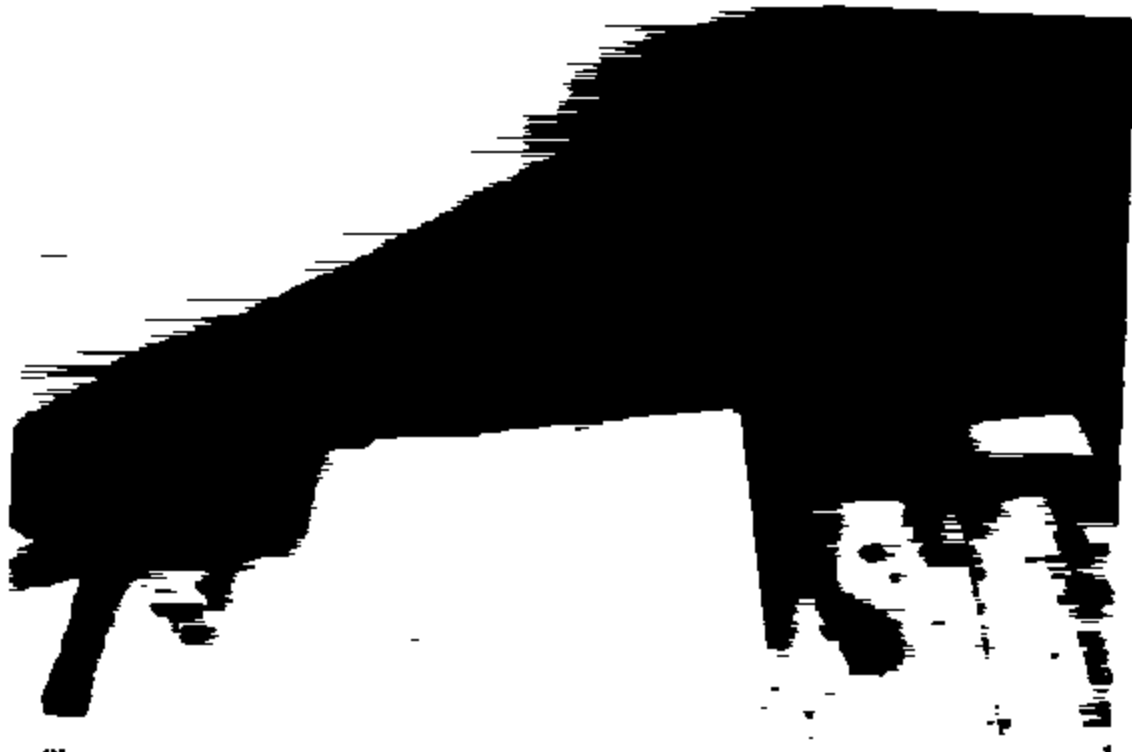


Photograph #18- Additional overview of the east garage wall taken from the north entryway door looking south

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INVESTIGATION PHOTOGRAPHS

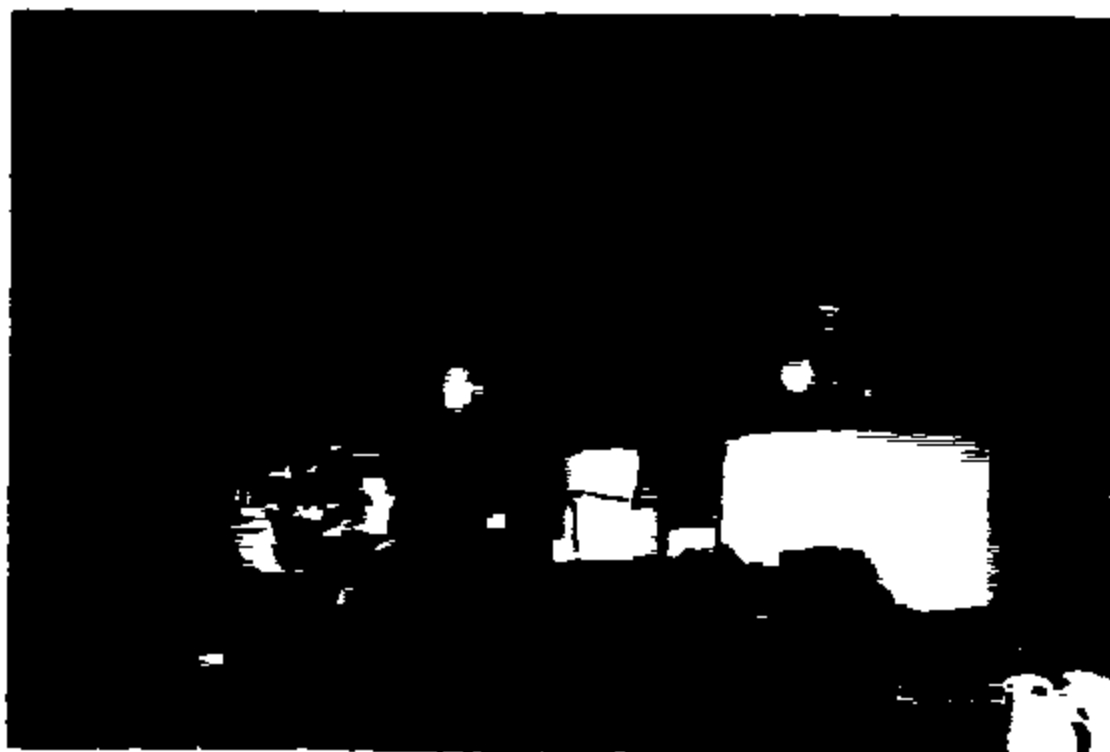


Photograph #19- Overview of the common attic space located above the garage and the west side of the dwelling unit.

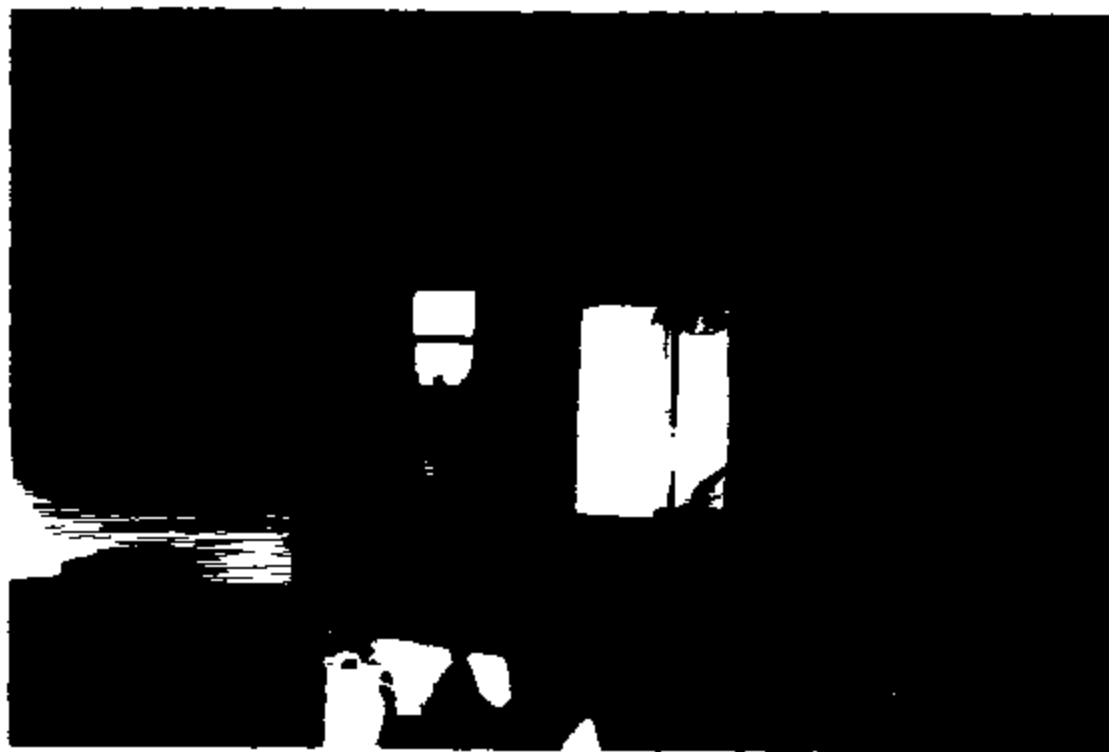


Photograph #20- Continued documentation of heavy fire damage occurring to the fire separation wall between the dwelling and the garage

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Photograph #21- View looking west from the south side main entryway door through the living room area.



Photograph #22- View looking north from the south side entryway door showing the entry leading into the kitchen.

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INVESTIGATION PHOTOGRAPHS

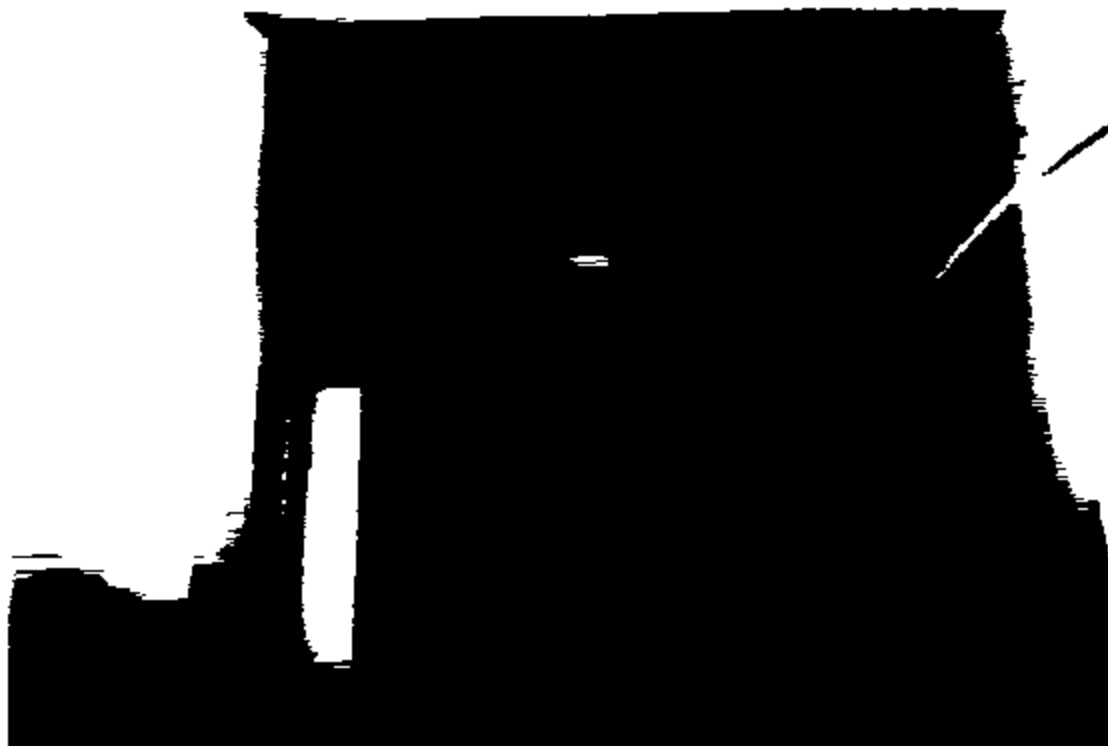


Photograph #23- Overview of conditions in the master bedroom area common to the southwest corner of the first floor.



Photograph #24- Shows the north separation wall for the master bedroom identifying the entryway doors for the walk in closet and master bathroom.

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Photograph #25- Depicts fire damage occurring above the ceiling for the west side master bathroom area.



Photograph #26- View looking east through the center and eastern interior portions of the south side living room.

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Photograph #27- View looking east through the center and eastern portions of the kitchen and dining room area.



Photograph #28- Documents heavy damage above the ceiling level common to the dining room area.

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Photograph #29- Overview of conditions exhibited in the southeast corner bedroom area.



Photograph #30- Overview of conditions exhibited within the northeast corner bedroom area.

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Photograph #31- View looking north into the second bathroom area common to the east side first floor level.



Photograph #32- View looking west from the east side hallway through the dinette and kitchen area

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INVESTIGATION PHOTOGRAPHS

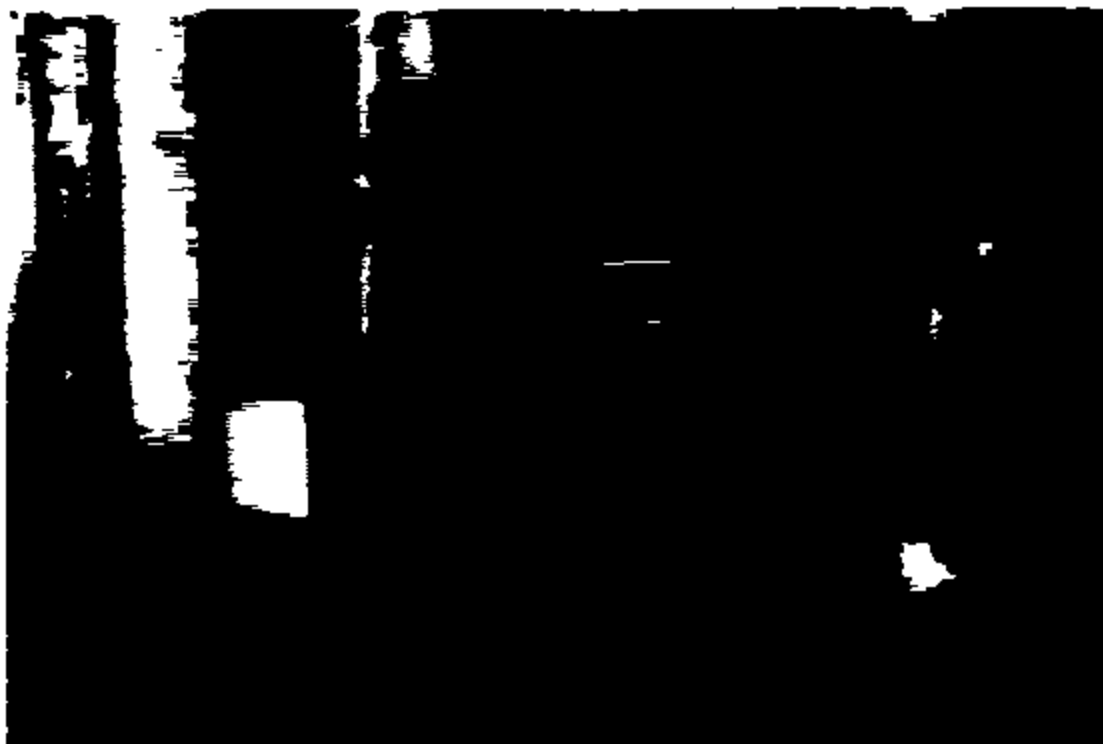


Photograph #33- Continued documentation of fire flow within the attic space located above the ceiling for the kitchen and dinette.



Photograph #34- Overview of conditions along the west interior wall of the kitchen showing the entryway door providing access to the mudroom area

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Photograph #35- View looking west through the mudroom area showing the entryway for the master bathroom.



Photograph #36- Documents conditions above the ceiling common to the northwest corner mudroom area.

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Photograph #37- Shows the interior stairwell providing access to from the south side main entryway door to the basement.



Photograph #38- Overview of the north interior portion of the basement area

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Photograph #39- View looking west towards the hallway for the basement.



Photograph #40- Additional view looking west down the hallway for the basement.

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Photograph #41- View looking north through the open doorway into the basement level utility room.



Photograph #42- Depicts conditions around the location for the gas-fired furnace.

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Photograph #43- Overview of conditions within the west side storage room area, south interior.

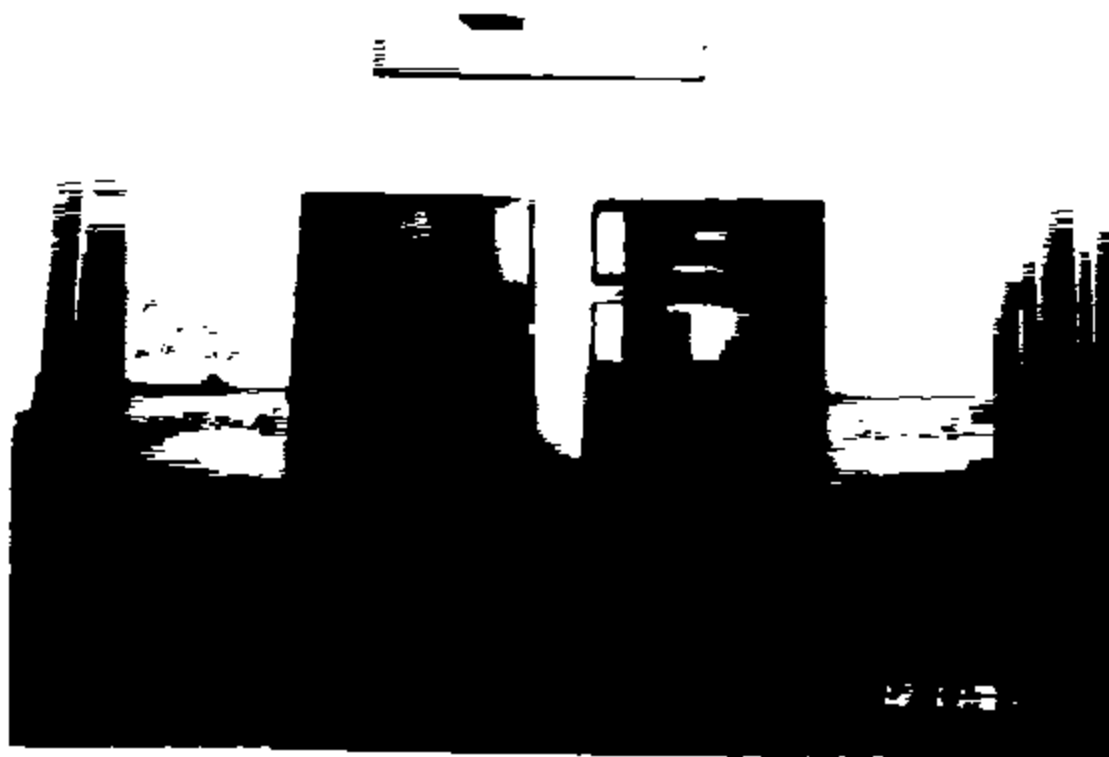


Photograph #44- View looking north through the center and northern interior portions of the west side storage room

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Photograph #45- Documents the position of the circuit breaker panel in the northeast corner of the west side basement level storage room.



Photograph #46- Overview of the position of the breakers in the center and upper portions of the panel.

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Photograph #47- Documents the position of the breakers in the center and lower portions of the panel. Note the garage outlets and garage lights breaker is in the tripped position.



Photograph #48- Overview of conditions exhibited on the south header for the west side garage.

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Photograph #49- Overview of the surfaces of the west side garage wall.



Photograph #50- Continued documentation of the west side garage wall showing the conditions on the upper surfaces.

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Photograph #51- Additional view looking north along the sections of the collapsed west wall.



Photograph #52- View looking south from the north exterior of the structure towards the garage

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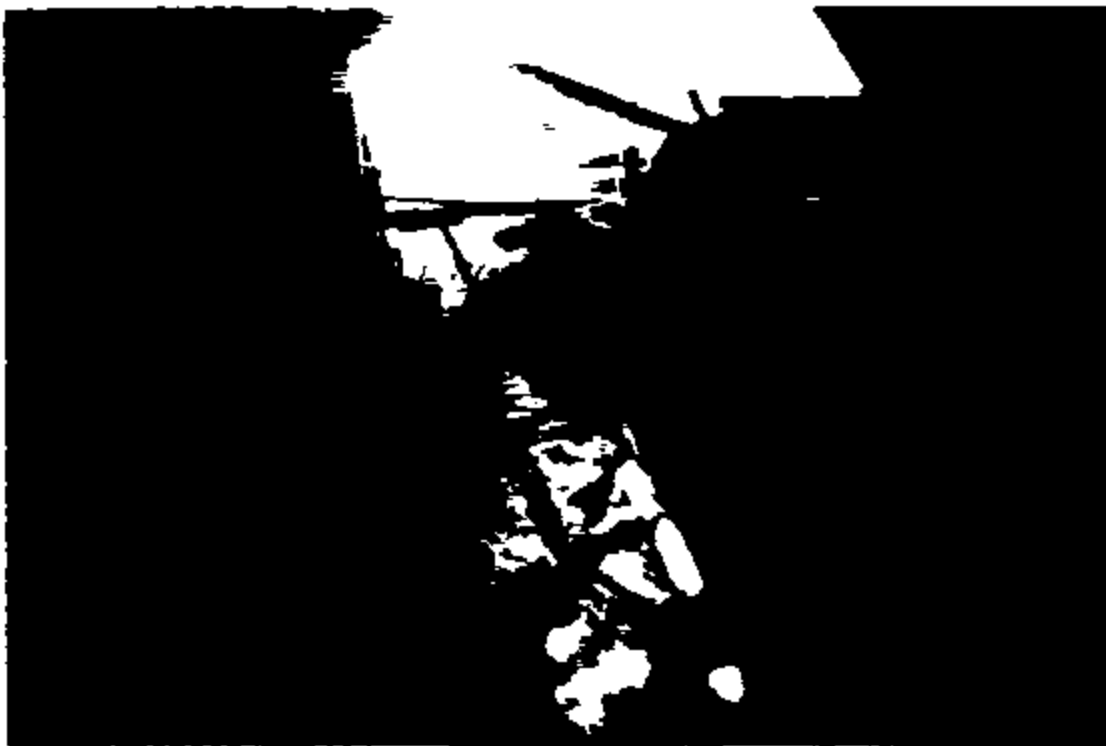


Photograph #53- Documents heavy heat and fire travel proceeding vertically up the exposed vinyl siding to the east of the door providing access to the garage.



Photograph #54- Overview of conditions on the front portion of the Ford F-150 Pickup

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Photograph #55- View looking south along the passenger's side of the pickup.



Photograph #56- Depicts conditions on the driver's side front quarter panel

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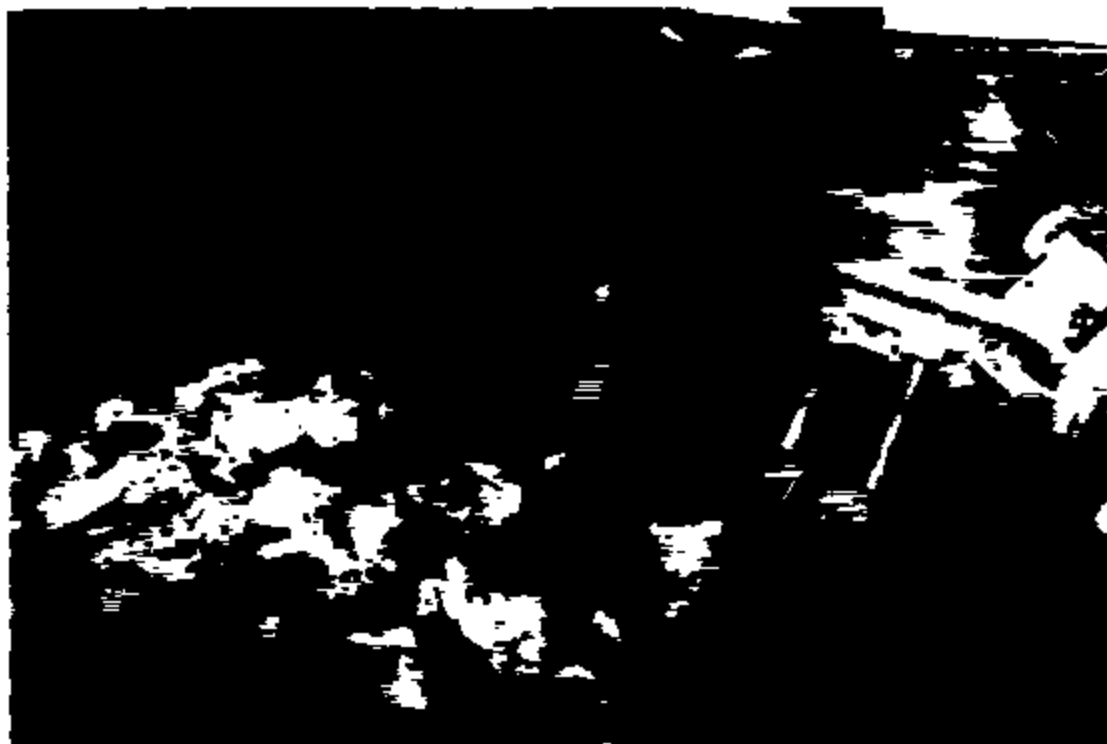


Photograph #57- View looking south along the driver's side exterior of the pickup.



Photograph #58- View taken through the driver's side window documenting conditions in the passenger's compartment.

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Photograph #59- Overview of the driver's and passenger's seat common to the passenger's compartment.



Photograph #60- Shows the interior headliner for the passenger's compartment

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Photograph #61- Overview of the passenger's compartment taken from the passenger's side windshield area.



Photograph #62- Depicts conditions on the dashboard area of the passenger's compartment taking from the passenger's side window.

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Photograph #63- Beginning documentation of the engine compartment of the vehicle. This view is taken from the passenger's side of the engine compartment looking towards the driver's side.



Photograph #64- Overview of conditions in the passenger's side of the engine compartment.

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Photograph #65- Overview of the center top portion of the engine compartment.



Photograph #66- Shows the driver's side and center portion of the engine compartment.



Photograph #67- View looking through the engine compartment from the driver's side front quarter panel.



Photograph #68- Closer detail of the center portion of the engine compartment

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(INVESTIGATION PHOTOGRAPHS)



Photograph #69- Overview of conditions on the driver's side of the engine compartment.

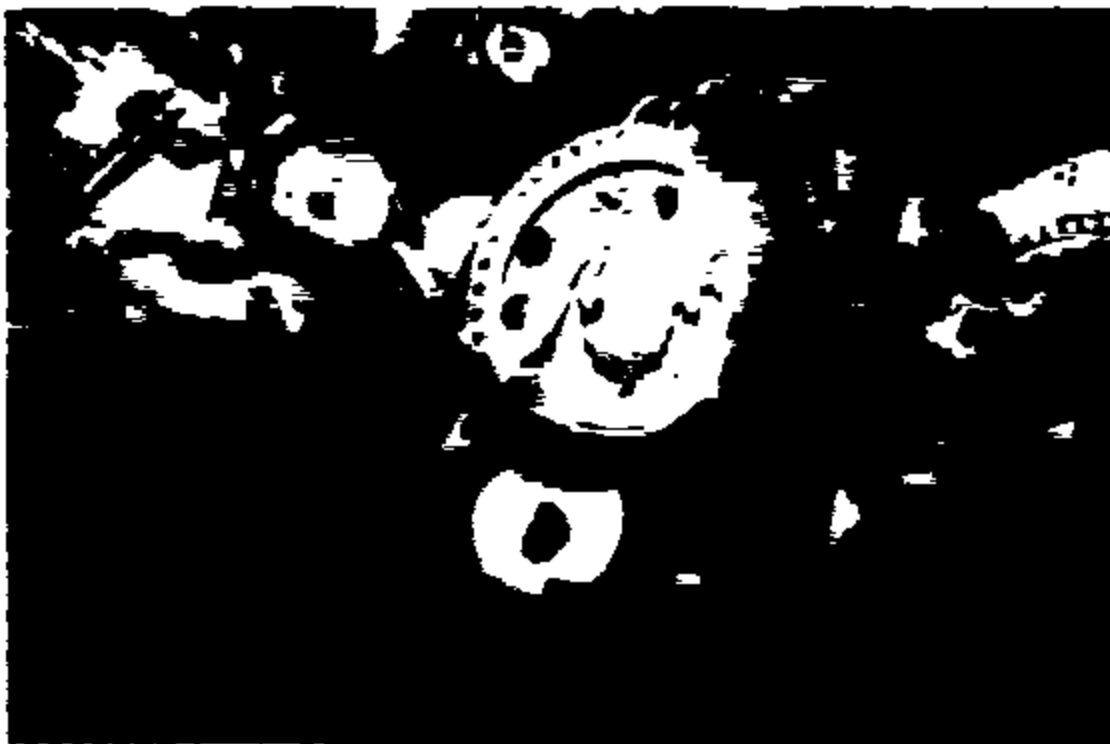


Photograph #70- Overview of the front interior portion of the engine compartment

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Photograph #71- Additional view of the front portion of the engine compartment



Photograph #72- View of the front of the engine taken looking through the front grill work.

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Photograph #73- Shows the remains of the aluminum radiator common to the driver's side of the front of the engine compartment.

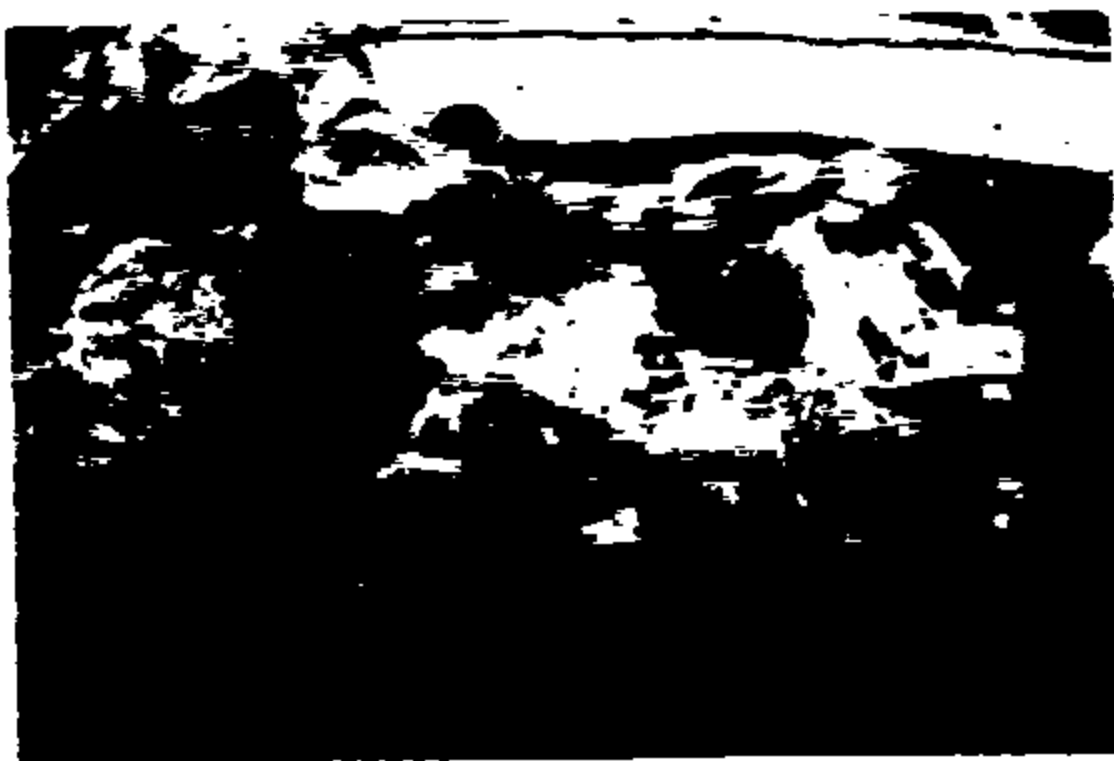


Photograph #74- Shows the center and passenger's side top surfaces at the rear of the engine compartment

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Photograph #75- Shows the center and driver's side top portions at the rear of the engine compartment.



Photograph #76 - Shows the top center portion of the engine noting heavy damage to the center rear of the engine compartment.



Photograph #77 Closer detail of the passengers side rear of the top of the engine compartment.



Photograph #78 Documents vertical fire travel patterns on the rear top surfaces of the fire wall extending from the passengers side rear of the top of the engine

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Photograph #79 - Additional view of fire travel patterns on the top surfaces of the rear fire wall and engine hood frame.



Photograph #80 - Documents loading of the vehicle at the loss site for transportation to Rochester.

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Photograph #81 Documents offloading of the vehicle at the storage facility in Rochester, Minnesota.



Photograph #82 Shows the vehicle in the storage garage along with evidence bags #1 and #2