

PE04-078

FORD

1/28/2005

ATTACHMENT F

BOOK 7 OF 12

PART 2 OF 6



Office of the General Counsel

PRIVILEGED & CONFIDENTIAL

Ford Motor Company
 Fordena Towers West
 Suite 300
 Three Parklane Boulevard
 Dearborn, Michigan 48124-2500

July 22, 2004

Downs & Associates
 1880 B Dairy Ashford Suite 108
 Houston, TX 77077

ATTENTION: WILLIAM SNAPP

2ND REQUEST

RE: Claimant: [REDACTED]

Your Claim #: [REDACTED]

DOL: 05/27/2004

RECEIVED

JUL 28 2004

Downs & Associates

Dear Mr. Snapp:

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. *Don't have*
- ☒ 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. *Don't have*
- ☐ 4. Original color photographs of the inside of the vehicle showing the steering wheel, dash and foot 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. *Attached*
- ☐ 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 credit statements.
- ☒ 8. Attach the complete service history for the subject vehicle, including any tune-ups or oil changes. *Don't have*

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: *The Woodlands, TX*
- 10. The 17 digit vehicle identification number: *NA 1FMRU1761Y1 [REDACTED]*
- 11. What was the mileage at time of occurrence: *77000 per CCC*
- 12. What is the alleged defect: *see attached experts report*
- 13. Has the alleged defective part been repaired or replaced? (circle one) Yes ☐ No ☒

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

TAA Houston Facility

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

N/A

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: New

If purchased used, provide the date of purchase, mileage at the time of purchase, and from whom the vehicle was purchased: unknown

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



Rinkus Consulting Group, Inc.
Eight Greenway Plaza, Suite 500
Houston, Texas 77046
(713) 621-3550 Telephone
(713) 623-4357 Facsimile
(800) 680-3225 Toll Free

Report of Findings

1999 FORD EXPEDITION FIRE CAUSE & ORIGIN

OWNER: [REDACTED]

Claim No: [REDACTED]

File No: 105166

Prepared For:

**FARMERS INSURANCE COMPANY
480 SAM HOUSTON PARKWAY, SUITE 320
HOUSTON, TEXAS 77060**

Attention:

MR. CHRIS TABRON

**Thomas W. Bender, C.F.E.I.
Project Fire Consultant**

**M.L. "Buddy" Jenkins, C.F.I., C.F.E.I.
Fire Division Manager**

May 4, 2004

PE04-B78 C 2636

TABLE OF CONTENTS

I. Introduction	1
II. Conclusions.....	2
III. Discussion.....	3
IV. Basis of Report.....	6
V. Attachments	7
A. Photographs	
B. NHTSA Recall Number 98V312000	
C. CVs	

Section I
INTRODUCTION

[REDACTED]

On March 27, 2004, a fire occurred to a 1999 Ford Expedition, belonging to [REDACTED]


[REDACTED] The fire was reported to the Woodlands (Texas) Fire Department who responded and extinguished the fire.

Rimkus Consulting Group, Inc. was retained on April 9, 2004 by Mr. Chris Tabron of Farmers Insurance Company to determine the origin and cause of the fire. Our work to complete this assignment was conducted by Thomas W. Bender, C.F.E.I.

This report was prepared for the exclusive use of Farmers Insurance Company and is not intended for any other purpose. Our report is based on the information available to us at this time. Should additional information become available, we reserve the right to determine the impact, if any, of the new information on our opinions and conclusions, and to revise our opinions and conclusions if necessary and warranted by the discovery of additional information.

Section II

CONCLUSIONS

- 
1. The fire originated in the right passenger side portion of the engine compartment.
 2. Remaining evidence indicates a combustible fluid, most probably gasoline, was released and ignited within the engine compartment.
 3. Witness statements indicate the owner was driving the vehicle and smelled "gasoline" just prior to the fire.
 4. Within the identified area of origin, other possible accidental causes of the fire were eliminated, including the vehicle electrical system.
 5. The fire was determined to have been accidental in nature.
- A

Section III

DISCUSSION

[REDACTED]

On April 14, 2004, the damaged remains of the 1999 Ford Expedition, which had been involved in a fire on March 27, 2003, was inspected at International Auto Auctions (IAA) at [REDACTED] Road in Houston, Texas. The Vehicle Identification Number of 1FMRU1761XL [REDACTED] located on the dash plate, identified the vehicle. The vehicle also had Texas license plates bearing [REDACTED]. The vehicle is a 2-wheel drive Ford Expedition XLT with a Triton V8 281-hp SOHC engine. All four tires matched, were in good condition, and are mounted on factory rims. The actual vehicle mileage could not be determined since the odometer is electronic and the battery-supplied power is damaged. The owner reported the vehicle had approximately 77,500 miles.

Exterior inspection revealed no fire damage to the back and rear half of the vehicle. Fire damage began on both the left driver side and right passenger side at the forward edge of the front doors and extended toward the front grill. Minor scratches were noted on the driver side, the rear hatch, and the passenger side. The undercarriage of the vehicle revealed no major scratches or damage. No indication of a liquid leak was noted in the brake lines or rear fuel lines. All the windows remained intact except for the forward windshield. All remaining windows were smoke stained with increased staining toward the front of the vehicle. The engine compartment hood was completely burned away. The front grill revealed an increasing amount of fire damage from the left driver side to the right passenger side.

The interior inspection revealed little-to-moderate fire and heat damage with increasing fire damage toward the forward portion of the passenger cabin. The rear passenger seats received heat and smoke damage while the front seats received slight fire and heat damage on the headrests. The dashboard received significant fire and heat damage with increasing damage toward the center of the dash toward the windshield. Burn patterns indicate heat and flame progression from the engine compartment toward the passenger

compartment through the bulkhead. The left driver side foot well received no significant fire or heat damage with no fire damage noted to the under dash fuse panel. All fuses were tested with a digital multimeter for continuity. Fuse circuit 14 was found to be the only open. The fuse protected the battery saver relay and the interior lamp relay. All of the fuses were properly sized according to the manufacturer's recommendations. Fire debris, most probably scooped by the fire department, was located in the driver side foot well. The ignition key was in the ignition and in the 'on' position.

Moderate-to-severe fire damage was noted throughout the entire engine compartment with increasing damage from the left driver side toward the right passenger side. The master cylinder and power boost remained intact. The fuel rails, located across both sides of the engine, remained intact and tight. Flexible hoses were intact on the driver side with increased damage toward the passenger side. Electrical wiring was found to be mostly intact with no visible evidence to indicate an electrical failure or fault had occurred. The radiator revealed heat damage from an approaching fire from the right passenger side, with more radiator mass missing on the right passenger side. The fuel lines from the fuel tank are intact and travel along the right passenger side in a trough in the undercarriage. The fuel lines showed evidence of fire damage nearing the right passenger side forward wheel well towards the bulkhead. Burn patterns indicate the origin of the fire to be in the right passenger side of the engine compartment. The remaining metal tube fuel lines revealed no evidence indicating a release. The flexible rubber fuel lines were completely burned away leaving no evidence to examine.

During the investigation, [REDACTED] owner, operator and insured of the vehicle, was interviewed concerning the events surrounding the incident. [REDACTED] reported the vehicle was serviced by Gullo Ford-Mercury in Conroe, Texas, during October or November of 2003. Reportedly the engine was misfiring, and Gullo Ford reported there was carbon buildup in the intake, and the engine was serviced [REDACTED] [REDACTED] reported that after the service the vehicle was running smooth. [REDACTED] reported that on the day of the fire he left the house at approximately 5:45 A.M. and headed to Home Depot. He drove approximately five to seven minutes traveling four to six miles. Approximately 100 yards north of Lake Woodlands Road, while on New



Trails Drive, [REDACTED] reported a gasoline smell in the air. He reported the vehicle was running smooth and no indicator lights in the instrument cluster were lit. At approximately three-quarters the way to Research Forest, [REDACTED] turned right onto Crestline Street, exited the vehicle and smelled a strong odor of gasoline. He approached the engine hood, turned back to get a flashlight, and the vehicle make a "whoosh" sound and the engine compartment started on fire.

Alldata and the National Highway Traffic Safety Administration (NHTSA) websites were researched for specific recalls, complaints, and technical bulletins concerning this area of fire origin. The NHTSA website listed a recall, number 98V312000, stating fuel line assemblies may have been damaged by the supplier during manufacturing, allowing leakage. Notification began approximately January 3, 1999. The owner did not mention recall work that had been performed to any components of the vehicle.

In conclusion, based on our site examination and interviews, it is our opinion that this fire was accidentally caused by a release of gasoline from the flexible fuel lines located in the engine compartment on the right passenger side. Due to destructive fire loss of the flexible lines, exact location and nature of the release can not be determined. This fire spread to other combustibles within the engine compartment and forward dash before being extinguished.

Section IV

BASIS OF REPORT

- 
1. Vehicle inspection and photograph documentation on April 14, 2004.
 2. Witness information supplied by  owner of the vehicle.
 3. Recall and technical bulletin information researched on AllData and NHTSA websites.

Section V
ATTACHMENTS

[REDACTED]

May 4, 2004

FE04-078 C 2844

Page 7

Section V
ATTACHMENT A



Photographs

Photographs taken during an inspection that are not included in this report are retained in our files and are available upon request.

PE04-878 C 2645

PHOTOGRAPH 1:

1999 Ford Expedition, VIN 1FMRU1761X [REDACTED] *Fire damage moderate-to-severe in the engine compartment.*



PHOTOGRAPH 2:

Fire damage extended to the windshield and forward portion of the front door.



FEB-878 C 2846

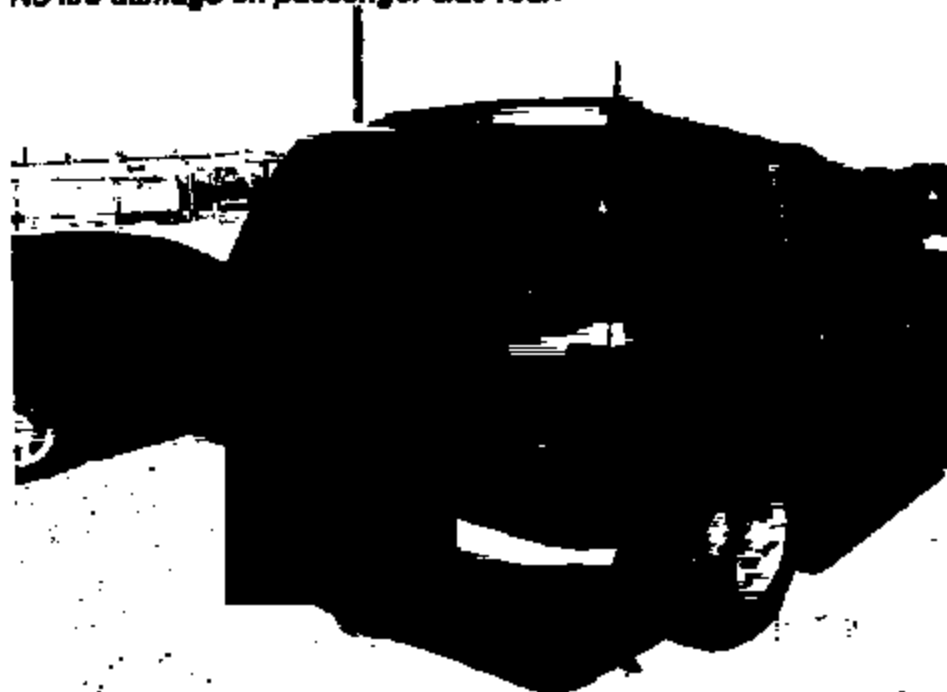
PHOTOGRAPH 3:

No fire damage noted on driver side rear. Smoke staining on windows increased from the back to the front.



PHOTOGRAPH 4:

No fire damage on passenger side rear.



REC-078 C 2047

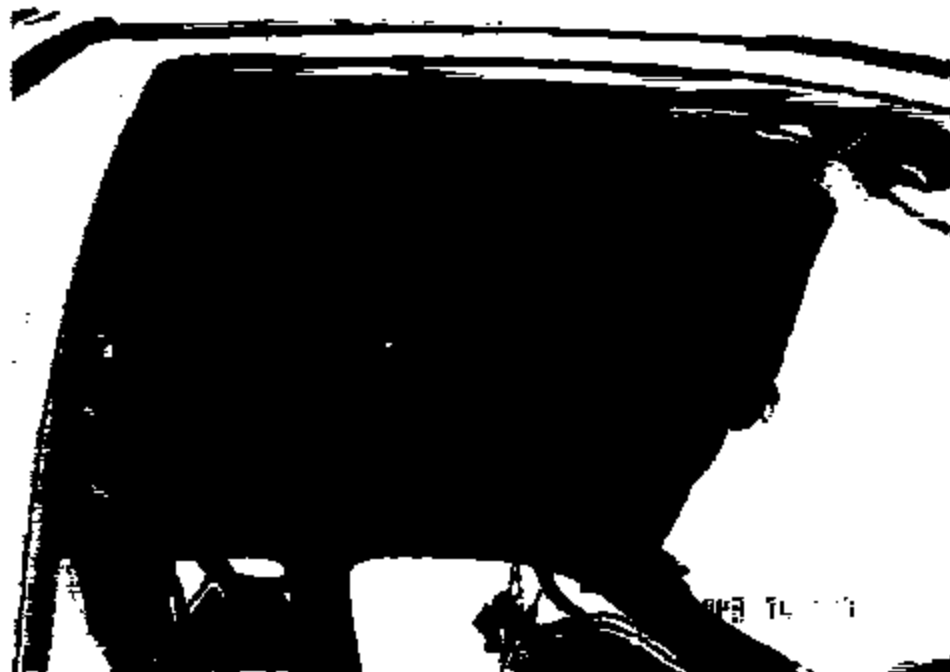
PHOTOGRAPH 5:

Fire damage extended toward the forward portion of the front door. The engine compartment hood had burned away.



PHOTOGRAPH 6:

Looking up at the headliner from the passenger front door. Fire damage increasing toward the front of the vehicle.



PED4-878 C 2848

PHOTOGRAPH 7:

Fire damage increased toward the dash where a hole was burned and melted. Electrical components in dash remained intact.



PHOTOGRAPH 8:

Hole in dash as seen from passenger A column. Heat and flames approached forward portion of dash from the engine compartment.



PE04-070 C 2049

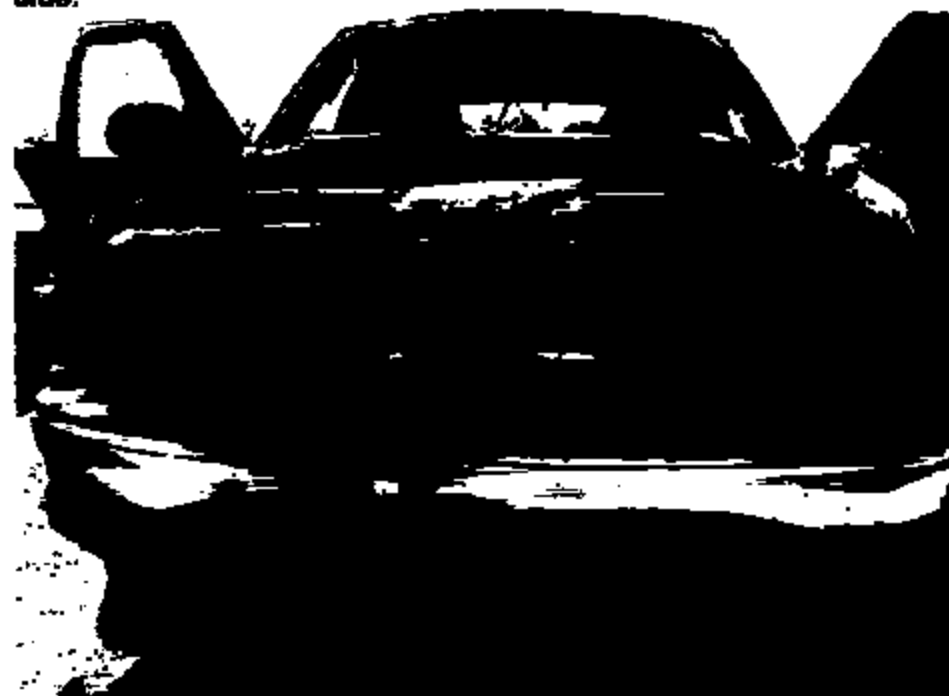
PHOTOGRAPH 9:

Debris pile from fire scene in driver side foot well. Fuse panel, behind cover, was intact with only fuse 14 open, protecting the battery saver relay and the interior lamp relay.



PHOTOGRAPH 10:

Fire damage at front grill increased toward the right passenger side from the left driver side.



PCB-878 C 2828

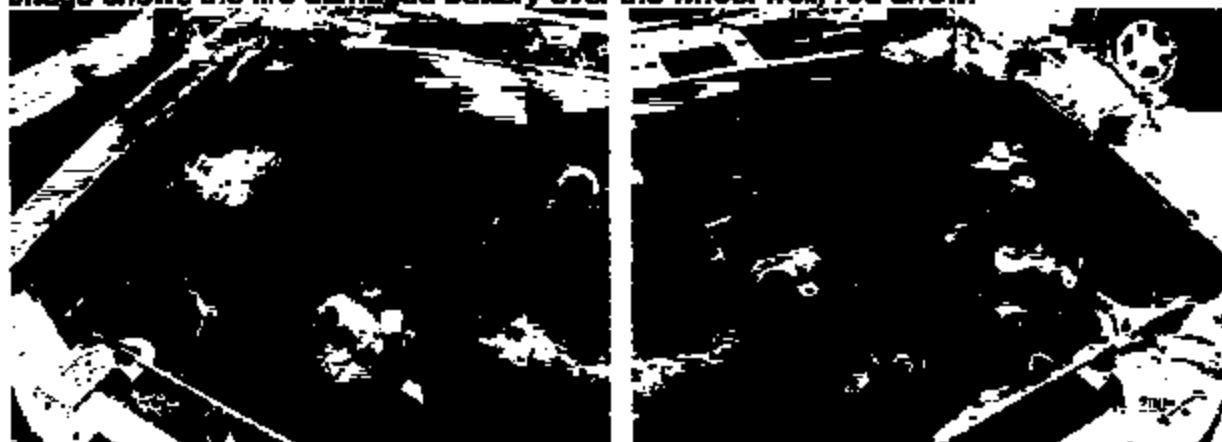
PHOTOGRAPH 11:

Overall view of engine compartment with rear bulkhead at the top of the image. Fire damage increased from the right drive side to the left passenger side.



PHOTOGRAPH SERIES 12:

Left image is detail of right passenger side while right image is detail of left driver side. The master cylinder, green arrow, is intact, as well as the electrical wiring. The left image shows the fire damaged battery over the wheel well, red arrow.



PEM-878 C 2551

PHOTOGRAPH 13:

The radiator showed evidence of a longer duration fire exposure on the right passenger side.



PHOTOGRAPH 14:

Looking at the fuel supply lines, arrowed, in the passenger side front wheel well. The flexible lines were burned away.



PE04-878 C 2052

PHOTOGRAPH 15:

Flexible lines for the high pressure air conditioner lines were intact while soft metal, aluminum, is melted. The fuel lines were originally routed within this space.



PHOTOGRAPH 16:

Looking up into the passenger side wheel well. The end of the fuel lines are seen connected to the remains of the flexible fuel line.



PEBA-878 C 2883

Section V
ATTACHMENT B



NHTSA Recall Number 98V312000

Recalls Summary

Make: FORD
Model: EXPEDITION
Year: 1999
Recall Number: 98V312000

Summary:

VEHICLE DESCRIPTION: SPORT UTILITY VEHICLES. THE FUEL LINE ASSEMBLIES MAY HAVE BEEN DAMAGED BY THE SUPPLIER DURING MANUFACTURING, ALLOWING LEAKAGE.

Consequence:

FUEL LEAKAGE IN THE PRESENCE OF AN IGNITION SOURCE CAN RESULT IN A FIRE.

Remedy:

DEALERS WILL INSPECT THESE VEHICLES AND, IF NECESSARY, REPLACE THE FRONT AND REAR FUEL LINE ASSEMBLIES.

Notes:

OWNER NOTIFICATION IS EXPECTED TO BEGIN JANUARY 3, 1999. OWNERS WHO TAKE THEIR VEHICLES TO AN AUTHORIZED DEALER ON AN AGREED UPON SERVICE DATE AND DO NOT RECEIVE THE FREE REMEDY WITHIN A REASONABLE TIME SHOULD CONTACT FORD AT 1-800-392-3673. ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S AUTO SAFETY HOTLINE AT 1-888-DASH-2-DOT (1-888-327-4236).

[Close Window](#)

Section V
ATTACHMENT C



CVs



PROJECT FIRE CONSULTANT

_____ graduated from Oklahoma State University with a Bachelor of Science degree in Fire Protection and Safety Engineering Technology. _____ specific areas of experience include fire and life safety inspections, and design and testing of fire sprinkler and fire alarm systems for residential and commercial premises.

Primary areas of consultation include fire origin and cause, fire code and fire protection system review, fire analysis, fire modeling, research and testing. Associated areas include hydraulic calculation and inspection of sprinkler systems for all new construction, as well as post-fire examination for sprinkler system performance, and inspection and proper maintenance of fire prevention equipment.

_____ is has experience as a volunteer firefighter with several volunteer fire departments in Georgia and North Carolina. He is familiar with the purpose and use of all personal fire protection equipment. He has worked for the Georgia State Fire Marshal's office. He is familiar with industry fire codes, standards and guidelines, and reviewing design/construction plans/specifications for code compliance.

EDUCATION AND PROFESSIONAL ASSOCIATIONS

Bachelor of Science - Fire Protection and Safety Engineering Technology - Oklahoma State University, Oklahoma

Associate in Applied Science - Fire Protection Technology - Guilford Technical Community College, North Carolina

Certified Fire and Explosion Investigator, National Association of Fire Investigators

Certified Fire Investigator Instructor, National Association of Fire Investigators

Certified Fire Protection Specialist, National Fire Protection Association

NPQ 1 Fire Fighter, National Board on Fire Service Professional Qualifications

NPQ 1 Fire and Life Safety Educator, National Board on Fire Service Professional Qualifications

NPQ Hazmat Awareness Level, National Board on Fire Service Professional Qualifications

Member: National Association of Fire Investigators
National Institute for Certification in Engineering Technologies

EMPLOYMENT HISTORY

2003 - Present	Rimkus Consulting Group, Inc.
2001 - 2003	Georgia Fire Marshal's Office, Atlanta, Georgia
1999 - 2001	Grinnell Fire Protection Systems/Simplex Grinnell, Conyers, Georgia
1998 - 1998	Gainesville Fire and Rescue Department, Gainesville, Florida

PE04-878 C

DETAILED PROFESSIONAL EXPERIENCE:

RIMKUS CONSULTING GROUP, INC.

2003 – PRESENT

Project Fire Consultant

Investigate cause and origin of fires in industrial, commercial, and residential facilities and in vehicles. Evaluating fire protection systems. Assist in investigations and the development of cases not fire related.

GEORGIA FIRE MARSHAL'S OFFICE

2001 – 2003

Fire Safety Engineer

Review water-based automatic fire protection systems for code compliance. Review day-care and hospital occupancies for Life Safety Code (LSC) compliance. Consulted with architects, contractors, and owners of day-care and hospitals for LSC concerns. Research state adopted codes for code compliance, call in questions and variance requests.

GRINNELL FIRE PROTECTION SYSTEMS/SIMPLEXGRINNELL

1999 – 2001

Designer

Design and hydraulic calculation of fire sprinkler systems for various building code occupancies using current NFPA standards.

GAINESVILLE FIRE AND RESCUE DEPARTMENT

1998 – 1998

Intern

Perform fire and life safety inspections to ensure code compliance. Plan review for all new construction.



SENIOR FIRE CONSULTANT – DIVISION MANAGER

[REDACTED] has extensive experience in the fire-related sector encompassing 28 years in the municipal fire service and additional 12 plus years, which are specific to the insurance and legal industries. This experience includes a combination of field and management assignments in the fire service including suppression, prevention, investigation, and training.

[REDACTED] specific areas of experience include determining the cause and origin of fires. His fire cause and origin determinations have primarily included, but are not limited to, assignments involving residential, commercial, industrial, vehicle, marine, farm implement/equipment, chemical, and energy product-related fires. [REDACTED] expertise also includes the ability to perform inspections and critique residential and commercial property for fire code compliance with the National Fire Protection Association (NFPA) Fire Codes.

[REDACTED] is qualified as an expert witness in the determination of fire cause and origin cases both for civil and criminal cases. His qualifications have been proven in numerous depositions and testimonies for local, state, and federal court systems. As an expert, he has been challenged on numerous occasions in the court system relating to the Daubert Act. He has never failed a Daubert court challenge.

EDUCATION AND PROFESSIONAL ASSOCIATIONS

Associate of Arts - Fire Protection Technology - El Centro College, Dallas, TX
Associate of Arts - Criminal Justice - El Centro College, Dallas, TX
Texas Municipal Fire Training School Staff Instructor - Texas A & M University
North Texas Police Academy Staff Instructor - Arlington, TX
Texas Department of Public Safety Training Academy Staff Instructor - Austin, TX
Certified in Fire Suppression and Fire Service Education and Training by the Texas Commission on Fire Protection Personnel Standards and Education
Certified Fire and Explosion Investigator (CFEI)
Certified in HAZWOPER (NEI-29CFR1910.120) Program
Completed OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) Course
Completed OSHA Hazardous Waste Operations and Emergency Response (HAZWOPER) Site Supervisor Course
Certified Instructor for Texas Department Of Insurance Continuing Education Courses
Completed NFPA - 921 Training Course
Fire Dynamic, Scientific Insights of Investigators- Oklahoma State University
Fire Origin and Cause – Public Agency Training Council
Registered with the Texas Board of Private Investigators and
Private Security Agencies - License No. A-05995
Registered - Louisiana Board of Private Investigator Examiners - Certificate No. 3594-012898-1A
Certified Instructor Texas Department of Insurance Continuing Education Courses
921 Training Seminar-Dallas Fire Department
2002 Focus On Fraud Seminar

[REDACTED]

Vehicle Fire, Arson & Explosion Investigation Science & Technology Seminar

Member: International Association of Fire Chiefs
National Fire Protection Association
Louisiana Chapter of IAAC
North Texas Fire Investigators Association
Texas Advisory Council on Arson (ATAC)
International Association of Arson Investigators
National Association of Fire Investigators
Tarrant County Claims Association
Dallas County Claims Association

EMPLOYMENT HISTORY

1993 - Present	Rimkus Consulting Group, Inc.
1989 - 1993	Special Investigations Unit, Inc.
1987 - 1989	White Law Firm
1973 - 1987	Dallas/Ft. Worth International Airport Department of Public Safety
1959 - 1973	City of Irving, Fire Department
1958 - 1959	U.S. Army

DETAILED PROFESSIONAL EXPERIENCE:

RIMKUS CONSULTING GROUP, INC.

1993 - PRESENT

Senior Fire Consultant - Division Manager

Timely investigation of fire losses of various types including determining the cause and origin of fires in industrial, commercial, residential facilities and in all types of transportation-related vehicles; evaluate fire protection systems, assist in investigations involving the development of cases not fire related; identify, document, and articulate subrogation potential and avenues of loss mitigation; technical correction of conclusions, and adherence to industry standards.

SPECIAL INVESTIGATIONS UNIT, INC.

1989 - 1993

Special Investigator

Responsible for the investigation of suspect insurance claims with emphasis on those involving fire science needs. Served as primary fire investigator, which included the analysis of fires and explosions for cause and origin in structures and equipment, fire safety consultations and fire code reviews. Duties also included accident review and reconstruction, and product design failures. Interacted with various police and fire officials in most cities and states as assignments required.

WHITE LAW FIRM

1967 - 1989

Staff Investigator

Employed as a staff member with primary duties to investigate case files as required for firm's attorney staff. Compile reports outlining facts and findings relating to cases. Worked with attorneys in preparing cases for the courtroom. Scope of responsibility included working with clientele both in person as well as on the telephone. Worked with attorney staff on obtaining depositions as required. Duties also included coordinating with court personnel. Assisted in litigation preparation projects.

DALLAS/FT. WORTH INTERNATIONAL AIRPORT

1973 - 1987

Division Commander

Assisted in developing the start-up and operation of the airport's public safety department. Duties included screening applicants for hiring of police, fire, and medical personnel required to staff a 400-person department. Upon hiring of personnel, assisted in an extremely intense public safety-training program, which was implemented to meet the airport's opening date requirements. Responsibility included the management of the department's records, telecommunications, data processing, purchasing, department inventory, training, human resources and miscellaneous other department functions. Instrumental in developing the disaster plan for the airport and the surrounding cities relating to aircraft and other disasters. Assisted in establishing mutual aid pacts with fire departments surrounding the airport to assist in the event of the crash of a large aircraft. Developed program material used in training other airport public safety departments across the nation.

Was instrumental in the design of security programs including feasibility studies; design and safety consultations; development and implementation of large-scale programs. Took part in several security design programs for the airport including the closed circuit television program for all passenger terminals, employee identification badge system, vehicle transducer program and presidential/dignitary visits.

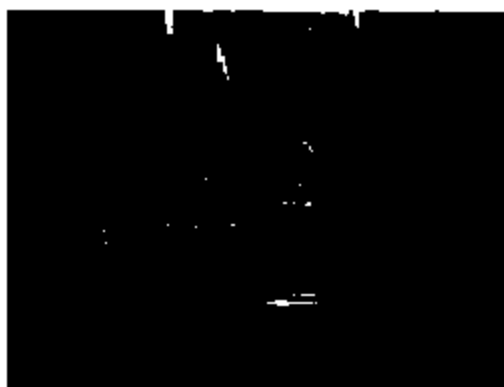
Planned and conducted mock disasters to test personnel and airport's disaster plan. Plan received worldwide recognition awards for proven excellence after the 1985 Delta 191 air crash. Assisted in preparing and controlling the department's annual budget; prepared annual and special reports to department director.

CITY OF IRVING FIRE DEPARTMENT

1959 - 1973

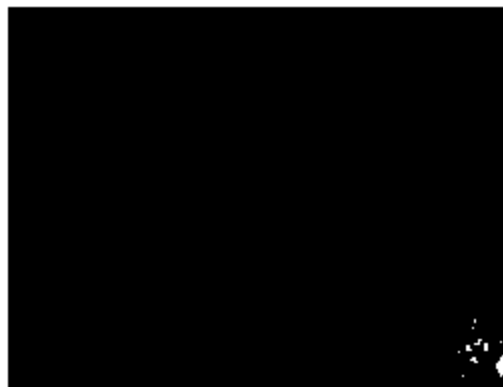
District Fire Captain

Hired as a firefighter; promoted through the ranks to the position of District Fire Captain. Served as acting Battalion Chief in their absence. Duties included supervision of fire personnel in their firefighting tactics; assisted Fire Marshal in fire investigations and fire prevention programs.

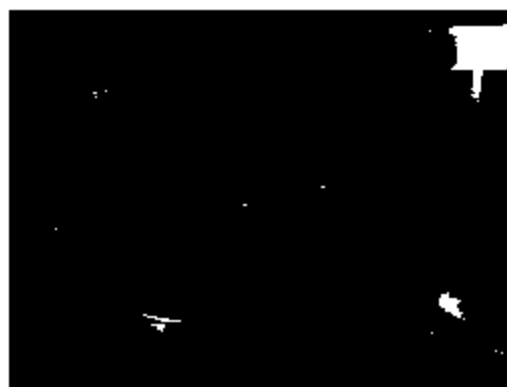


101

PE04-079 C 2002



PE04-97B C 2863





FARMERS

CONSUMER AFFAIRS
SECTION

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

4 JUN -2 A7:48

05/26/2004

Ford Motor Company
Attn: Shawn Norton
P O Box 6248 Md-3ne-B
Dearborn, MI 48126



Re: Our Insured: [REDACTED]
Loss Date: 03/27/2004
Claim Number: [REDACTED]
Total Amount Owed: \$13,181.43 (salvage pending)

Dear Ms. Norton:

A review of the facts of the above loss indicates that your product failed and caused damage to our insured's property. We have made payment to our insured for these damages, and now seek reimbursement from you. **WE RESPECTFULLY ASK THAT YOU NOT RESPOND TO OUR REQUEST WITH A FORM LETTER.**

You will find this correspondence and its enclosures contain substantive information and support adequate for your firm to make a decision concerning your liability.

The entities in the stream of commerce, such as you, a manufacturer, are liable in both negligence and product liability. As you know, your obligation is to properly design and test, manufacture, and give appropriate instructions for installation and use of your product.

Your product did not meet the expectations of my insured, the consumer. Your product failed and caused the loss resulting in damages of \$13,181.43 (salvage pending). Attached are documents substantiating payment.

It is our desire to settle this claim without causing you the additional time and cost of litigation or arbitration. After reviewing the enclosed, please call me to discuss resolving this matter.

Sincerely,
Mid-Century Insurance Company of Texas

Carmen Ruble
Carmen Ruble

- 99 Exped
- VIN
- 770000

- F121
- W50-7/5/00
- 3/27/04
- \$13,181.43

PERM-078 C 2665

Subrogation Representative
512-238-5746
carmes.ruble@farmersinsurance.com
ENCLOSURES

LMS

FE24-878 C 2506



PERM-078 C 2867



THE PROPERTY INSURANCE COMPANY
STACEY L. CORNELL
PO BOX 1622
PALLAS, TX 75078-1622
(800) 324-8210 x 2218
(508) 324-8210

July 26, 2004

SHAWN NORTON
FORD MOTOR COMPANY
PARKLANE TOWERS WEST SUITE 300
THREE PARKLANE BLVD.
DEARBORN MI 48126-2568

RECEIVED AUG 2 2004

Our Client: [REDACTED]
Claim/File #: [REDACTED]
Date of Loss: 08/26/2003
Your Insured: Ford Motor Co.
Your File #: unknown
Reference: Subrogation Claim

Dear Shawn

I have enclosed all supporting documentation regarding our subrogation claim on the above-captioned matter.

Please send us your check as soon as possible. If there are any issues, let me know.

I appreciate your prompt response.

All documents enclosed, anything further please contact.

Sincerely,
STACEY L. CORNELL
CL ANALYST
(508) 324-8210
Fax: (866) 304-7031
Email:

NO EXP
- Photos
- (2) ?
- NO VARH

FLOYD MANUFACTURING

2712 Wyoming Ave. Norfolk, VA. 23513
757-855-0244 800-868-2018

September 10, 2003

Ford Motor Company
P.O. Box 6248, MD 3NR-B
Dearborn, MI 48126, USA

Attn: Consumer Affairs, Cassandra Jones-McBryde

Ref: 2000 F-Series, VIN 1FTRX17W4Y [REDACTED]

TO WHOM IT MAY CONCERN:

I was very disappointed with Ford's decision not to cover this damage. The damage was from the same issue listed in the recall notice. The recall did not include my truck as it was manufactured 4 days after the recall expired. The resulting damages were a direct result of the wiper motor shorting out and igniting the combustibles in the vicinity. Additional damages were inflicted as the truck was traveling at approximately 35 MPH which made the fire burn hotter and quicker due to the added air. Additional damages did not occur as the operator stopped immediately and a passerby used a dry powder extinguisher to extinguish the flames. The Va. Beach Fire Dept. responded and assured the fire was completely extinguished. I offer this information as I am employed with the same fire dept. for the last 29 years.

This vehicle was purchased by Denis Inc. via Floyd Manufacturing to supplement our entire Ford Motor Company fleet. Since the inception of this company (1976) and the Joseph S. Floyd Corp. (1958), we have offered and purchased for our customers an array of different style Ford vehicles. For the most part, we have been dealing with a particular Ford dealership located at 7520 N. Military Highway in Norfolk, Va. In fact, when my father purchased his first company vehicle (1961), it came from this dealership. At one time, we purchased enough vehicles to qualify for fleet sales. At present, we have the following vehicles in our inventory: 2000 F-150 p/u (in question), 1998 Crown Victoria, 1996 Lincoln Town Car, 1995 Ford Model Cargo Van, 1986 F-150 p/u, 1982 L-9000 Road Tractor. Personally, I own a 2002 Escape, 1997 Escort and 1987 Bronco XL. As you can see, the vehicles owned by Floyd stockholders range in years and models and continue to provide reputable service to this date. My sister and brother own an array of Ford vehicles also. Past history and worthy future purchases should be enough for Ford to reconsider its previous negative decision.

I elected to turn this claim over to the insurance company after I received information the claim had been denied by Ford via Angie Wilder, the service manager at Freedom Ford. As you and I know, a minor claim will result in a major increase in premiums when it comes time to renew. I also elected not to be involved with a long and drawn out dispute, as the longer this vehicle stays in the shop, the more money it will cost me by not having a vehicle to perform road trips for the two companies.

In closing, I would appreciate it if you would reconsider my request to have the repairs taken care of by Ford as there are only days in question, not months or years. The amount of money needed for the repairs, approximately \$ 1,100.00, which we have received from the insurance company. This money could be returned to the insurance company and maybe not have an increase in premiums. I would like to continue our long and satisfying relationship with Ford Motor Company vehicles.

If I can be of further assistance in this matter, please do not hesitate to call.

Very truly yours,

FLOYD MANUFACTURING



Jeffrey L. Floyd

President

jfloyd@floydmanufacturing.com

cc Mr. Mark McMahon, President; and Mrs. Angie Wilder, Service Manager
Escalon Ford
7520 N. Military Highway
Norfolk, VA. 23511
(757)583-3673

Travelers Casualty and Insurance Company
Ms. Sheila Turner, Claims
800-635-4543, ext. 6375

DESCRIPTION: engine.com REPORTED: 6/3/2003 7:38:11 AM BY: haffan FILE SIZE: 133018 WIDTH: 640 HEIGHT: 480



**ST PAUL
TRAVELERS**

PE04-070 C 2871

DESCRIPTION: windshield REPORTED: 0/3/2003 7:38:11 AM BY: Bollen FILE SIZE: 112947 WIDTH: 640 HEIGHT: 480



**ST PAUL
TRAVELERS**

PER-878 C 2572

DESCRIPTION: F IMPORTED: 04/2003 7:38:11 AM BY: helen FILE SIZE: 102470 WIDTH: 840 HEIGHT: 480



 **ST PAUL
TRAVELERS**

PEBA-078 C 2873

DESCRIPTION: r REPORTED: 8/22/03 7:38:11 AM BY: helen FILE SIZE: 116681 WIDTH: 640 HEIGHT: 480



 **ST PAUL
TRAVELERS**

PC04-070 C 2674

DESCRIPTION: h REPORTED: 03/2003 7:38:11 AM BY: haffen FILE SIZE: 131180 WIDTH: 940 HEIGHT: 450



 **ST PAUL
TRAVELERS**

PC84-078 C 2015

Travelers

THE PROPERTY INSURANCE COMPANY
JEANNE T TAVARES
PO BOX 3422
FALMOUTH ME 04722-5422
(207) 324-8285 x 8285
(207) 324-8285

May 12, 2004

CONSUMER AFFAIRS
SECTION

CASSANDRA JONES-MCBRYDE, CONSUMER AFFAIRS
FORD MOTOR COMPANY
P.O. BOX 6248 MD 3NE-B

DEARBORN MI 48126

4 MAY 20 AM 34

Our Client: [REDACTED]
Claim/File #: [REDACTED]
Date of Loss: 08/26/2003
Year Insured: 2000 FORD F-SERIES
Your File #: 1FTRX17W4Y [REDACTED]
Reference: Subrogation Claim



Dear MS JONES-MCBRYDE

We are managing a claim on behalf of [REDACTED] who sustained damages on 08/26/2003. Our investigation of the incident shows that your insured is liable for damages.

We have made payments of \$1,231.08 for this loss. We are requesting reimbursement for that amount and [REDACTED] deductible of \$100 for a total of \$1,331.08.

We expect payment within 30 days and we will forward the deductible amount to [REDACTED]

We appreciate your prompt attention.

THE WINDSHIELD WIPER MOTOR ON OUR INSURED'S VEHICLE CAUGHT FIRE, CAUSING DAMAGE. OUR SUPPORTS ARE ENCLOSED.

Sincerely,
JEANNE T TAVARES
Claim Representative
(508) 324-8285
Fax: 866-304-7031
Email:

- 8/26/03
- '00 F-150
- VIN
- \$1,331.08
- limited photos

DESCRIPTION: windshield REPORTED: 5/3/2003 7:38:11 AM BY: haffen FILE SIZE: 112947 WIDTH: 640 HEIGHT: 480



Travelers

PE04-078 C 2677

DESCRIPTION: engine room IMPORTED: 5/3/2003 7:38:11 AM BY: hallen FILE SIZE: 132518 WIDTH: 640 HEIGHT: 480



Travelers

PERA-078 C 2578

DESCRIPTION: F IMPORTED: 9/3/2003 7:38:11 AM BY: hallen FILE SIZE: 102470 WIDTH: 640 HEIGHT: 480



Travelers

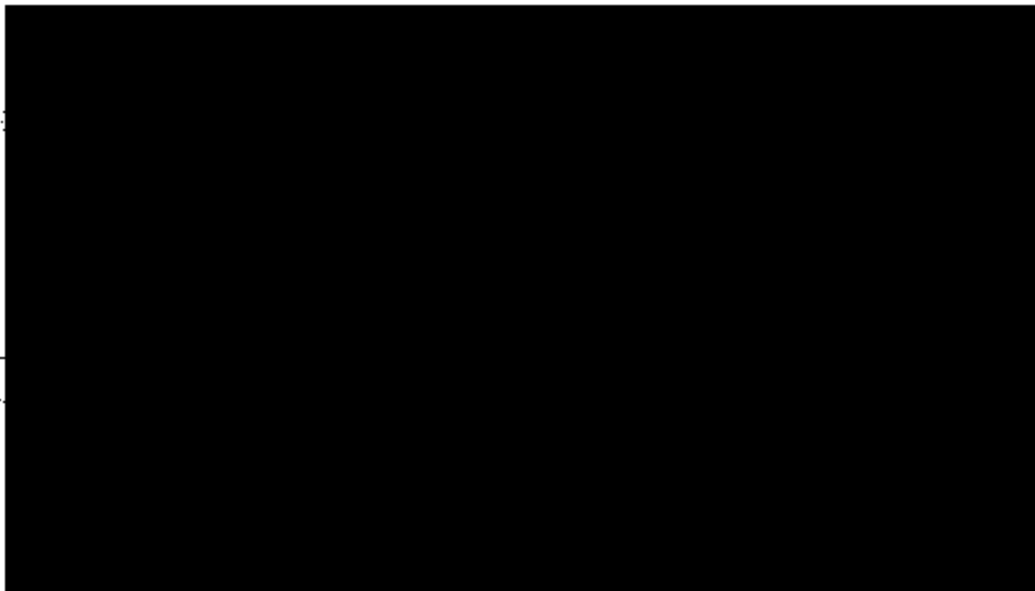
PE04-078 C 2079

DESCRIPTION: 1 REPORTED: 9/3/2003 7:32:11 AM BY: helen FILE SIZE: 131180 WIDTH: 640 HEIGHT: 480



Travelers

PER4-678 C 2688



PE04-870 C 2881