

APR 29 2005

BEGINNING OF CONTACT
04/27/2005

VOICE OF THE CUSTOMER TRACKING SYSTEM

08.00.04

REGION: 72 SAN FRANCISCO	OGC ISSUE	CASE NBR: 1476211165
VIN: 1FMZU74E0Y	ZONE: A1	OPENED: 04/26/2005
	ENGINE: E VEH TYPE: T	CLOSED: 04/26/2005

LAST NAME: [REDACTED]	FIRST NAME: [REDACTED]	STATUS: CLOSED
TITLE: [REDACTED]		MI: [REDACTED]
ADDRESS: [REDACTED]		
CITY: SACRAMENTO	STATE: CA	ZIP: [REDACTED]
HOME PHONE: [REDACTED]		
MODEL YEAR: 2000	MODEL: EXPLORER EDDIE BAUER 4X4 4-DR	
MILEAGE: 73000		
DEALER NAME: FUTURE FORD	SALES CODE: F72205	P & A: 07884
REASON CODE: 0792 LEGAL - ACCIDENT / FIRE		
SYMPTOMS: 704145 FIRE/SMOKE VISIBLE FLAME UNDERHOOD		

ORIGIN: CACI38 - US CONCERN CASE BASE COMMUNICATION: PHONE
 ACTION: 705 - CONTACT ADVANCED TO OGC
 DOCUMENT: ANALYST: ML AVERNE MCGARRELL LAVERNE

DATE: 04/26/2005 TIME: 13.13.40:
 ACTION DATA/COMMENTS:

CUSTOMER SAID: -THE VEH CAUGHT FIRE ON APRIL 20TH-NO INJURIE
 S-NO FIRE REPORT-THE INSURANCE COMPANY HAS BEEN CONTACTED BU
 T NO CLAIM PAID OR REPAIRS YET BUT THE VEH IS TOTALLED-THE F
 IRE STARTED UNDER THE HOOD AND DAMAGED THE DRIVEWAY AT THE P
 ARKING LOT AT HIS JOB WHICH HE HAS TO PAY FOR-THE VEH IS AT
 AN AUCTION YARD WHERE THE INSURANCE COMPANY TOOK IT -CUST WO
 UL D LIKE FORD TO LOOK INTO THIS IF THERE IS A RECALL OR WHAT
 COULD HAVE CAUSED THIS-DEALER SAID: NONECRC ADVISED: I WILL
 FORWARD THIS INFORMATION TO THE FORD OGC DEPARTMENT. YOU WIL
 L BE CONTACTED WITHIN 3-5 BUSINESS DAYS.

FORD MOTOR COMPANY
 RECEIVED
 CLAIMS DEPT

APR 29 2005

OFFICE C
 GENERAL COUN

Chef's

Choice,

INC



ALLSTATE COUNTY MUTUAL INSURANCE COMPANY
P.O. BOX 168288
IRVING TX 75016

(800) 374-4246

10/02/02

FORD MOTOR COMPANY
RECEIVED
CLAIMS UNIT

FEB 10 2003

OFFICE OF THE
GENERAL COUNSEL

FORD MOTOR CO/OFFICE OF GEN COUNSEL
3 PARKLANE BLVD 300
DEARBORN MI 48126

OUR INVESTIGATION INDICATES THAT YOUR INSURED WAS RESPONSIBLE
FOR THIS LOSS.

SINCE WE HAVE ALREADY MADE A SETTLEMENT WITH OUR POLICYHOLDER,
THE CLAIM HAS BEEN ASSIGNED TO US. COPIES OF THE FINAL PAPERS
RELATING TO THE LOSS ARE ENCLOSED.

PLEASE ACCEPT THIS LETTER AS NOTICE OF OUR SUBROGATION CLAIM.
PLEASE FORWARD YOUR PAYMENT WITH OUR CLAIM NUMBER TO:

ALLSTATE PAYMENT PROCESSING CENTER
P.O. BOX 227257
DALLAS, TX 75222-7257

DIRECT ANY OTHER CORRESPONDENCE TO THE ADDRESS AT THE TOP
OF THIS LETTER.

SINCERELY,

SUBROGATION CLAIM REP

ALLSTATE COUNTY MUTUAL INSURANCE COMPANY

YOUR FILE NO. : REF LAST NAME

YOUR INSURED :

ADDRESS :

DEARBORN MI

OUR CLAIM NO. :

OUR INSURED :

LOSS DATE :

CHEFS CHOICE INC

08/26/02

LOCATION :

WALNUT HILL

DALLAS

TX

AMOUNT OF LOSS :

\$8,321.76

8/26/02
8,321.76
Dallas, TX
CBP:G

HH
546
- 99 Range
- VIN
- 821777





Nationwide® On Your Side™

RECEIVED MAY 18 2005

Nationwide Insurance • 110 Elwood Davis Road, North Syracuse, N.Y. 13212 • 315-453-3594

May 6, 2005

New

Ford Motor Company
Parklane Towers West - Suite 300
Three Parklane Boulevard
Dearborn, MI 48126-2568

Attn: Shawn Norton

Re: 63 claims relating to cruise control recall

Dear Ms. Norton:

DOL: 5/12/01

As you will recall you and I spoke 4 weeks ago. I am the manager of a centralized unit that has been handling subrogation claims Nationwide has involving automobile fires and possible defects since September, 2004. We also have been handling these claims for our affiliate company Allied since February, 2005. You have had discussions on several claims with my associates Kathie Styer, Lynn Ellis and Lynn Koenck. Our goal has been to establish a positive working relationship with your company, and to only submit claims to your company having merit.

Enclosed you will find supporting materials regarding 63 of our claims relating to the cruise control recall. We have provided a list of these claims, and supporting documents for each claim which are separated and in the same order as they appear on the list. These claims are for the eastern states in our operation. We are waiting for a report on our western states handled by Allied, and as soon as it is available I will send those to you for review. As we discussed during our phone call many of these claims were handled and closed prior to us being aware there was an issue with the cruise control. Therefore, on some of those claims we did not secure a cause an origin report, and the vehicles are no longer available. On all claims we have provided photographs and estimates that clearly document the area where the fire started.

I would appreciate discussing this with you or someone at Ford once you have received this and have had an opportunity to review. Please contact me by phone at 315-453-3594, by fax at 614-961-3180 or by EMAIL at mabbett@nationwide.com. We look forward to continue working with you and your team, building a strong working relationship, and working towards cost effective resolutions of claims for both of our companies.

Sincerely,

Craig Mabbett
Subrogation Manager



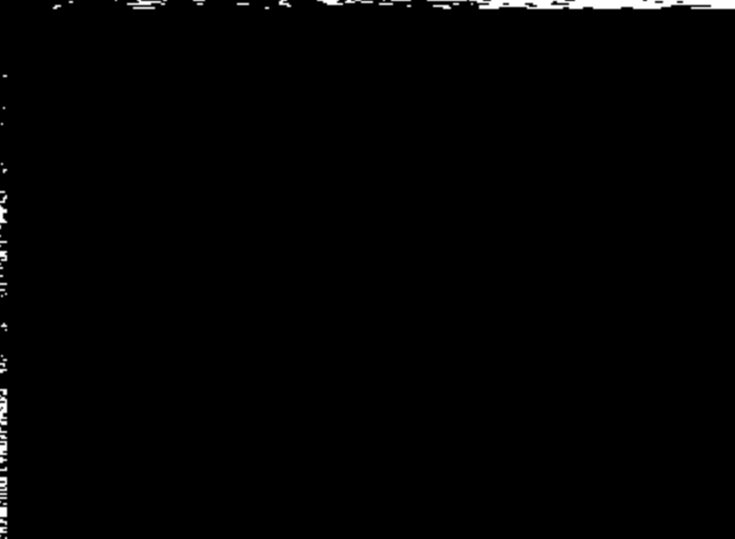
EA05-065-LC-7222



ENG-885-LC-7223



ER85-885-LC-7224



45

CREEKMORE LAW OFFICE
103 FOURTH AVENUE NORTH - POST OFFICE BOX 716
AMORY, MS 38821

JOHN M. CREEKMORE
SAMUEL C. GRIFFIE

TELEPHONE
(662) 256-8208
FAX
(662) 257-8306

May 6, 2005

Lourdes Fonseca-Nearon
Consumer Affairs
Ford
P. O. Box 6248, MD 3NE-B
Dearborn, MI 38126

CONSUMER AFFAIRS
SECTION

5 MAY 11 P1:53

Re: 1997 Expedition

VIN: 1FMFU18L2V1 [REDACTED]

Dear Lourdes Fonseca-Nearon:

I have been retained by [REDACTED] with regard to the above referenced vehicle. I have also been delivered your letter dated March 10, 2005. As you are aware, the above vehicle while parked in [REDACTED] garage and shop caught fire which destroyed the vehicle as well as [REDACTED] garage, shop and all items of property located therein. [REDACTED] has suffered significant loss as a result of this fire caused by the above vehicle. Specifically, he has suffered the following damages:

- | | |
|---|-------------|
| 1. 1997 Expedition, excellent condition: | \$11,000.00 |
| 2. Garage and Shop | \$25,000.00 |
| 3. Contents of Garage and Shop | \$25,484.19 |
| 4. Miscellaneous Damages including loss of use,
pain, suffering and trauma | \$35,000.00 |

I am enclosing a copy of the report of the State Fire Marshal which indicates the fire began in the area that the truck was located. I am also enclosing a copy of the business page from the March 24, 2005 edition of *The Clarion Ledger* which identifies a cruise control defect in the 1997 Ford Expeditions. It should be noted that [REDACTED] vehicle had a cruise control. As noted in this article, the National Highway Traffic Safety Administration indicates they have received 218 complaints of engine fires from the cruise control switch on that model as well as others.

Page 2
May 6, 2005

██████ has been severely and traumatized as a result of this fire and resulting damages. This has been a devastating event that has traumatized ██████ as well as his family. ██████ has authorized me to propose settlement of this case for the sum of Ninety Six Thousand Four Hundred Eighty Four and no/100 (\$96,484.00).

Please contact me within twenty (20) days of the date of this letter and advise me if this settlement proposal is acceptable. If it is not, then I will have no choice but to proceed with appropriate action on behalf of my client.

Sincerely yours,



John M. Creekmore

JMC/jj

KEY MARKETS

OIL	GOLD	DOLLAR
38.22	1216	0.64
CLOSED: \$83.81	CLOSED: \$425.20	CLOSED: 100.01 yen

EDITOR: SCOTT WALLER, (601) 961-7235

Business

THURSDAY, MARCH 24, 2005

THE CLARION LEDGER ■ CLARIONLEDGER.COM

COMMODITIES — 2
SMALL BUSINESS — 2
STOCKS — 4-5

FOLIO

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for the third annual
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s, New Strategies:
Regionalism and
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evening reception
Mansion and con-
pic-based work-

Agency to probe Ford recall

■ Cruise control defect
in more than 3 million
vehicles spurs inspection

The Associated Press

WASHINGTON—The National Highway Traffic Safety Administration said Wednesday it would investigate more than 3.7 million Ford Motor Co. pickups and sport utility vehicles for a defect in a cruise control switch that led to a January recall.

The agency said it would examine Ford F-150 pickups from the 1995-1999 and 2001-2002 model years, and Ford Expeditions and Lincoln Navigators from the 1997-1999 and 2001-2002 model years.

NHTSA officials said they have received 218 complaints of engine fires from the cruise control switch in those models. No injuries or fatalities have been reported.

The new investigation does not include the 2000 model years of

the vehicles, which was covered by the January recall of nearly 800,000 vehicles. Ford said the cruise control switch could short circuit and cause an engine compartment fire when the vehicle was parked or being driven, even if the cruise control was not being used.

Ford, the nation's second-biggest automaker, said it was conducting its own internal investigation of the problem.

"We're working closely with

NHTSA on the issue," said Ford spokeswoman Kristen Kinley. "We'll continue to cooperate with the agency until the matter is closed."

NHTSA often conducts investigations after getting complaints from consumers or spotting trends in warranty claims. Investigations can lead to vehicle recalls.

Last year, Ford recalled 40,091 Ford Freestar and Mercury Monterey minivans because cracks could form in the wheel hubs.

Minivans from the 2004 model year were involved in the recall. The Freestar and the Monterey were new vehicles in Ford's line last year.

The company also recalled 1,700 F-150 pickups from the 24 model year because the fuel tank could leak if it gets too hot.

Ford shares dropped 1.8 cents or 1.6 percent, to close at \$10 on the New York Stock Exchange. The price was Ford's lowest since 2003.

A homebuyers' market

Mortgage interest rates in last five years



MARKETS

GOLD

48.16

CLOSED:
\$429.20

DOLLAR

11.44

CLOSED:
106.01 yen

KOTT WALLER, (601) 981-7235

Business

THURSDAY, MARCH 24, 2005

COMMODITIES — 2
SMALL BUSINESS — 2
STOCKS — 4-5

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THE CLARION-LEDGER ■ CLARIONLEDGER.COM

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A homebuyers' market

Mortgage interest rates in last five years:



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Form FM-1
(Rev. 08/98)
Page 1 of 3

STATE OF MISSISSIPPI
DEPARTMENT OF INSURANCE
OFFICE OF THE FIRE MARSHAL
INVESTIGATIVE REPORT

File No.: 05-0102
Date Received: 04/21/2005

Deputy State Fire Marshal: Jonathan C. Owens

Arrival at Scene: Date: 03/02/2005 Time: 09:00 AM

COPY

REQUESTING AGENCY

County: Monroe Date of Fire: 02/26/2005 Time: 13:37 AM Department: Monroe County S.O.
Address: Post Office Box 683, Aberdeen, MS 39730 Telephone: 662-369-2468 (SO, FD, PD)
Requesting Officer: Tracy Howard Deputy Sheriff
Name Title

RIGHT OF ENTRY

☐ Consent to Search ☐ Search Warrant ☒ Entry Secured Requesting Agent
Tracy Howard, Deputy Sheriff 3/2/2005 10:00 AM Olyn Clay 10397 Darncott Road, Aberdeen, MS 39730 (662) 369-6180
Officer's Name and Title Date, Time (Authorized by: Name, Address and Phone No.)

PROPERTY OWNERSHIP

Name of Owner: [REDACTED] Social Security No.: [REDACTED]
Address: [REDACTED] MS [REDACTED] Telephone Home: [REDACTED]
Work: [REDACTED]
City: Aberdeen
Insurance Information: Local Agency: David Whitaker
Amount: Building: \$10,250.00 Contents: \$0.00
Company: Shelter Insurance
Name of Occupant: [REDACTED] Social Security No.: [REDACTED]
Address: [REDACTED] Aberdeen, MS [REDACTED] Telephone Home: [REDACTED]
Work: [REDACTED]
City: [REDACTED]
Insurance Information: Local Agency: [REDACTED]
Amount: Building: \$0.00 Contents: \$0.00
Company: [REDACTED]

SUPPLEMENTS

Diagram ☒ Photo Log ☒ Lab Report ☐ Statement ☒ Supplement (FM-1A ☐ Vehicle Fire (FM-1D ☐

Page 2 of 3

File No.: 05-0102

FIRE SCENE EXAMINATION

1. Date: 03/02/2005 Time: 09:00 AM
2. Person(s) Present: Tracy Howard Deputy Sheriff Monroe County Sheriff's Office
Jonathan Owens Deputy State Fire Marshal State Fire Marshal's Office

PROPERTY DESCRIPTION

3. Address of Fire: 10397 Darracott Road, Aberdeen, MS 39730 City or Rural: RURAL
- Type of Building: ☒ Dwelling ☒ Mobile Home ☒ Commercial Other: Garage/Workshop
Construction: ☒ Wood ☐ Masonry ☐ Metal Other: _____
Roofing: ☐ Shingle ☐ Asphalt ☐ Wood ☒ Metal ☐ Tar/Gravel Other: _____
Number of Stories: 1 Number of Rooms: 2 Number of Baths: 0
Foundations: ☐ Basement ☒ Concrete Slab ☐ Pier/Beam ☐ Crawl Space
Heating: ☒ Electric ☐ Natural Gas ☐ LP Gas Other: _____
Air Conditioning: ☒ Electric ☐ Natural Gas ☐ LP Gas Other: _____
Electrical Service Connected During Fire: Yes
Estimated Value of Building: \$10,250.00 Estimated Value of Contents: \$55,000.00
Estimated Damage to Property: \$65,250.00 Total Loss: Yes
Deaths: No If Y, List Name(s): _____
Injuries: No If Y, List Name(s): _____
Smoke Detector: No

4. Fire Officer in Charge: (Name, Address and Telephone No.) / Observations:

Requested a copy twice and did not receive from department.

5. Discoverer of Fire: (Name, Address and Telephone No.) / Observations:

Gary Long Aberdeen MS 39730

Neighbor stated that the shop was on fire.

6. Describe Fire Origin Location / (Patterns, Devices, Electrical Shorts, etc.):

Area origin is in the north east side of the garage. In this area is a Ford Expedition which received severe damage from the floor level up. The rims on the west side of the auto are melted down. The floor in this area spalling had occurred from oil that leaked from the auto. Located also in this area was a receptacle and light fixtures. This area had the most severe damage by fire, heat, and smoke. "V" patterns on the interior and exterior walls point to this area.

7. Was hydrocarbon detector used? No If Yes, _____

8. Determine (Summary):

On March 2, 2005, I met with Deputy Tracy Howard at the Monroe County Sheriff's Office to investigate a fire that occurred at 10397 Darracott Road Aberdeen, MS on February 26, 2005. The fire had occurred in a garage workshop that was detached from a residence. Deputy Howard stated that the owner asked to have the State Fire Marshal Office investigate the fire. Deputy Howard and [REDACTED] had referenced material from the internet concerning a factory recall on the Ford Expedition. The recall referenced an electrical malfunction in this model vehicle. This was represented to me as a possible fire cause prior to the scene examination.

On arrival at the scene I interviewed Mr. Olyn Clay who is the owner of the garage workshop where the fire occurred. Mr.

ER05-005-LC-7230

Page 3 of 3

File No.: 01-0102

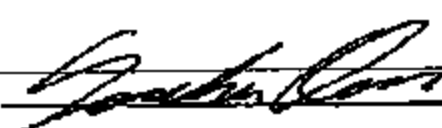
█████ stated that he had not had any problems with anyone in recent months. █████ stated that he and his wife had just returned from Wal-Mart and he had put a case of oil on one of the coolers in his garage after parking his Ford Expedition inside the garage. He stated he then went in to the house and fell asleep. He stated he was awaked by his neighbor who informed him that his garage workshop was on fire, see enclosed statement. As he went out the door of his residence he saw fire coming from the south side, which is where the two bay doors are located. Both bay doors on the south side were open during the fire.

The fire involved the detached garage of the dwelling. There was no damage to the dwelling. The scene examination commenced with the exterior perimeter of the garage. Both bay doors were in the open position. The east wall on the south end was burned down to the wall plates. The north wall was still standing and was charred up high close to ceiling level. The west wall was partially standing and was charred on the south end down to the wall plates. The roof structure was consumed.

Investigation of the interior indicated there were two automobiles in the garage. One belonged to █████ Ford Expedition and one belonged to his Mother in-law, a Buick. Also in the garage area was two freezers. An enclosed workshop area was located at the back of the garage. In this workshop were propane cylinders, several coolers, freezers, hot water heater, two electric heaters, and the breaker box on the north wall. Fire indicators including "V" patterns on the interior and exterior walls, char depths, comparisons non-combustible products indicated the fire origin was in the garage area. In this area was a receptacle outlet, light fixtures, cooler, another propane bottle, air compressor, case of oil, Buick car, and the Ford Expedition. The Buick car had three oxygen bottles inside which accelerated the fire by expelled oxygen. The most intense damage was located in the area between the two vehicles. The comparison of damage between the vehicles indicated more severe damage to the Ford Expedition. Due to the destruction of the Ford engine compartment and passenger compartment a determination as to the exact point of origin could not be established. There was no physical evidence in the garage or vehicle areas to indicate an incendiary fire. Further examination of vehicle components which could be attributed to the fire cause would require analysis by an electrical engineer. Due to the destruction of the garage and referenced vehicles only the origin area and not the exact cause could be established. Unless further information develops I will consider this case classified Undetermined and seth to the inactive file.

SUPPLEMENT

DISPOSITION

Cause: UndeterminedClosed? Yes
If Y, Date: 03/07/2005Any Arrest? No
If Y, How Many? Signature of DFM: Date: 4-26-05

Prop Drng.

All Action Details for Issue

VIN: 1FMEU18L2VL [REDACTED] Year: 1997 Model: EXPEDITION Cat:
Name: [REDACTED] Owner Status: Subsequent WSD: 1997-01-13
Symptom Desc: FIRE/SMOKE VISIBLE FLAME Primary Phone: [REDACTED]
Reason Desc: LEGAL - OTHER ATTORNEY DEMAND Secondary Phone: [REDACTED]
Issue Type: 07 LEGAL Issue Status: CLOSED

Action: OPEN LEGAL CONTACT - PRODUCT LIABILITY - FIRE

Dealer: 08667 ABERDEEN FORD, LLC

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION-FD

Odometer: 87000 MI

Comm Type: PHONE

Analyst Name:

Analyst: CLEIGH

LEIGH, CHERIE

Action Date: 03/08/2005

Action Time:
14.31.06.386

Action Data: Yes

Comments *****PRODUCT LIABILITY*****CUSTOMER ORIGINALLY CONTACTED THE CRC
ON 3-3-05. CUSTOMER ALLEGES VEHICLE CAUGHT FIRE. CUSTOMER REQUESTS CONTACT FROM FORD
REPRESENTATIVE.

Data Element Name

Data Value

ANALYST ID

LFONSECA

Action: SEND ACKNOWLEDGEMENT LETTER TO CUSTOMER

Dealer: 08667 ABERDEEN FORD, LLC

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION

Odometer: 87000 MI

Comm Type: MAIL

Analyst Name: FONSECA, LOURDES
NEARON (L.C.)

Analyst: LFONSECA

Action Date: 03/10/2005

Action Time:
09.20.32.089

Action Data: No

Comments INSURANCE COMPANY HAS ALREADY SETTLED WITH THE CUSTOMER AND IS SUBROGATING THE
CLAIM. LPA WILL SEND A LETTER.

Action: REFER TO INSURANCE CARRIER - INSURANCE COMPANY ALREADY INVOLVED

Dealer: 08667 ABERDEEN FORD, LLC

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION

Odometer: 87000 MI

Comm Type: MAIL

Analyst Name: FONSECA, LOURDES
NEARON (L.C.)

Analyst: LFONSECA

Action Date: 03/10/2005

Action Time:
09.21.27.656

Action Data: No

Comments INSURANCE COMPANY HAS ALREADY SETTLED WITH THE CUSTOMER AND IS SUBROGATING THE
CLAIM. LPA WILL SEND A LETTER.

Action: OPEN LEGAL CONTACT - ATTORNEY DEMAND

Dealer: 08667 ABERDEEN FORD, LLC

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION-FD

Odometer: 87000 MI

Comm Type: MAIL

Analyst Name:

6/17/2005

E085-005-LC-7232

All Action Details for Issue

VIN: 1FTYR0C3X [REDACTED] Year: 1999
Name: MS DEBRA BRODY Owner Status: Subsequent
Symptoms Desc: RESTRAINTS AIR BAG SYSTEM NON-DEPLOYMENT
Reason Desc: LEGAL - GENERAL/OTHER
Issue Type: 07 LEGAL Issue Status: CLOSED

Model: RANGE
WSD: 1999-01-2
Primary Phone [REDACTED]
Secondary Phone [REDACTED]

Action: OPEN LEGAL CONTACT - PRODUCT LIABILITY

Dealer: 05426 ANTELOPE VALLEY FORD

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION-FD

Odometer: 1 MI

Comm Type: MAIL

Analyst Name:
LEIGH,CHERIE

Analyst: CLEICH

Action Date: 02/10/2005

Action Time:
11.03.08.103

Action Data: No

Comments *****PRODUCT LIABILITY*****DATE STAMPED 2-8-05. CUSTOMER ALLEGES
HER DAUGHTER WAS INVOLVED IN AN ACCIDENT AND THE AIR BAGS DID NOT DEPLOY. CUSTOMER REQUESTS
CONTACT FROM FORD REPRESENTATIVE.

Action: MAKE OUTBOUND CALL TO CUSTOMER

Dealer: 05426 ANTELOPE VALLEY FORD

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION

Odometer: 1 MI

Comm Type: PHONE

Analyst Name: VALMA SANDERS
(VSANDERS)

Analyst: VSANDERS

Action Date: 02/16/2005

Action Time:
17.14.44.045

Action Data: No

Comments LPA CALLED CUSTOMER LEFT VOICEMAIL MSG

Action: REDIRECT TO OTHER

Dealer: 05426 ANTELOPE VALLEY FORD

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION

Odometer: 1 MI

Comm Type: PHONE

Analyst Name: VALMA SANDERS
(VSANDERS)

Analyst: VSANDERS

Action Date: 03/08/2005

Action Time:
11.00.32.075

Action Data: No

Comments SENT INJURY LETTER

Action: UPDATE CONTACT STATUS

Dealer: 05426 ANTELOPE VALLEY FORD

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION

Odometer: 1 MI

Comm Type: MAIL

Analyst Name: VALMA SANDERS
(VSANDERS)

Analyst: VSANDERS

Action Date: 06/15/2005

Action Time:
09.15.54.300

Action Data: No

Comments LPA REC'D CUSTOMER MEDICAL BILLS..BILLS ARE FOR A MINOR DECELIA BRODY AGE 16...LPA WILL
FORWARD FILE TO OGC DUE TO MINOR INVOLVEMENT...

All Action Details for issue

Injury

VIN: 1ETPWHA554K
Name: [REDACTED]
Symptom Desc: RESTRAINTS AIR BAG SYSTEM NON-DEPLOYMENT
Reason Desc: LEGAL - ALLEGED - NON-SERIOUS INJURY
Issue Type: 07 LEGAL

Year: 2004
Owner Status: Original
Issue Status: CLOSED

Model: F-SEI
WSD: 2004-0
Primary Phn
Secondary PI

Griffin
100-250000
100-250000

Action: ADVISE CUST INFORMATION IS FORWARDED TO OUR PRODUCT CLAIMS GROUP
Dealer: 00442 GRIFFIN FORD MERCURY INC
Odometer: 9500 MI
Analyst Name: MICHAEL FREDRICK
Action Date: 06/14/2005

Origin Desc: US CONCERN CASE BASE

Comm Type: PHONE

Analyst: FMICHA2

Action Time: 09.43.45.685 Action Data: No

Comments: CUSTOMER SAID: THE VEH WAS INVOLVED IN ACCIDENT, THE VEH LOST CONTROL AND STRUCK TREE, MY STEP SONE BROKE EL BOW, BRUSES ON NECK, MY WIFE HAD CUTS AND BRUSES, MY WIFE WAS NOT WEARING SEAT BELT, HOW EVER MY KIDS WHERE AT THE BACK SEAT IN THE MIDDLE THEY WHERE WEARING THE SEAT BELT, I AM CALLING BECAUSE THE AIR BAGS DID NOT DEPLOY, THIS IS A SAFETY RELATED ISSUE, I FEEL THAT FORD IS RESPONSIBLE FOR THIS. I HAVE INFORMED THE POLICE AND THE INSURANCES, THE VEH IS TOTALLED NOW. I WANT FORD TO DO SOMETHING, EITHER SOME COMPENSATION. DEALER SAID: GRIFFIN FORD 104 SO BICKETT BLVD LOUISBURG, NC 27549 TEL: (919) 496-4169 FAX: (919) 496-6768 CRC ADVISED: - THIS INFORMATION WILL BE FORWARDED TO OUR CONSUMER AFFAIRS GROUP. SOMEBODY WILL CONTACT IN TWO BUSINESS DAYS.

Action: MAKE OUTBOUND CALL TO CUSTOMER

Dealer: 00442 GRIFFIN FORD MERCURY INC

Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION

Odometer: 9500 MI

Comm Type: PHONE

Analyst Name: VALMA SANDERS (VSANDERS)

Analyst: VSANDERS

Action Date: 08/17/2005

Action Time: 16.32.06.072

Action Data: No

Comments: LPA REVIEWED CASE WITH THE CUSTOMER [REDACTED] SHE ADVISED THAT THEY HAD AN ACCIDENT AND THE AIRBAGS DID NOT DEPLOY. HER [REDACTED] YEAR OLD SON HAS A CONCUSSION AND A BROKEN ARM. HER KNEES WERE FRACTURED AND HER FACE WAS INJURED SHE FEELS AS A RESULT OF THE IARBAGS NOT DEPLOYING. THE UNIT WAS TOTALLED BY THE INSURANCE COMPANY AND IS ON A TOW LOT RIGHT NOW. LPA ADVISED WILL FORWARD FILE TO OGC

Action: REDIRECT TO OGC - PERSONAL INJURY CLAIM

Dealer: 00442 GRIFFIN FORD MERCURY INC

Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION

Odometer: 9500 MI

Comm Type: PHONE

Analyst Name: VALMA SANDERS (VSANDERS)

Analyst: VSANDERS

Action Date: 08/17/2005

Action Time: 16.32.48.157

Action Data: No

Comments: SEE PREV COMMENTS - LPA FORWARDED CASE TO OGC DUE TO A MINOR HAVING INJURIES



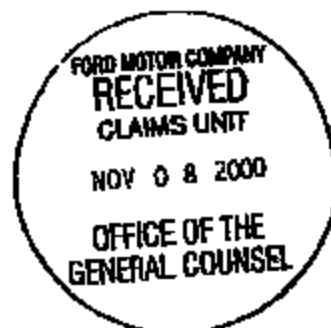
State Farm Insurance Companies



November 2, 2000

North Coast Regional Office
8400 State Farm Drive
Rohnert Park, CA 94926-0001

Howard Keyes, Manager - Claims Department
Southwest Ford Motor Company
Park Lane Tower West Suite 300
3 Park Lane Boulevard
Dearborn MI 48126



RE: Claim Number: [REDACTED]
Our Insured: [REDACTED]
Date of Loss: October 4, 2000
Loss Location: 543 McClay Road
Novato, CA

Dear Mr. Keyes:

We are writing to your company as the manufacturer of the Ford pickup truck (VIN 1FTZR15X9YF [REDACTED]) owned by our insured. This vehicle caught fire, and caused building and personal property damages to their property. Our company paid \$1,961.60 for these damages, and we now seek reimbursement from your company.

Please be advised that an auto claim is open on this matter and that documentation is forthcoming, or you may have already received it. Documentation to substantiate our claim is enclosed for your review and evaluation. The cause of the loss is still being investigated, but the early indicators suggest that an electrical short caused the fire.

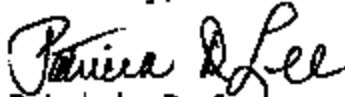
Once you have had an opportunity to review the enclosed documentation, we request that you forward payment to us at the above address. If you have insurance, and would like to refer this matter to your carrier, we request that you provide us with their name, address, and your policy number.

#1,962.5

Howard Keyes, Manager - Claims Department
Page 2
November 2, 2000

Please accept this as notification of our subrogation interest on the above claim. If you have any questions or require additional information, please do not hesitate to contact us at the telephone number listed below.

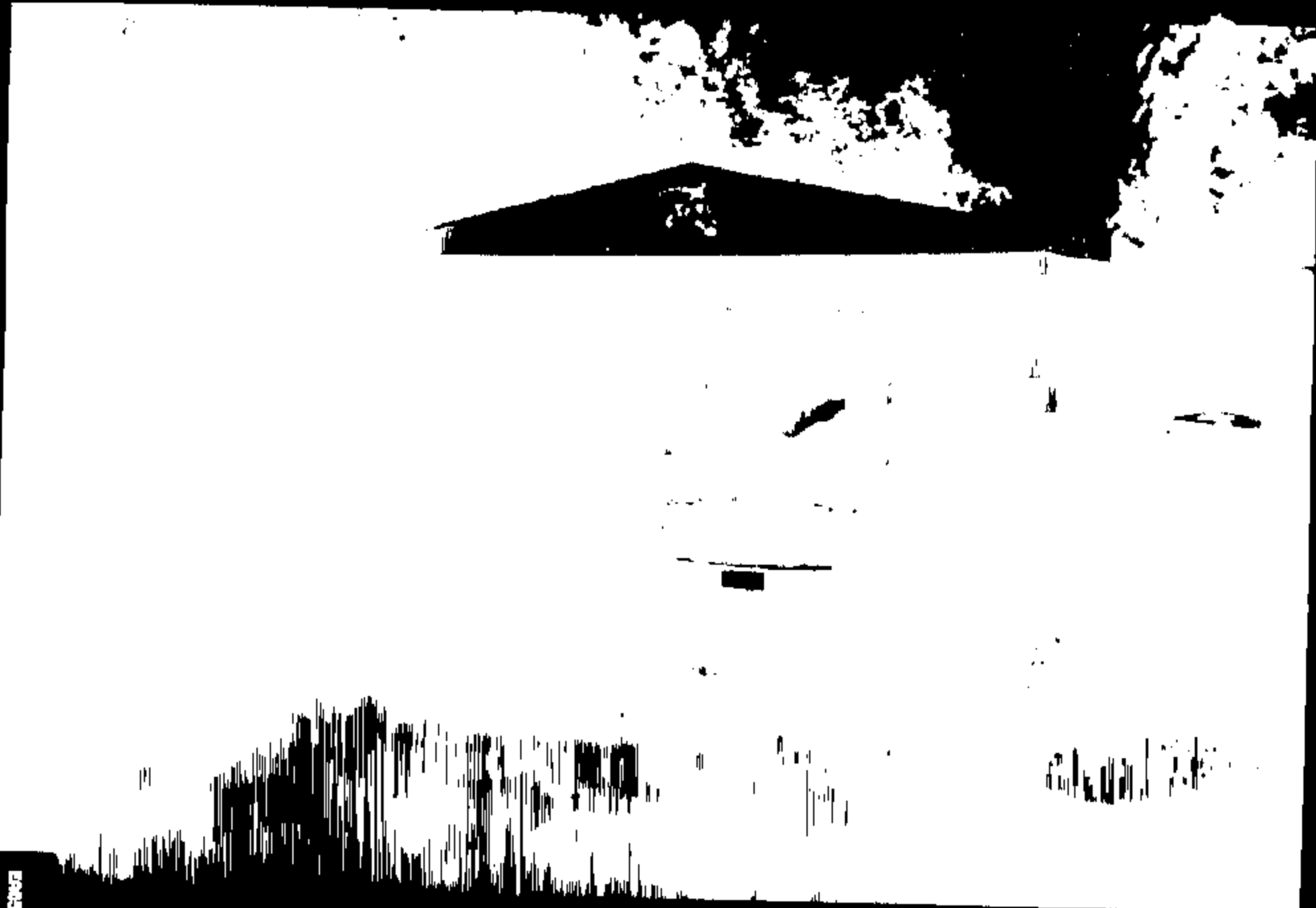
Sincerely,



Patricia D. Lee
Claim Specialist - Fire Subrogation
State Farm General Insurance Company
(707) 588-4652
(707) 588-4019 FAX

PL:042/1102025

Enc.



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

State Farm Insurance Companies



October 6, 2000

Ford Motor Company
Ford Motor Corp Attn: Howard Keyes
Parklane Tower West #400
Dearborn, MI 48126

Pay 434448 SN

FORD MOTOR COMPANY
RECEIVED
CLAIMS UNIT

OCT 17 2000

OFFICE OF THE
GENERAL COUNSEL

MARIN SERVICE CENTER
25 Rowland Way
Morano, California 94045-5002
(415) 898-7100

RE: Claim Number: [REDACTED]
Date of Loss: October 4, 2000
Our Insured: [REDACTED]

Dear Mr. [REDACTED]

This is to inform you that [REDACTED] 2000 model year Ford Ranger has been involved in a engine compartment fire and damages are extensive.

I am the handling adjuster for settling the [REDACTED] vehicle damage claim, and I am alerting you to State Farm's rights to subrogate against Ford Motor Company.

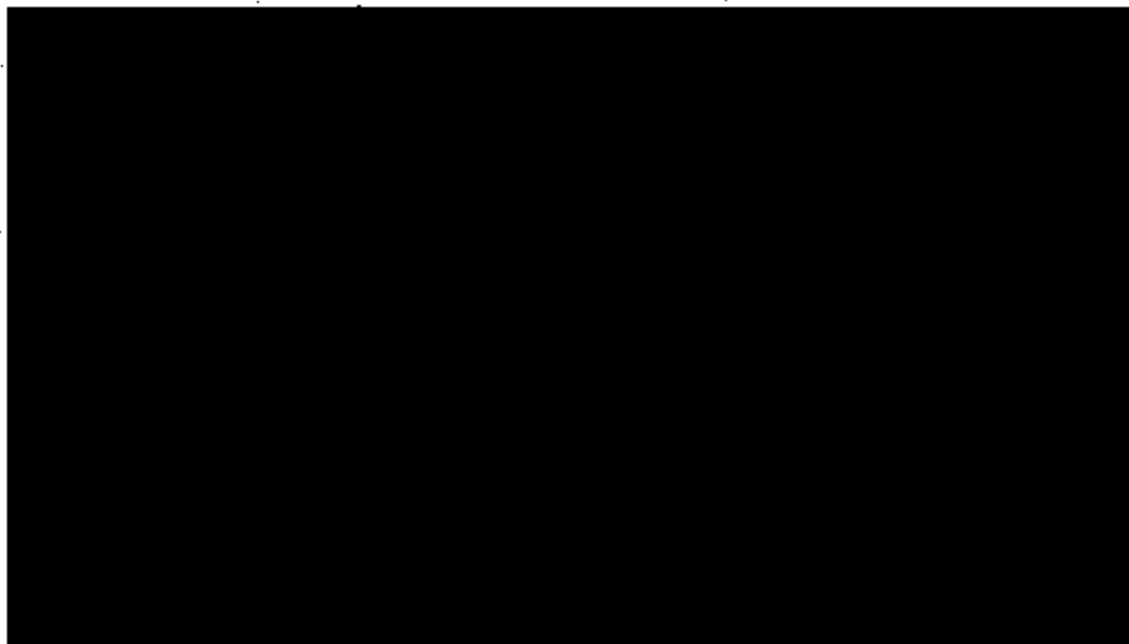
Please accept this letter as notice of our subrogation rights. Thank you for your attention in this matter.

Sincerely,

Mike Aguiar
Mike Aguiar
Claim Specialist
(415) 899-7129

State Farm Mutual Automobile Insurance Company

MA



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, and telephone):
KEVIN K. CHOLAKIAN (S.B. #103423)
DAVID V. ROZE (S.B. #194648)
CHOLAKIAN & ASSOCIATES, A.P.C.
5 THOMAS MELLON CIRCLE, SUITE 105
SAN FRANCISCO, CA 94134
TELEPHONE NO: 415-467-8200 FAX NO. (optional):
E-MAIL ADDRESS (optional):

ATTORNEY FOR: PLAINTIFF STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY
NAME OF COURT: MARIN COUNTY SUPERIOR COURT
STREET ADDRESS: 3501 CIVIC CENTER DRIVE, ROOM 116
MAILING ADDRESS: P.O. BOX 4988
CITY AND ZIP CODE: SAN RAFAEL, CA 94913-4988
BRANCH NAME:

PLAINTIFF: STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY
DEFENDANT: FORD MOTOR COMPANY

☒ DOES 1 TO 10

COMPLAINT — Personal Injury, Property Damage, Wrongful Death
☐ AMENDED (Number):
Type (check all that apply):
☐ MOTOR VEHICLE ☒ OTHER (specify):
☐ Property Damage ☐ Wrongful Death
☐ Personal Injury ☒ Other Damages (specify): SUBROGATION

Jurisdiction (check all that apply):
☒ ACTION IS A LIMITED CIVIL CASE
Amount demanded ☐ does not exceed \$10,000
☒ exceeds \$10,000, but does not exceed \$25,000
☐ ACTION IS AN UNLIMITED CIVIL CASE
☐ ACTION IS RECLASSIFIED by this amended complaint
☐ from limited to unlimited
☐ from unlimited to limited

FILED

OCT 05 2001

JOHN F. MONTGOMERY,
County Executive Officer
MARIN COUNTY SUPERIOR COURT
BY: K. MAIN, DEPUTY

CASE NUMBER:

CV 014801

1. PLAINTIFF (name): STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY
alleges cause of action against DEFENDANT (name): FORD MOTOR COMPANY, AND DOES 1 TO 10
2. This pleading, including attachments and exhibits, consists of the following number of pages: FIVE (5)
3. Each plaintiff named above is a competent adult
- a. ☒ except plaintiff (name): STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY
(1) ☒ a corporation qualified to do business in California
(2) ☐ an unincorporated entity (describe):
(3) ☐ a public entity (describe):
(4) ☐ a minor ☐ an adult
(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
(b) ☐ other (specify):
(c) ☐ other (specify):
- b. ☐ except plaintiff (name):
(1) ☐ a corporation qualified to do business in California
(2) ☐ an unincorporated entity (describe):
(3) ☐ a public entity (describe):
(4) ☐ a minor ☐ an adult
(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
(b) ☐ other (specify):
(c) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Complaint — Attachment 3.

(Continued on reverse)

SHORTTILE STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY V.
FORD MOTOR COMPANY, AND DOES 1 TO 10

CASE NUMBER:

4. ☐ Plaintiff (name):

is doing business under the fictitious name of (specify):

and has complied with the following business name laws.

5. Each defendant named above is a natural person

a. ☒ except defendant (name): FORD MOTOR COMPANY

- (1) ☐ a business organization, form unknown
(2) ☒ a corporation
(3) ☐ an unincorporated entity (describe):
(4) ☐ a public entity (describe):
(5) ☐ other (specify):

c. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):
(4) ☐ a public entity (describe):
(5) ☐ other (specify):

b. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):
(4) ☐ a public entity (describe):
(5) ☐ other (specify):

d. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
(2) ☐ a corporation
(3) ☐ an unincorporated entity (describe):
(4) ☐ a public entity (describe):
(5) ☐ other (specify):

☐ Information about additional defendants who are not natural persons is contained in Complaint — Attachment 5.

8. The true names and capacities of defendants sued as Does are unknown to plaintiff.

7. ☐ Defendants who are joined pursuant to Code of Civil Procedure section 282 are (name):

6. This court is the proper court because

- a. ☐ at least one defendant now resides in its jurisdictional area.
b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.
d. ☐ other (specify):

9. ☐ Plaintiff is required to comply with a claim statute, and

- a. ☐ plaintiff has complied with applicable claim statutes, or
b. ☐ plaintiff is excused from complying because (specify):

(Continued on page three)

SHORT TITLE: STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY V.
FORD MOTOR COMPANY, AND DOES 1 TO 10

CASE NUMBER

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
- b. ☒ General Negligence
- c. ☐ Intentional Tort
- d. ☒ Products Liability
- e. ☐ Premises Liability
- f. ☐ Other (specify):

11. Plaintiff has suffered

- a. ☐ Usage loss
- b. ☐ loss of use of property
- c. ☐ hospital and medical expenses
- d. ☐ general damage
- e. ☐ property damage
- f. ☐ loss of earning capacity
- g. ☒ other damage (specify):

PLAINTIFF ISSUED AN AUTOMOBILE INSURANCE POLICY TO RUSSELL AND TERRY COLANGE FOR THEIR 2000 FORD RANGER, VIN #1FTXK18K9YMA10232. AS A RESULT OF A VEHICLE FIRE, SAID VEHICLE WAS DEEMED A TOTAL LOSS. PLAINTIFF PAID TO ITS INSURER, AND ON BEHALF OF THEIR INSURED, INCLUDING RELATED PROPERTY DAMAGE, DAMAGES TOTALING \$24,313.60.

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are
- a. ☐ listed in Complaint — Attachment 12.
 - b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. PLAINTIFF PRAYS for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. ☒ compensatory damages
 - (1) ☐ (unlimited civil cases) according to proof.
 - (2) ☒ (limited civil cases) in the amount of \$ 24,313.60
- b. ☒ other (specify): FOR ATTORNEY'S FEES AND COSTS AS PERMITTED BY STATUTE.

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: OCTOBER 1, 2001

KEVIN K. CHOLAKIAN

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE:

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY V. FORD MOTOR COMPANY

CASE NUMBER:

1

CAUSE OF ACTION - General Negligence

Page 4

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

(Use a separate cause of action form for each cause of action.)

GR-1. Plaintiff (name):

COMPANY

alleges that defendant (name): FORD MOTOR COMPANY, AND DOES 1 TO 10

☒ Does 1 to 10

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): OCTOBER 4, 2000

at (place): NOVATO, CALIFORNIA

(description of reasons for liability):

DEFENDANTS, AND EACH OF THEM, HAD A DUTY TO REASONABLY AND PROPERLY DESIGN, ASSEMBLE, MANUFACTURE, DISTRIBUTE, AND SELL A VEHICLE SAFE FOR ITS INTENDED USE. THE DEFENDANTS, AND EACH OF THEM, BREACHED SAID DUTY BY FAILING TO PROPERLY AND REASONABLY DESIGN, ASSEMBLE, MANUFACTURE, DISTRIBUTE, AND SELL THE 2000 FORD RANGER, VIN #1P7R15X9YB, OWNED BY PLAINTIFF'S INSURED RUSSELL AND TERRY COLEMAN. AS A DIRECT AND PROXIMATE CAUSE OF SAID BREACH, SAID VEHICLE WAS NOT SAFE FOR ITS INTENDED USE, AND AS A FURTHER DIRECT AND PROXIMATE CAUSE OF SAID BREACH, CAUGHT FIRE, RESULTING IN A TOTAL LOSS. AS A RESULT OF SAID NEGLIGENCE, PLAINTIFF INCURRED DAMAGES AS REFERENCED ABOVE.

SHORT TITLE: **FORD MOTOR COMPANY, AND DOES 1 TO 10**

COMPANY V.

CASE NUMBER:

2

CAUSE OF ACTION - Products Liability

Page 5

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

(Use a separate cause of action form for each cause of action.)

Plaintiff (name): **COMPANY**

Prod.L-1. On or about (date): **OCTOBER 4, 2000**
2000 FORD RANGER

plaintiff was injured by the following product:

Prod.L-2. Each of the defendants knew the product would be purchased and used without inspection for defects. The product was defective when it left the control of each defendant. The product at the time of injury was being

☒ used in the manner intended by the defendants.

☐ used in a manner that was reasonably foreseeable by defendants as involving a substantial danger not readily apparent. Adequate warnings of the danger were not given.

Prod.L-3. Plaintiff was a

☐ purchaser of the product.

☐ bystander to the use of the product.

☐ user of the product.

☒ other (specify): **INSURER AND SUBROGEE OF USER OF PRODUCT**

PLAINTIFFS INJURY WAS THE LEGAL (PROXIMATE) RESULT OF THE FOLLOWING:

Prod.L-4. ☒ Count One-Strict Liability of the following defendants who

a. ☒ manufactured or assembled the product (name(s)): **FORD MOTOR COMPANY**

☒ Does 1 to 10

b. ☒ designed and manufactured component parts supplied to the manufacturer (name(s)): **FORD MOTOR COMPANY**

☒ Does 1 to 10

c. ☒ sold the product to the public (name(s)): **FORD MOTOR COMPANY**

☒ Does 1 to 10

Prod.L-5. ☒ Count Two-Negligence of the following defendants who owed a duty to plaintiff (name(s)): **FORD MOTOR COMPANY**

☒ Does 1 to 10

Prod.L-6. ☒ Count Three-Breach of warranty by the following defendants (name(s)): **FORD MOTOR COMPANY**

☒ Does 1 to 10

a. ☒ who breached an implied warranty

b. ☒ who breached an express warranty which was

☒ written ☐ oral

Prod.L-7. ☐ The defendants who are liable to plaintiff for other reasons and the reasons for the liability are

☐ listed in Attachment-Prod.L-7 ☐ as follows:

SUPERIOR COURT OF CALIFORNIA
County of Marin
P. O. BOX 4988
San Rafael, CA 94913-4988

FILED

OCT 15 2001

JOHN P. MONTGOMERY,
Court Services Officer
MARIN COUNTY SUPERIOR COURT
BY E. M. DEPT. 17

CASE NO. CV014801

NOTICE OF FIRST STATUS/ADR
ASSESSMENT CONFERENCE

DEPENDANT: *Lord M. M. Company*

This case is subject to the Trial Court Delay Reduction Act, Gov. Code § 68600 et seq., and Civil Rules of the Uniform Local Rules of the Marin County Superior Court (hereafter MCSC - Civil Rules).

Pursuant to MCSC Civil Rules 1.18(A), this case is assigned to Judge *Smith*. The assignment is for all purposes.

MCSC Civil Rule 1.23 requires that the Summons and Complaint, a copy of this notice, a blank Status Conference Questionnaire and an Alternative Dispute Resolution Stipulation form be served within 60 days of the filing date of the Complaint and that proof of service be filed within 10 days of the date of service (and not exceeding 70 days of the filing of the action). MCSC Civil Rule 1.24 requires that defendants file responsive pleadings within 30 days of service unless the parties stipulate to an extension of not more than 15 days.

1. IT IS HEREBY ORDERED that the parties/counsel to this action shall:

- a. comply with the filing and service deadlines in MCSC Civil Rules 1.23 and 1.24 OR APPEAR IN PERSON at the Order to Show Cause hearing on the dates set forth below. (If filing is accomplished after the deadline but more than 24 hours prior to the following dates, and is accompanied by a payment of \$59.00 sanction appearance on the Order to Show Cause calendar is waived.)

Hearing on Failure to File Proof of Service 12.14.01 9:00 A.M.

Hearing on Failure to Answer 1.14.02 9:00 A.M.

- b. appear for a Status/ADR conference on the date set below.

2.22.02 9:00 A.M. Dept. F

ALL PARTIES AND THEIR ATTORNEYS OF RECORD (WITH 3rd PARTY INSURERS, IF ANY) MUST APPEAR AT THE CONFERENCE unless counsel or 3rd party payors have final authority to settle the case or participate in alternative dispute resolution processes (MCR 1.25(C)).

2. Status conference Questionnaires must be filed and served on all parties, including the Court, at least five court days before the first Status Conference. (A \$49.00 sanction will be charged for late filing of a questionnaire.)
3. You must be familiar with the case and be fully prepared to participate effectively in the Status/ADR Assessment Conference and to discuss the suitability of the case for binding or non-binding arbitration, mediation, or neutral case evaluation.
4. At the Status Conference, the Court may make pretrial orders, therefore you should be prepared to discuss the items in MCSC Civil Rules 1.26.
5. All Law and Motion matters will be heard on the calendar of the assigned Judge.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

NOTICE TO PLAINTIFFS

**CIVIL TRIAL DELAY REDUCTION PROGRAM
REQUIRES PROCEDURES AND TIME LINES TO BE MET**

All civil actions filed on or after July 1, 1992 except actions filed under the Family Law Act, the Juvenile Court Law, petition for writs of mandate or prohibition, change of name, harassment restraining orders, Domestic Violence Prevention Act restraining orders, and adoptions, are included in the civil trial delay reduction program. Marin County Superior Court - Civil Rules for the program require that you meet certain time lines for filing of documents. Please refer to Marin County Superior Court - Civil Rules for more particulars:

You must serve the following documents, which you will receive from the Court Clerk's office, with the complaint, on all other parties:

- A copy of this letter;
- A copy of the Notice of First Status/ADR Assessment Conference;
- A blank Status Conference Questionnaire;
- A blank Alternative Dispute Resolution Stipulation Form;
- A blank ADR Information Form;
- Statement of Agreement or Nonagreement.

This service must be accomplished within 60 days of the filing of the complaint and proof of such service must be filed within 10 days of the service.

The First Status/ADR Assessment Conference will be held approximately 140 days from the filing of the Complaint. The exact date and judge assignment is indicated on the form you received in the Clerk's office when you filed your complaint.

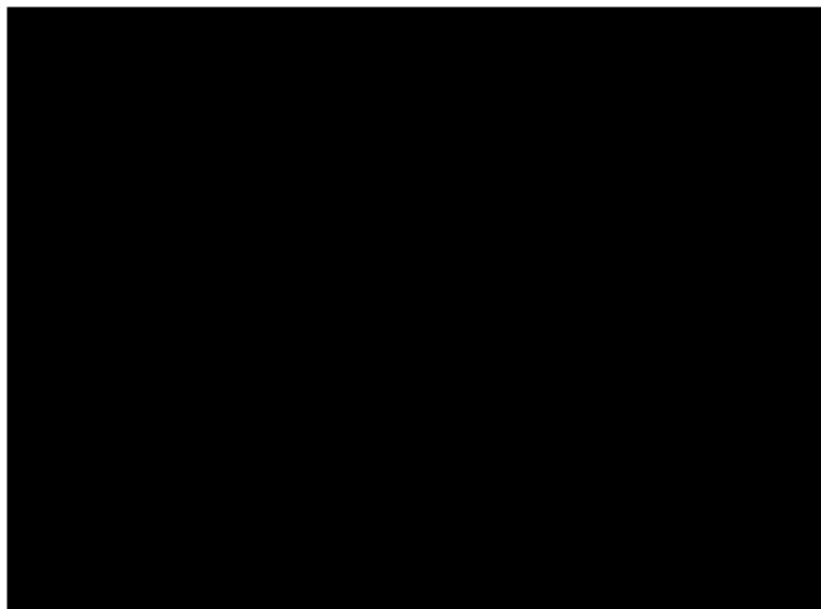
Failure to comply with the program rules may result in the imposition of sanctions and will in each instance result in the issuance of an order that you show cause why you have not complied.

Examples of alternative dispute resolution (ADR) procedures offered in Marin County include:

- Binding and non-binding arbitration;
- Mediation; and
- Neutral case evaluation.

It is important that you review these programs with your client. It will increase the possibility of your client's case being resolved at an early, and less expensive, stage of the proceedings. All judges in the civil trial delay reduction program are supportive of the use of alternative dispute resolution programs and are available to meet with you and the other parties prior to your Status Conference to assist in selecting the most appropriate resolution mechanism for your case.

You are required to complete and return the ADR Information Form, ADA-100 or ADA 101, within 10 days of the resolution of the dispute.



GOLDING HOLDEN POPE & BAKER, L.L.P.

ATTORNEYS AT LAW
SUITE 1200 CAMERON BROWN BUILDING
301 SOUTH McDOWELL STREET
CHARLOTTE, NORTH CAROLINA 28204

JOHN G. GOLDING
C. BYRON HOLDEN
JAMES W. POPE
LAWRENCE M. BAKER
CHIP HOLMES

(704) 374-1000
FACSIMILE (704) 374-1100

TRICIA MORVAN DERR
ROBERT J. AYLYWARD
ELISABETH F. SCHWARTZ
KARA L. SHARRARD

WRITER: LISA F. SCHWARTZ
WRITER E-MAIL: LSCHWARTZ@GHCPB.com

July 26, 2001

VIA CERTIFIED MAIL TO ALL ADDRESSEES

Mr. Allen Robinson
Ford Motor Company
Office of the General Counsel
Parklane Towers West
Suite 400
Three Parklane Boulevard
Dearborn, Michigan 48126-2568

Mr. James Chipman, President
Appalachian RV Travel Center, Inc.
499 Dowdle Mountain Road
Franklin, North Carolina 28734

P&E Industries, Inc.
Post Office Box 810095
Boca Raton, Florida 33481-0095

RE: [REDACTED] vs. *Appalachian RV Travel Center, Inc., Ford Motor
Company, and P&E Industries, Inc.*
July 30, 1999 vehicle fire to 1998 Ford Explorer

Gentlemen:

Please be advised that this law firm has been retained to recover losses sustained by a State Farm insured as a result of a fire to a 1998 Ford Explorer on or about July 30, 2000. The vehicle was being towed behind the insureds' motor home at the time of the loss. As the insureds pulled over to a rest area in Columbia, North Carolina, they were advised by third parties that smoke was coming from the Explorer. Fire then quickly enveloped the Ford Explorer, and resulted in total

July 26, 2001

Page 2

damage of the vehicle. The Ford Explorer had been equipped with an Explorer bracket and Falcon tow bar, to allow the Explorer to be towed behind the insureds' recreational vehicle. The specific tow system employed was the 7500 Safe Tow Braking System, which it is my understanding was installed by Appalachian RV Travel Center, Inc., and manufactured by P&E Industries, Inc.

According to the information currently available, it appears that some or all of your companies are liable for the fire loss. Specifically, investigation has revealed that the fire originated as a result of the Safe Tow System and/or the braking system of the Ford Explorer. As such, your companies should expect adverse claims to be filed, as a result of the fire and total loss of the Explorer.

Stephen Stone of Stone Engineering, Inc. plans on conducting an inspection of the Ford Explorer's brake system, as well as the Safe Tow System. Please be advised that such inspection and testing may result in destruction of the component parts of the Safe Tow braking system, or the system in the Ford Explorer. Please advise my office within the next twenty (20) days, if you wish for a representative of your company and/or your own expert to be present during such testing. If I do not hear from you, and no objections are received regarding the testing and inspection, prior to twenty days from the date of your receipt of this letter, Mr. Stone will proceed with the testing. The 1998 Ford Explorer is currently located in Raleigh, North Carolina, and Mr. Stone has in his possession the component parts of the Safe Tow braking system.

I would also ask you to please advise if you feel any additional parties may be responsible either to you, or to my clients for the fire loss of July 30, 2000, such as any subcontractors or other parts suppliers. If so, please advise such parties of our intentions to conduct inspection and testing of the parts at issue, and the opportunity for each such party to have a representative present.

Once a mutually convenient time and place is arranged, my office will provide a brief protocol regarding how the testing will be performed by Stephen Stone. If your company should contend such sequence of testing could compromise potential evidence, I would ask to be informed of such concerns in sufficient time prior to the scheduled testing date, so as to resolve any potential complaints.

I will look forward to hearing back from you on or before August 15, 2001 as to whether you wish for a representative to be present for the testing and inspection, and to arrange a suitable time and date. I am expecting to be out on maternity leave in the near future, and would ask you to please speak with Kara Shamard in my absence.

Very truly yours,

Lisa F. Schwanz

Lisa F. Schwanz

For the Firm

LFS/hga

ER05-005-LC-7256

Stone Engineering, Inc.

252-247-6810

Post Office Box 2368, Morehead City, North Carolina 28557

Fax: 252-247-9258

ENGINEERING REPORT PREPARED FOR:

State Farm Insurance Company
4935 Albemarle Road
Charlotte, NC 28205
Attention: Ms. Kristin Smith

SUBJECT: 1998 Ford Explorer

INSURED:

CLAIM NUMBER: 33-0239188

FILE NUMBER: A-00007-01

PREPARED BY: Stephen E. Stone, PE



Stephen E. Stone
9/27/00

ER85-005-LC-7287

Insured: [REDACTED]

ASSIGNMENT

This assignment was received through Mr. Dave Marshall of Langham and Associates Inc., at the request of Ms. Kristin Smith of State Farm Insurance Company. Specific instructions provided were to examine the vehicle and perform a fire cause and origin investigation.

BACKGROUND

Mr. Marshall provided the following information relevant to the investigation: The vehicle was reportedly being towed behind a motor home (RV) by the insured at the time of the loss. Mr. Marshall's initial fire cause and origin investigation performed identified the most likely area of origin to be within the engine compartment, between the engine and left interior sidewall.

I examined the vehicle on the premises of Classic Ford, Smithfield NC, on 7 September 2000. Mr. Marshall of Langham and Associates Inc. was present during my examination.

Ms. Smith provided the following information relevant to the investigation: The insured's RV and loss vehicle were equipped with a "SAFE TOW" Braking System, manufactured by P & E Industries of Boca Raton, FL. Information provided by Ms. Smith obtained from the manufacturer's web site identified the system to be a supplemental surge braking system, and provided limited information on system installation and operating principles.

ENCLOSURES

1. Forty-one (41) color photographs with explanation sheet

FINDINGS

Inspection of the loss vehicle 7 September 2000 on the premises of Classic Ford revealed the following significant observations:

The loss vehicle was identified to be a 1998 Ford Explorer, vehicle identification number 1FMZU34E4WU [REDACTED]. The vehicle exterior displayed significant fire damage to the left front quadrant, with highest heat intensity localized to the area surrounding the left front wheel. The left front tire was partially consumed by the fire. An "A" frame tow bar adaptor block was attached to the vehicle front bumper. A severed segment of flexible rubber hose with an integral quick connect/disconnect fitting exhibiting fire damage at the severed end was secured to the tow bar adaptor block. Aside from the fire damage evident, no other significant physical damage was observed.

Insured: [REDACTED]

The interior of the vehicle exhibited significant fire damage localized to the floorboard and lower dash of the driver's side of the passenger compartment. The damage evident consisted primarily of consumption of combustible materials in the immediate area of the floorboard and engine compartment firewall, surrounded by melting, deformation and discoloration of adjacent materials. The thermal damage evident was visually consistent in appearance with venting of the fire from the engine compartment.

The vehicle engine compartment displayed significant fire damage, visually consistent in appearance with the highest heat intensity being concentrated in the left rear quadrant. The fire consumed all of the combustible materials located within the left front and rear quadrants of the compartment. All of the insulation material was consumed from the wires comprising the main electrical wiring harness positioned along the left side of the compartment. The individual bare Copper conductors of each of the wires within the harness, and interconnecting electrical components, were exposed over the full length of the compartment from the front grill to the engine compartment/firewall junction block. Inspection of the wires insitu in the harness and the conductors of the interconnecting electrical components did not reveal any discernible evidence of pre-fire electrical distress. The brake master cylinder Aluminum housing, located in the left rear quadrant of the compartment on the outboard end of the vacuum power booster assembly, exhibited severe melting and deformation resulting in a complete loss of structural integrity. The Aluminum engine valve cover also exhibited severe localized melting and deformation. A through hole, approximately 3 inches in diameter, was located in the outboard side of the valve cover at a position approximately coincident with the transverse location of the brake master cylinder. The right side of the engine compartment displayed significantly less thermal damage, with the extent of damage evident decreasing moving forward and right from the left rear quadrant of the compartment.

Removal of the left front wheel revealed significant wear and localized thermal damage to the disc brake assembly components. The damage evident was visually consistent with severe wear and overheating resulting from prolonged continuous application. The linings were completely worn away from the inboard and outboard brake pads, resulting in direct metal-to-metal contact between the pad backing plates and rotor surface. The pad backing plates exhibited heavy circumferential scoring and material removal, and severe thermally induced deformation. The rotor surfaces exhibited significant adhesive metal transfer from the adjacent pad backing plates, accompanied by thermal bluing and oxidation. The brake caliper pistons exhibited thermal tempering discoloration. Aside from the accelerated wear and thermal damage resulting from prolonged continuous application, no other significant physical damage or adverse features were observed.

Removal of the right front wheel revealed wear and thermal damage similar in type, but to a lesser degree than that displayed by the left front wheel disc brake assembly components. The linings were completely worn away from the inboard and outboard brake pads,

Insured: [REDACTED]

resulting in direct metal-to-metal contact between the pad backing plates and rotor surface. Combustible materials located near the rotor exhibited thermal damage from exposure to the excessive operating temperatures generated by the right front brake components.

Removal of the left rear wheel did not reveal any evidence of abnormal wear or thermal damage indicative of prolonged application similar to that exhibited by the front brake system components. The rear brake pad linings and rotor surface each were noted to be in serviceable condition.

Inspection of the Anti-lock Braking System (ABS) electronic hydraulic control unit (EHCUC), mounted on the left inboard wall of the engine compartment revealed the following significant observations: The EHCUC was totally involved in the fire, with all exposed combustible materials consumed. The exposed surface of the ABS control module circuit card, mounted on the back of the EHCUC, displayed significant fire damage. The thermal damage exhibited by the circuit card and exposed bare conductors of the connecting segment of wiring harness was essentially uniform in degree, with no discernible evidence of pre-fire electrical distress. A check valve and a quick connect fitting were observed to be "tee-ed" into the steel brake lines connecting to the EHCUC manifold. The quick connect coupling was integral to a severed segment of flexible hydraulic hose. Reconstruction of the brake lines emanating from the manifold identified the line containing the tee fitting and associated hardware to be the supply line from the vehicle master cylinder to the EHCUC front brake input port.

Review of the information provided by Ms. Smith describing the "SAFE TOW" supplemental braking system components and operating principles established the following significant information: The "SAFE TOW" system applies the front brakes of the towed vehicle proportionately in response to braking actions initiated by the RV. As the RV brakes, the resulting change in towed vehicle forward momentum is sensed through an independent master cylinder mounted in the body of the tow bar. The brake fluid displaced from the tow bar cylinder creates a hydraulic surge pressure, and is communicated to the brake system of the towed vehicle through a flexible hydraulic hose. The connections between the tow bar cylinder and towed vehicle brake system are made by quick connect fittings integral to the hose to prevent fluid loss or air intrusion during installation and removal. The quick connect male fitting, as well as a check valve assembly are "tee-ed" into the towed vehicle brake system supply line located between the master cylinder and the front brakes. The surge pressure communicated through the hose passes through the check valve and is translated to the front brakes of the towed vehicle, with the duration of brake application proportional to the change in towed vehicle momentum.

27 September, 2000

Insured: [REDACTED]

Review of the loss vehicle manufacturer's applicable service manuals established the following significant information concerning the ABS: The EHCUC contains three electrically actuated solenoid valves. The solenoid valves are normally "open", and control the fluid output to the left front, right front and rear brakes respectively. If the control module detects wheel lock, the solenoid valve of the effected wheel(s) is actuated to the "closed" position to shut off fluid output to the brake caliper. In the event of ABS failure, the control module terminates control and the solenoid valves return to the "open" position. However, normal vehicle power assisted braking is unaffected. Analysis of the available information did not identify any potential single point failure mechanisms in the ABS capable of causing prolonged sustained brake application on both the left and right front wheels simultaneously.

CONCLUSIONS

The fire in the loss vehicle originated at the left front wheel due to prolonged sustained application of the front brakes while the vehicle was being towed. This conclusion is supported by the following observations: 1) evidence of severe wear and thermal damage exhibited by the left front wheel brake system components 2) the observations of highest heat intensity localized to the left quadrants of the engine compartment coincident with the location of the brake system components and 3) the evidence of severe wear and overheating of the brake system components on both the left and right front wheels, and lack of corresponding damage to the rear wheel brake system components. In my opinion, the heat source was the left front wheel brake system components; the fuel load was most likely the brake fluid contained there in.

In my opinion, the failure in the braking system leading to prolonged sustained application of the loss vehicle front brakes most likely occurred due to either a mechanical or material failure within the supplemental braking system. This conclusion is supported by the following facts and observations: 1) by design, the surge pressure developed by the supplemental system is input directly to the front brakes of the towed vehicle; and will not effect the rear brakes 2) surge pressure pulse duration is controlled by the tow bar mounted independent master cylinder and 3) analysis of the towed vehicle ABS information available did not identify any potential single point failures relevant to the loss. Further investigation of the remaining supplemental braking system components, as well as disassembly and inspection of the EHCUC will be required to fully determine the root cause of the system failure.



Stephen E. Stone, PE
Stone Engineering Incorporated
Morehead City, NC
252-247-6810

E005-005-LC-7271

Case No: A-00007-01

Enclosure No: 1

Insured: [REDACTED]

- 1 - 4. 1998 Ford Explorer loss vehicle showing exterior fire damage localized to left front
- 5 - 7. Loss vehicle showing interior fire damage localized to driver's side of passenger compartment
- 8 - 9. Electric fuse panel located on left end of dash, showing thermal damage from venting of fire into passenger compartment from engine compartment
- 10 - 11. Engine compartment, showing highest heat intensity fire damage localized to left forward and rear quadrants
12. Engine compartment, showing severe melting and deformation of brake master cylinder Aluminum housing
13. Engine compartment, showing ABS control module insitu (visible in right side of photograph, immediately outboard of brake vacuum booster assembly and master cylinder housing) with attaching brake lines.
14. Engine compartment, showing plan view of ABS control module insitu with attaching brake lines
15. Engine compartment, showing remnants of engine ignition system
16. Engine compartment, showing severe melting and deformation of engine Aluminum valve cover near location of brake vacuum power booster assembly
- 17 - 18. Engine compartment firewall electrical wiring harness junction block, showing an essentially uniform degree of thermal damage
19. Loss vehicle left front wheel showing fire damage to tire and wheel
20. Left front wheel brake components, showing severe thermal damage and discoloration of rotor
21. Left front rotor showing adhered metal, transferred from brake pad backing plate. Note heavy circumferential scoring indicative of rotation.
22. Left front brake caliper and remains of outboard pad backing plate

EA05-005-LC-7272

Case No: A-00007-01

Enclosure No: 1

Insured: [REDACTED]

- 23 - 25. Loss vehicle right front brake components, showing thermal damage similar in type, but to lesser degree than that displayed by left front brake components. Note thermal damage displayed by tie-rod elastomeric boot immediately adjacent to inboard face of rotor due to heat emanating from rotor.
- 26. Right front brake components showing pad completely worn away from backing plate, resulting in metal on metal contact with adjacent rotor surface
- 27 - 28. Loss vehicle left rear brake components, showing no significant or abnormal wear features. Note significant amount of brake pad visible between rotor surface and backing plate indicating rear brakes were not applied during anomaly affecting front brakes.
- 29. Left front floorboard with dash and debris removed showing thermal damage resulted from venting of fire from engine compartment into passenger compartment
- 30 - 32. Loss vehicle dash assembly removed to show highest intensity thermal damage was localized to driver's side floorboard
- 33. Left front wheel brake rotor and caliper. Note heavy thermal damage and adhered metal on rotor brake running surface
- 34. Left front brake rotor showing thermal damage and adhered metal transferred from outboard pad backing plate
- 35 - 36. Left front brake rotor showing thermal damage and adhered metal transferred from inboard pad backing plate
- 37. Left front wheel brake caliper assembly
- 38. Left front wheel brake caliper assembly, outboard pad backing plate removed. Note thermal damage and deformation displayed by inboard pad backing plate
- 39 - 40. Left front wheel brake caliper assembly, inboard pad backing plate. Note brake pad is completely worn away, and subsequent heavy circumferential wear and deformation of backing plate.
- 41. Flexible brake line with quick-connect coupling, recovered from front of vehicle tow bar. Note thermal damage displayed by line at bitter severed end. Mating severed end of line is attached to loss vehicle ABS module in engine compartment, visible in photographs 13 and 14 above.

PHOTO SHEET

FILE NO. *A*-00007-01



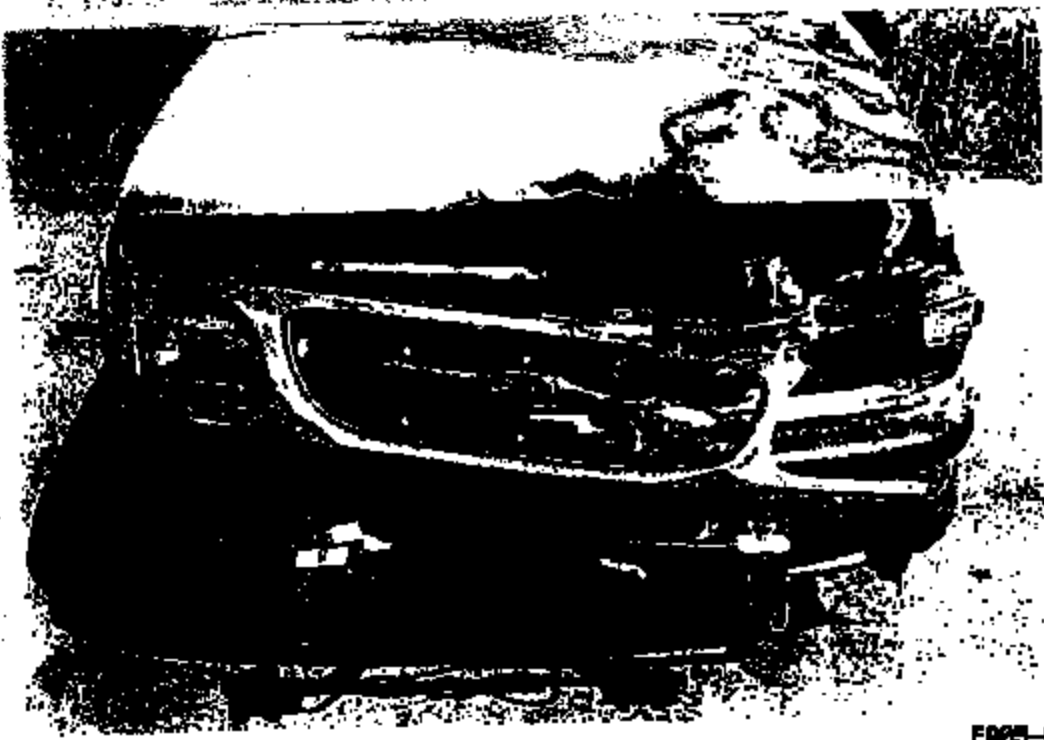
SP25-005-LC-7274

PHOTO SHEET

FILE NO A-00007-01



3



4

PHOTO SHEET

FILE NO A-00007-01



5



6

EA05-005-LC-7276

PHOTO SHEET

FILE NO. A-00007-01



7



8

ER05-005-LC-7277

PHOTO SHEET

FILE NO *A-00007-01*



9

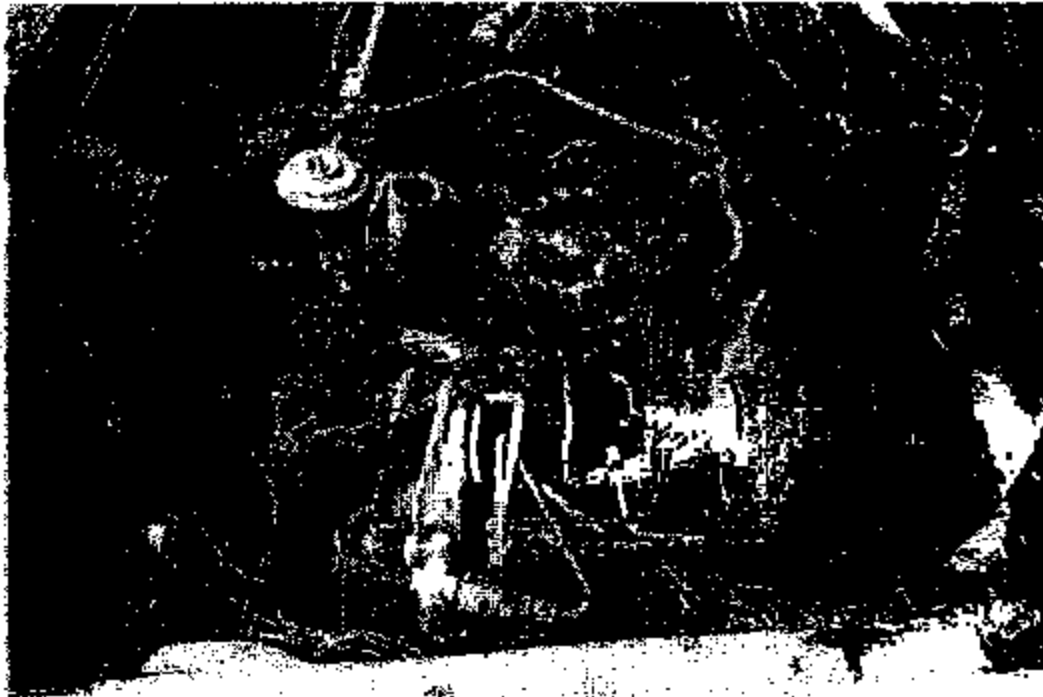


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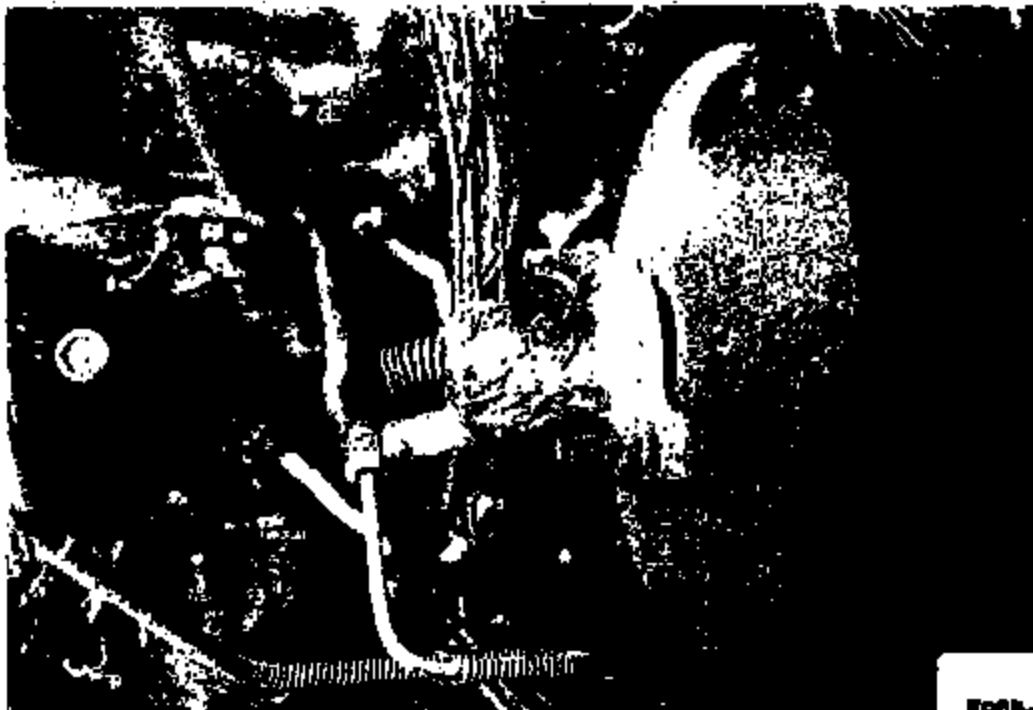
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PHOTO SHEET

FILE NO 8-00007-01



11



12

ER05-005-LC-7278

PHOTO SHEET

FILE NO. 8-00007-01



13



14

EA05-025-LC-7280

PHOTO SHEET

FILE NO. A-00007-01



15



16

ER05-B05-LC-7281

PHOTO SHEET

FILE NO A-00007-01



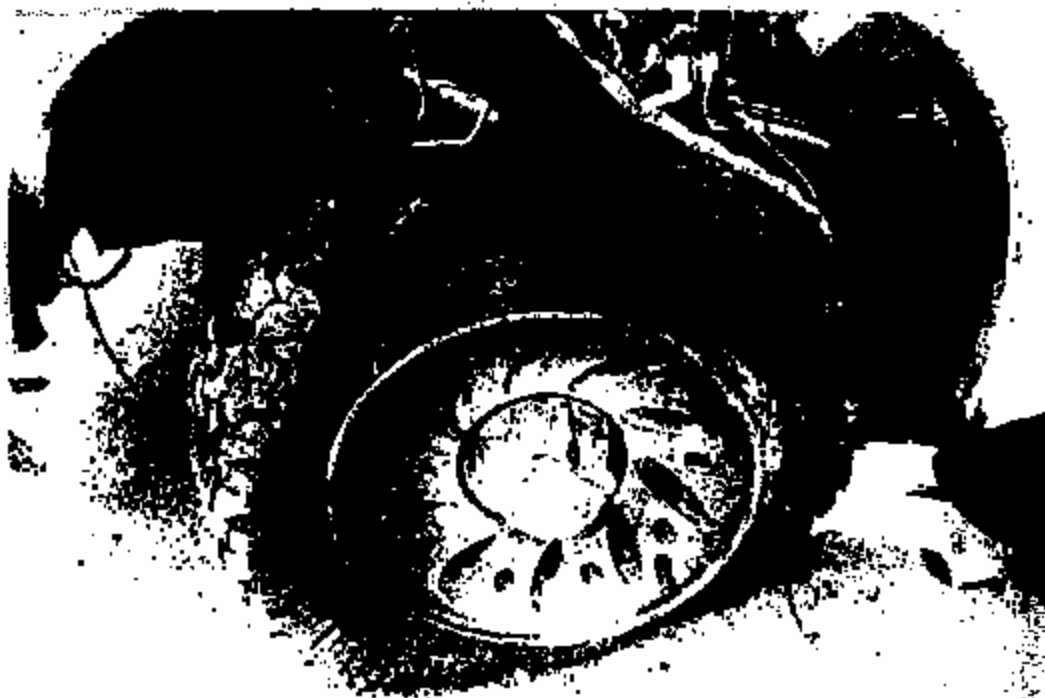
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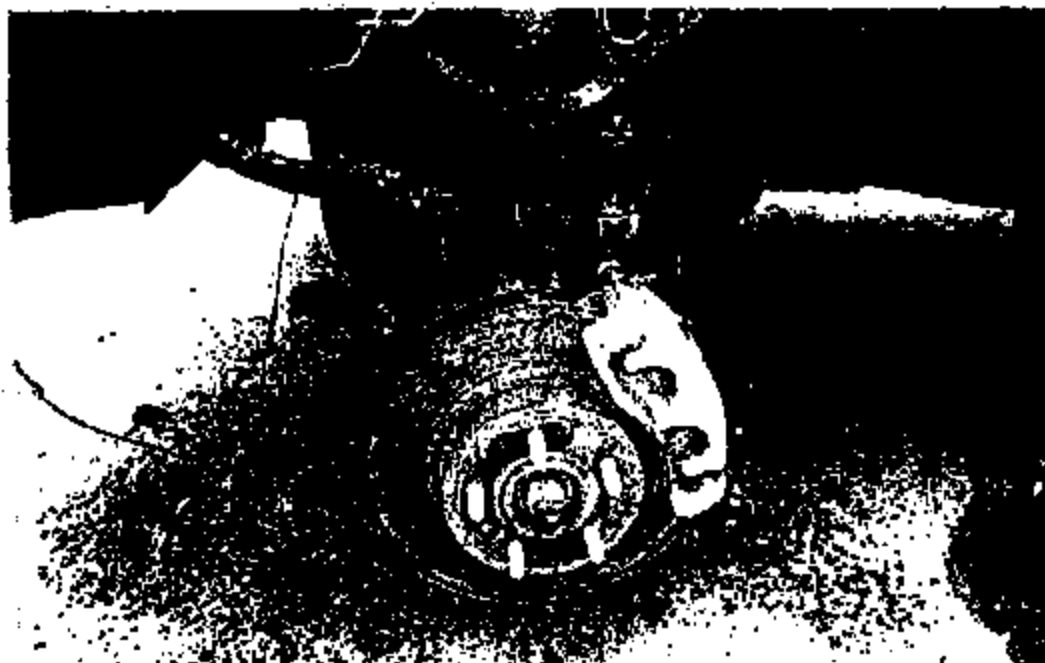
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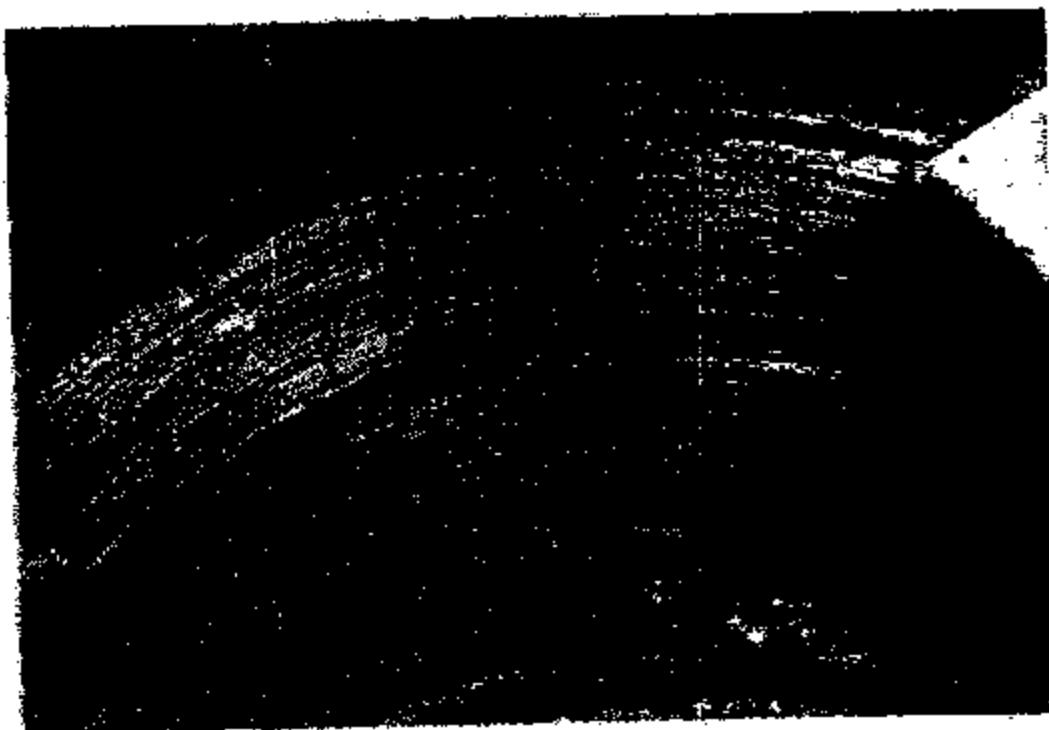
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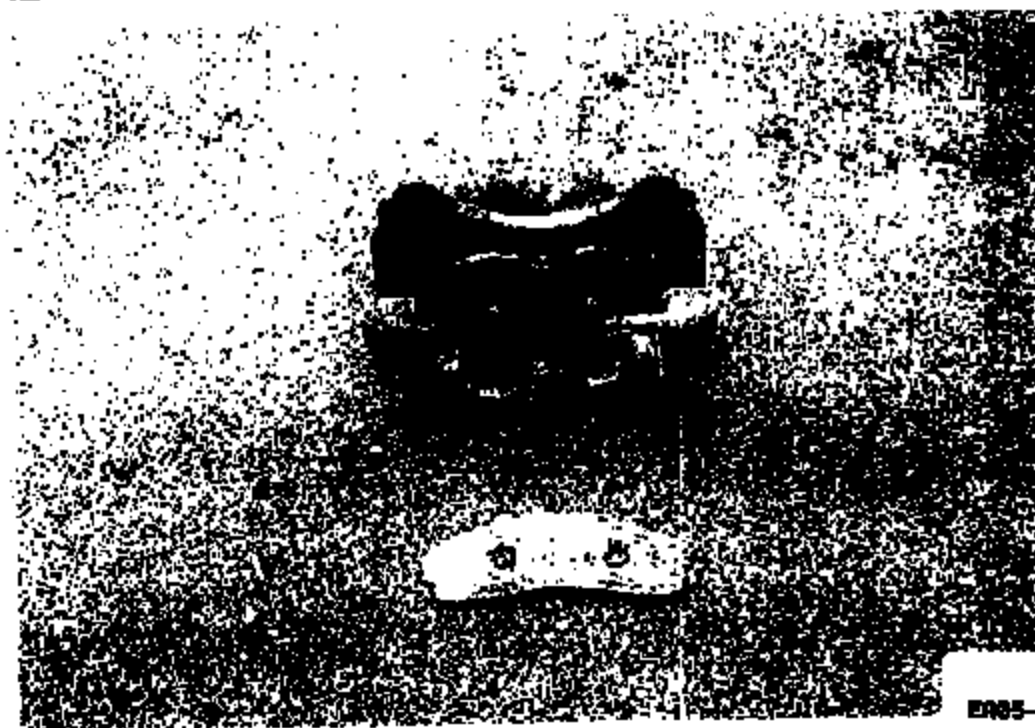
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FILE NO A-00007-01



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22

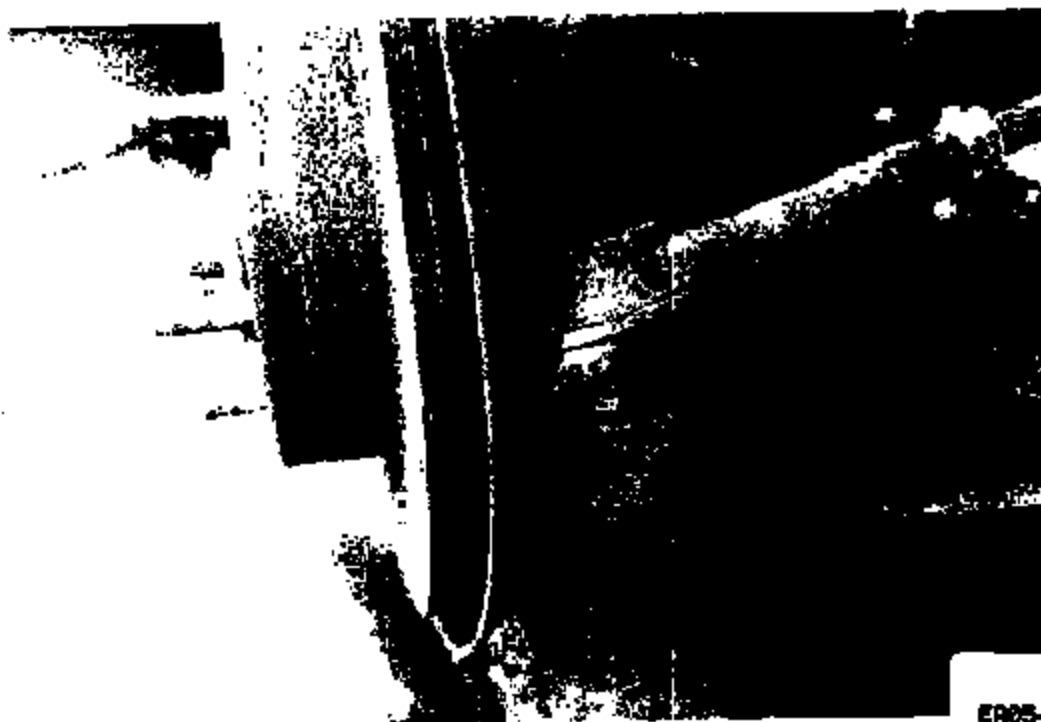
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FILE NO. A-00007-01



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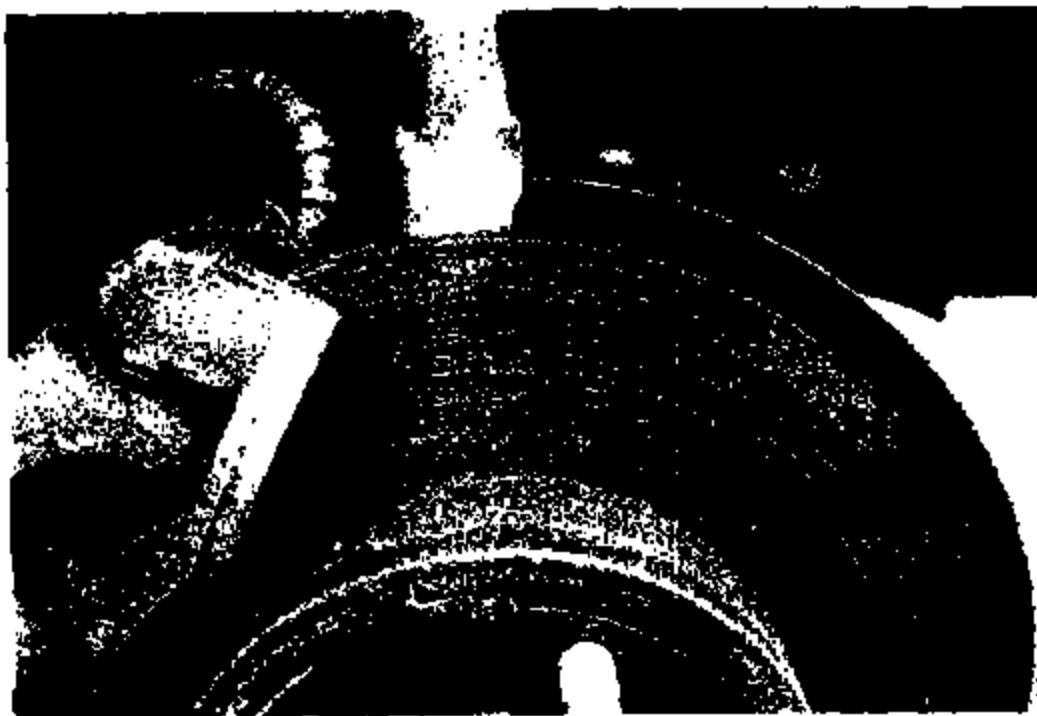


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EROS-005-LC-7285

PHOTO SHEET

FILE NO R-00007-01



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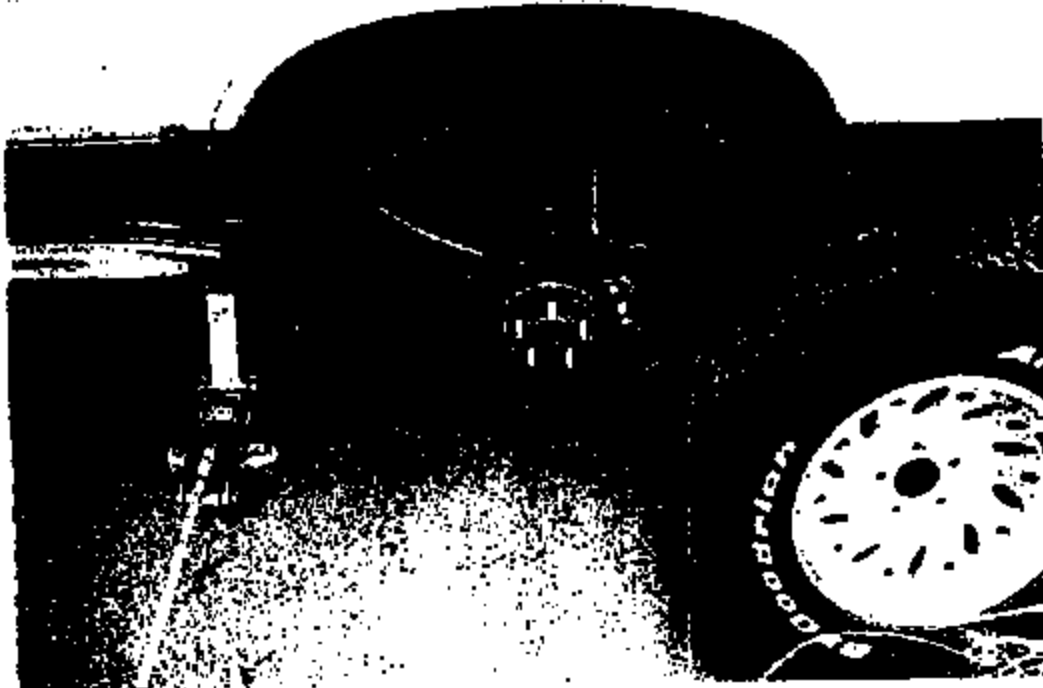


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EA05-005-LC-7286

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FILE NO *A-00007-01*



27



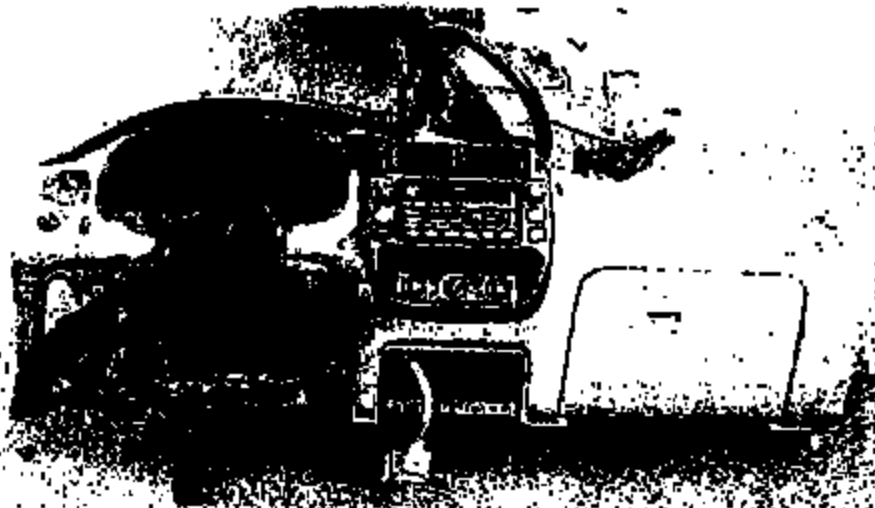
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FILE NO *R-00007-01*



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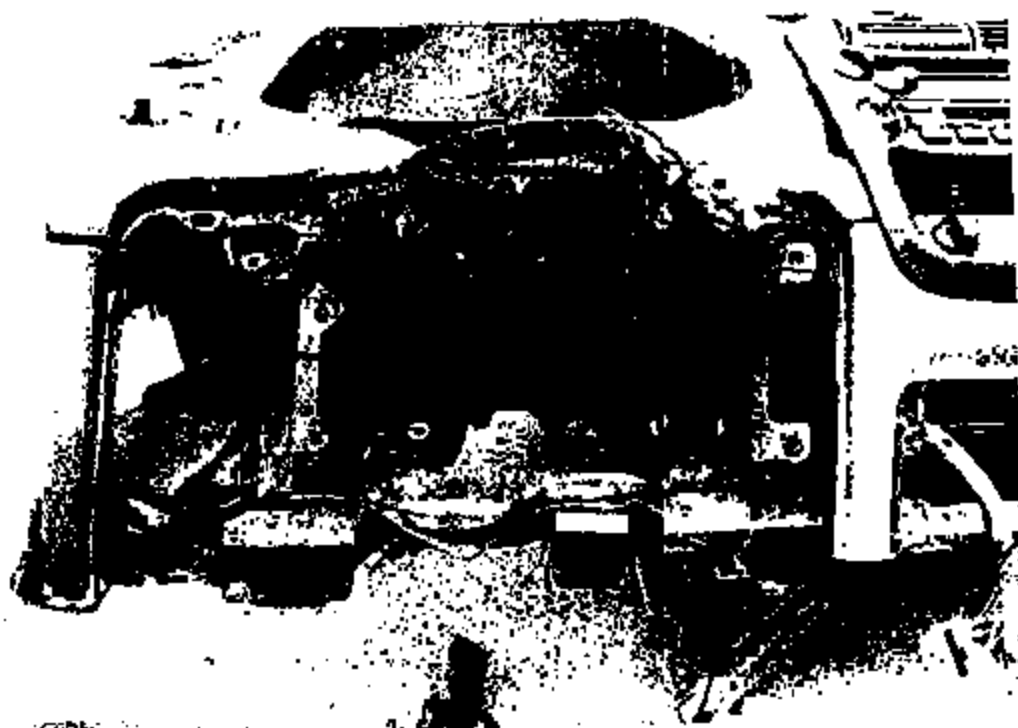


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ER05-895-LC-7268

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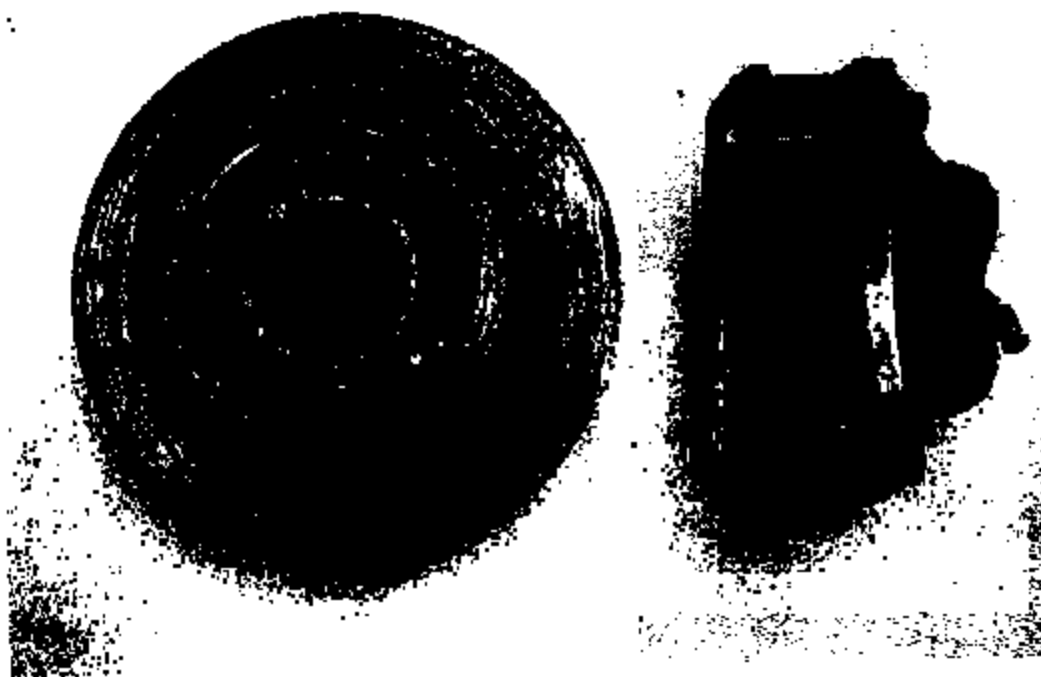
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32

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FILE NO A-00007-01



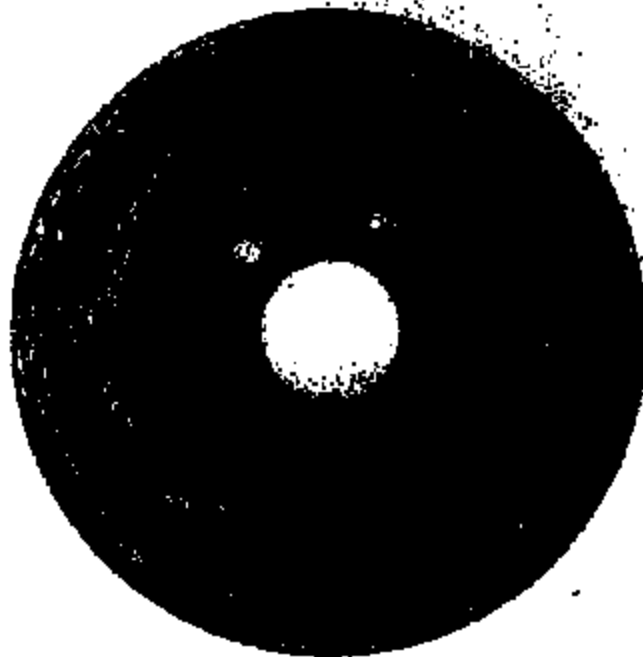
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34

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FILE NO *A-00007-01*



35

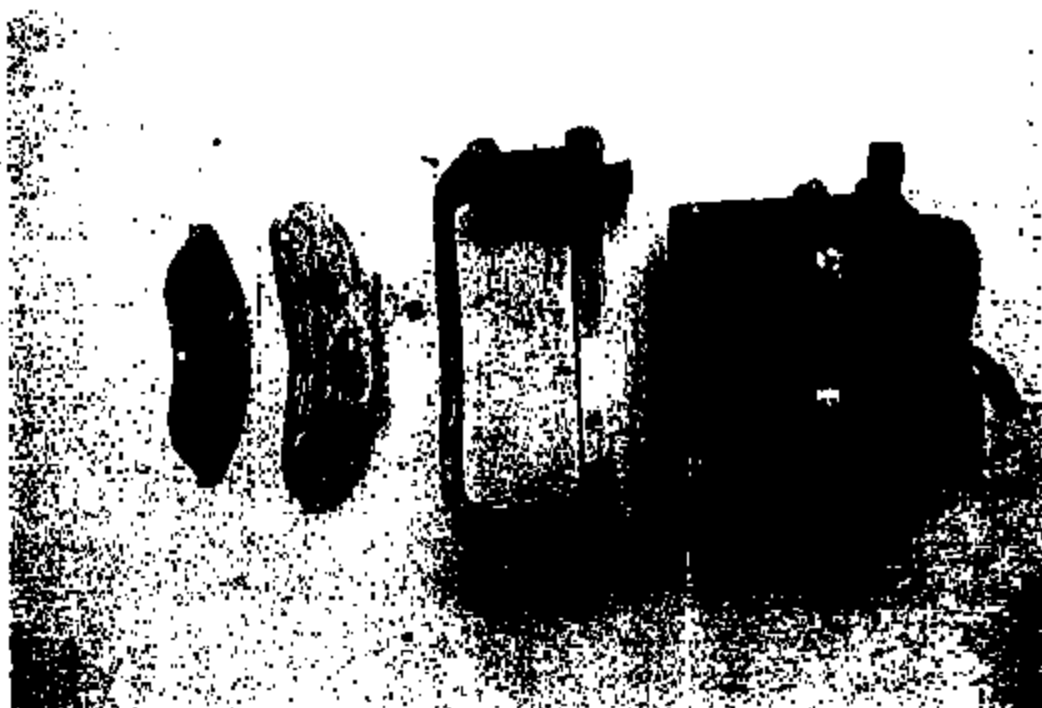


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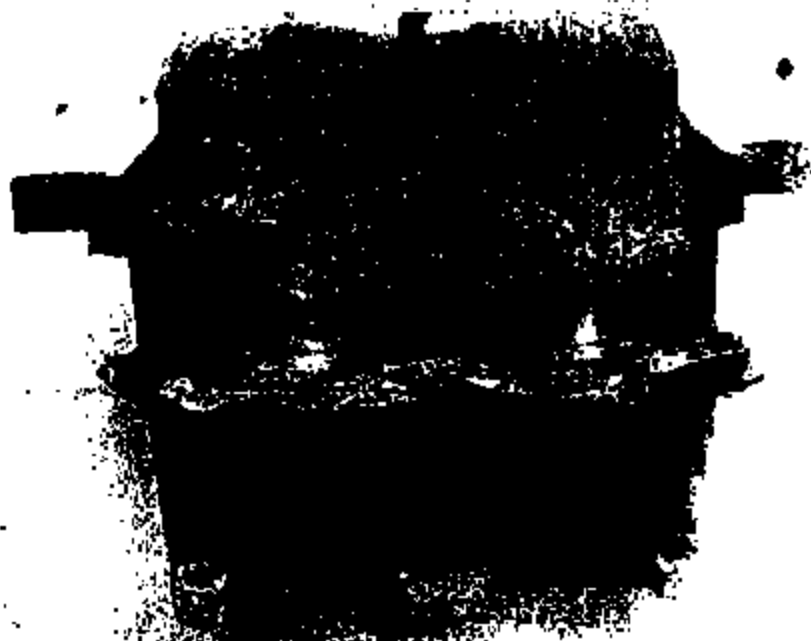
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FILE NO *A-00007-01*



37



38

PHOTO SHEET

FILE NO. A-00007-01



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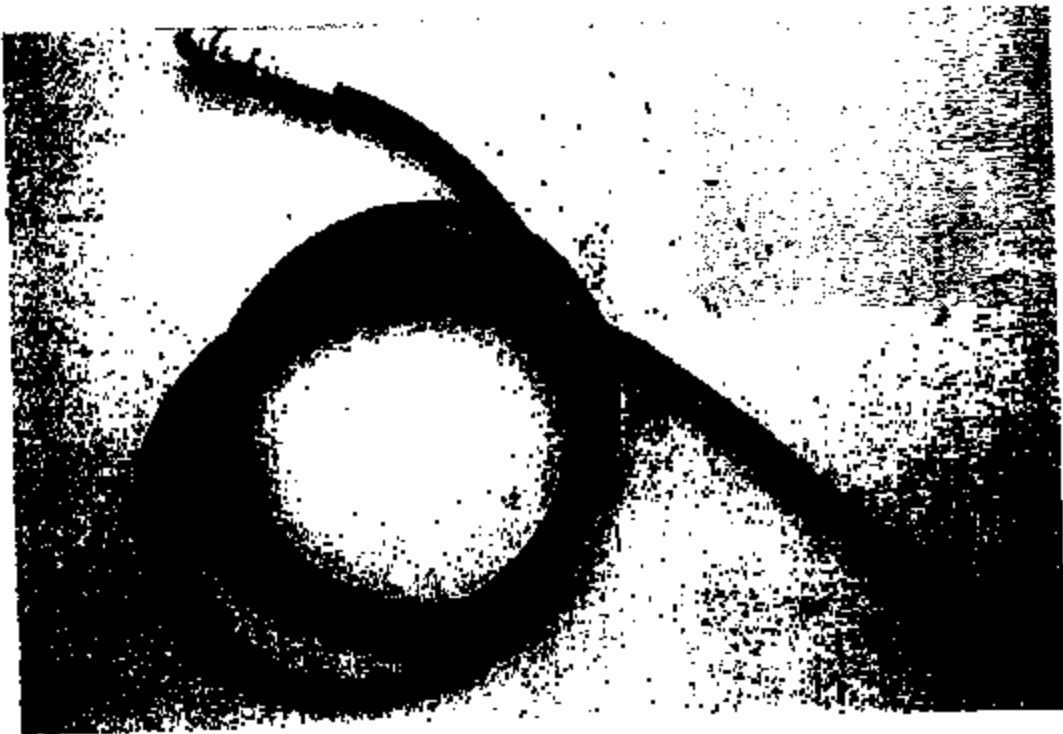


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ER05-005-LC-7283

PHOTO SHEET

FILE NO A-00007-01



41

NR

E025-005-LC-7294

THIS REPORT IS FOR THE USE OF THE DIVISION OF MOTOR VEHICLES. THE DATA IS COLLECTED FOR STATISTICAL ANALYSIS AND SUBSEQUENT HIGHWAY SAFETY PROGRAMMING. DETERMINATIONS OF "FAULT" ARE THE RESPONSIBILITY OF INSURERS OR OF THE STATE'S COURTS.

AUG

8 2000

Date: 07/30/2000 County: TYRRELL Time: 0910 Location: Park Area: AZ
 Report Type: ☐ Supplemental Report ☒ Non-Reportable

Location: COLUMBIA REST AREA PVA LUDINGTON STREET
 Mileage: 61 Direction: N S E W
 Latitude: Longitude:

Vehicle Information:
 Driver: [Redacted]
 Address: [Redacted]
 City: GLENVILLE State: NC Zip: 28738
 Plate: NC 2000
 VIN: 4V2BN2298
 Make: AMER Year: 2000
 Model: BURNED
 Estimated Value: 20,000.00
 Insurance: STATE FARM INS.

Vehicle Information:
 Driver: [Redacted]
 Address: [Redacted]
 City: [Redacted] State: [Redacted] Zip: [Redacted]
 Plate: [Redacted]
 VIN: [Redacted]
 Make: [Redacted] Year: [Redacted]
 Model: [Redacted]
 Estimated Value: [Redacted]
 Insurance: [Redacted]

28 COMMERCIAL VEHICLE: Cargo, Carrier Name, Address, Source
 44 Cargo Type: [Redacted]
 45 Carrier Name: [Redacted]
 46 Address: [Redacted]
 47 Source: [Redacted]

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
PATRICKS WRECKER SERVICE										PATRICKS WRECKER										REMER										CONE										GLENVILLE										NC 28738																																																	
41 FLAT CREEK DRIVE																																																																																																			
RECEIVED																																																																																																			
AUG 4 2000																																																																																																			

33 0231-188 CW

FCSD REGION: _____ MARKET: _____ ISSUE STATUS: _____
P&A CODE: _____
VIN: 1FMZU34E4WU _____ CASE NUMBER: _____
SALES REGION: _____ SALES ZONE: _____ ISSUE TYPE: _____

A	LAST HND/	Customer Phone Number/	Reason/	Stat/
C	P&A	Trmt Customer Name	Year Model	Type
	08/25/00	(H) (B)	LEGAL - ACCIDENT & PERSONAL/PR	C
	03348		1998 EXPLORER	07
	07/19/99	(H) (B)	RECALL/ONP - ADDRESS/NAME CHAN	C
			1998 EXPLORER	01
	03/26/99	(H) (B)	LITERATURE REQUEST - RV TRAILER	C
			1998 EXPLORER	01
	03/26/99	(H) (B)	TECHNICAL INQUIRY - COMPONENT	C
			1998 EXPLORER	01

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F7=Prev F8=Next F10=IssueDetail F11=Menu F12=Return
NO MORE RECORDS AVAILABLE OGDB079

SFCHIDMA

Issue Detail

09/13/00 12:48:46

VIN: 1FMZU34E4WU [REDACTED] Year: 1998 Model: EXPLORER
Owner Status: ORIGINAL WSD: 09/25/98 Mileage: 28000
Name: [REDACTED] Hm Ph: [REDACTED]
Trmt: Case: 1480810859 Day Ph: [REDACTED]
Symptom: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason: LEGAL - ACCIDENT & PERSONAL/PROPERTY DAMAGE
Dealer: BARNETT-STUBBS FORD MERCURY
Issue Type: 07 LEGAL CAN Court: Legal Issue Type:
Issue Status: C CLOSED CAN Award: MORSII Contact: N

A/C DATE Origin Description

08/02/00 CACI38 ADVISE CUSTOMER INFORMATION FORWARDED TO CONSUMER AFFAIRS
08/03/00 CALGL MAKE OUTBOUND CALL TO CUSTOMER
08/25/00 CALGL REFER TO INSURANCE CARRIER - INSURANCE COMPANY ALREADY INVOL

F1=Help F2=AddAction F4=ActionDetail F6=DealerInfo
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SFCHADMA

Action Detail

09/13/00 12:48:54

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Name: [REDACTED] Hm Ph: [REDACTED]
Trmt: Case: 1480810859 Day Ph: [REDACTED]
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ACCIDENT & PERSONAL/PROPERTY DAMAGE
Dealer: BARNETT-STUBBS FORD MERCURY
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 28000 MI
Analyst: WPINNOCK WINSTON PINNOCK Document Number:
Action Date: 08/02/00 Action Data: Action Time: 09:00:11 EST
Origin Desc: US CONCERN CASE BASE
Action Desc: ADVISE CUSTOMER INFORMATION FORWARDED TO CONSUMER AFFAIRS
Comments: CUSTOMER SAYS: -CLAIMS UNDERHOOD VEHICLE FIRE -OCCURED 07
/30/00 AT 10:00 AM -OCCURED IN TYRRELL COUNTY ABOUT 12 MIL
ES E OF CRESTWELL TOWN -POLICE AND FIRE WERE BOTH CALLED -
NO FIRE REPORT NUMBER OR FINDING GIVEN -OCCURED WHILE VEHIC
LE WAS BEING NEUTRAL TOWED. -VEHICLE DOES HAS FORD NEUTRAL
TOWING PACKAGE -VEHICLE DOES NOT SEEM REPAIRABLE -CUSTOMER
F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
MORE COMMENTS AVAILABLE

OGDB079

SFCHADMA

Action Detail

09/13/00 12:49:00

→
VIN: 1FMZU34E4WU Year: 1998 Model: EXPLORER
Owner Status: ORIGINAL WSD: 09/25/98
Name: Hm Ph: [REDACTED]
Trmt: Case: 1480810859 Day Ph: [REDACTED]
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ACCIDENT & PERSONAL/PROPERTY DAMAGE
Dealer: BARNETT-STUBBS FORD MERCURY
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 28000 MI
Analyst: WPINNOCK WINSTON PINNOCK Document Number:
Action Date: 08/02/00 Action Data: Action Time: 09:00:11 EST
Origin Desc: US CONCERN CASE BASE
Action Desc: ADVISE CUSTOMER INFORMATION FORWARDED TO CONSUMER AFFAIRS
Comments: TOWING PACKAGE -VEHICLE DOES NOT SEEM REPAIRABLE -CUSTOMER
' S TOWING BAR AND CB RADIO FOR RV WERE DAMAGED -VEHICLE I
S NOW AT PATRICK CAR SALES AND PARTS: 312 W HWY 64 , CRESTWE
LL NC. 27928 (252) 797-4802. PER CUSTOMER, DEALER SAYS: -
NONE CAC ADVISED: - THIS INFORMATION HAS BEEN FORWARDED TO
THE CONSUMER AFFAIRS DEPARTMENT FOR REVIEW - A REPRESENTAT
F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
MORE COMMENTS AVAILABLE

OGDB079

SECHADMA

Action Detail

09/13/00 12:49:05

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Owner Status: ORIGINAL WSD: 09/25/98
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Trmt: Case: 1480810859 Day Ph: [REDACTED]
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ACCIDENT & PERSONAL/PROPERTY DAMAGE
Dealer: BARNETT-STUBBS FORD MERCURY
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 28000 MI
Analyst: WPINNOCK WINSTON PINNOCK Document Number:
Action Date: 08/02/00 Action Data: Action Time: 09:00:11 EST
Origin Desc: US CONCERN CASE BASE
Action Desc: ADVISE CUSTOMER INFORMATION FORWARDED TO CONSUMER AFFAIRS
Comments: THE CONSUMER AFFAIRS DEPARTMENT FOR REVIEW - A REPRESENTATIVE FROM CONSUMER AFFAIRS WILL FOLLOW UP ON YOUR CLAIM - NO TIME FRAME AVAILABLE - PLEASE MAKE SURE YOU NOTIFY YOUR INSURANCE CARRIER AND REPORT THE INCIDENT - NOTE TO CSR: IF CUSTOMER IS WORKING WITH A NON-FORD DEALERSHIP, PLEASE ASSIGN THE NEAREST FORD DEALERSHIP TO THE CONTACT" INFERENCE CASE

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MORE COMMENTS AVAILABLE

OGDB079

SFCHADMA

Action Detail

09/13/00 12:49:11

mt>

VIN: 1FMZU34E4WU [REDACTED] Year: 1998 Model: EXPLORER
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Trmt: [REDACTED] Case: 1480810859 Day Ph: [REDACTED]
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ACCIDENT & PERSONAL/PROPERTY DAMAGE
Dealer: BARNETT-STUBBS FORD MERCURY
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 28000 MI
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Origin Desc: US CONCERN CASE BASE
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ID: 38

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NO MORE COMMENTS AVAILABLE

OGDB079

SFCHADMA

Action Detail

09/13/00 12:49:16

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Trmt: Case: 1480810859 Day Ph:
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ACCIDENT & PERSONAL/PROPERTY DAMAGE
Dealer: BARNETT-STUBBS FORD MERCURY
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 28000 MI
Analyst: JCHARLSO JODY CHARLSON Document Number:
Action Date: 08/03/00 Action Data: Y Action Time: 08:18:20 EST
Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Action Desc: MAKE OUTBOUND CALL TO CUSTOMER
Comments: ****LPA CONTACTED CUSTOMER TO ACKNOWLEDGE. CUSTOMER STATED T

HAT VEHICLE WAS BEING PULLED WHEN THEY PULLED INTO A REST AR
EA. CUSTOMER STATED THEY NOTICED VEHICLE WAS ON FIRE AND AND
SOMEONE DIALED 911. CUSTOMER STATES THAT THEY HAD THE CORRE
CT FORD PART INSTALLED WHICH ALLOWS THEM TO PULL VEHICLE IN
NEUTRAL. VEHICLE HAS PROBABLY BEEN TOWED APPROX. 12,000. CUS

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP

MORE COMMENTS AVAILABLE

OGDB079

SFCHADMA

Action Detail

09/13/00 12:49:22

=>

VIN: 1FMZU34E4WU [REDACTED] Year: 1998 Model: EXPLORER
Owner Status: ORIGINAL WSD: 09/25/98
Name: [REDACTED] Hm Ph: [REDACTED]
Trmt: Case: 1480810859 Day Ph: [REDACTED]
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ACCIDENT & PERSONAL/PROPERTY DAMAGE
Dealer: BARNETT-STUBBS FORD MERCURY
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 28000 MI
Analyst: JCHARLSON JODY CHARLSON Document Number:
Action Date: 08/03/00 Action Data: Y Action Time: 08:18:20 EST
Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Action Desc: MAKE OUTBOUND CALL TO CUSTOMER
Comments: NEUTRAL. VEHICLE HAS PROBABLY BEEN TOWED APPROX. 12,000. CUS
TOMER WOULD LIKE TO KNOW WHAT CAUSED THE FIRE. NO INJURIES
AND INSURANCE HAS BEEN NOTIFIED.

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
NO MORE COMMENTS AVAILABLE

OGDB079

E923-B25-1C-7304

SFCHADMA

Action Detail

09/13/00 12:49:27

=>

VIN: 1FMZU34E4WU Year: 1998 Model: EXPLORER
Owner Status: ORIGINAL WSD: 09/25/98
Name: Hm Ph: [REDACTED]
Trmt: Case: 1480810859 Day Ph: [REDACTED]
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ACCIDENT & PERSONAL/PROPERTY DAMAGE
Dealer: BARNETT-STUBBS FORD MERCURY
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 28000 MI
Analyst: BGRIF11 BETH GRIFFITH Document Number:
Action Date: 08/25/00 Action Data: N Action Time: 09:54:39 EST
Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Action Desc: REFER TO INSURANCE CARRIER - INSURANCE COMPANY ALREADY INVOL
Comments: LPA SPOKE TO CUSTOMER. CUSTOMER HAS TURNED THIS MATTER OVER
THE THEIR INSURANCE COMPANY. LPA WILL SENT CUSTOMER SUBROGAT
ION LETTER. NO FURTHER ACTION REQUIRED.

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
NO MORE COMMENTS AVAILABLE

OGDB079

SFCHIDMA

Issue Detail

09/13/00 12:51:01

VIN: 1FMZU34E4WU [REDACTED] Year: 1998 Model: EXPLORER
Owner Status: ORIGINAL WSD: 09/25/98 Mileage: 11000
Name: [REDACTED] Hm Ph: [REDACTED]
Trmt: Case: 1480810859 Day Ph: [REDACTED]
Symptom:
Reason: RECALL/ONP - ADDRESS/NAME CHANGE
Dealer:
Issue Type: 01 INQUIRY CAN Court: Legal Issue Type:
Issue Status: C CLOSED CAN Award: MORSII Contact: N

A/C DATE Origin Description

07/19/99 CACIO8 MAKE ADDRESS/NAME CHANGES

F1=Help F2=AddAction F4=ActionDetail F6=DealerInfo
F7=Prev F8=Next F9=ViewMORSII F11=Menu F12=Return
NO MORE RECORDS AVAILABLE OGD8079

EWS-005-10-7308

SFCHADMA

Action Detail

09/13/00 12:51:09

==>

VIN: 1FMZU34E4W Year: 1998 Model: EXPLORER
Owner Status: ORIGINAL WSD: 09/25/98
Name: Hm Ph:
Trmt: Case: 1480810859 Day Ph:
Symptom Desc:
Reason Desc: RECALL/ONP - ADDRESS/NAME CHANGE
Dealer:
Issue Type: 01 INQUIRY Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 11000 MI
Analyst: PGALIMOR PRIMROSE GALIMORE Document Number:
Action Date: 07/19/99 Action Data: Action Time: 16:47:02 EST
Origin Desc: US INQUIRY CASE BASE
Action Desc: MAKE ADDRESS/NAME CHANGES
Comments: CUSTOMER SAYS: -CUST IS CALLING TO CORRECT THE SPELLING OF
HIS LAST NAME PER CUSTOMER, DEALER SAYS: -NONE CAC ADV
ISED: - UPDATED CUSTOMER'S NAME/ADDRESS AS REQUESTED -ADVI
SED CUST OF RECALL 99S18 2ND HOOD LAT INFERENCE CASE ID:
697

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
NO MORE COMMENTS AVAILABLE

OGDB079

SFCHDMA

Issue Detail

09/13/00 12:51:22

==>

VIN: 1FMZU34E4WU [REDACTED] Year: 1998 Model: EXPLORER
Owner Status: ORIGINAL WSD: 09/25/98 Mileage:
Name: [REDACTED] Hm Ph: [REDACTED]
Trmt: Case: 1480810859 Day Ph: [REDACTED]
Symptom:
Reason: LITERATURE REQUEST - RV TRAILER TOWING GUIDE
Dealer:
Issue Type: 01 INQUIRY CAN Court: Legal Issue Type:
Issue Status: C CLOSED CAN Award: MORSII Contact: N

A/C DATE Origin Description

03/26/99 CACI08 RV/TRAILER TOWING GUIDE HAS BEEN REQUESTED; ALLOW 2 WEEKS

F1=Help F2=AddAction F4=ActionDetail F6=DealerInfo
F7=Prev F8=Next F9=ViewMORSII F11=Menu F12=Return
NO MORE RECORDS AVAILABLE OGDB079

ENCLOSURE LC-7508

SFCHADMA

Action Detail

09/13/00 12:51:30

=>

VIN: 1FMZU34E4WU Year: 1998 Model: EXPLORER

Owner Status: ORIGINAL

WSD: 09/25/98

Name:

Hm Ph:

Trmt:

Case: 1480810859

Day Ph:

Symptom Desc:

Reason Desc: LITERATURE REQUEST - RV TRAILER TOWING GUIDE

Dealer:

Issue Type: 01 INQUIRY

Issue Status: C CLOSED

Comm Type: PH PHONE

Odometer Reading: MI

Analyst: NSMITH25 NORMAN SMITH

Document Number:

Action Date: 03/26/99 Action Data:

Action Time: 13:16:05 EST

Origin Desc: US INQUIRY CASE BASE

Action Desc: RV/TRAILER TOWING GUIDE HAS BEEN REQUESTED; ALLOW 2 WEEKS

Comments: CUSTOMER SAYS: CUST WOULD LIKE SOME ADDITIONAL INFO IF IT

COULD BE PROVIDED PER CUSTOMER, DEALER SAYS: CAC ADVISE

D: - RV & TRAILER TOWING GUIDE HAS BEEN REQUESTED - ADVISE

CUSTOMER TO ALLOW 10 BUSINESS DAYS FOR DELIVERY INFERENCE C

ASE ID: 737

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData

F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP

NO MORE COMMENTS AVAILABLE

OGDB079

ENG-005-LC-7309

SFCHIDMA

Issue Detail

09/13/00 12:51:40

VIN: 1FM2U34E4WU [REDACTED] Year: 1998 Model: EXPLORER
Owner Status: ORIGINAL WSD: 09/25/98 Mileage:
Name: [REDACTED] Hm Ph: [REDACTED]
Trmt: Case: 1480810859 Day Ph: [REDACTED]
Symptom:
Reason: TECHNICAL INQUIRY - COMPONENT OPERATION
Dealer:
Issue Type: 01 INQUIRY CAN Court: Legal Issue Type:
Issue Status: C CLOSED CAN Award: MORSII Contact: N

A/C DATE Origin Description

03/26/99 CACI08 PROVIDE INFORMATION USING AVAILABLE RESOURCES

F1=Help F2=AddAction F4=ActionDetail F6=DealerInfo
F7=Prev F8=Next F9=ViewMORSII F11=Menu F12=Return
NO MORE RECORDS AVAILABLE OGDB079

SFCHADMA

Action Detail

09/13/00 12:51:47

==>

VIN: 1FMZU34E4WU Year: 1998 Model: EXPLORER
Owner Status: ORIGINAL WSD: 09/25/98
Name: Hm Ph:
Trmt: Case: 1480810859 Day Ph:
Symptom Desc:
Reason Desc: TECHNICAL INQUIRY - COMPONENT OPERATION
Dealer:
Issue Type: 01 INQUIRY Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: MI
Analyst: NSMITH25 NORMAN SMITH Document Number:
Action Date: 03/26/99 Action Data: Action Time: 13:16:05 EST
Origin Desc: US INQUIRY CASE BASE
Action Desc: PROVIDE INFORMATION USING AVAILABLE RESOURCES
Comments: CUSTOMER SAYS: CUST STATES THAT SHE WANTS TO KNOW THE BEST
TO TOW THE VEH BEHIND AN RV WITH ALL FOUR WHEELS DOWN. THE
CUST STATES THAT A LOT OF THE VEH ARE BEING TOWED BEHIND THE
RV'S. CUST WANTS TO KNOW WHAT THE BEST OPTION IS. PER CUST
OMER, DEALER SAYS: CAC ADVISED: - PROVIDE INFORMATION T
O CUSTOMER ADVISE CUST AS PER INFO FOUND IN SOURCE AND OWNE

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData

F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP

MORE COMMENTS AVAILABLE

OGDB079

FMS-005-1C-7311

SFCHADMA

Action Detail

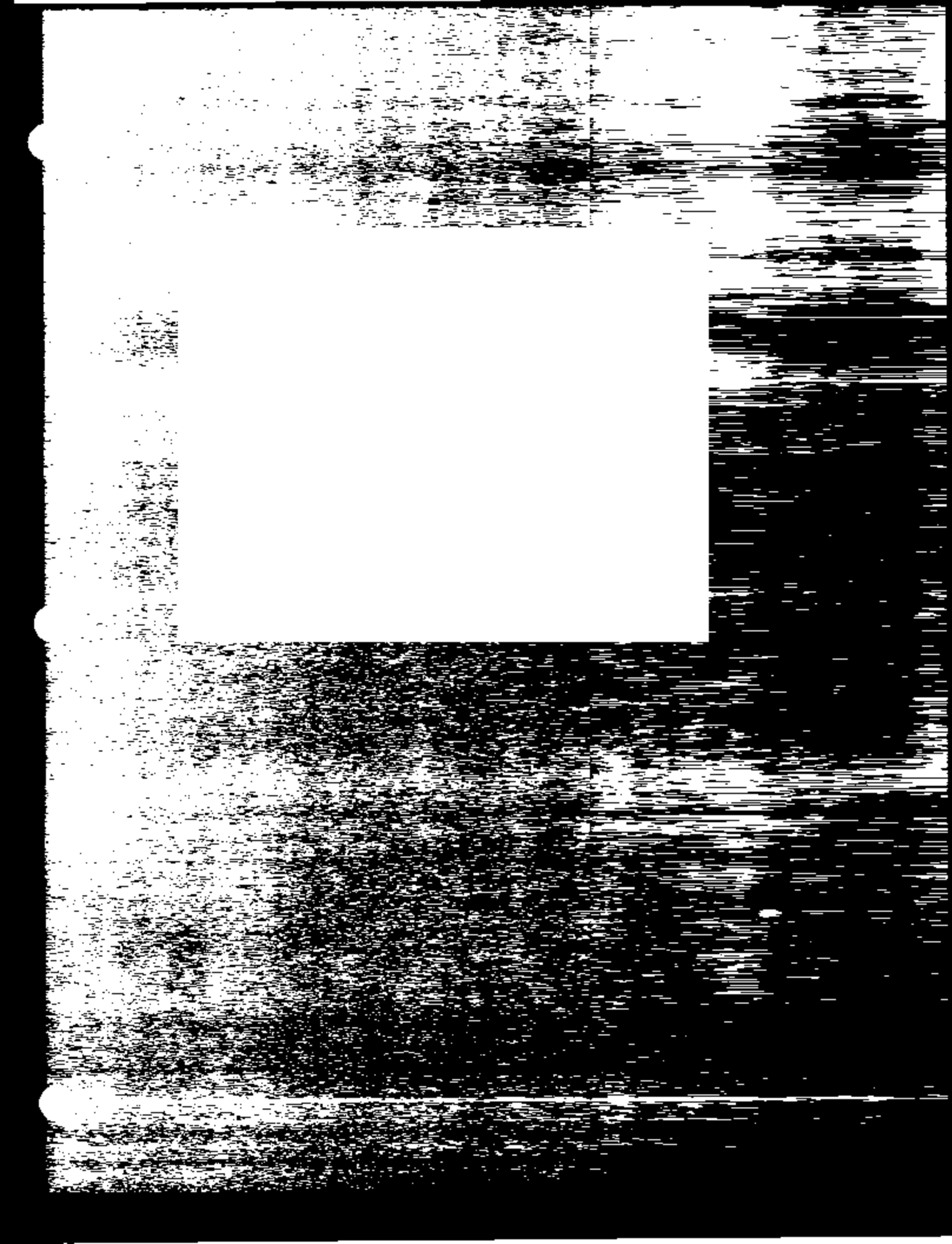
09/13/00 12:51:51

→
VIN: 1FMZU34E4WU Year: 1998 Model: EXPLORER
Owner Status: ORIGINAL WSD: 09/25/98
Name: Hm Ph:
Trmt: Case: 1480810859 Day Ph:
Symptom Desc:
Reason Desc: TECHNICAL INQUIRY - COMPONENT OPERATION
Dealer:
Issue Type: 01 INQUIRY Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: MI
Analyst: NSMITH25 NORMAN SMITH Document Number:
Action Date: 03/26/99 Action Data: Action Time: 13:16:05 EST
Origin Desc: US INQUIRY CASE BASE
Action Desc: PROVIDE INFORMATION USING AVAILABLE RESOURCES
Comments: O CUSTOMER ADVISE CUST AS PER INFO FOUND IN SOURCE AND OWNE
RS MANUALS INFERENCE CASE ID: 535

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
NO MORE COMMENTS AVAILABLE

OGDB079

EHRD-003-LC-7312



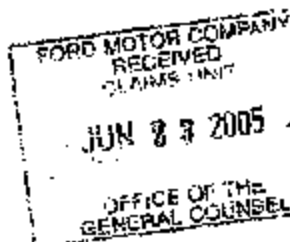


Nationwide® On Your Side™

Nationwide Insurance • 110 Elwood Davis Road, North Syracuse, N.Y. 13212 • 315-453-3594

June 15, 2005

Ford Motor Company
Office of General Counsel
Park Lane Tower W, Suite 300
3 Park Lane Blvd.
Dearborn, MI 48126



Attn: Shawn Norton

Re: 7 claims relating to cruise control recall

Dear Ms. Norton:

Enclosed you will find supporting materials regarding 7 additional claims relating to the cruise control recall. We have provided supporting documents for each claim which are separated by a green cover sheet. As we discussed during our phone call many of these claims were handled and closed prior to us being aware there was an issue with the cruise control. Therefore, on some of those claims we did not secure a cause an origin report, and the vehicles are no longer available. On all claims we have provided photographs and estimates that clearly document the area where the fire started.

I would appreciate discussing this with you or someone at Ford once you have received this and have had an opportunity to review. Please contact me by phone at 315-453-3594, by fax at 614-961-3180 or by EMAIL at mabbet@nationwide.com. We look forward to continue working with you and your team, building a strong working relationship, and working towards cost effective resolutions of claims for both of our companies.

Sincerely,

Craig Mabbett
Subrogation Manager

ER95-285-LC-7314



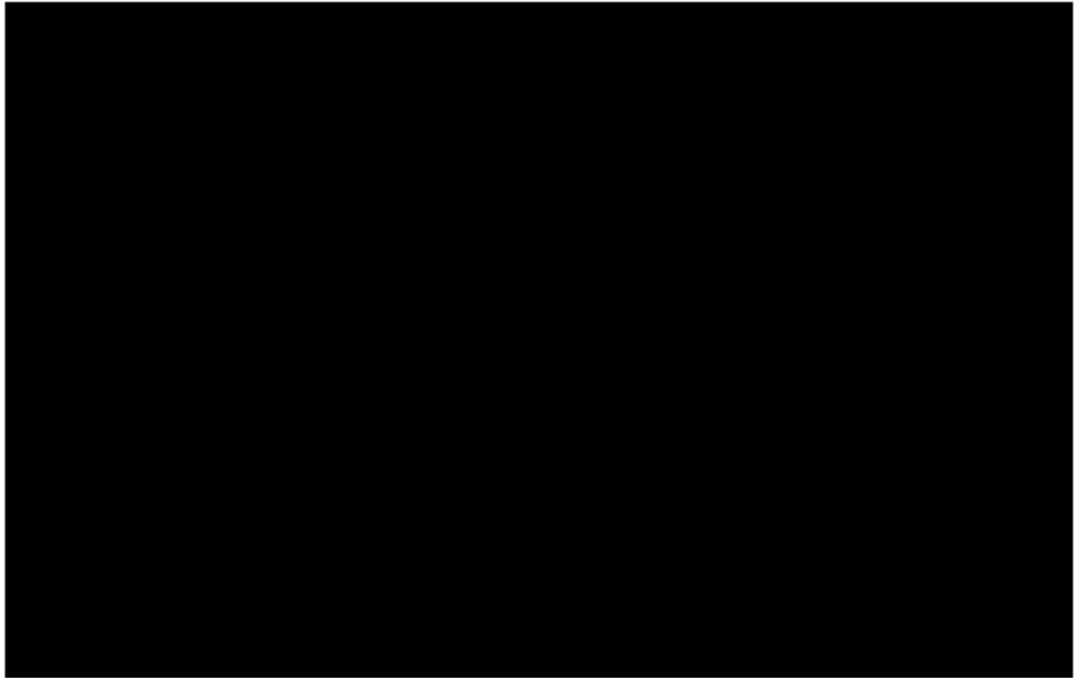
EA05-005-LC-7315



ERG-005-LC-7318



ER05-005-LC-7317



1 RICHARD V. McMILLAN
2 1205 N. Broadway
3 Santa Ana, California 92701
4 (714) 542-5662 SBN 74768

5 Attorney for Plaintiff

DUPLICATE ORIGINAL FILED
LOS ANGELES MUNICIPAL COURT

DEC 10 1999

DEC 20 1999

LOS ANGELES JUDICIAL DIST. CLERK
FREDERICK K. OHLRICH, CLERK
By SUE CHUNG DEPUTY

6 MUNICIPAL COURT OF THE STATE OF CALIFORNIA

7 COUNTY OF LOS ANGELES, LOS ANGELES JUDICIAL DISTRICT

9 [REDACTED]
10 corporation,

Plaintiff,

11 v.

12 FORD MOTOR COMPANY, a corporation,
13 WHITE CORPORATION, BLUE
14 CORPORATION, BLACK COMPANY, RED,
15 COMPANY and DOES 1 through 20, inclusive,

16 Defendants.

CASE NO. 99K26811

COMPLAINT FOR
PRODUCTS LIABILITY,
NEGLIGENCE, BREACH
OF WARRANTY, BREACH OF
IMPLIED WARRANTIES OF
FITNESS OF PURPOSE
AND MERCHANTABILITY
(Less than \$25,000.00)

COPY

17
18 COUNT I

19 (STRICT LIABILITY AGAINST ALL DEFENDANTS)

20 1. The damage to Plaintiff's insured's vehicle occurred in the city of Hollywood, Los
21 Angeles County. Plaintiff is a corporation, which is qualified to do business in the State of
22 California, and is authorized to issue policies of insurance by the State of California.

23 2. Plaintiff is informed and believes and based upon such information and belief
24 alleges that Defendants, Ford, White Corporation, hereinafter referred to as "White", and Blue
25 Corporation, hereinafter referred to as "Blue", are, and at all times herein mentioned were,
26 corporations organized, existing and duly qualified to do business in California under the laws of
27 the state of California.

28 3. Defendants White, Blue, Red Company, Black Company and Does 1 through 20,

Complaint

1 inclusive, are sued herein under fictitious names. Their true names and capacities are unknown to
2 Plaintiff. When their true names and capacities are ascertained, Plaintiff will amend this complaint
3 by inserting their true names and capacities herein. Plaintiff is informed and believes and thereon
4 alleges, that Defendants, and each of them, are, and at all times herein mentioned were, in the
5 business of manufacturing, fabricating, assembling, inspecting, and selling the parts and vehicles
6 manufactured by Defendant Ford, that each such Defendant is responsible in some manner for
7 placing that particular 1996 Ford E-350 Van, Vin number: 1FTJE34G3TE [REDACTED] hereinafter
8 referred to as the "vehicle", or causing it to be placed, into the stream of commerce, and that
9 Plaintiff's damages as hereinafter alleged were proximately caused by the acts of such Defendants,
10 and each of them.

11 4. Plaintiff is informed and believes and thereon alleges that at all times herein
12 mentioned, each of the Defendants were agents, servants, or employees of their Co-Defendants,
13 and in doing the things hereinafter alleged were acting in the scope of their authority as such
14 agents, servants, and employees, and with the permission and consent of their Co-Defendants.

15 5. Defendant Ford is the manufacturer of that certain vehicle, Vin number
16 1FTJE34G3TE [REDACTED] and at all times herein mentioned was, engaged in the business of
17 designing, manufacturing, and assembling Ford automobiles for sale to and for use by members of
18 the general public as a part of its business.

19 6. Plaintiff is informed and believes and based upon such information and belief
20 alleges Defendant White is the designer, fabricator and manufacturer of that certain electrical
21 wiring harness installed on that certain "vehicle" set forth above, and at all times herein
22 mentioned was, engaged in the business of designing, manufacturing, and assembling the electrical
23 wiring harness for Ford automobiles for sale to and for use by members of the general public as a
24 part of its business.

25 7. Plaintiff is informed and believes and based upon such information and belief
26 alleges Defendant Blue is, and at all times herein mentioned was, corporation formed for the
27 purpose of designing and supplying the components incorporated within the electrical wiring
28 harness systems in the above mentioned "vehicle", and sold said systems to Ford for installation

1 in the vehicles sold to Plaintiff's insured.

2 8. Defendants White and Blue intended that those certain "vehicles", described
3 above, including the specific electrical wiring harness systems designed, manufactured, and
4 assembled by Defendants, and each of them, as herein above alleged were to be used for the
5 purpose of supplying electrical power for said automobiles, that Defendants, and each of them,
6 knew and intended that the electrical wiring harnesses, and related components contained therein,
7 designed, fabricated, manufactured, assembled, and supplied by them to Defendant Ford were to
8 be installed and incorporated by Ford into its automobiles.

9 9. Defendants and each of them at all times herein mentioned knew and intended that
10 certain "vehicle", identified above, with the electrical wiring harness system designed,
11 manufactured, and assembled by Defendant Ford would be purchased by Plaintiff's insured and
12 would be used by the purchaser or user without inspection for defects therein or in any of its
13 component parts.

14 10. In or about 1996, Plaintiff's insured purchased that certain "vehicle", identified
15 above, and referred to in Paragraphs 3, 5, 6, 7, 8 and 9 as "vehicle". The "vehicle" was, at the
16 time Plaintiff's insured purchased it as herein alleged, defective and unsafe for its intended
17 purpose in that the electrical wiring harness would, under certain circumstances, "short circuit" to
18 ground and would then ignite and burn the plastic which surrounds the individual wires which
19 comprise the electrical wiring harness, and cause the destruction of the vehicle.

20 11. On or about September 1, 1998, in the city of Hollywood, California, Plaintiff's
21 insured, [REDACTED] 1996 Ford E-350 Van's, electrical wiring harness
22 "short circuited" and went to ground, ignited the surrounding combustible materials which
23 burned, resulting in the destruction of the "vehicle".

24 12. As a proximate result of the negligent acts or omissions of the Defendants, and
25 each of them, and the resulting fire, Plaintiff's insured's "vehicle" was destroyed, which fire and
26 damage caused, and continue to cause, Plaintiff damages in an amount within the jurisdiction of
27 this Court but which is presently unknown and Plaintiff will amend this Complaint to set forth
28 such amount when it has been ascertained.

COUNT II

(NEGLIGENCE AGAINST ALL DEFENDANTS)

13. Plaintiff realleges and incorporates herein Paragraphs 1 through 11, inclusive, of this complaint and incorporates them herein as if fully set forth by this reference.

14. Plaintiff is the insurer of [REDACTED] and has incurred the obligation to pay for all damages which were the result of that incident which is set forth above in paragraph 11 above.

15. At said times and places set forth above, Defendants, and each of them, so negligently designed, manufactured, and assembled the electrical wiring harness, and its components, as to cause it to fail and allow "electricity" from the battery to travel to "ground" which resulted in the fire as set forth in paragraph 11 above.

16. As a proximate result of the Defendants, and each of their, negligence and the incident as herein alleged, Plaintiff has incurred damages in a sum within the jurisdiction of this court which is presently unknown, and Plaintiff will amend this complaint to set forth such sum when it has been ascertained.

COUNT III

(BREACH OF WARRANTY AGAINST ALL DEFENDANTS)

17. Plaintiff realleges and incorporates herein Paragraphs 1 through 13, inclusive, of this complaint and incorporates them herein as if fully set forth by this reference.

18. In or about 1996 Plaintiff's insured purchased that certain "vehicle" identified above as a new car.

19. Prior to that date Defendants, and each of them, through their agents and employees, expressly and impliedly warranted and represented that the "vehicle's" electrical system, and in particular the electrical wiring harnesses to be free from defects and in all respects safe for use in the manner for which they were designed, manufactured, and sold, and further warranted that the "vehicle's" electrical system was of merchantable quality and fit for the purpose intended, namely transmitting electrical power to and from and to each of the "vehicle's" electrical sub-systems without allowing electrical current to go to ground and igniting and burning

2 20. Plaintiff, and Plaintiff's insured relied on these warranties and representations of
3 the Defendants, and each of them, and on the Defendant's, and each of their, skill and judgment
4 in Plaintiff's insured's decision to purchase the vehicle and in Plaintiff's decision to issue a policy
5 of insurance on that certain "vehicle" identified above. On or about September 1, 1998, Plaintiff
6 and Plaintiff's insured discovered that the "vehicle" was defective and not safe for reasonable
7 operation and shortly thereafter notified Defendants, and each of them, thereof.

8 21. The aforementioned "vehicle" was in fact unmerchantable and unfit to be operated,
9 in that certain component parts thereof, namely the electrical wiring harness was defectively
10 manufactured, designed, assembled and distributed and, as a proximate result thereof, the
11 automobile was, in fact, unfit for its intended use and was of unmerchantable quality.

22. At the time of the incident Plaintiff was obligated to pay for Plaintiff's insured's damages as a result of the incident set forth above and have paid a sum within the jurisdiction of this court which is presently unknown and Plaintiff will motion to amend this complaint to set forth such sum when it has been fully ascertained.

16 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as
17 follows:

- 18 1. For general damages according to proof at trial;
19 2. For special damages according to proof at trial;
20 3. For costs of suit incurred herein;
21 4. For reasonable attorney's fees and costs pursuant to law and statute; and
22 5. For such other and further relief as the Court may deem just and proper.

23 | Dated: October 6, 1999

24 51

25 Richard V. McMillan

Independent Associates
William Hagerty/Paul Stimson
3577 Beebe Road
Newfane, New York, 14108
(760)735-3222

*File
Associated
Delivery
200*

Sept 26, 1998

Ms Josephine Devera
Royal Insurance
801 North Brand Blvd Ste 500
Glendale, ca 91203-1243

Dear Ms Devera,

Re: Ford E-350 cargo van fire
Ref: 52343965 [REDACTED]
Our Case # IA-H980921

ASSIGNMENT

Independent Associates was assigned to determine the cause and origin of a fire which burned a 1996 Ford E-350 cargo van.

CONCLUSION

The cause of the fire was improper Ford Motor Company routing of the battery cable between the positive battery terminal and the solenoid on the left side of the radiator core support. The cable was routed from the battery, behind the radiator overflow bottle at the left front fender, to the solenoid. Over time, the cable rubbed against a metal frame member. This rubbing wore through the plastic cable insulation and allowed a direct short circuit between the battery cable and the frame (see photos 26-29). This direct short circuit burned the wire insulation, which in turn burned insulation of adjacent wires. The fire then spread to other nearby rubber and plastic pieces.

RECEIVED

OCT 8 1998

GLENDAL CLAIMS

ER05-005-LC-7323

As Ford Motor Company cable routing is not something which the owners of the van would normally be responsible for, Ford Motor Company should be asked to reimburse Royal Insurance Company for this loss.

DISCUSSION

The vehicle was inspected at Copart, La, 8423 S. Alameda, Los Angeles, Ca on Sept 24, 1998.

Year, make, model:	1996 Ford E-350
Color, Body:	white cargo van
Transmission:	automatic
Drive:	2 wheel rear
License:	5J55030 May 99 Ca
VIN:	1FTJE34G3T[REDACTED]
DOM:	10/95
Odometer	electronic - burned
Keys:	yes
Driveable:	no

This newer work truck had experienced an engine fire. The left side of the fiberglass hood was burned away. The fire did not spread to the passenger compartment.

The power steering fluid and automatic transmission fluid levels are normal. The oil dip stick plastic top was melted into the dip stick tube so that the oil level could not be determined. The brake master cylinder reservoir was burned. The alternator and distributor were unburned. The fuel system and exhaust system were not involved in the fire. There is no trace of fire on the exhaust manifolds or in the rear of the engine.

The battery was burned from the outside. The hot spot of the fire was at the left side of the battery. The positive battery cable which runs behind the plastic radiator overflow bottle at the left inner fender was the source of the fire. It appears that this cable was pinched between the radiator overflow bottle and a metal frame piece. Over time, the cable insulation was worn away until the energized copper cable directly contacted the metal truck frame. As

a result of the short circuit, a piece of the copper battery cable appears to have welded itself directly to the piece of frame (see photo 26). The cable also melted itself into the plastic radiator overflow bottle (see photo 22).

A Ford rebuilt starter motor has been installed at some time in the recent past. However, there was no sign of fire at the starter motor. The insulation is burned off the upper part of the cable from the battery to the starter motor. However, this burn appears to be as a result of heat from other nearby wires which were on fire. The battery cable which shorted on the frame does not lead to the starter motor, so there would not seem to be any connection between the replacement of the starter motor and the fire.

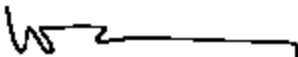
No Ford recalls or technical service bulletins were located which describe this improper cable routing.

It would appear that Ford Motor Company should see this vehicle and be asked to reimburse Royal Insurance for this loss, as consumers should expect battery cables to be routed so that they will not start a fire.

This report is based upon evidence and information available at the time of preparation. Any new information or evidence which becomes available may necessitate a revision or amendment

Thank you for calling Independent Associates. If we may answer questions regarding this report, or if we may be of further assistance, please do not hesitate to contact this office.

Respectfully submitted



William O. Hagerty
Automotive/Fire Expert

Encl: (1) Photographs 1-29

DATE 09/29/98

CITY OF LOS ANGELES

FIRE DEPARTMENT

FIELD INCIDENT REPORT

INCIDENT NUMBER: 0519
EXPOSURE NUMBER: 000
INCIDENT DATE: 09/01/98

TIME OF ALARM: 1255
INCIDENT LOCATION: 1153 N MCCADDEN PL

FLOOR OF ORIGIN:
OWNERS NAME:
CORPORATION:
OCCUPANTS NAME:
DOING BUSINESS AS:

TYPE OF INCIDENT: FIRE MOBILE PROP OUTSIDE STRUCTURE
PROPERTY USE: ROAD OR PARKING AREA
ORIGIN OF FIRE: ENGINE, GEAR, WHEEL AREA
FORM OF HEAT: SHORT CIRCUIT, ARC FR DEF/WORN INSULATN
IGNITION FACTOR: SHORT CIRCUIT
MATERIAL 1ST IGNITED
TYPE: FLEXIBLE PLASTICS
FORM: ELECTRICAL WIRE, CABLE INSULATION

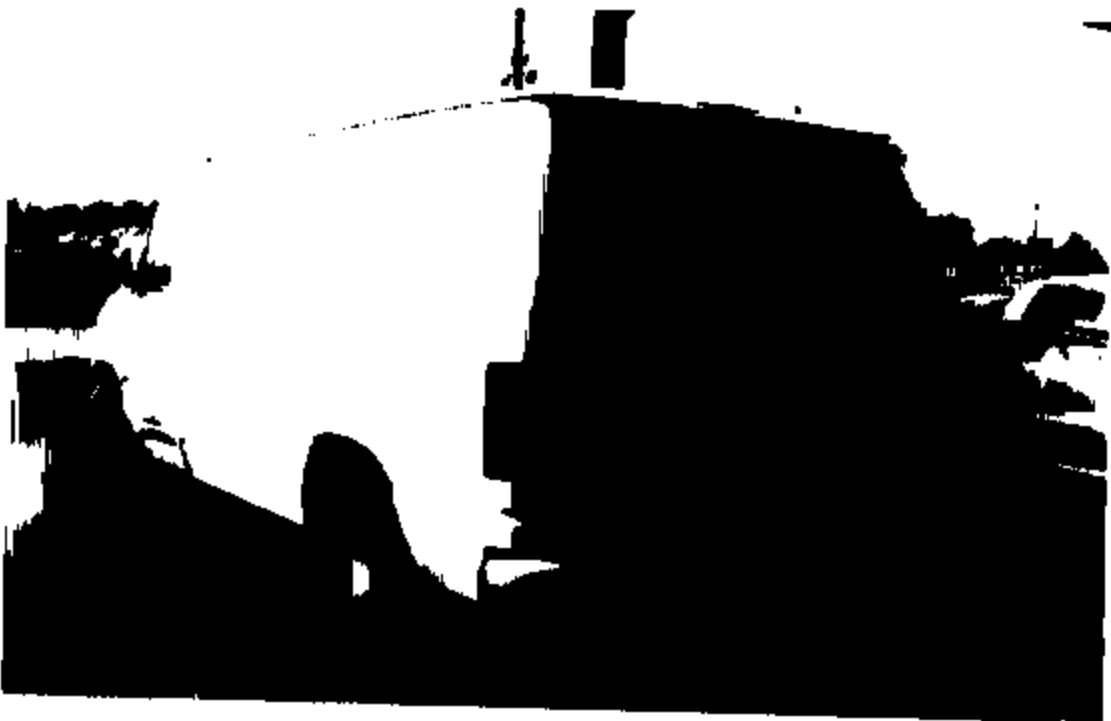
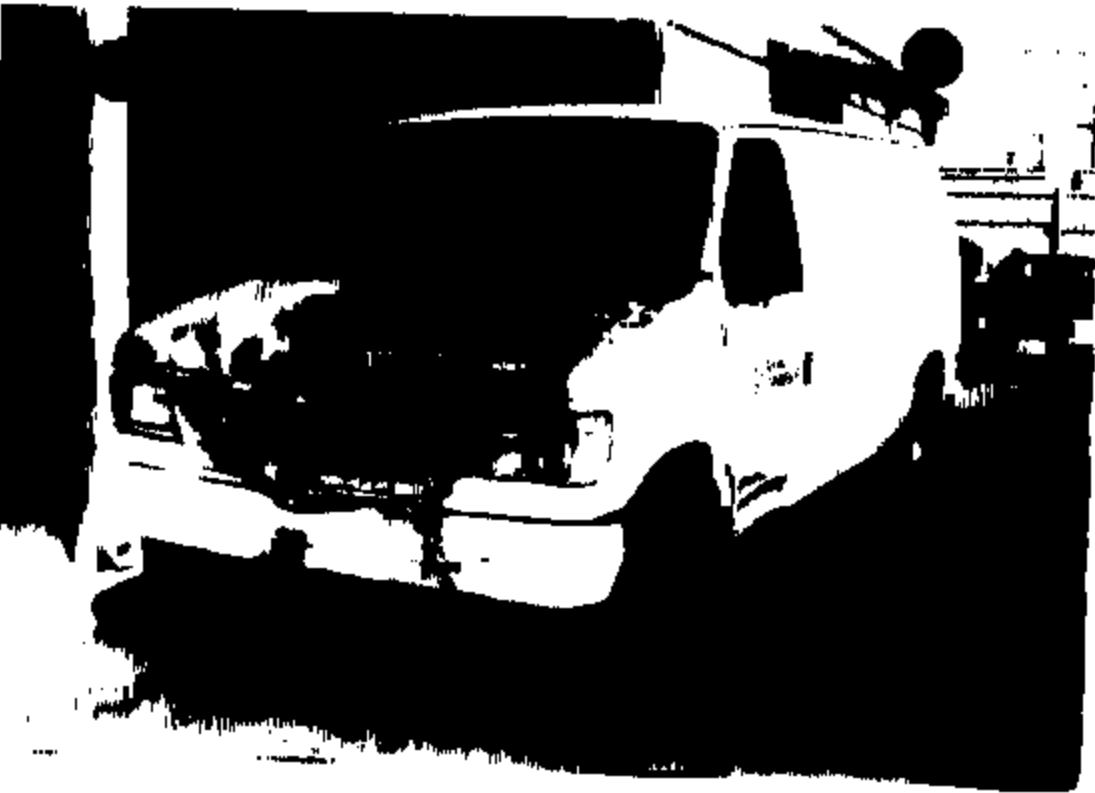
MOBIL EQUIPMENT: AUTOMOBILE
MAKE FORD LIC/VIN SJ55030
EST PROPERTY LOSS: 5,000
EST CONTENT LOSS:

INFORMATION CONTAINED IN THIS REPORT IS INTENDED FOR THE SOLE USE OF THE LOS ANGELES FIRE DEPARTMENT. ESTIMATIONS AND EVALUATIONS MADE HEREIN REPRESENT 'MOST LIKELY' AND 'MOST PROBABLE' CAUSE AND EFFECT. ANY REPRESENTATION AS TO VALIDITY OR ACCURACY OF DATA CONTAINED IN THIS REPORT, EXCEPT WHERE IT PERTAINS TO THE STATISTICAL DATA BASE OF THE CITY OF LOS ANGELES, IS NEITHER INTENDED OR IMPLIED.

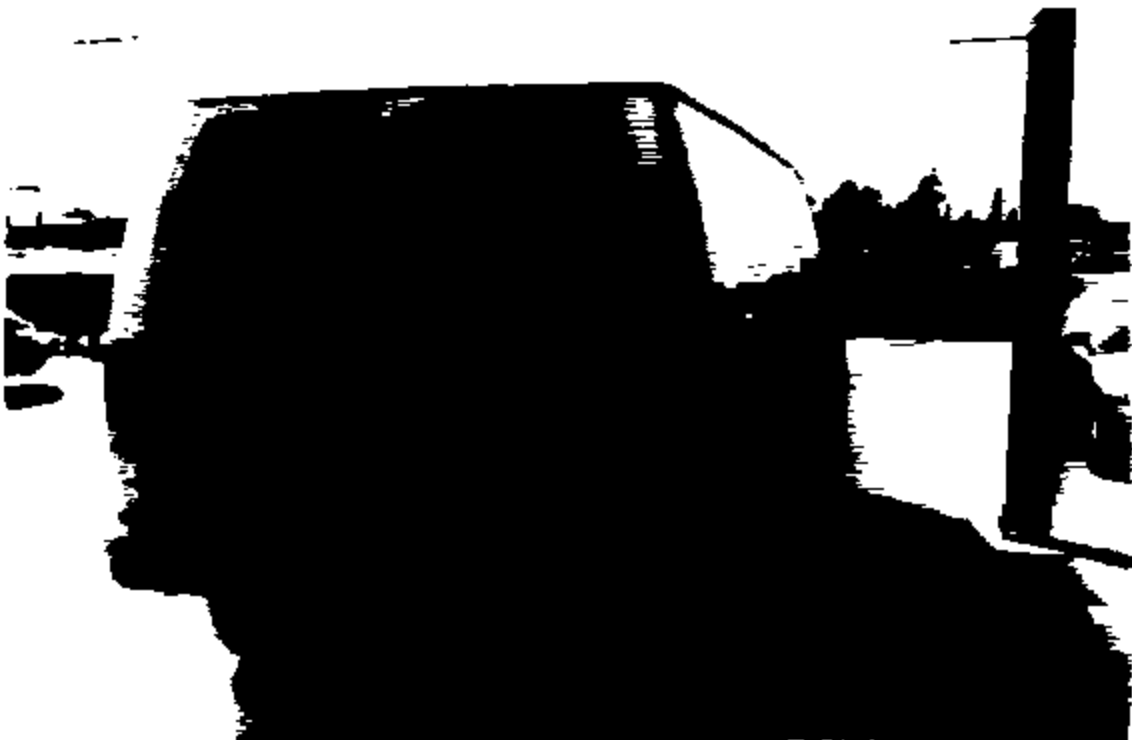
RECEIVED
OCT 05 1998
GLENDALE CLAIMS



ER05-005-LC-7328



ENG-005-LC-7327



ENR-885-LC-7528

11





2005-005-10-7328





0601-07-000-0000



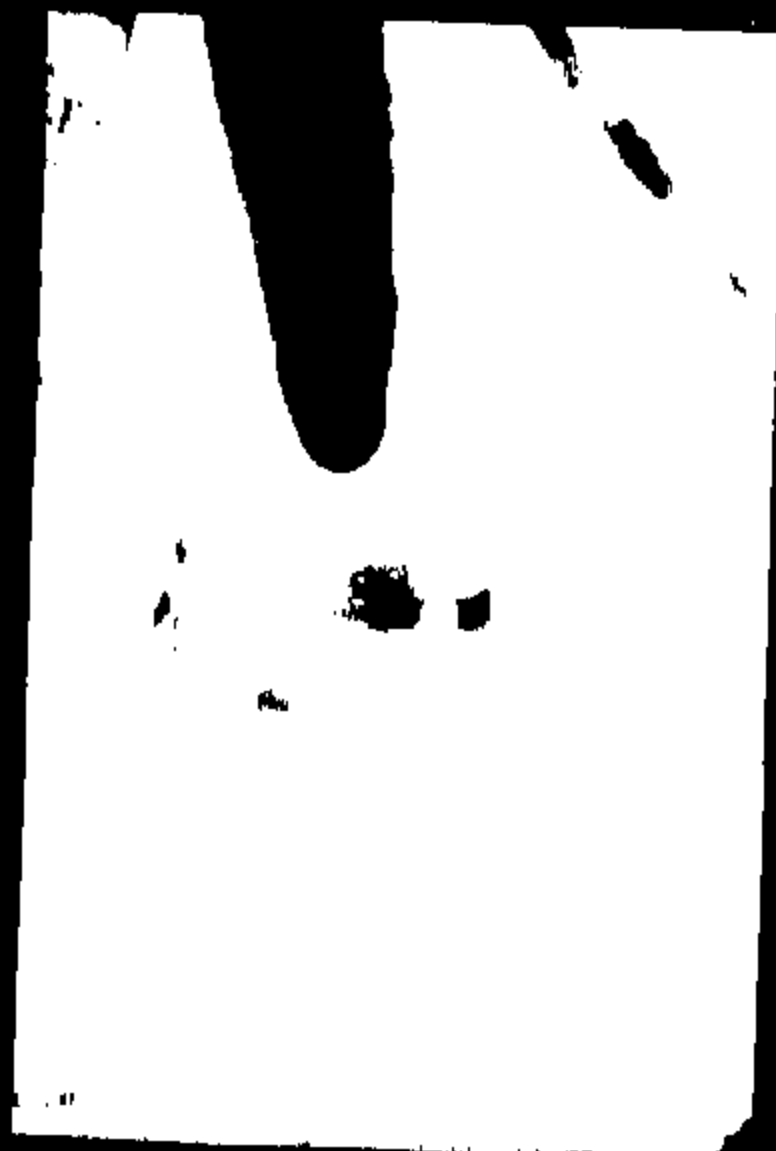
ENG-005-LC-7331



EPSS-888-LC-7332

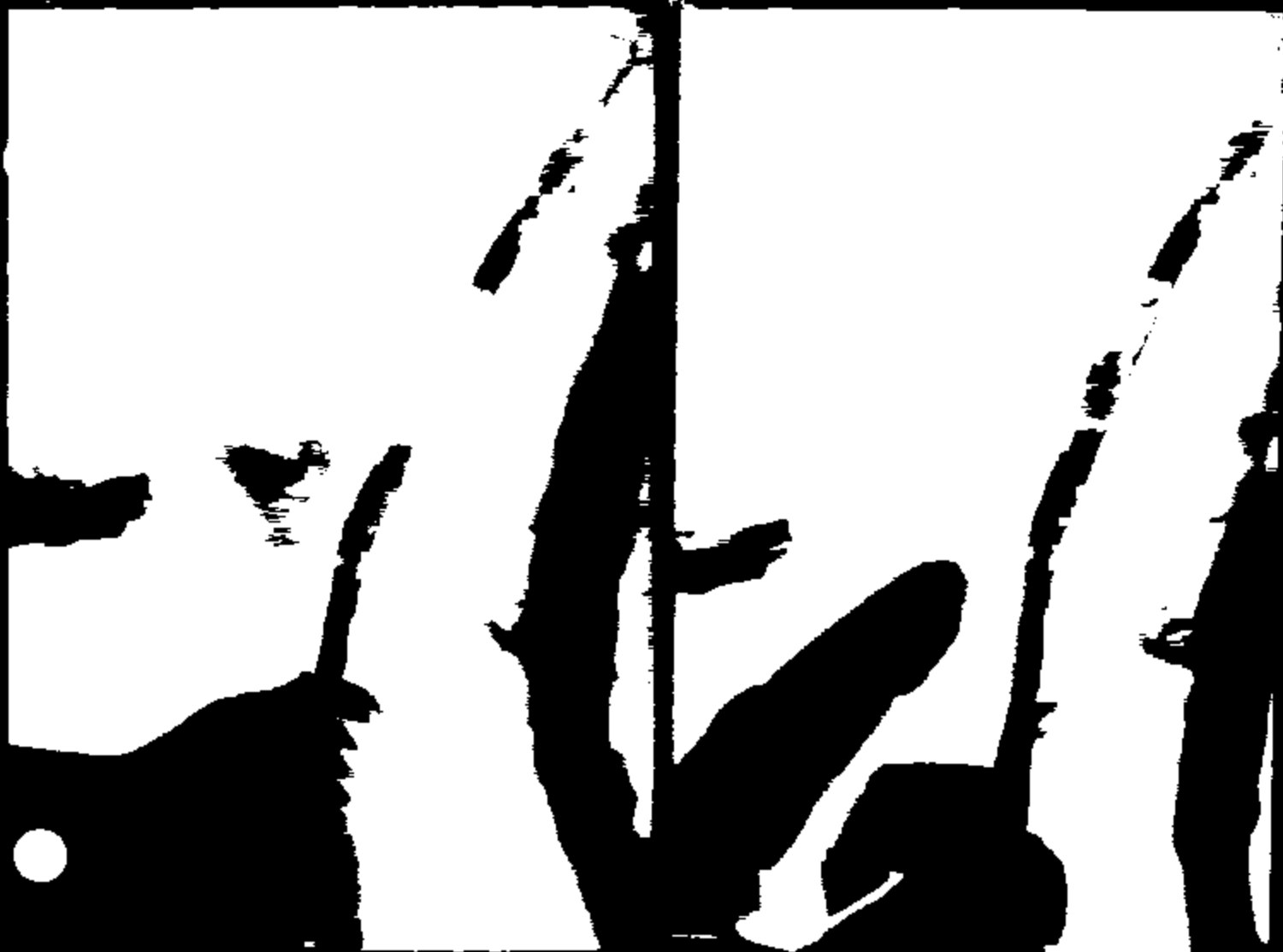


BRCS-000-LC-7333



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BM95-628-LC-7339





FD-302b (Rev. 11-27-70)

ROYAL & SUNALLIANCE

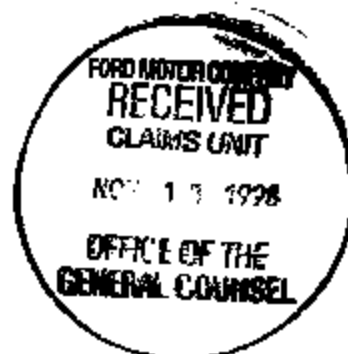
November 5, 1998

Denver Office
Suite 4000
7400 E Orchard Road
Greenwood Village CO 80111-2530

Phone
303 771-1970

RECEIVED
NOV 16 A 1998

FORD MOTOR COMPANY
CUSTOMER ASSISTANCE CENTER
300 RENAISSANCE
PO BOX 43380
DETROIT MI 48243



RE: Our Insured: [REDACTED]
Our Claim No.: 5230043965
Date of Loss: 9/1/98
Matter: Engine Fire, 1996 Ford E-350 Van

Dear Customer Assistance Center:

Our investigation reveals that the 1996 Ford E-350 which caught fire in the engine compartment was defective. The positive battery cable which runs behind the plastic radiator overflow bottle at the left inner fender was determined to be the source of the fire. This cable was pinched between the radiator overflow bottle and a metal frame piece. The cable insulation was, then, allowed to be worn away until the energized copper cable directly contacted the metal truck frame. The result is a short circuit which then resulted in melting the plastic radiator overflow bottle and causing the above captioned fire.

The vehicle description is as followed:

1996 Ford E-350 White Van w/ Automatic Transmission
VIN: 1FTJE34G3T [REDACTED]

Attached is a copy of our experts report and photographs of the vehicle. The vehicle is available for inspection upon request. Also, enclosed is a copy of the total loss evaluation of the vehicle. Consequently, we are looking for reimbursement in the amount of \$12,538.29 which includes our insured's \$1,000 deductible.

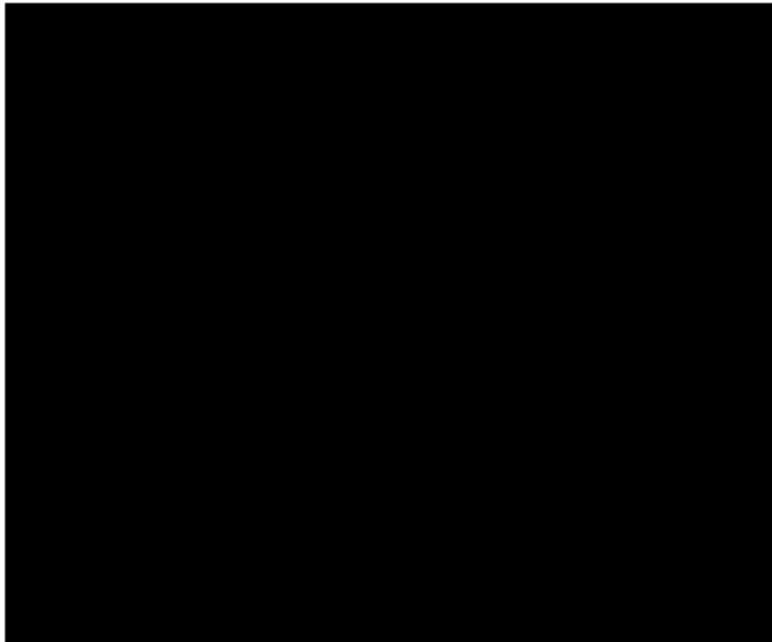
Please indicate whether you will honor our subrogation claim.

Sincerely,

Glenn Cleek

Glenn Cleek
Western Region Subrogation Specialist

EN01-005-LC-7337



TO: DENISE LAUZZI
PROGRESSIVE INSURANCE

RE: TED COTTON
1998 FORD EXPLORER

REPORT

VEHICLE EXAMINED:

The vehicle was a 1998 Ford Explorer with VIN # 1FMYU24B4WL [REDACTED] and stock # 2384762. These two numbers were used to identify the vehicle to be analyzed.

LOCATION:

The vehicle was located at Copart in Brookhaven NY. This was the same location at which the vehicle was to be examined.

PRELIMINARY:

As per your request, on 4/17/02, I traveled to the above mentioned location and examined the above captioned vehicle. Its VIN, year, make and model identified the vehicle.

The vehicle had been parked at the time of the fire. The vehicle had been parked for not more than one-half hour before the fire. The insured reported no problem prior to the fire. The tire had been replaced just prior to the fire on a recalled item.

RECALL CHECK:

A recall check was performed on this vehicle. There was found one recall that dealt with the problem developing into a fire hazard. The recall number was found to have been 98V060000.

EXTERIOR EXAMINATION:

Examining the exterior, I found the fire damage to the vehicle to have been confined to the engine compartment area of the vehicle. The fire appeared to have spread to the windshield area but not much beyond. From approximately the fire wall area to the rear of the vehicle was intact and free of fire damage.

The tire damage was checked on this vehicle. The passenger side front tire was fire damaged while the two rear tires were intact. The driver's side front tire had been replaced and was later found in the rear storage area of the vehicle. The tire in the rear storage area was heavily fire damaged to both the tire and the wheel.

The fire damage to the front grill area was minimal. There was slightly more and lower damage on the driver's side when compared to the passenger side. This difference in damage was obvious in the headlight and bumper areas of the vehicle. The hood was also fire damaged to a slightly more intense degree on the driver's side than on the passenger side.

INTERIOR EXAMINATION:

Examining the interior, I found the fire damage to have been confined to the driver's side of the dashboard. There were strong indications of the fire spreading from the engine compartment into the passenger compartment. The area under the dashboard was found to have suffered fire damage to the wiring and plastic dashboard panels in the driver's side near the opening in the firewall. The passenger side of the firewall appeared not to have been breached.

The wiring in the dashboard was checked. There were no indicators found that the fire had anything to do with the electrical wiring or components in the passenger compartment.

ENGINE COMPARTMENT EXAMINATION:

The general burn patterns point to the fire being more intense and lower on the driver's side. This damage on the driver's side was at the level of the frame on the driver's side fender area.

The passenger side of the engine compartment was affected to a far lesser degree than the driver's side was. There were still rubber like hoses and plastics still intact in the passenger side area.

The electrical wiring was checked, as were the electrical components. Neither the wiring nor the components had any indications of being involved in the cause of the fire. There was one major exception to this. The wiring harness that was parallel to the fuel lines and ran up the front of the engine on the driver's side had major burning and melted wiring.

The driver's side lower engine area was found to have had the flexible lines for the fuel systems and the power steering lines and pump were slightly forward of the fuel lines. The area around the fuel lines was the most intensely fire-damaged area. The braided lines that made up the flexible fuel lines were examined and compared. The line that had separated from the metal fuel line was heavily fire damaged while the other braided line that was still attached to both ends was not.

The burn patterns along the frame rail on the driver's side of the engine were found at a lower level and higher intensity. The degree of fire damage was severe along this frame rail and the area immediately below the fuel line that had separated was far more intensely affected than the rest of the rail. In the area of the fuel lines were the exhaust manifold and pipes, as well as the ignition wiring.

CONCLUSION:

ORIGIN:

Based on the burn patterns found during this examination the fire started in the engine compartment of the vehicle. The area of origin was narrowed down to the driver's side front of the engine. This was the same general area as the fuel lines and the electrical harness that had heavy burning and melting of the copper.

CAUSE:

After all of the available information was reviewed the fire was determined to have been accidental in nature. The fire was found to have been caused by a leaking fuel line in the area of origin. The wiring of electrical wiring found to have occurred immediately next to the fuel line

then ignited this leaking fuel.

It must be noted that there was a strong possibility of the electrical shorting having occurred first. The shorting of the electrical wiring then in turn caused the leaking of the fuel line. The shorting electrical wiring then ignited the fuel leak.

In either case the items that we have discussed above are factory items. They are not after-market, nor are they the items the recall on the throttle was involved with.

Should further information become available after the completion of this examination that may be pertinent to this file, please forward it to our office for review and possible further action. Should you have any further questions in reference to this file, please do not hesitate to contact our office at your earliest convenience.

Richard J. Pacheco

*Richard J. Pacheco, BCPE, CPFI, MPB, CFI
Master Forensic Examiner
Fellow, American College of Forensic Examiners
Diplomate, Board Certified Forensic Examiner

Terry Curran
Forensic Analyst
ASE Certified Master
Technician

Michael D. McHugh

Michael D. McHugh, CPFI, CFI, ABFE
MS, Forensic Science
Fellow, American College of Forensic Examiners
Diplomate, Board Certified Forensic Examiner

Antoin Montano, FL, IL,
CFPE, CFI
Forensic Analyst

Manuel Ferreira
Licensed Electrician
Forensic Analyst
Dir: Team Leader

Liberal Oliveira, FL, IL, CFI
Senior Forensic Analyst
ASE Certified Technician
Certified RI Auto Inspector
Oil Filter Technician

Douglas Delaney, FL
Forensic Analyst
ASE Certified Master
Technician

Dennis Mignone, FL, IL, CPFI, CFI
Forensic Analyst
ASE Certified Master Technician
Member, Society of Automotive Forensic Examiners

Jonathan Costa
Forensic Analyst
ASE Certified Technician
Oil Filter Technician

Earl Parnce, CPFI, CFI
Forensic Analyst

Robert Demoss
Forensic Analyst
Heavy Equipment Specialist
Marine Engine Mechanic



Photo # EXTERIOR PASSENGER SIDE



Photo #4 EXTERIOR DRIVER'S SIDE



Photo # EXTERIOR DRIVER'S SIDE REAR

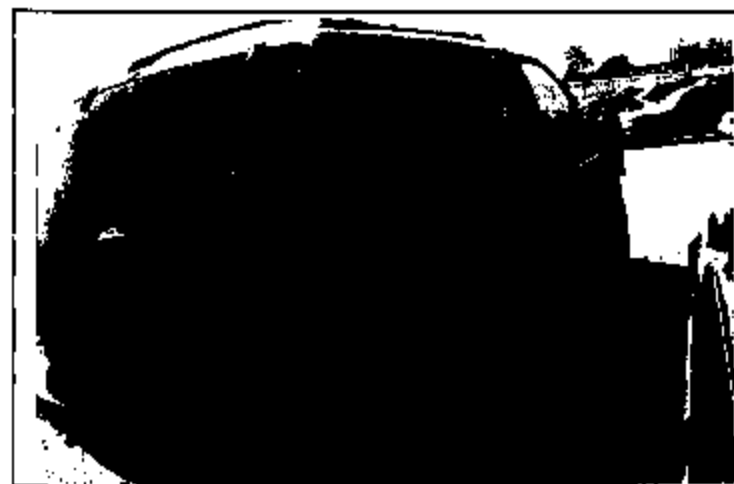


Photo A6 EXTERIOR PASSENGER SIDE REAR

ENC-005-LC-7349



Photo #7 INTERIOR DRIVER'S SIDE FRONT



Photo #8 INTERIOR PASSENGER SIDE FRONT



Photo #11 PASSENGER SIDE OF THE ENGINE COMPARTMENT



Photo #12 ENGINE COMPARTMENT FRONT



Photo #13 DRIVER'S SIDE FRONT



Photo #14 DRIVER'S SIDE FENDER AREA



Photo #15 INSIDE SURFACE OF THE HOOD



Photo #16 OVERALL DRIVER'S SIDE OF ENGINE COMPARTMENT



Photo #17 OVERALL LOWER DRIVER'S SIDE FRONT



Photo #18 DRIVER'S SIDE FRONT FENDER AREA



Photo #19 INSIDE THE PASSENGER SIDE FRONT FENDER.

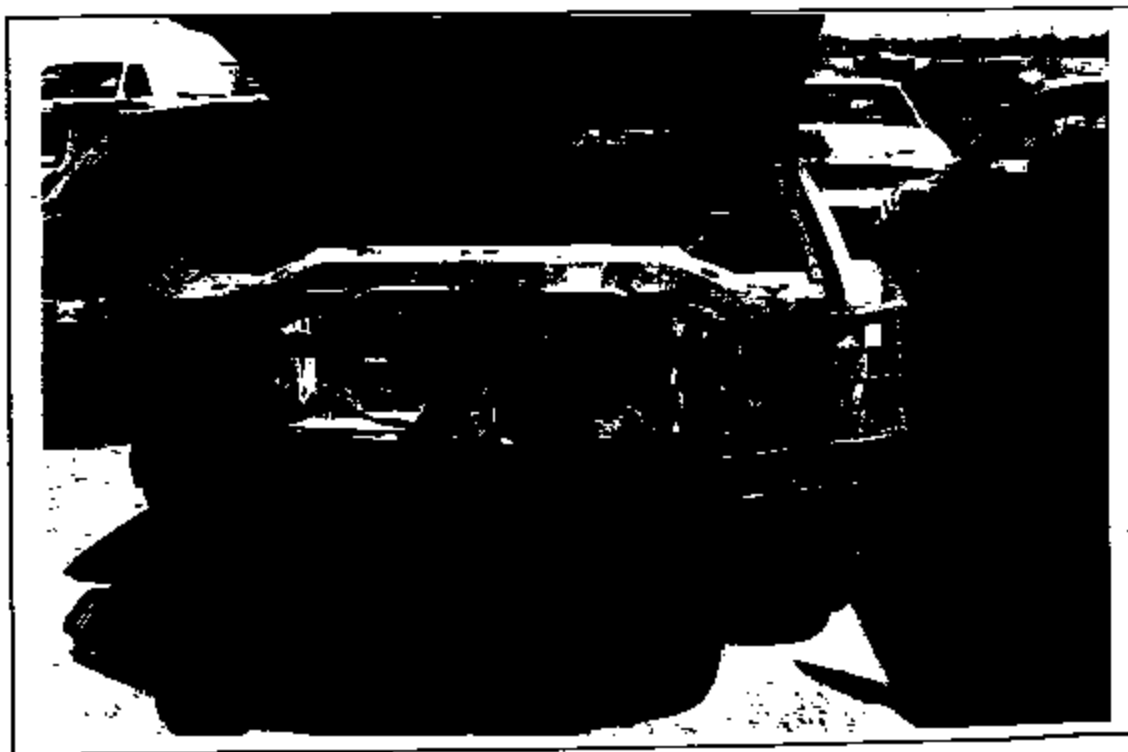


Photo #20 FRONT GRILL AREA



Photo #21 UNDER THE DRIVER'S SIDE FRONT



Photo #22 UNDER THE PASSENGER SIDE FRONT



Photo #23 FUEL LINE CONNECTORS IN DRIVER'S SIDE OF ENGINE



Photo #24 FUEL LINES AND CONNECTOR



Photo #25 FUEL LINES AND CONNECTOR

OFFICE OF THE CLERK
PETER J. SHERREY JR.
P5
03 MAY -1 PM 2:06

**CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK**

Index No.:

[REDACTED] X

Plaintiff,

Plaintiff's Business: Progressive Insurance Co.
Address: 207 East 94th Street - Room 404
New York, New York 10128

-against-

SUMMONS

FORD MOTOR COMPANY,

Defendant.

The Bank of the Venue designated in
The Business Location of Plaintiff

To the above named Defendant(s):

YOU ARE HEREBY SUMMONED to appear in the Civil Court of the City of New York County of New York at the office of the said court at 111 Centre Street, New York, New York 10013 in the County of New York, City and State of New York, within the time provided by law as noted below and to file your answer to the endorsed summons, with the Clerk: upon your failure to answer, judgment will be taken against you for the sum of \$14,176.31 with interest thereon from March 22, 2002, together with the costs of this action.

Dated: Farmingdale, New York
April 18, 2003

CARMAN, CALLAHAN & INGHAM, LLP

By:

JAMES M. CARMAN

Attorney for Plaintiff

Defendant(s) Address(es):

Ford Motor Company
Parklane Towers West, Suite 480
Three Parklane Boulevard
Dearborn, Michigan 48124-2568

Farmingdale, New York [REDACTED]
Tel. [REDACTED]
Fax [REDACTED]

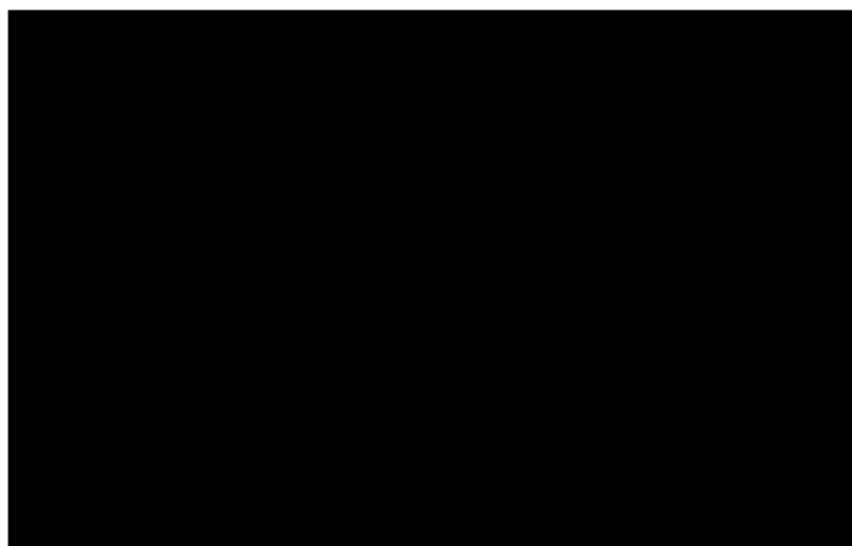
NOTE: The law provides that: (a) If this summons is served by its delivery to you personally within the City of New York, you must appear and answer within TWENTY days after such service; or
(b) If this summons is served by delivery to any person other than you personally, or is served outside the City of New York, or by publication, or by any means other than personal delivery to you within the City of New York, you are allowed THIRTY days after proof of service thereof is filed with the Clerk of this Court within which to appear and answer.

ENDORSED COMPLAINT

A statement of the nature and substance of the plaintiff's cause of action as follows:

This action arises out of an automobile fire which occurred on March 22, 2002, as a result of the Defendant's negligence, breach of warranty and/or defective product. The Defendant had a duty to manufacture a product which was reasonably safe and which would perform as intended. The Defendant breached its duty by manufacturing and/or designing an automobile, i.e. Plaintiff's subrogor's vehicle, which was unreasonably safe and which failed to perform as intended, resulting in a fire. The Plaintiff's subrogor's vehicle, a 1998 Ford Explorer sustained damage in the amount of \$14,176.31, as a result of said fire. The foregoing incident and damages were caused solely by Defendant's negligence and/or defective product. [REDACTED] seeks to recover \$14,176.31 in property damage expenses it paid to its insured, [REDACTED]

CARMAN, CALLAHAN & INGHAM, LLP
Attorneys for Plaintiff





**Liberty
Mutual**

Liberty Mutual Fire Insurance Company

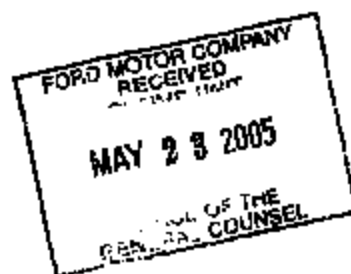
5050 W Tilghman St Suite 200

Allentown PA 18104

Tel: (610) 398-9800 / (800) 521-0986

May 12, 2005

FORD
PO BOX 6248
DEARBORN MI 48126



INSURED:

CLAIM NUMBER:

DATE OF LOSS: 04/15/2005

AMOUNT OF LOSS: \$ 2616.12

LOCATION

OF LOSS: GETTYSBURG, PA

Dear Claims:

The purpose of this letter is to inform you that as a result of this loss, Liberty Mutual Group has paid damages to our Insured under their Homeowner coverage.

**Right of
Subrogation**

Subrogation involves our right to recover from a negligent party the money we have paid on our Insured's behalf for property damage and related expenses.

**Notice of
Liability**

Since our investigation shows that this loss occurred due to negligence on your part, we shall expect you to reimburse us the amount shown above.

This letter is official notice of our claim against you for these expenses.

Please Note: Any payments you may have made to our Insured will not relieve your responsibility to reimburse us.

(over)

Helping People Live Safer, More Secure Lives

SUB130A

ER05-005-LC-7354

**If You Were
Insured**

If you had insurance at the time of this loss, we ask that you do the following:

- promptly notify your insurance carrier of this claim notice;
- *please advise us* that you are doing so and we will communicate directly with that company.

**If You Were
Not Insured**

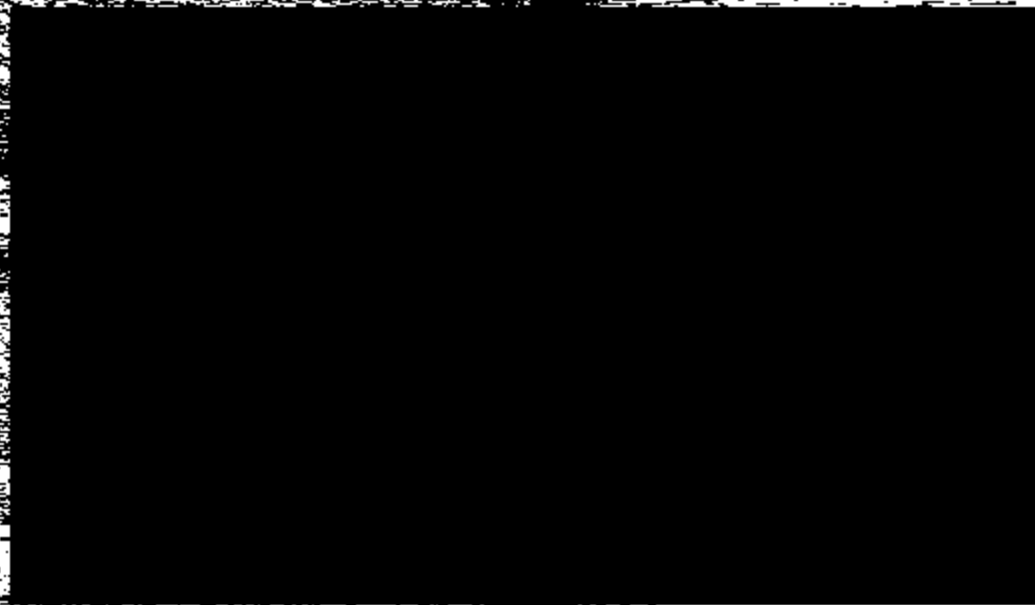
We will be happy to work with you in establishing a convenient payment plan. Please contact me right away at the number listed above, extension 286.

I appreciate your prompt response to this notice. If you have any questions about this letter, please feel free to call me.

Sincerely,

JENNIFER SEKULSKI
Subrogation Department

Due to a faulty switch in the cruise control ...a fire started in [REDACTED]
[REDACTED] 1997 Ford F150 truck. Geico also has a claim against you and we
insured [REDACTED] home and property.





Nationwide®
On Your Side™

Nationwide Insurance • 110 Elwood Davis Road, North Syracuse, N.Y. 13212 • 315-453-3594

May 6, 2005

Ford Motor Company
Parklane Towers West - Suite 300
Three Parklane Boulevard
Dearborn, MI 48126-2568

Attn: Shawn Norton

Re: 63 claims relating to cruise control recall

Dear Ms. Norton:

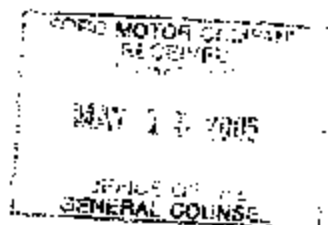
As you will recall you and I spoke 4 weeks ago. I am the manager of a centralized unit that has been handling subrogation claims Nationwide has involving automobile fires and possible defects since September, 2004. We also have been handling these claims for our affiliate company Allied since February, 2005. You have had discussions on several claims with my associates Kathie Styer, Lynn Ellis and Lynn Koanck. Our goal has been to establish a positive working relationship with your company, and to only submit claims to your company having merit.

Enclosed you will find supporting materials regarding 63 of our claims relating to the cruise control recall. We have provided a list of these claims, and supporting documents for each claim which are separated and in the same order as they appear on the list. These claims are for the eastern states in our operation. We are waiting for a report on our western states handled by Allied, and as soon as it is available I will send those to you for review. As we discussed during our phone call many of these claims were handled and closed prior to us being aware there was an issue with the cruise control. Therefore, on some of those claims we did not secure a cause an origin report, and the vehicles are no longer available. On all claims we have provided photographs and estimates that clearly document the area where the fire started.

I would appreciate discussing this with you or someone at Ford once you have received this and have had an opportunity to review. Please contact me by phone at 315-453-3594, by fax at 614-961-3180 or by EMAIL at mabbetc@nationwide.com. We look forward to continue working with you and your team, building a strong working relationship, and working towards cost effective resolutions of claims for both of our companies.

Sincerely,

Craig Mabbett
Subrogation Manager



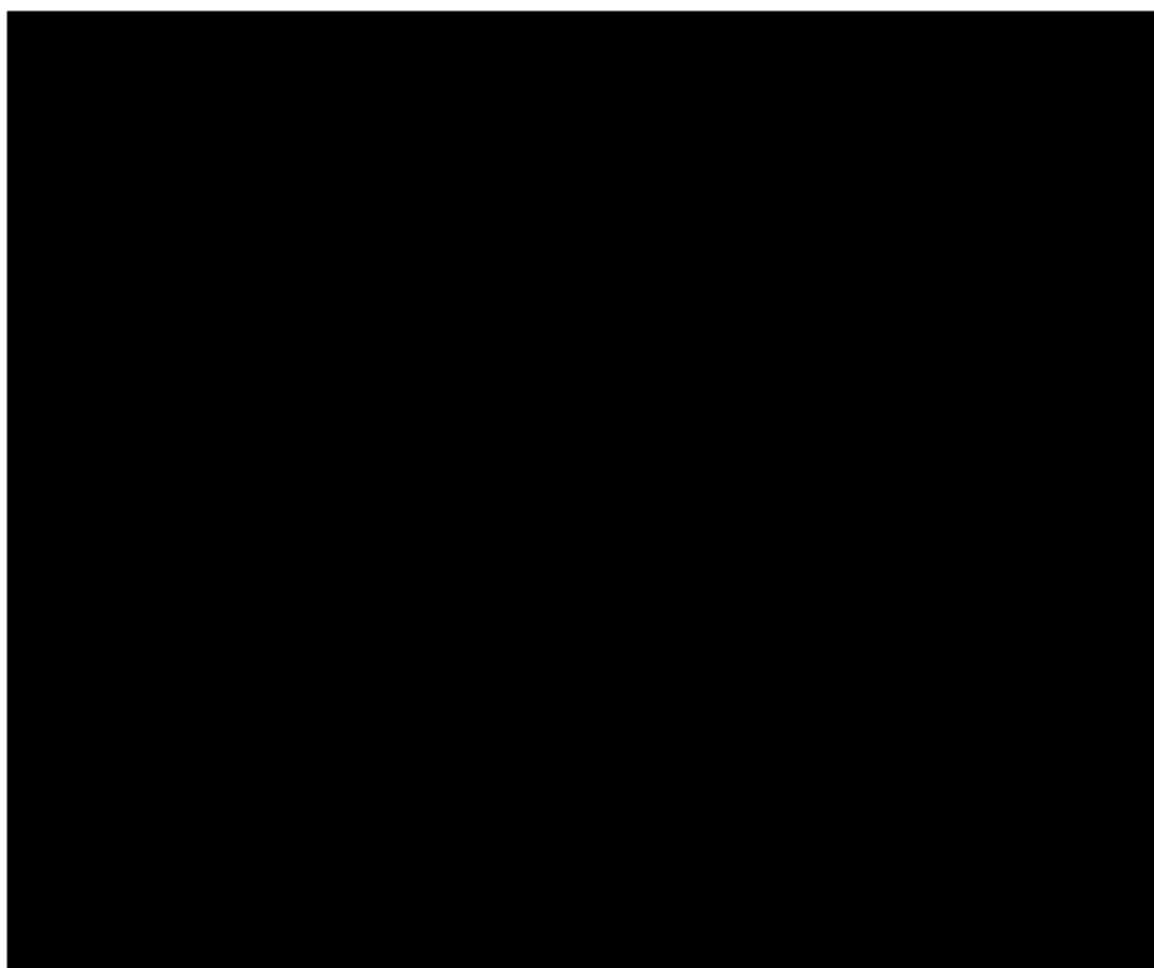
ENG-005-10-7383



EW05-085-LC-7354



ER05-005-LC-7385





ERIE INSURANCE GROUP

Branch Office • 301 Commonwealth Dr. • P.O. Box 516 • Warrendale, PA 15086-0516
(724) 776-4000 • Toll Free 1-800-922-1624 • Fax (724) 772-7700 • www.erieinsurance.com

LESLIE DILLMAN, CPCU, AIC
Claims Manager

April 27, 2004

Ford Motor Company
Office of General Counsel
Attention: H. E. Perry Keys
Parklane Towers West, Suite 1513
Dearborn, MI 48126



Re: ERIE Claim
ERIE Insured: [REDACTED]
Date of Loss: 04/24/04

Dear Mr. Keys:

I am writing in reference to the above-captioned claim, for Erie Insurance is placing you on notice.

This letter is to advise you that Erie Insurance is looking into a potential Subrogation claim for a 2002 Ford Ranger, which caught fire on April 24, 2004. Erie Insurance will be hiring an electrical engineer to inspect this vehicle to determine if there are subrogation possibilities. This vehicle is currently located at Sadowski's Salvage Yard on 44 Georgetown Road, Cecil, Pennsylvania 15321, with a business number of (724) 746-3365. If you have any questions pertaining to this loss, please feel free to contact me.

Sincerely,

H. Lynn Harris
Inside Claims Representative
Warrendale Branch Claims
(724) 772-7769

HLH:kas

cc: File

888737_1



FK
FISHER KANARIS, P.C.
ATTORNEYS AT LAW

100 SOUTH WACKER DRIVE, 21ST FLOOR

CHICAGO, ILLINOIS 60606

WWW.FISHERKANARIS.COM

TELEPHONE 312 474 1400

TOLL FREE 877 244 1300

FACSIMILE 312 474 1410

Writer's Direct Dial
(312) 879-1515

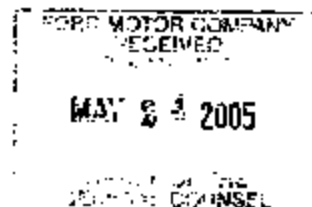
E-Mail Address
SWHELAN@FISHERKANARIS.COM

May 18, 2005

*Via facsimile and
Certified Mail—Return Receipt Requested*

Mr. Dennis E. Ross
Vice President/General Counsel
Ford Motor Company
The American Road #1205
Dearborn, MI 48126

Re: [REDACTED]
Claim No.: [REDACTED]
D/L: 5/16/05
Our File: 05-1322



Dear Mr. Ross:

Please be advised that our law firm has been retained by [REDACTED] arising out of a loss and damages caused by a May 16, 2005 fire at the building located at 765 Asbury Drive in Mandeville, Louisiana. Hanover Insurance Company is the property insurer of D&S Automotive, Inc., which owns the subject building. It is our understanding that your company manufactured the 1998 Ford F150 which our consultant believes was the origin of the subject fire.

Our investigation is in its early stages. However, if it is determined that you or your company, or any of its employees, caused or contributed to cause the subject fire, then [REDACTED] will look to you for reimbursement of any money which Hannover pays to its insured. We would ask that either you or a company representative, contact the undersigned

EP05-005-LC-7378

FISHER KANARIS, P.C.
ATTORNEYS AT LAW

Mr. Dennis E. Ross
May 18, 2005
Page 2

regarding this matter as soon as possible. Please make all arrangements regarding any inspection of the loss site, or the subject vehicle, through the undersigned. We look forward to hearing from you.

Very truly yours,

FISHER KANARIS, P.C.



Stephen A. Whelan

SAW/dkm
E:\05-1322\letters\ford1.wpd

ED05-025-LC-7371