

APR 29 2005

BEGINNING OF CONTACT  
04/27/2005

VOICE OF THE CUSTOMER TRACKING SYSTEM

08.00.04

REGION: 72 SAN FRANCISCO	OGC ISSUE ZONE: A1	CASE NBR: 1478211165
VIN: 1FMZU74E0Y	ENGINE: E VEH TYPE: T	OPENED: 04/26/2005
		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: CAC138 - 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: NONE CRC 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  
 APR 29 2005  
 OFFICE OF  
 GENERAL COUNSEL

Chef's

Choice,

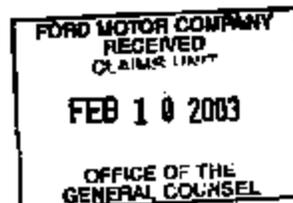
INC

# Allstate

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

10/02/02

(800) 374-4246



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 : [REDACTED]  
ADDRESS : [REDACTED]  
DEARBORN MI [REDACTED]

OUR CLAIM NO. : [REDACTED]  
OUR INSURED : CHEFS CHOICE INC  
LOSS DATE : 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*  
*5/16*  
*- '99 Range*  
*- VIN*  
*- 821777*





# Nationwide® On Your Side™

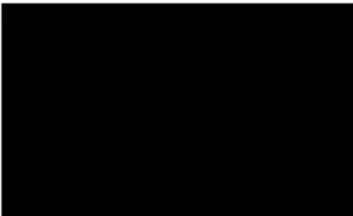
RECEIVED 10 2 8 2005

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:

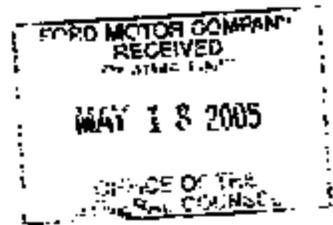
*DOL: 5/12/01*

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 [mabbetc@nationwide.com](mailto: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  
*C. Mabbett*  
Craig Mabbett  
Subrogation Manager



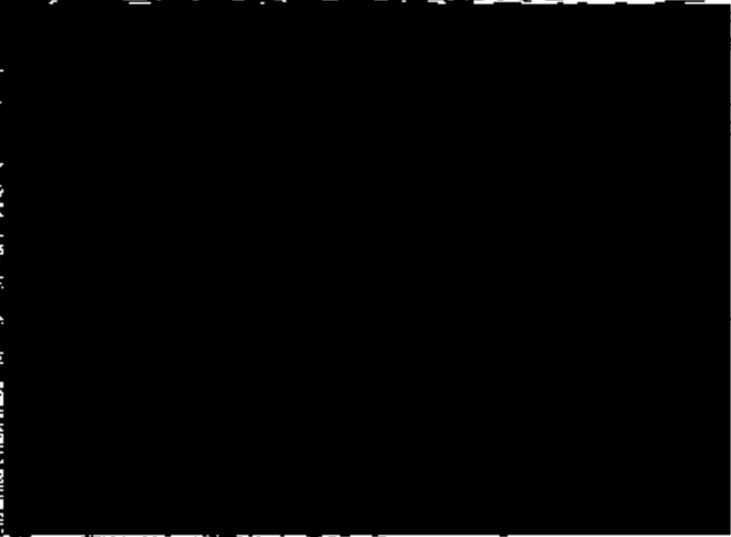
EA05-085-LC-7222



ERG5-885-LC-7223



ER85-805-LC-7224



45

**CREEKMORE LAW OFFICE**  
103 FOURTH AVENUE NORTH - POST OFFICE BOX 716  
AMORY, MS 38921

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 11 53

Re: 1997 Expedition

VIN: 1FMFU18L2VI [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 |

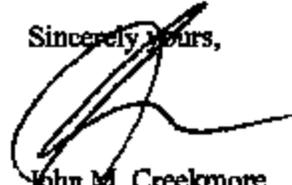
I am enclosing a copy of the report of the State Fire Marshal which indicates the fire began in the area that the truck was located. I am also enclosing a copy of the business page from the March 24, 2005 edition of *The Clarion Ledger* which identifies a cruise control defect in the 1997 Ford Expeditions. 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



**MARKETS****GOLD**

CLOSED:  
\$429.20**DOLLAR**

CLOSED:  
106.01 yen

# Business

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

THURSDAY, MARCH 24, 2005

THE CLARION-LEDGER ■ CLARIONLEDGER.COM

KOTT WALLER, (601) 961-7235

## 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 40,031 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 lineup last year.

The company also recalled 1,700 F-150 pickups from the 2004 model year because the fuel tank could leak if it gets too hot.

Ford shares dropped 18 cents, or 1.6 percent, to close at \$10.99 on the New York Stock Exchange. The price was Ford's lowest since late 2003.

## 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]

Insurance Information: Local Agency: David Whitaker Work: [Redacted]  
Amount: Building: \$10,250.00 Contents: \$0.00 City: Aberdeen  
Company: Shelter Insurance

Name of Occupant: [Redacted] Social Security No.: [Redacted]  
Address: [Redacted] Aberdeen, MS [Redacted] Telephone Home: [Redacted]

Insurance Information: Local Agency: \_\_\_\_\_ Work: [Redacted]  
Amount: Building: \$0.00 Contents: \$0.00 City: \_\_\_\_\_  
Company: \_\_\_\_\_

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 setted to the inactive file.

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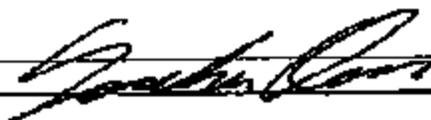
**SUPPLEMENT**


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**DISPOSITION**

Cause:	<u>Undetermined</u>	Closed? <u>Yes</u>	Any Arrest? <u>No</u>
		If Y, Date: <u>03/07/2005</u>	If Y, How Many? <u>    </u>

Signature of DFM:



Date:

4-26-05

Prop Damage

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:** LEICH, CHERIE **Analyst:** CLEICH  
**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:** 09.20.32.088 **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:** 09.21.27.658 **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:**

ENG-005-LC-7232

I, [redacted]

All Action Details for Issue

VIN: 1FTYR0C3X [redacted]	Year: 1999	Model: RANGE
Name: MS DEBRA BRODY	Owner Status: Subsequent	WSD: 1999-01-2
Symptom Desc: RESTRAINTS AIR BAG SYSTEM NON-DEPLOYMENT		Primary Phone: [redacted]
Reason Desc: LEGAL - GENERAL/OTHER		Secondary Phone: [redacted]
Issue Type: 07 LEGAL	Issue Status: CLOSED	

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: LEICH, 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

Green

VIN: 1ETPW1A554K  
Name: [REDACTED]  
Year: 2004  
Owner Status: Original  
Symptom Desc: RESTRAINTS AIR BAG SYSTEM NON-DEPLOYMENT  
Reason Desc: LEGAL - ALLEGED - NON-SERIOUS INJURY  
Issue Type: 07 LEGAL  
Issue Status: CLOSED

Model: F-SEI  
WSD: 2004-0  
Primary Phone  
Secondary Phone

1-800-555-1235  
1-800-555-1235

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 SOME 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 SOME THING ,EITHER SOME COMPENSATION.DEALER SAID: GRIFFIN FORD104 SO BICKETT BLVDLOUISBURG, NC 27549TEL: (919) 496-4169FAX: (919) 496-6768CRC 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  
Odometer: 9500 MI  
Analyst Name: VALMA SANDERS (VSANDERS)  
Action Date: 08/17/2005  
Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION  
Comm Type: PHONE  
Analyst: VSANDERS  
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  
Odometer: 9500 MI  
Analyst Name: VALMA SANDERS (VSANDERS)  
Action Date: 08/17/2005  
Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION  
Comm Type: PHONE  
Analyst: VSANDERS  
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

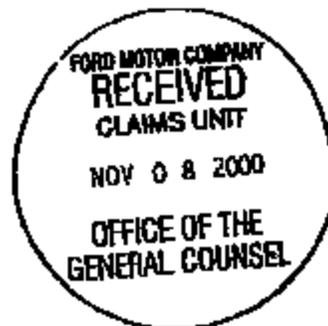


November 2, 2000

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

JD

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.

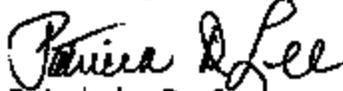
Once you have had an opportunity to review the enclosed documentation, we request that you forward payment to us at the above address. If you have insurance, and would like to refer this matter to your carrier, we request that you provide us with their name, address, and your policy number.

#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,

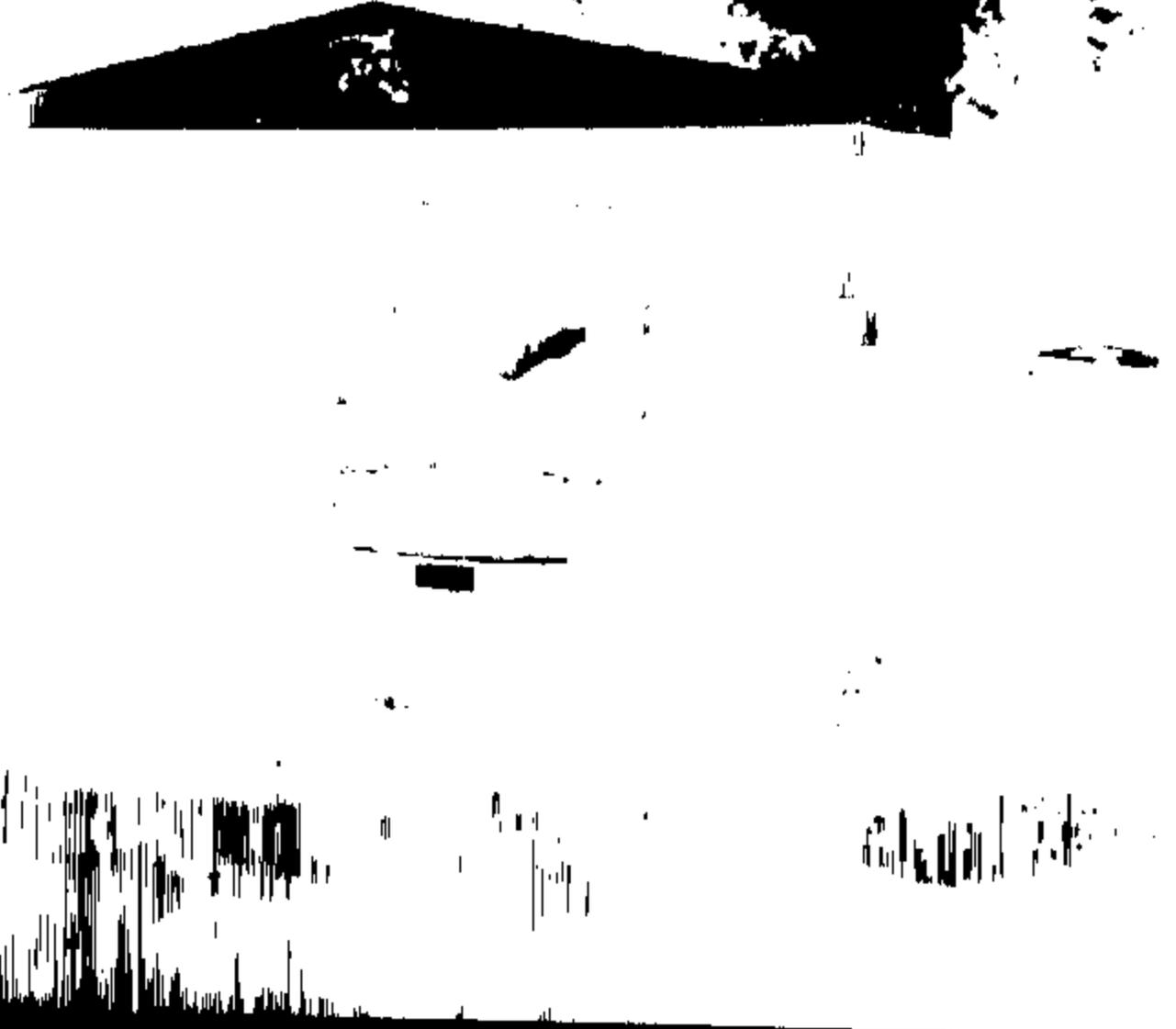


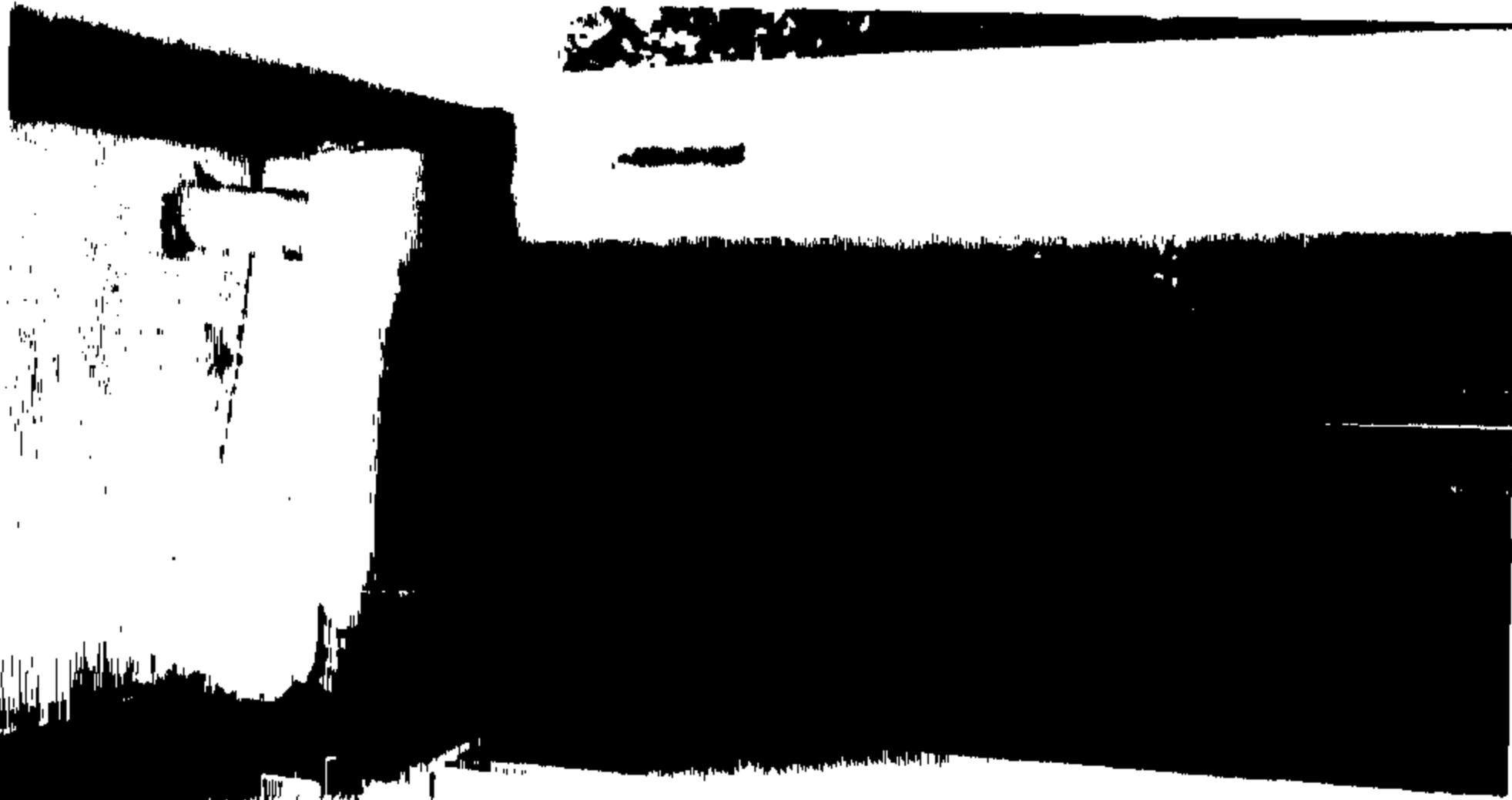
Patricia D. Lee  
Claim Specialist - Fire Subrogation  
State Farm General Insurance Company  
(707) 588-4652  
(707) 588-4019 FAX

PL:042/1102025

Enc.

EA03-006-LC-7297





EMMS-885-LC-7239

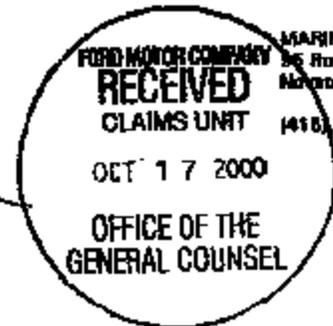
State Farm Insurance Companies



October 6, 2000

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

*Prep  
434448  
SN*



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.

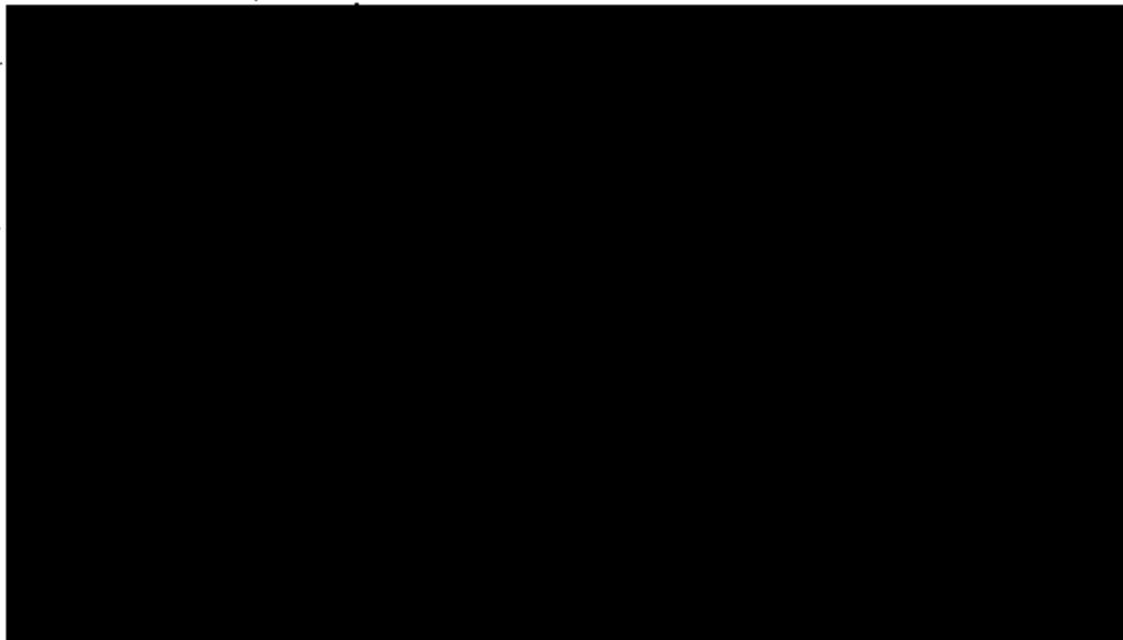
Please accept this letter as notice of our subrogation rights. Thank you for your attention in this matter.

Sincerely,  
*Mike Aguiar*

Mike Aguiar  
Claim Specialist  
(415) 899-7129

State Farm Mutual Automobile Insurance Company

MA



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, telephone, and e-mail address):  
**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):

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 \$16,500  
 exceeds \$16,500, but does not exceed \$25,000  
 ACTION IS AN UNLIMITED CIVIL CASE  
 from limited to unlimited  
 from unlimited to limited

For court use only

**FILED**

**OCT 05 2001**

**JOHN B. MONTGOMERY**  
 Court 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 of a guardian ad litem has been appointed
      - (b)  other (specify):
    - (5)  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):
    - (5)  other (specify):

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

(Continued on reverse)



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

MEMBER:

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.

6. 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):

8. 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.  wage 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 COLEMAN FOR THEIR 2000 FORD RANGER, VIN #1FTXR1K6X9YA10232. AS A RESULT OF A VEHICLE FIRE, SAID VEHICLE WAS DEEMED A TOTAL LOSS. PLAINTIFF PAID TO ITS INSURER, AND ON BEHALF OF THEIR MEMBERS, 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)

  
(TYPE OR PRINT NAME)

<b>SHORT TITLE:</b> STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY V. FORD MOTOR COMPANY	CASE NUMBER
---	-------------

1 CAUSE OF ACTION - General Negligence

Page 4

ATTACHMENT TO  Complaint  Cross-Complaint

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

GR-1. Plaintiff (name): [REDACTED] 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[REDACTED], 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): [REDACTED] COMPANY

Prod.L-1. On or about (date): OCTOBER 4, 2000 plaintiff was injured by the following product:  
2000 FORD RANGER

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): FORD MOTOR COMPANY

Does 1 to 10

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

Does 1 to 10

- c.  sold the product to the public (name): FORD MOTOR COMPANY

Does 1 to 10

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

Does 1 to 10

Prod.L-6.  Count Three-Breach of warranty by the following defendants (name): 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 05 2001

JOHN P. MONTGOMERY,  
Court Services Officer  
MARIN COUNTY SUPERIOR COURT  
205 E. MAIN, DEPT. 17

PLAINTIFF: [REDACTED]

CASE NO. CV014801

NOTICE OF FIRST STATUS/ADR  
ASSESSMENT CONFERENCE

DEPENDANT: Jord Mata 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 this 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	<u>12.14.01</u>	<u>9:00 A.M.</u>
Hearing on Failure to Answer	<u>1.14.02</u>	<u>9:00 A.M.</u>
  - b. appear for a Status/ADR conference on the date set below.
 

<u>2.22.02</u>	<u>9:00 A.M.</u>	Dept. <u>F</u>
----------------	------------------	----------------

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 each 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.

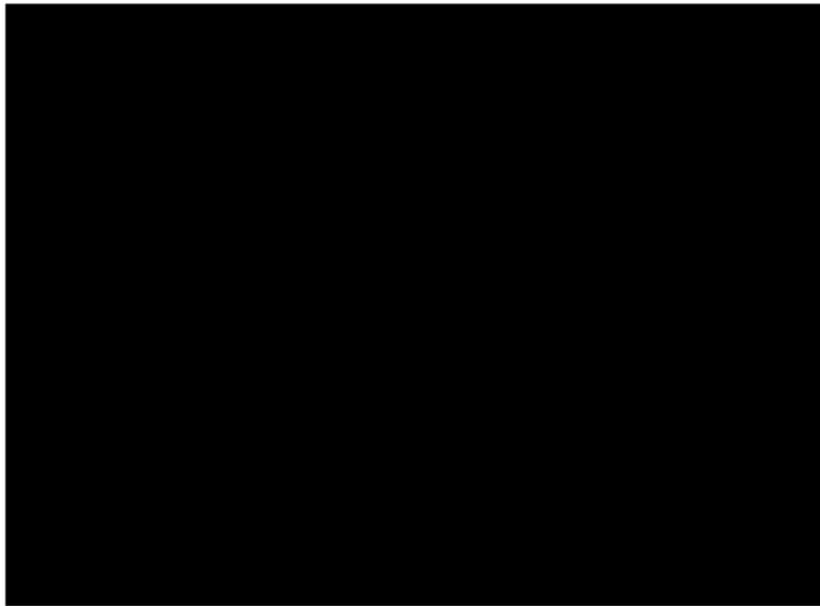
Failure to comply with the program rules may result in the imposition of sanctions and will in each instance result in the issuance of an order that you show cause why you have not complied.

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. AYLWARD  
ELISABETH F. SCHWANZ  
KARA L. SHARRARD

WRITER: LISA F. SCHWANZ  
WRITER E-MAIL: [LSCHWANZ@GHCPB.com](mailto:LSCHWANZ@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

ER05-085-LC-7285

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.

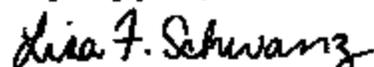
Stephen Stone of Stone Engineering, Inc. plans on conducting an inspection of the Ford Explorer's brake system, as well as the Safe Tow System. Please be advised that such inspection and testing may result in destruction of the component parts of the Safe Tow braking system, or the system in the Ford 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 Sharrard in my absence.

Very truly yours,



Lisa F. Schwanz  
For the Firm

LFS/hga

ER05-005-LC-7266

# 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

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 (EHCU), mounted on the left inboard wall of the engine compartment revealed the following significant observations: The EHCU 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 EHCU, 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 EHCU 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 EHCU 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.

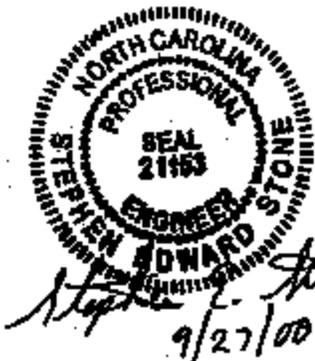
Insured: [REDACTED]

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

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

ER05-005-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.

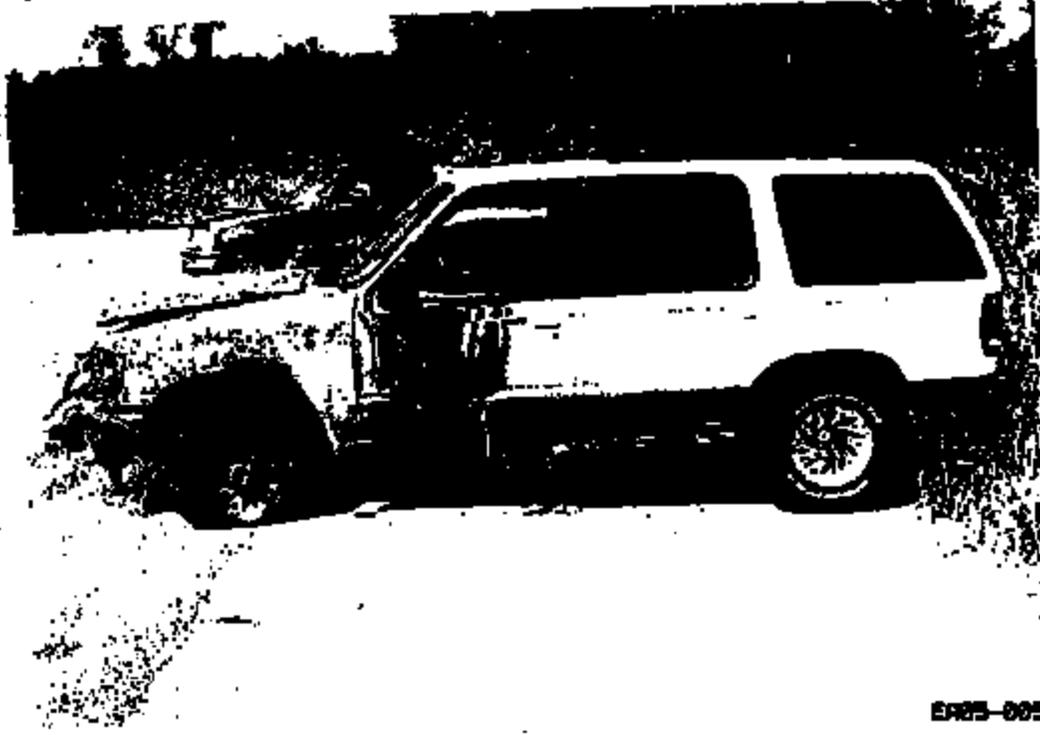
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FILE NO. A-00007-01



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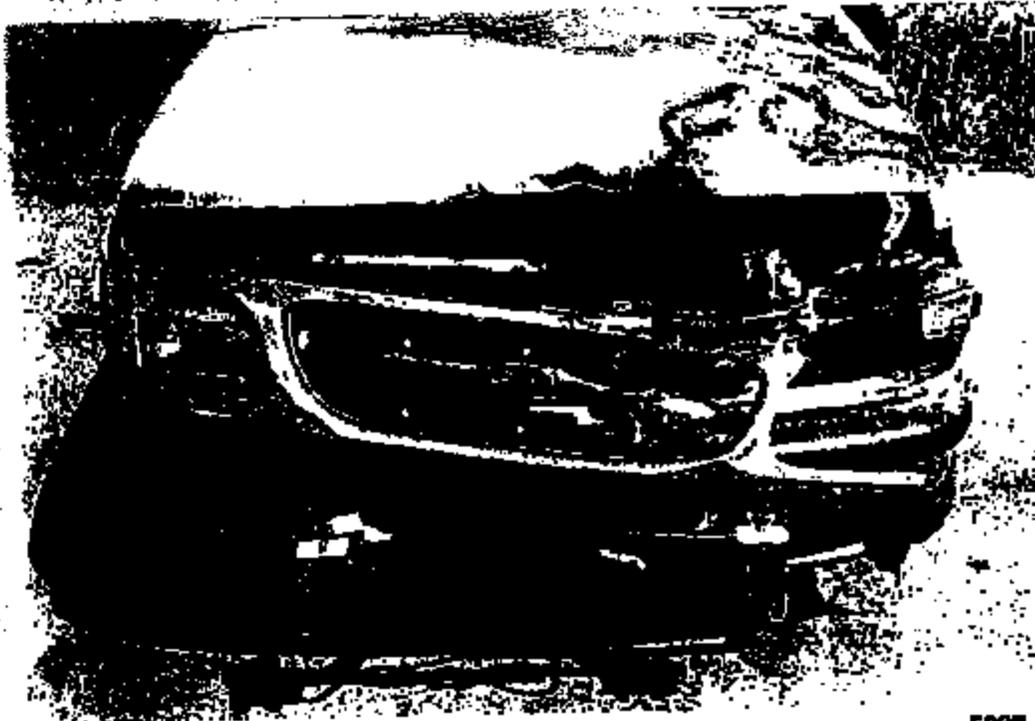
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FILE NO A-00007-01



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PHOTO SHEET

FILE NO A-00007-01



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EA05-005-LC-7276

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FILE NO. R-00007-01



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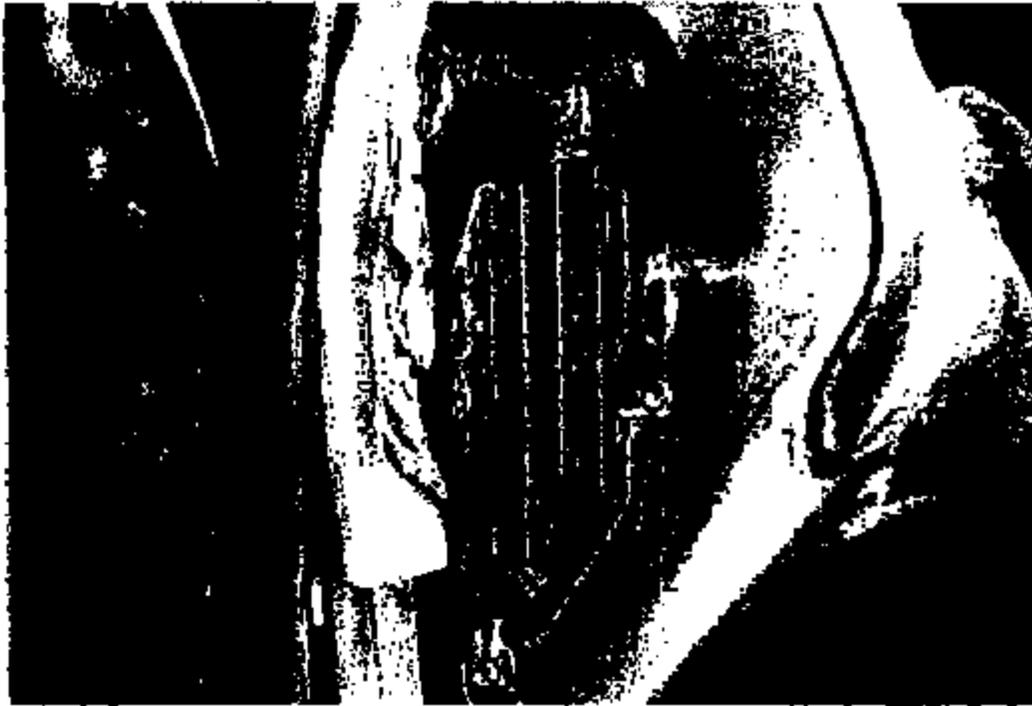


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ER05-005-LC-7277

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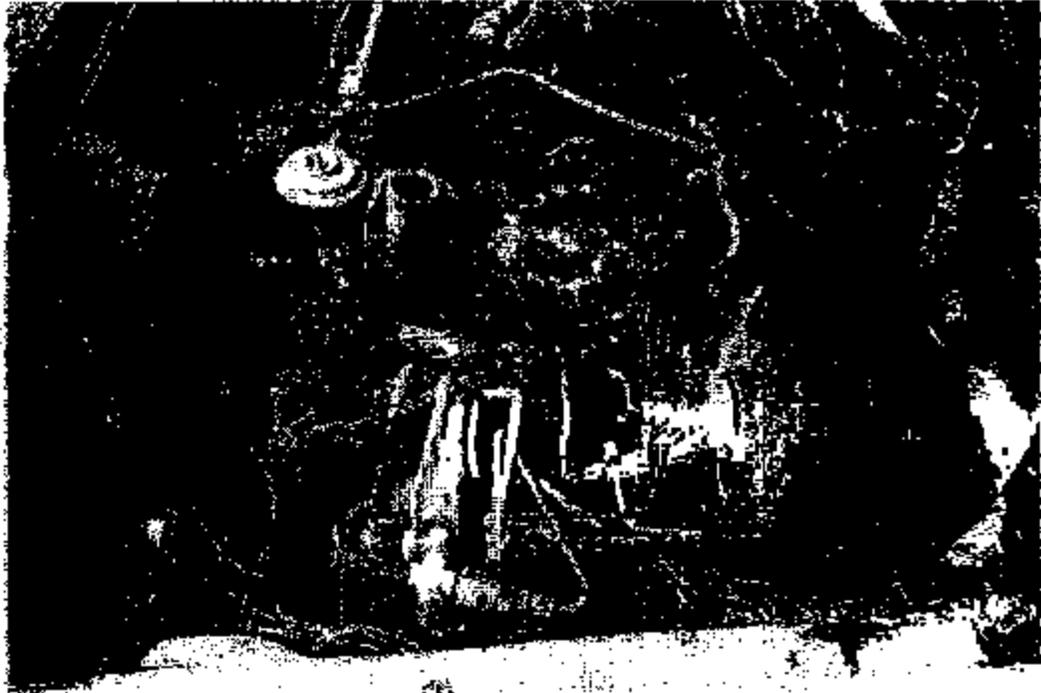


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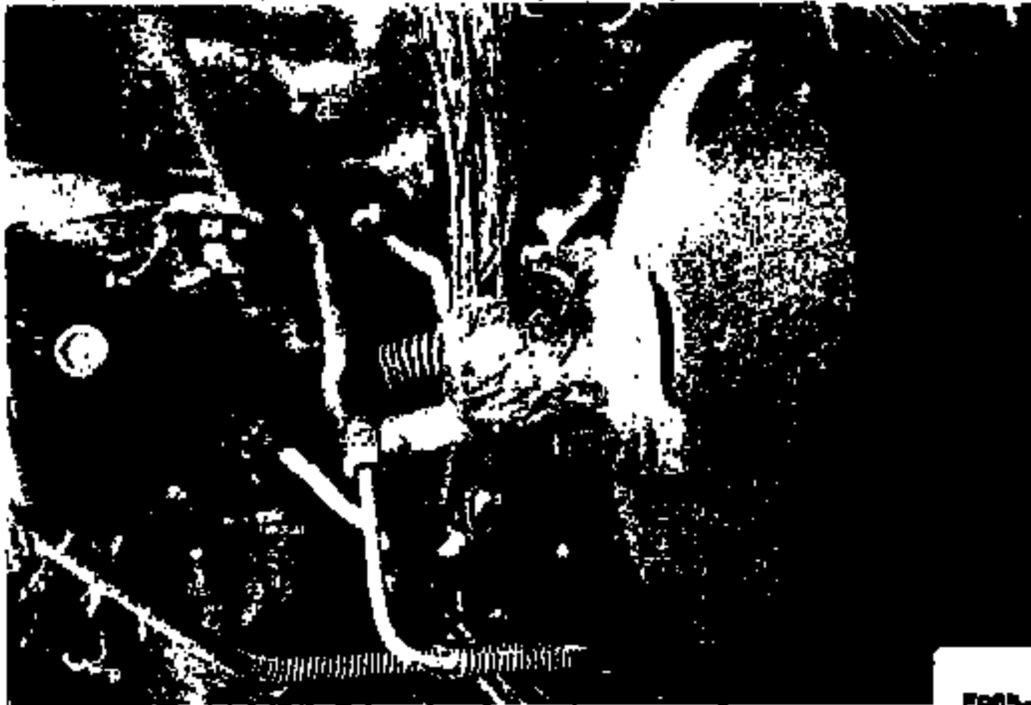
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FILE NO 8-00007-01



11



12

ER05-005-LC-7278

PHOTO SHEET

FILE NO. B-00007-01



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14

ER05-005-LC-7280

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FILE NO. A-00007-01



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16

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FILE NO A-00007-01



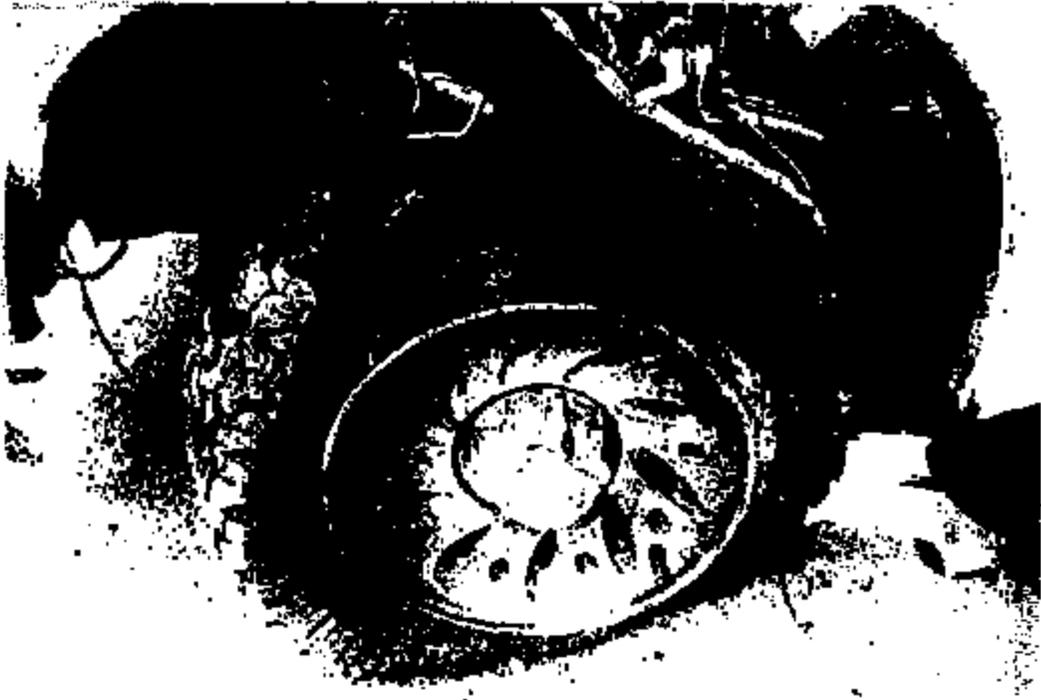
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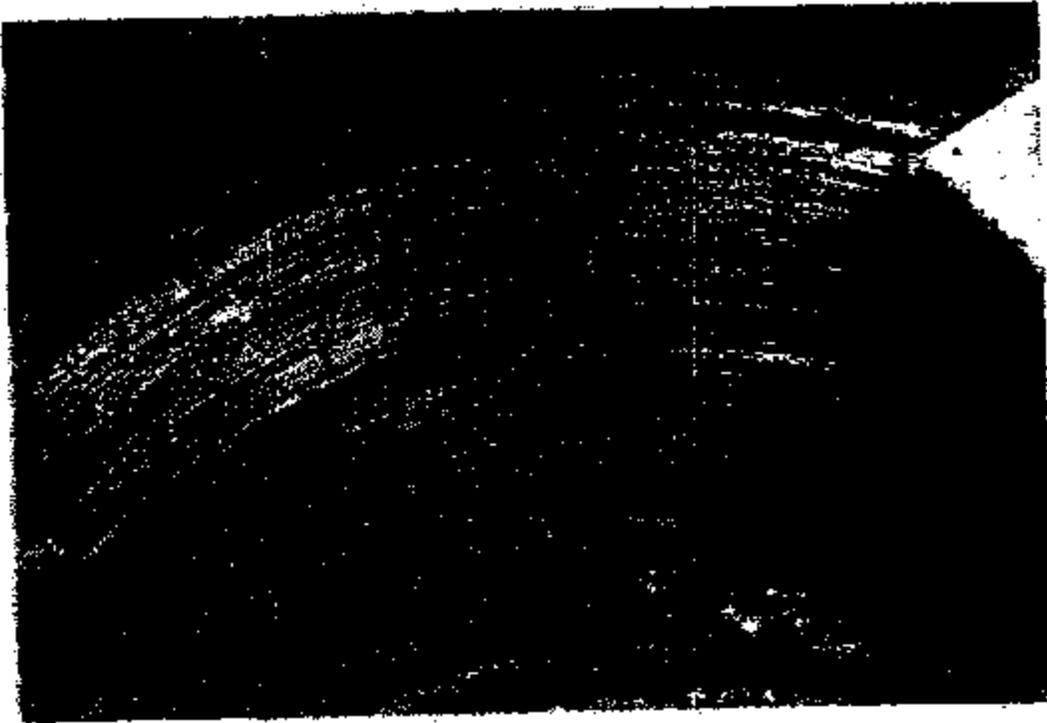
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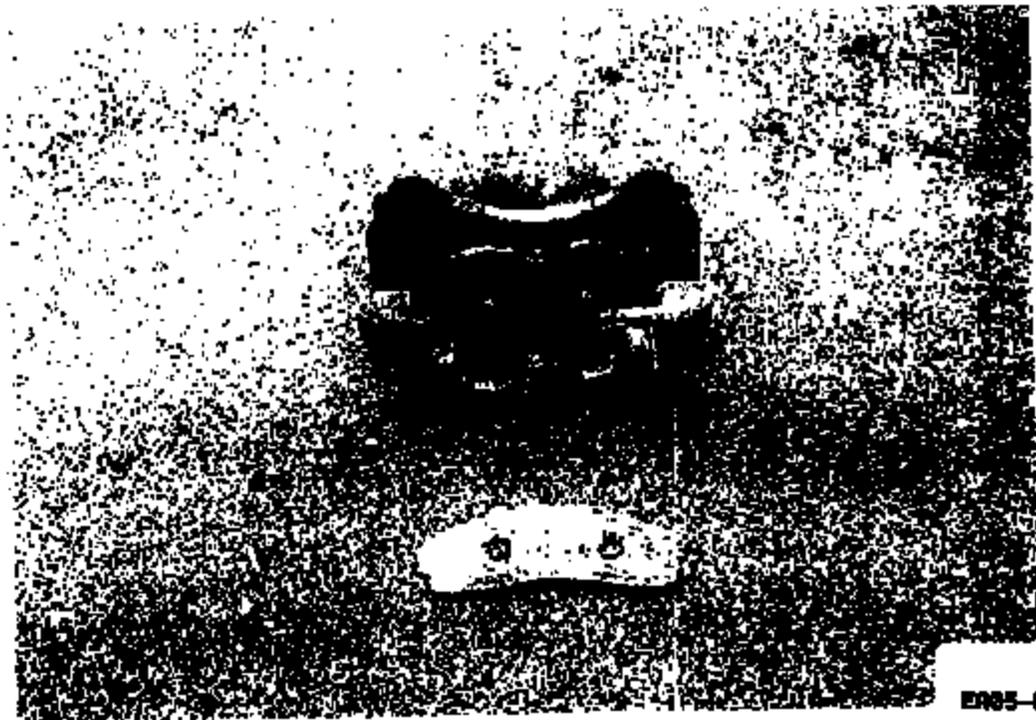
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FILE NO R-00007-01



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22

ERG5-005-LC-7284

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FILE NO. A-00007-01



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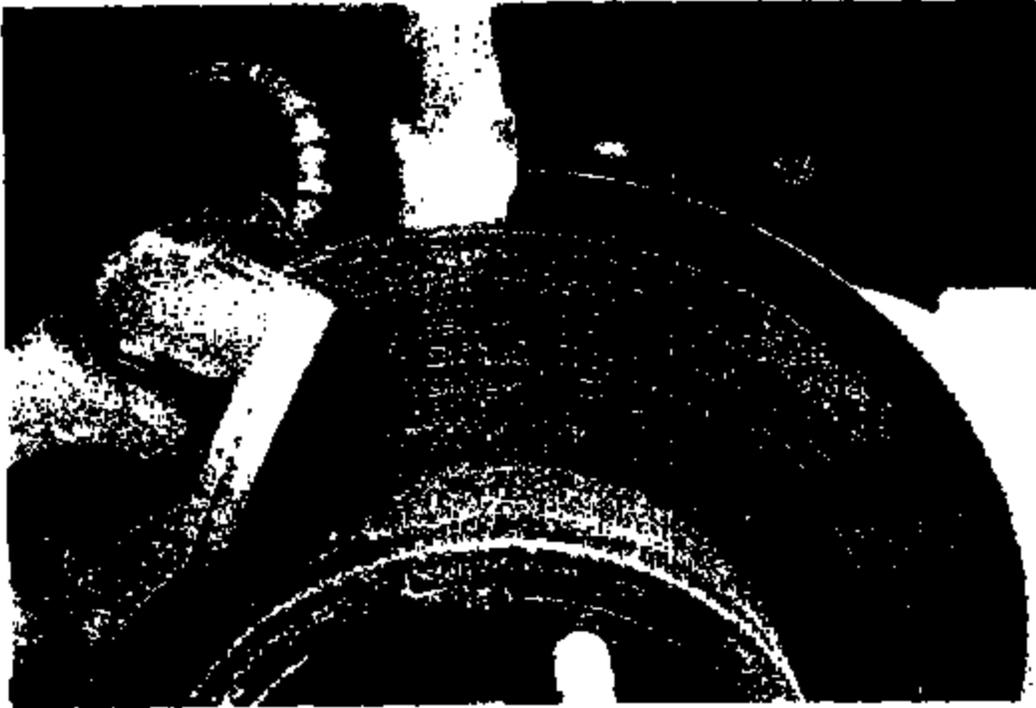


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EROS-805-LC-7285

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FILE NO R-00007-01



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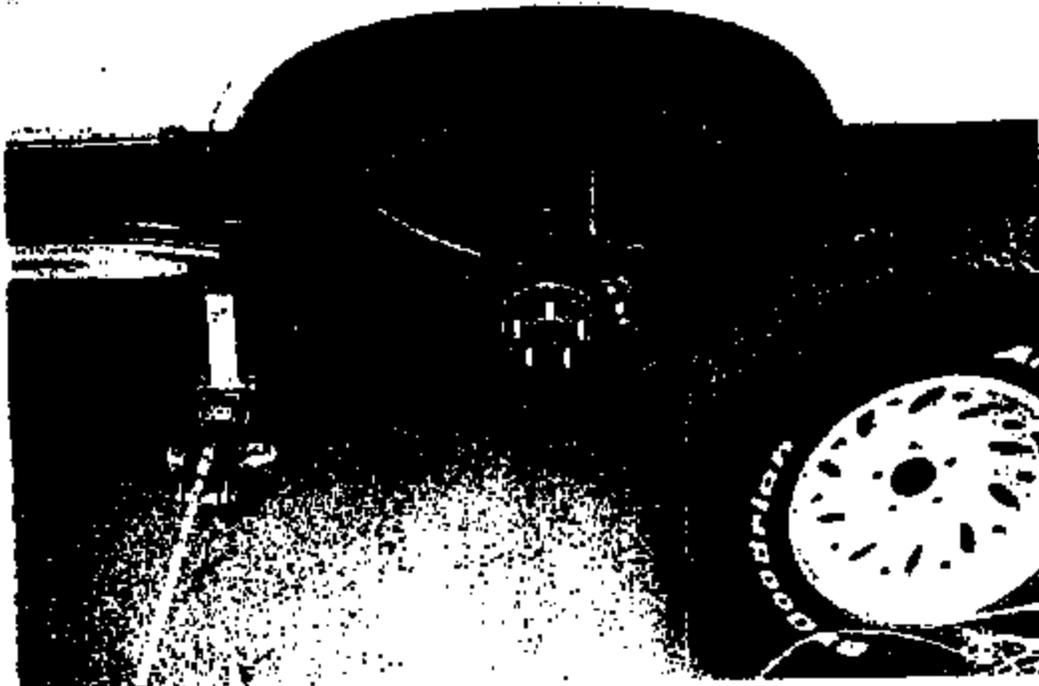


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ER05-005-LC-7288

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FILE NO A-00007-01



27



28

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FILE NO *A-00007-01*



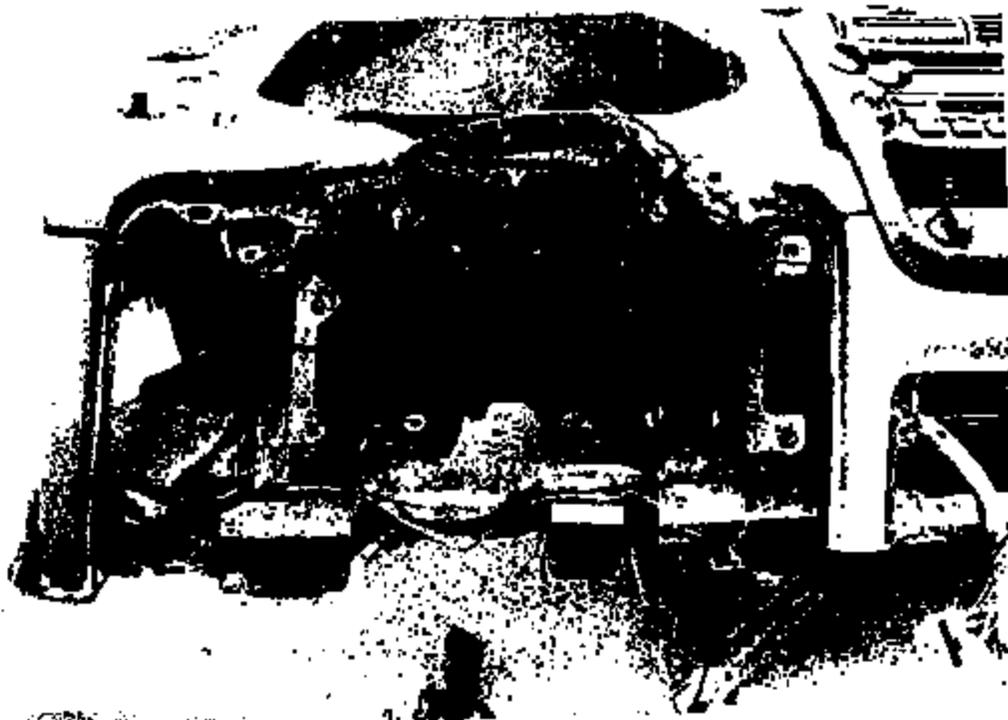
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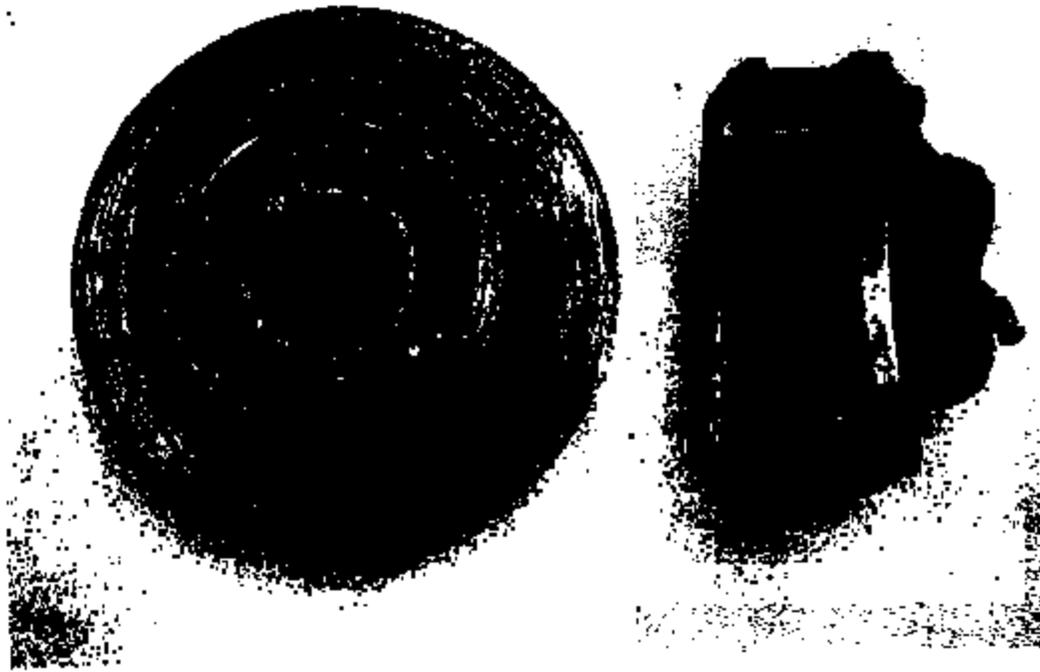
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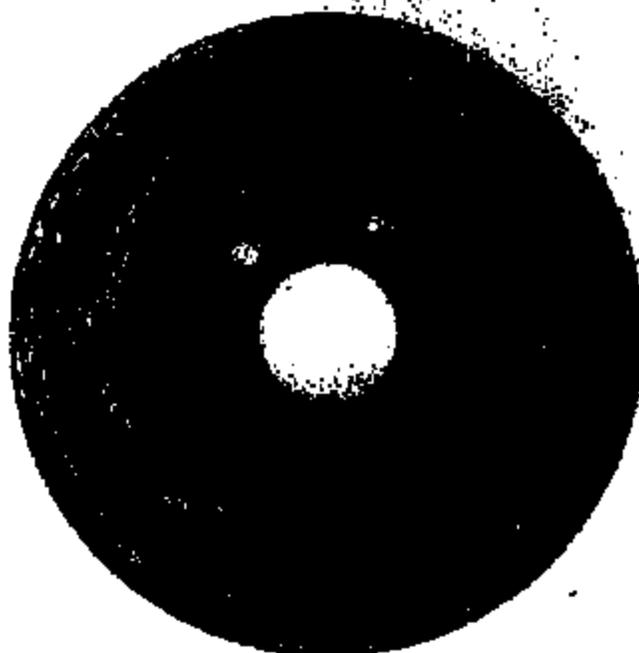
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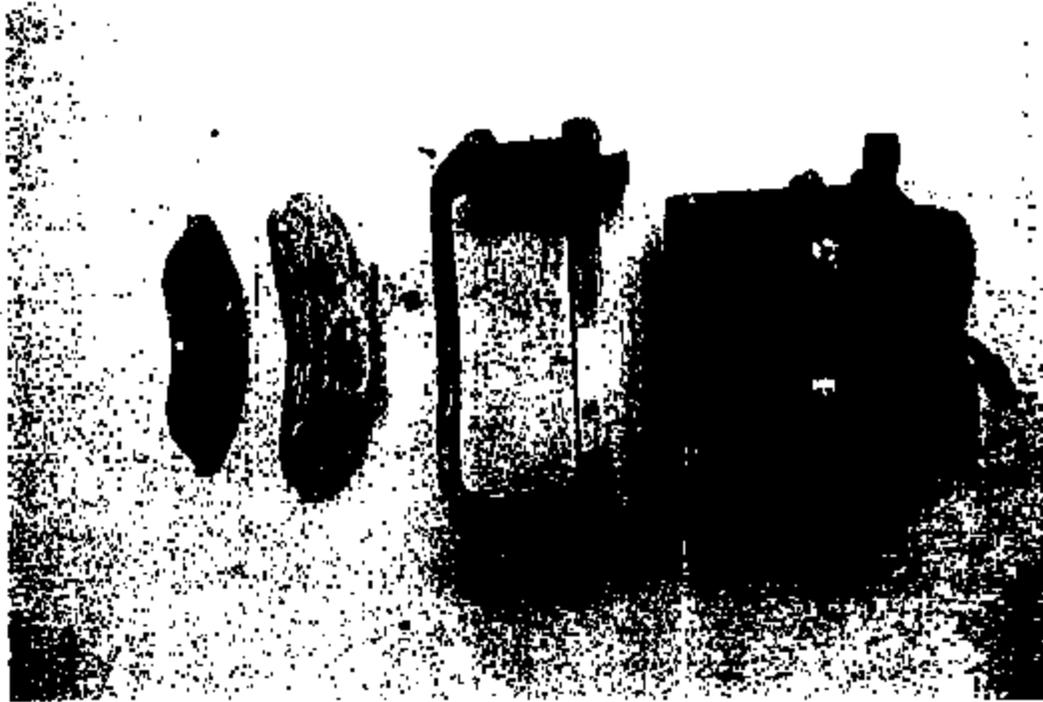


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ER05-005-LC-7201

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FILE NO *A-00007-01*



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PHOTO SHEET

FILE NO. A-00007-01



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PHOTO SHEET

FILE NO A-00007-01

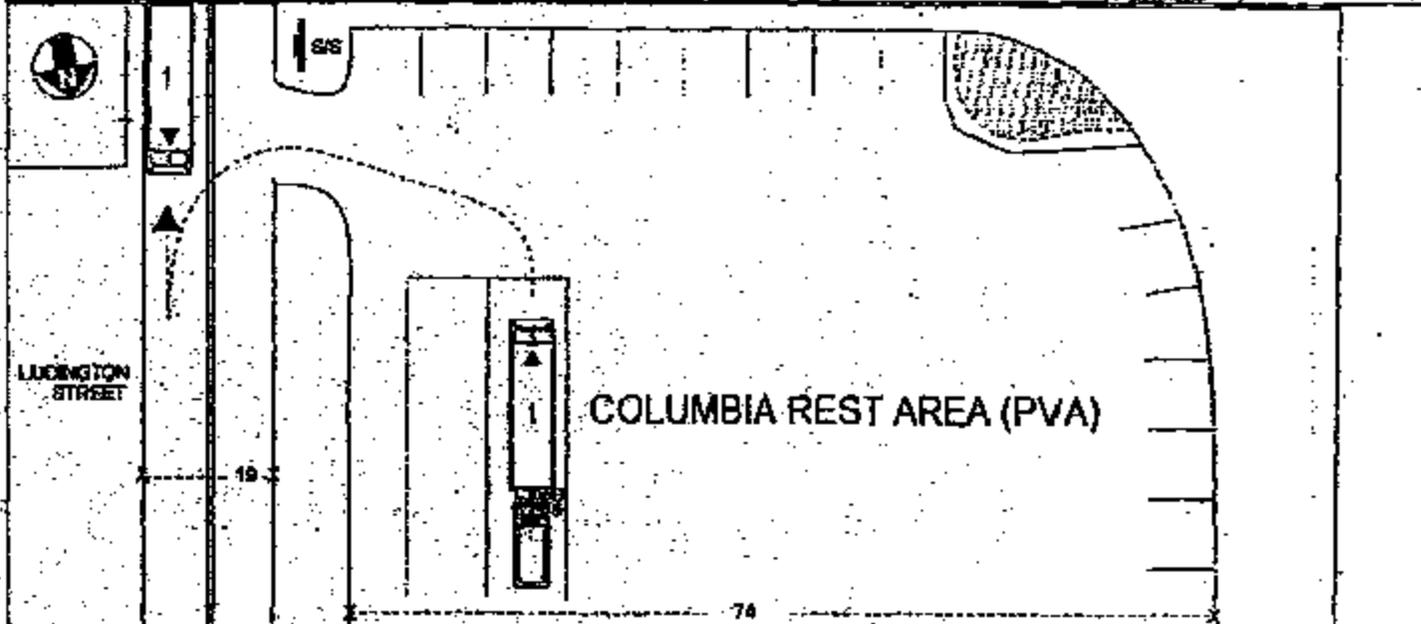


41

NR



CONTACT			REPORT TYPE		REPORT DATE		REPORTING AGENCY		OTHER CODES/RELATIONS	
CRASH SEQUENCE (Unit Line)			10. Reported Speed Limit	N/A	69. Road	4	78. Work Area	5		
01. Vehicle Unavailable	2	04	11. Accuracy of Original Reporting Speed	0	70. Road Condition	1	79. Work Activity			
02. Non-Motorist Action		05	12. Estimate of Speed at Impact	0	71. Road Classification	0	80. Work Area - Other			
03. Non-Motorist Location Prior to Impact		06	13. Fire Suppression Before Impact (If)	0	72. Road Surface Type	3	91. Crash Location			
04. Crash Sequence - First Event for This Unit	9	07	14. Distance Traveled After Impact (ft)	70	73. Road Configuration	2	TRAILER INFO. Unit Line			
05. Crash Sequence - Second Event		08	15. Emergency Vehicle Use		74. Access Control	1	10. Trailer Type	5		
06. Crash Sequence - Third Event		09	16. Post-Crash Fire (If Yes) (Classify)	<input type="checkbox"/>	75. Number of Lanes	2	11. Trailer No. Axles	N/A		
07. Crash Sequence - Fourth Event		10	17. School Bus - Occupied Vehicle	<input type="checkbox"/>	76. Traffic Control Type	0	12. Width (feet)			
08. Crash Sequence - Fifth Event		11	18. School Bus - Motorist Vehicle	<input type="checkbox"/>	77. Brake Control Oper		13. Length (feet)			
09. Most Hazardous Event for This Unit	9	19. Distance/Direction to Object Struck		0	COMMERCIAL VEHICLE: Hazardous Materials Involved <input type="checkbox"/>					
10. Vehicle Under/Overide	3	20. Vehicle Details		6	<input type="checkbox"/> Not by Person <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Fresh Painted Indicator <input type="checkbox"/>					
11. Vehicle Details	6	21. Vehicle Characteristics			<input type="checkbox"/> Hazardous Cargo <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 6-Digit placard number or other info classified as <input type="checkbox"/> 1-Digit Number from bottom of placard					
		22. Vehicle Details			<input type="checkbox"/> Carrying Fuel <input type="checkbox"/> Yes <input type="checkbox"/> No					



Traveling  Parked  Stopped  Other  Other  Other  Other  Other  Other  Other

23. NARRATIVE (Include pertinent and pertinent objects, which are not listed elsewhere on this report)  
 VEHICLE #1 TOWING A 1998 FORD EXPLORER WITH VIN NUMBER 1F8Z33664W... WAS PARKED SOUTH ON COLUMBIA REST AREA PVA. THE TOWED UNIT CAUGHT ON FIRE AND THE OWNER OF VEHICLE #1 UNLATCHED ITS TOWED UNIT AND DROVE VEHICLE #1 TO THE NORTHBOUND LANE OF LUDINGTON STREET. VEHICLE #1'S TOWED UNIT REMAINED ON COLUMBIA REST AREA PVA WHERE IT BURNED. NOTE: THE BURNED VEHICLE WAS TOWED TO PATRICKS WRECKER SERVICE.

24. Type of Case:  None  Other  Other  Other  Other  Other  Other  Other  Other  Other

Name: NONE Address: NONE Phone No. ( )  
 Name: NONE Address: NONE Phone No. ( )  
 Name: NONE Address: NONE Phone No. ( )  
 Name: NONE Address: NONE Phone No. ( )

Officer Name: [Signature] Officer Number: 1792 Department: MCSHP/A-1 MCNHP000 Date of Report: 07/30/2000

ERR-009-L-7288

FCSD REGION: \_\_\_\_\_ MARKET: \_\_\_\_\_ ISSUE STATUS: \_\_\_\_\_  
 P&A CODE: \_\_\_\_\_  
 VIN: IFMZU34E4WU \_\_\_\_\_ 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

F1=Help      F2=AddAction      F5=CustomerList      F6=DealerInfo  
 F7=Prev      F8=Next      F10=IssueDetail      F11=Menu      F12=Return  
 NO MORE RECORDS AVAILABLE OGDB079

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 F12=Return  
 F7=Prev F8=Next F9=ViewMORSII F11=Menu OGDB079  
 NO MORE RECORDS AVAILABLE

SFCHADMA

Action Detail

09/13/00 12:48:54

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 Owner Status: ORIGINAL WSD: 09/25/98  
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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  
 Analyst: WPINNOCK WINSTON PINNOCK Document Number:  
 Action Date: 08/02/00 Action Date: 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 [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: 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  
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**MORE COMMENTS AVAILABLE**

OGDB079

SECHADMA

Action Detail

09/13/00 12:49:05

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

MORE COMMENTS AVAILABLE

OGDB079

SFCHADMA

Action Detail

09/13/00 12:49:11

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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  
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SFCHADMA

Action Detail

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 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: \*\*\*\*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: IFM2U34E4WU [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

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:  
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: 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 CAC108 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

SFCHADMA

Action Detail

09/13/00 12:51:09

==>

VIN: 1FMZU34E4W [REDACTED] Year: 1998 Model: EXPLORER  
 Owner Status: ORIGINAL WSD: 09/25/98  
 Name: [REDACTED] Hm Ph: [REDACTED]  
 Trmt: [REDACTED] Case: 1480810859 Day Ph: [REDACTED]  
 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

EMCS-005-LC-7307

SFCHIDMA

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: MORSI 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

ENC-005-1C-7308

SFCHADMA

Action Detail

09/13/00 12:51:30

=>

VIN: 1FMZU34E4W0 [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:  
 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

SFCHIDMA

Issue Detail

09/13/00 12:51:40

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: 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

EM03-003-LC-7310

SFCHADMA

Action Detail

09/13/00 12:51:47

=>

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:  
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

SFCHADMA

Action Detail

09/13/00 12:51:51

→  
VIN: 1FNZU34E4WU [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:  
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





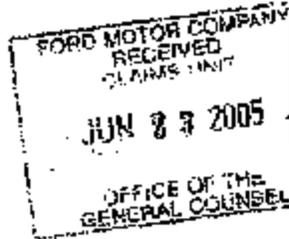
# Nationwide® On Your Side™

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NEW

June 15, 2005

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



198 F-150  
- DOL 2/19/05

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



ER85-285-LC-7314



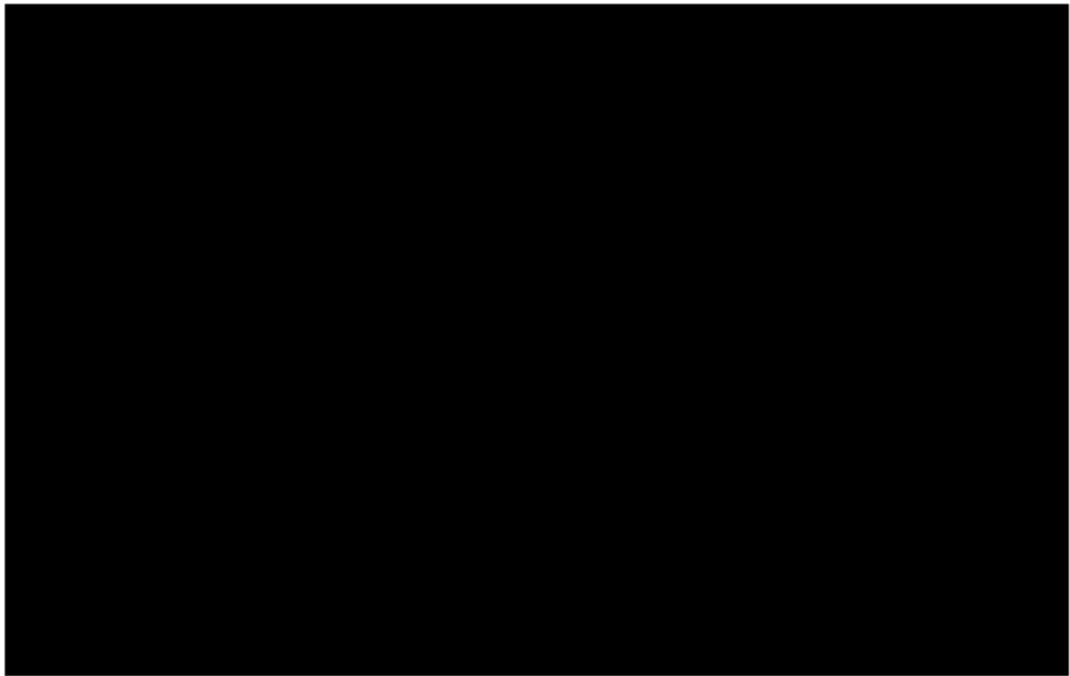
EA05-005-LC-7315



ERG-885-LC-7318



ER05-085-LC-7317





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.

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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

1 the "vehicle".

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.

12 22. At the time of the incident Plaintiff was obligated to pay for Plaintiff's insured's  
13 damages as a result of the incident set forth above and have paid a sum within the jurisdiction of  
14 this court which is presently unknown and Plaintiff will motion to amend this complaint to set  
15 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

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151  
\_\_\_\_\_  
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 01 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.

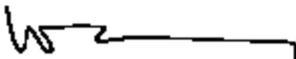
No Ford recalls or technical service bulletins were located which describe this improper cable routing.

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

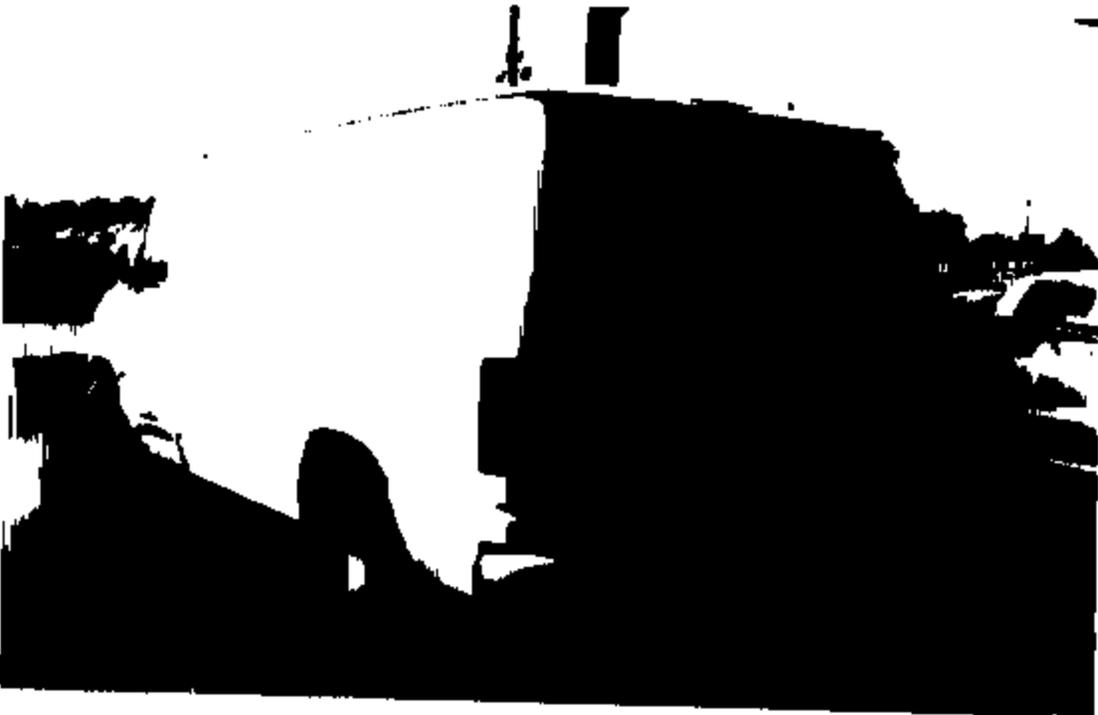
MOBIL EQUIPMENT: AUTOMOBILE  
MAKE FORD LIC/VIN SJ55030  
EST PROPERTY LOSS: 5,000  
EST CONTENT LOSS:

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.

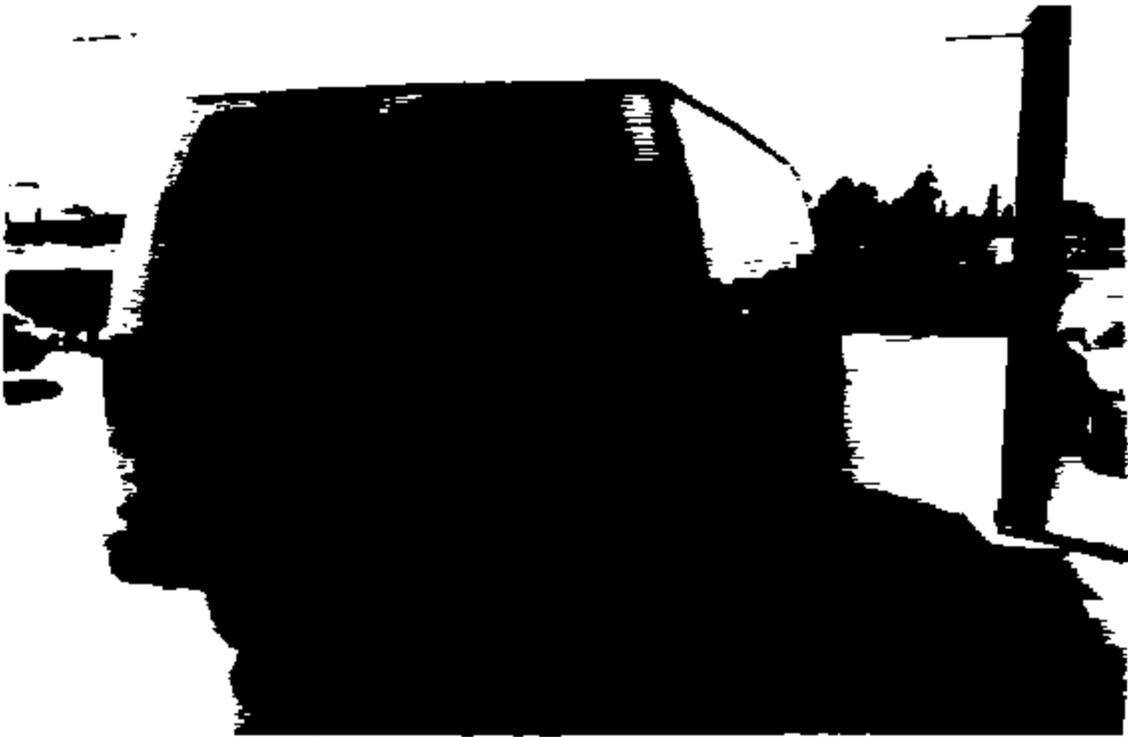
RECEIVED  
OCT 05 1998  
GLENDALE CLAIMS

LOS ANGELES CITY  
FIRE DEPARTMENT  
OFFICIAL  
DOCUMENT  
CUSTODIAN  
OF RECORDS DC

ER05-005-LC-7328



ERRS-885-LC-7327



ENG-885-LC-7528





2025-005-10-7328





8903-085-LC-7330



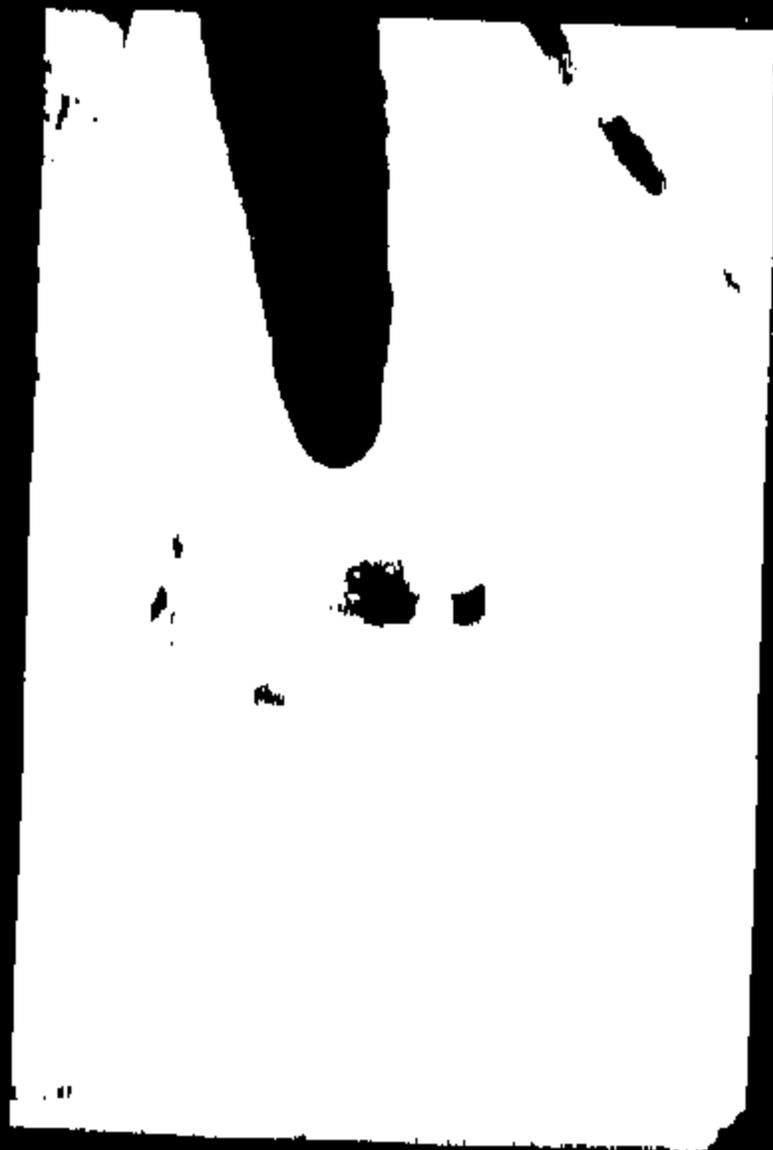
ENG-005-LC-7331



EMMS-888-LC-7332



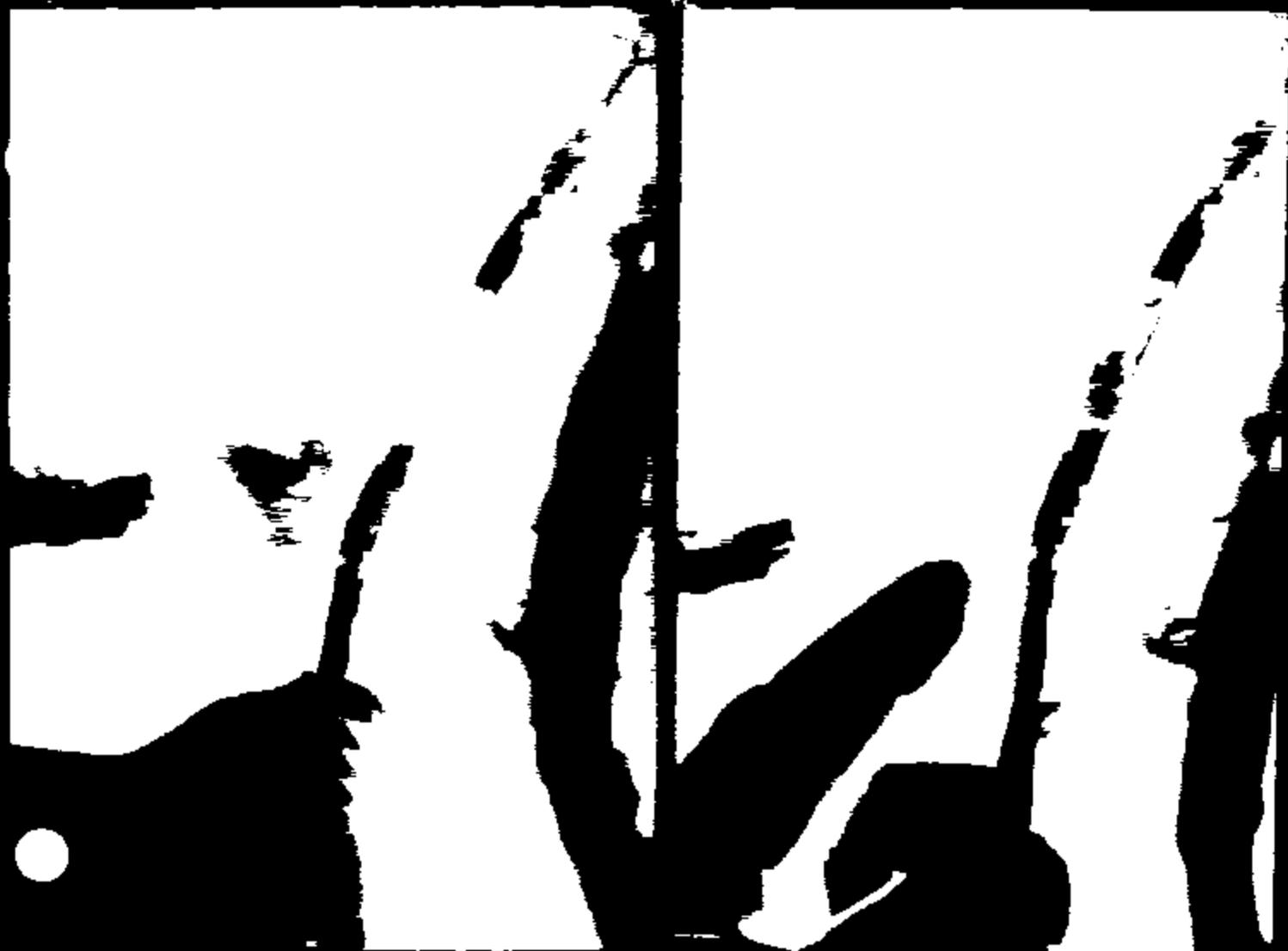
BRCS-008-LC-7333



0905-003-10-7334



BM-628-LC-7339





EMERSON-LC-7336

# ROYAL & SUNALLIANCE

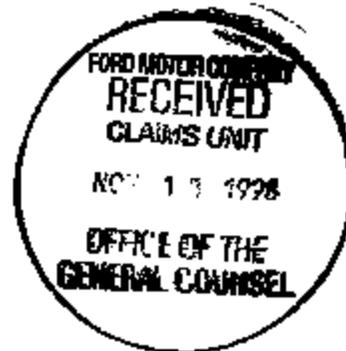
November 5, 1998

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

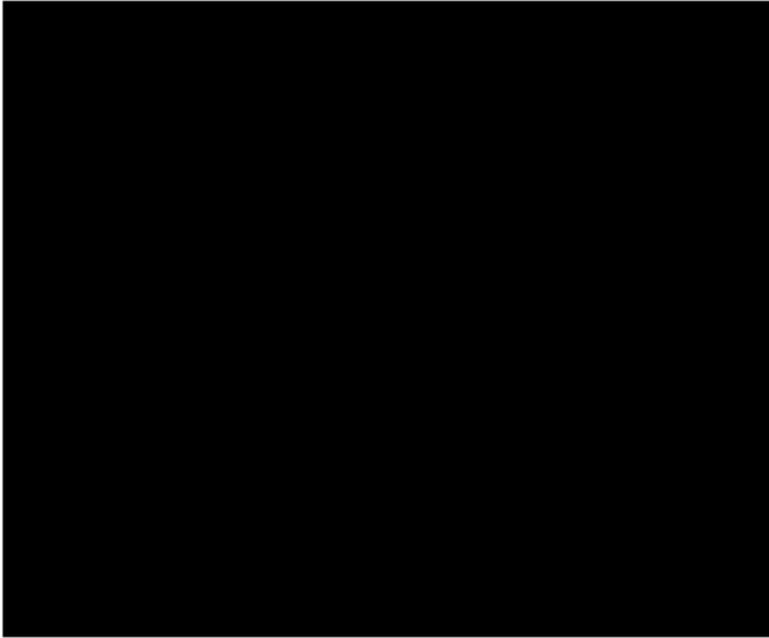
EN03-005-1C-7337

87964 0398

[www.royalsunalliance.com](http://www.royalsunalliance.com)

- Alliance Assurance Company of America
- American and Foreign Insurance Company
- Globe Indemnity Company
- The London Assurance of America Inc.
- Marine Indemnity Insurance Company of America
- Phoenix Assurance Company of New York
- Royal Indemnity Company

- Royal Insurance Company of America
- Royal Lloyd's of Texas
- Royal Special Risk Insurance Company
- Royal Surplus Lines Insurance Company
- Safeguard Indemnity Company
- The Sea Insurance Company of America
- Sun Insurance Office of America Inc.



TO: DENISE LAZZI  
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 examined.

#### 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 one to two and one-half hours 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 98V06000.

#### 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 examined. 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 well.

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 charred 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:

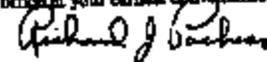
After all of the available information was reviewed the fire was determined to have been accidental in nature. The fire was found to have been caused by a leaking fuel line in the area of origin. The wiring of electrical wiring found to have occurred immediately next to the fuel line

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 due 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, BCPE, CPFI, MPB, CFI  
Master Forensic Examiner  
Fellow, American College of Forensic Examiners  
Diplomate, Board Certified Forensic Examiner

Terry Curinas  
Forensic Analyst  
ASE Certified Master  
Technician



Michael O. Ruffalo, CPFI, CFI, ABFE  
M.S. Forensic Science  
Fellow, American College of Forensic Examiners  
Diplomate, Board Certified Forensic Examiner

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

Manuel Ferreira  
Licensed Electrician  
Forensic Analyst  
Div: 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 Mignogno, 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 France, CPFI, CFI  
Forensic Analyst

Robert Demomais  
Forensic Analyst  
Heavy Equipment Specialist  
Marine Engine Mechanic

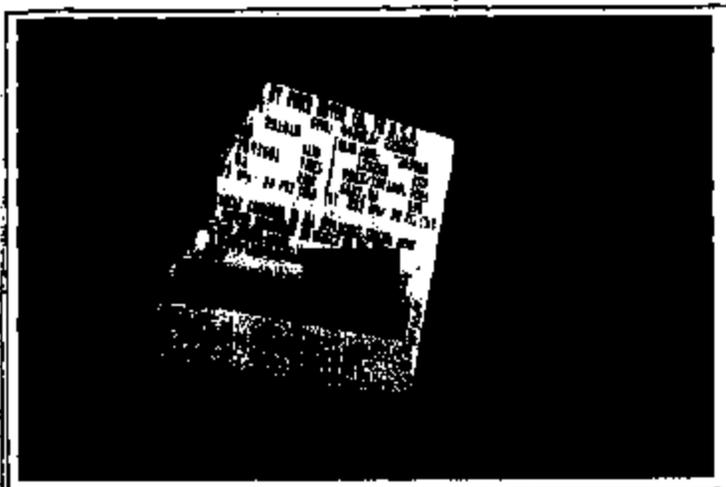


Photo #1 VIN TAG



Photo #2 EXTERIOR FRONT



Photo # EXTERIOR PASSENGER SIDE



Photo #4 EXTERIOR DRIVER'S SIDE



Photo # EXTERIOR DRIVER'S SIDE REAR

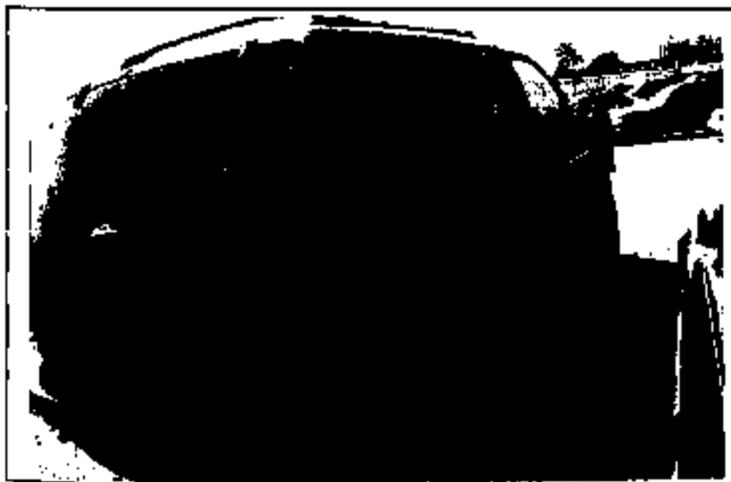


Photo A6 EXTERIOR PASSENGER SIDE REAR

ENR-005-LC-7349



Photo #7 INTERIOR DRIVER'S SIDE FRONT



Photo #8 INTERIOR PASSENGER SIDE FRONT



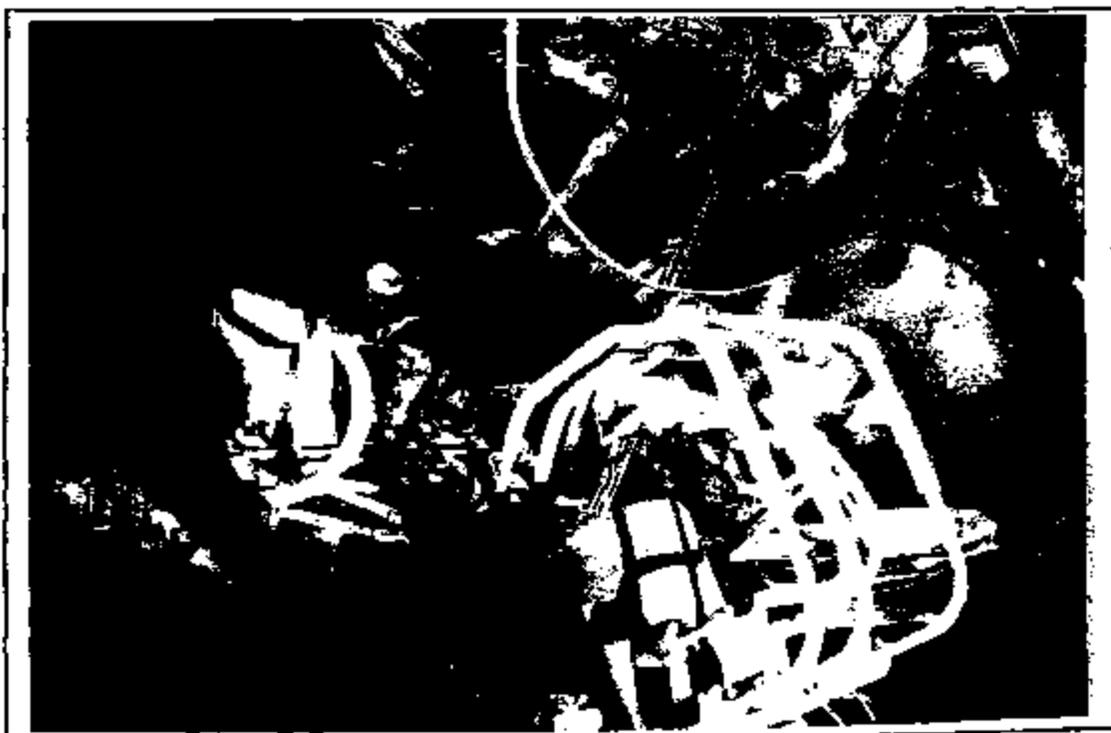
**Photo #11 PASSENGER SIDE OF THE ENGINE COMPARTMENT**



**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**



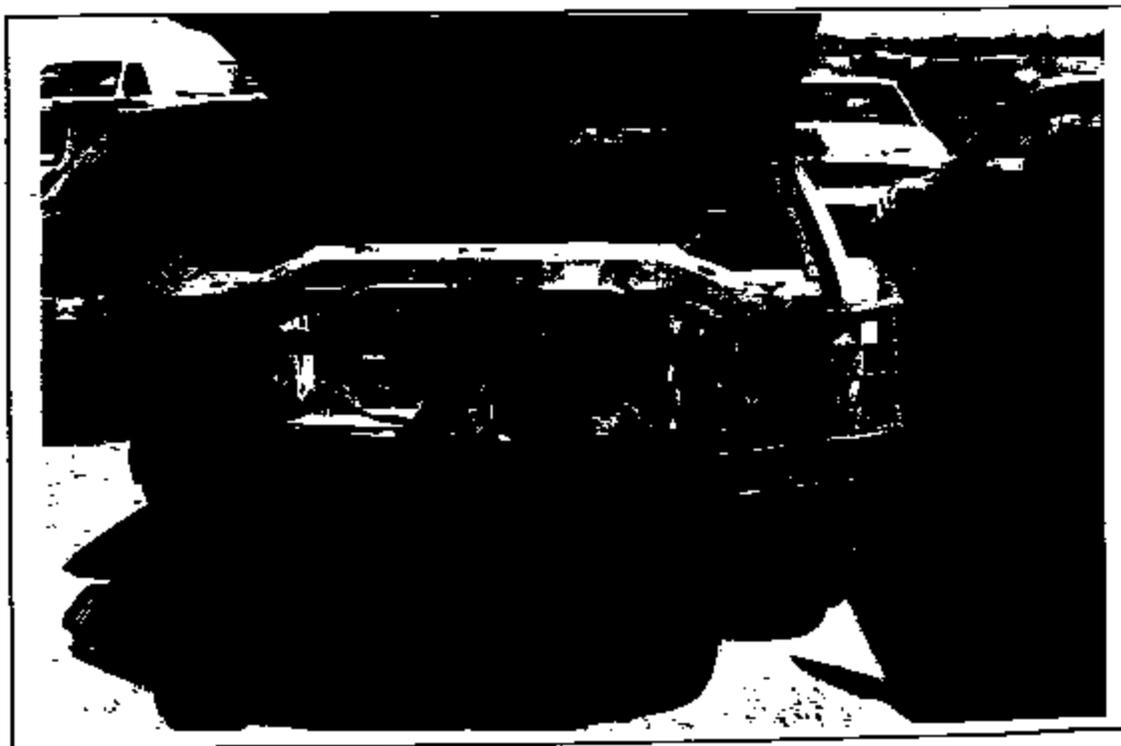
**Photo #17 OVERALL LOWER DRIVER'S SIDE FRONT**



**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**

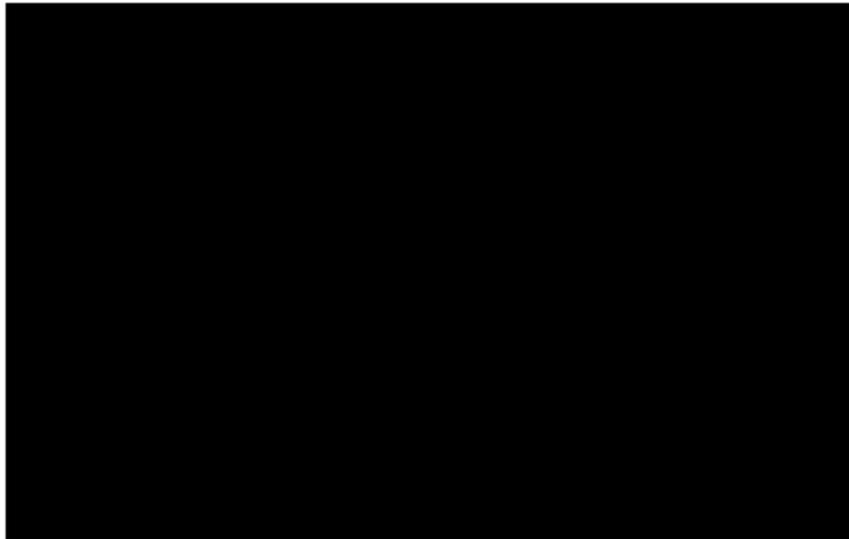


**Photo #24 FUEL LINES AND CONNECTOR**



**Photo #25 FUEL LINES AND CONNECTOR**







**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: [REDACTED]  
CLAIM NUMBER: [REDACTED]  
DATE OF LOSS: 04/15/2005  
LOCATION OF LOSS: [REDACTED] GETTYSBURG, PA

AMOUNT OF LOSS: \$ 2616.12

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)

**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**

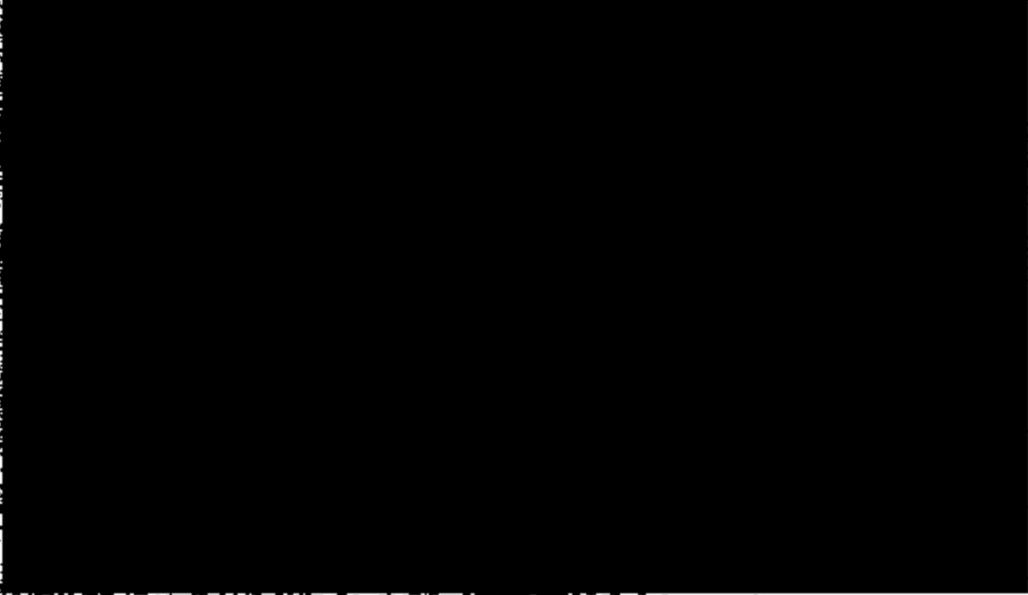
We will be happy to work with you in establishing a convenient payment plan. Please contact me right away at the number listed above, extension 286.

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] 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

*Crump,  
Bill  
4/29/03*

Attn: Shawn Norton

Re: 63 claims relating to cruise control recall

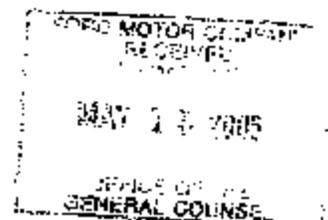
Dear Ms. Norton:

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*  
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





FISHER KANARIS, P.C.  
ATTORNEYS AT LAW

100 SOUTH WACKEL 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

FORD MOTOR COMPANY  
RECEIVED  
MAY 24 2005  
COUNSEL

05 MAY 23 2005  
171

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

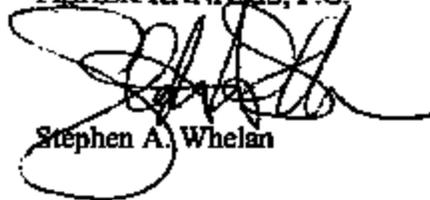
FISHER KANARIS, P.C.  
ATTORNEYS AT LAW

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.

A handwritten signature in black ink, appearing to read "Stephen A. Whelan", is written over the printed name. The signature is stylized and somewhat illegible due to its cursive nature.

Stephen A. Whelan

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

ED05-025-LC-7371