Liberty Mutual.

Liberty Mutual Fire Insurance Company

5050 W Tilghman St Ste 200
Allentown PA 18104
Tel: (610) 398-9800 / (800) 521-0986
Fax: (610) 336-0305

August 16, 2004

FORD MOTOR COMPANY
CUSTOMER RELATIONSHIP CENTER, P.O.BOX 6248
DEARBORN MI 48126

S. GOLDEN AUG 27 2004

ATTN CUSTOMER RELATIONSHIP CENTER

OUR INSURED: [redacted]
OUR CLAIM NUMBER:

YOUR INSURED: FORD MOTOR COMP
YOUR CLAIM NUMBER:

DATE OF LOSS: 11/18/2003
PLACE OF LOSS: [redacted] SAULT SAINTE MARIE, MI

4 SEP -7 P1:12
[illegible] AFFAIRS SECTION

Dear Sirs:

Based on our investigation of this accident, we believe your Insured to be responsible for the damage to our Insured's vehicle. I have enclosed documentation to support the following subrogation claim:

Amount we have paid	$	13231.80
Salvage (if applicable)	$	46.40
Our Insured's deductible	$	100.00
Total amount of damages	$	13285.40

Please include our claim number on your check for the total amount of damages shown above and send your payment to my attention. If you have any questions, please contact me at the number listed above, extension 303.

FORD MOTOR COMPANY
RECEIVED
SEP 09 2004
OFFICE OF THE GENERAL COUNSEL

Sincerely,

STACY GOLDEN
Subrogation Department

Enclosure

Please contact us with your liability decision of the ignition fire.
Thank you.

C. Bowers AUG 27 2004

Helping People Live Safer, More Secure Lives

SUB127A

[redacted]

S. GOLDEN AUG 1 1 2004

1. An overall view of the fire scene.

2. Another overall view of the fire scene in front of the vehicle.

EMS-005-LC-0029

RECEIVED
JAN 0 7 2004
KENTWOOD

3. A view of the Vehicle Identification Number located in the area of the windshield and dash destroyed by the fire.

4. An overall view of the front of the vehicle.

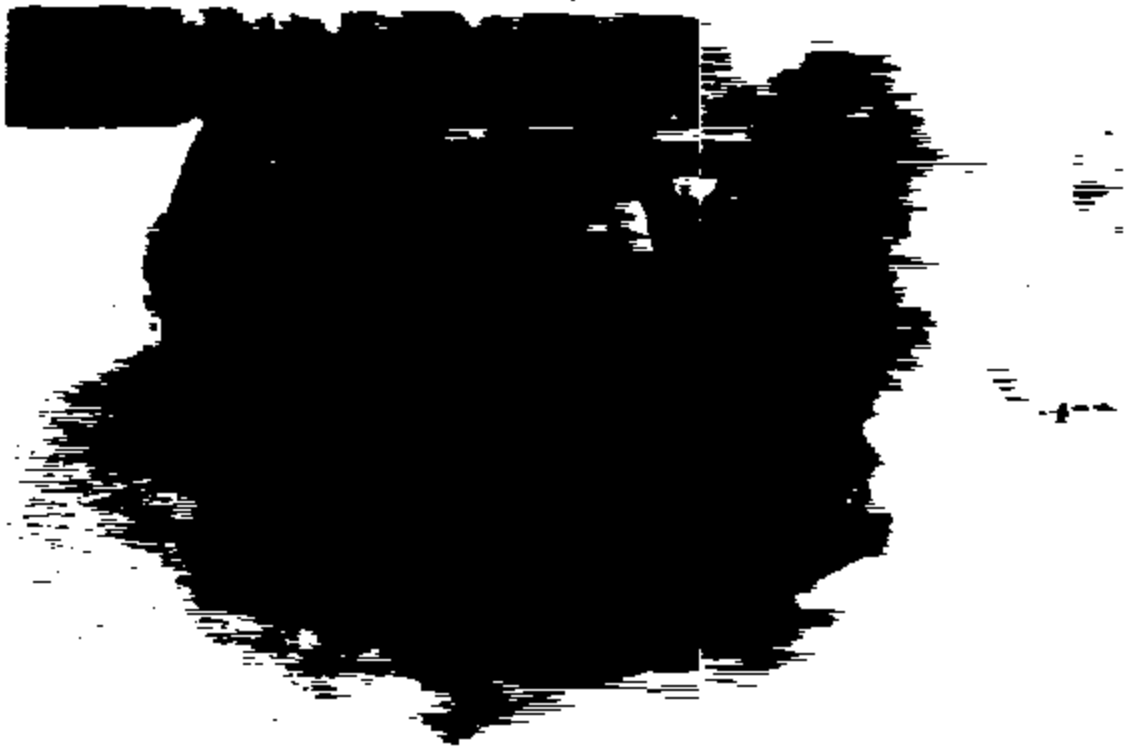
EB03-005-LC-0049

5 A view of the left front.

6 A view of the driver's side seen from the front

A view of fire damage to the fuel fill tube.

An overall view of the rear of the vehicle.



EMS-05-LC-0042

9 A view of the Michigan license plate registered to the vehicle, tire damaged with the vehicle

10 An overall view of the rear of the vehicle.

ER03-885-LC-6843

11 A view of the passenger's side seen from the right rear.

12 An overall view of the passenger's side seen from the right front.

13. An overall view of the passenger compartment seen through the front windshield opening with the vehicle filled with snow.

14. An overall view of the passenger compartment seen through the front windshield opening after removal of the snow by this Investigator.

15. A view of combustibles still present in the area of the instrument cluster.

16. A view of charred wiring insulation still present in the main wiring harness within the dashboard.

EN03-005-LC-8846

17 A view of combustible flooring still present in the left rear floor area.

18 A view of combustible flooring still present in the rear cargo area.

ERG-2015-LC-0047

(b) A view of combustible flooring still present in the right rear floor area

(c) A view of charred wiring insulation on wiring and flooring material still present in the right front floor area

21 A view of fire damage to the underside painted surface of the hood.

22 A view of the engine compartment from the front.

23. A view of the engine compartment from the passenger's side.

24. A view of the left or driver's side of the passenger compartment seen from the front

25 An overall view of the engine compartment as seen from the driver's side

26 A view of the spark plug boots and wires on the left or driver's side of the engine fire damaged lessening in degree extending towards the rear of the vehicle

27 A view of the fuel line connection at the rear of the engine with the retainer clip still present.

28 A view of the fuel line connection closest the left front suspension.

A view of the alternator and casing.

An overall view of the alternator cable.

A view of the spark plug boots and wires in the right or passenger's side. fire damaged lessening in degree extending towards the rear.

A view of the combustible balance tube consumed from the fuel rail at the rear of the engine.

43. A view of the battery fire damaged

44. A view of the battery cables fire damaged and void of insulation.

35. An overall view of the main lead, which travels from the power distribution center.

36. A view of secondary electrical faulting at the main lead traveling to the power distribution center.

37 A view of the remains of the power distribution center.

38 A view of the remains of the oil fill cap, which has fallen into the tube.

39. A view of the power steering line and compression fitting with the hose consumed

40. A view of the battery, power distribution center and alternator retrieved and placed into the rear cargo area.

41 A view of the dashboard seen from the driver's side with the snow melted out of the vehicle

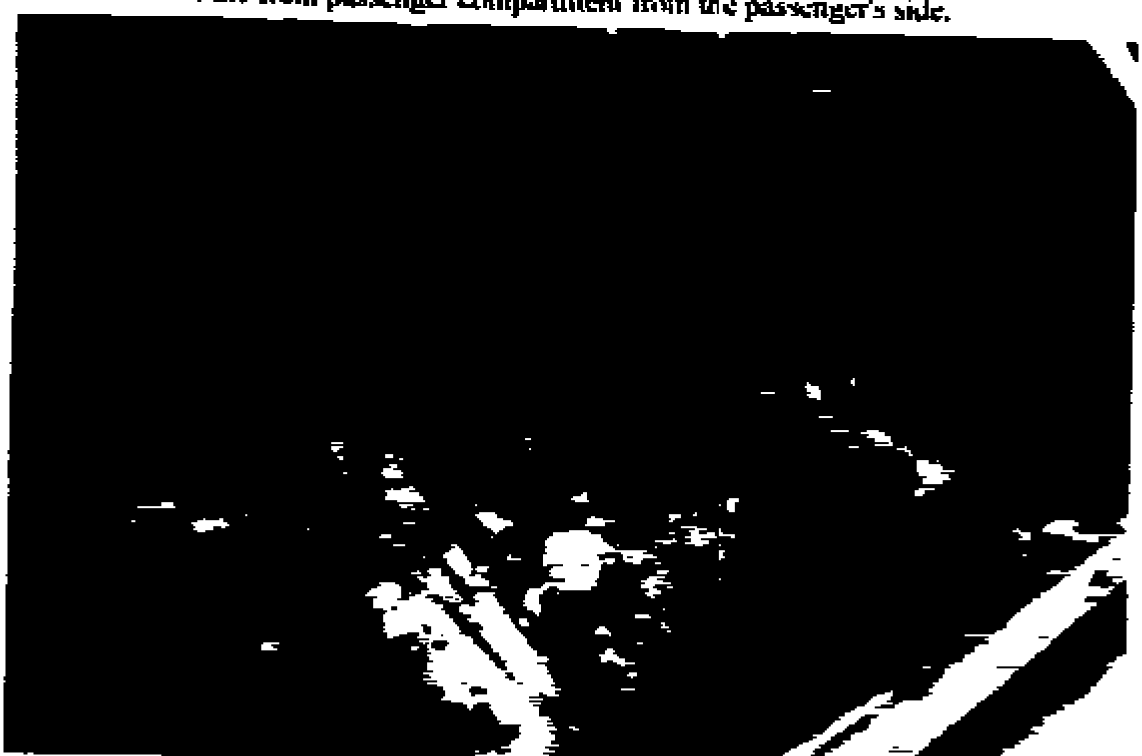
42 An overall view of the front passenger compartment from the driver's side.

43. A view of the rear passenger compartment from the driver's side.

44. A view of the rear cargo area.

45 A view of the rear passenger compartment from the passenger's side.

46 A view of the front passenger compartment from the passenger's side.



47 A view of melting to the bottom of the air-conditioning compressor

48 A view of the oil filter, which melted out of the engine.

49. A view of melting to the cast aluminum engine components in the left front lower section.

50. A view of a transmission cooler line fire damaged.

51 A view of the second transmission cooler line fire damaged with the combustible hose consumed.

53 A view of the transmission cooler.

53 An overall view of the undercarriage seen from the rear to front.

54 A view of the oil pan to include the drain plug intact.

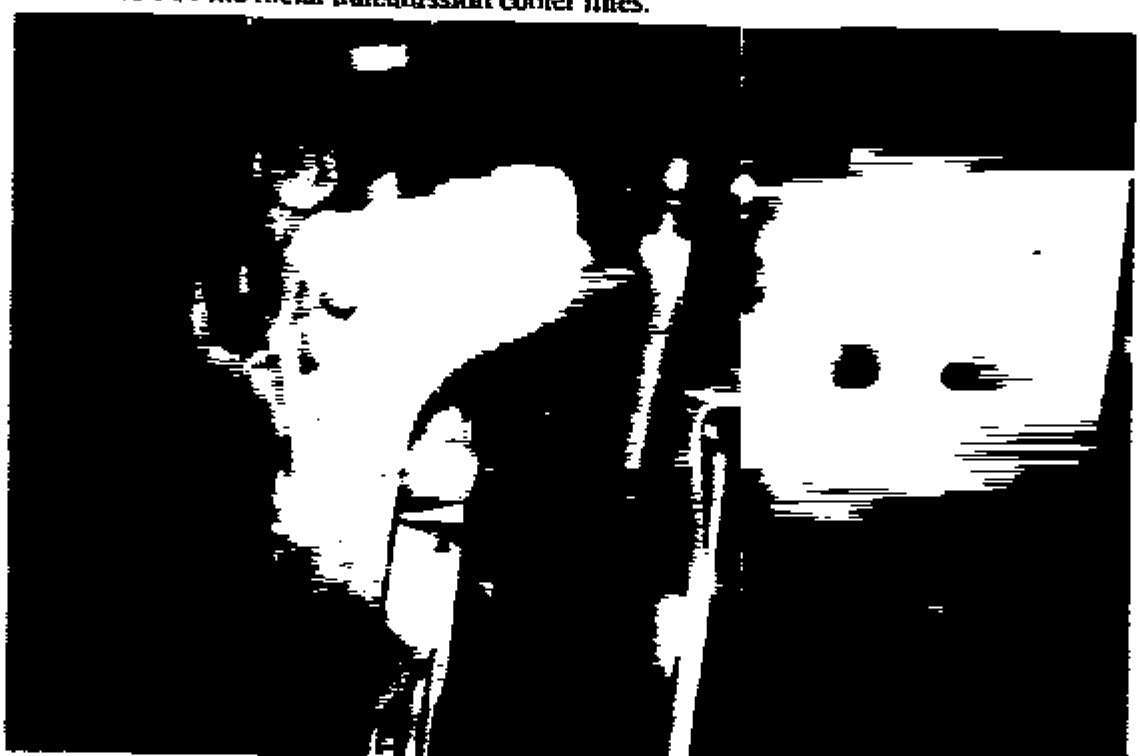
>S A view of melting to the transfer case.

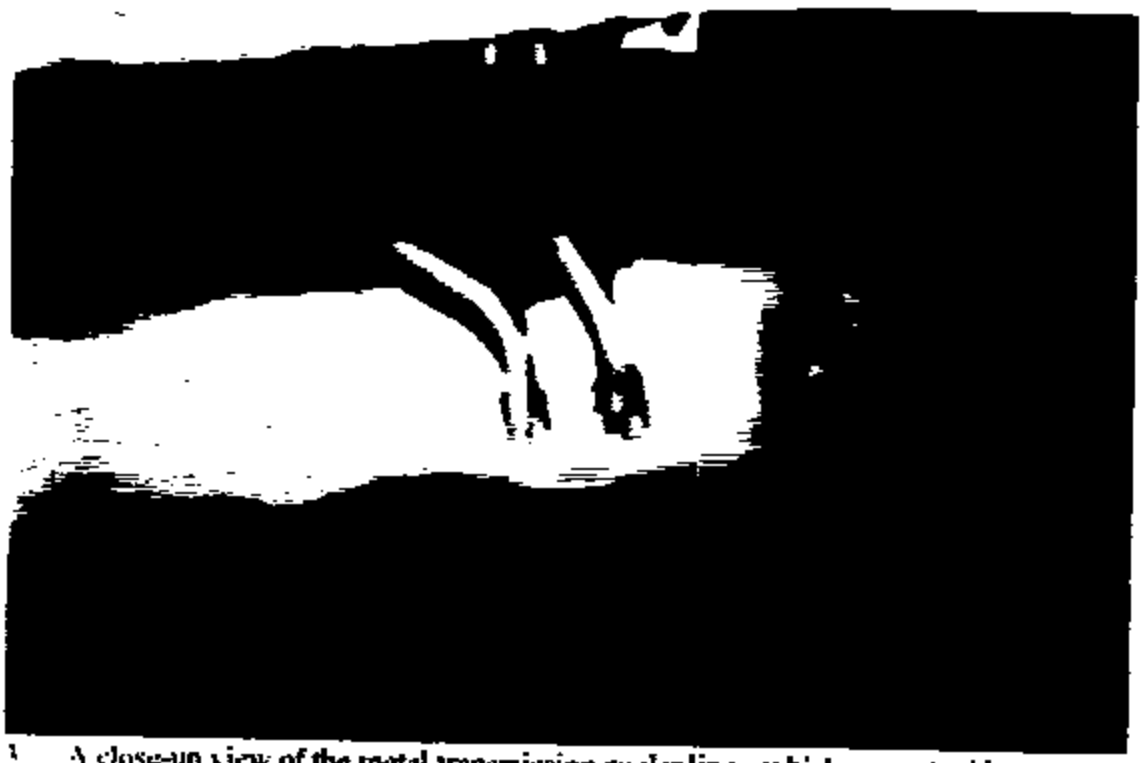
03 2458VE

EXEMPLAR PHOTOGRAPHS

1 A view of the power steering cooler and power steering lines in the front of the engine

2 A view of the metal transmission cooler lines.

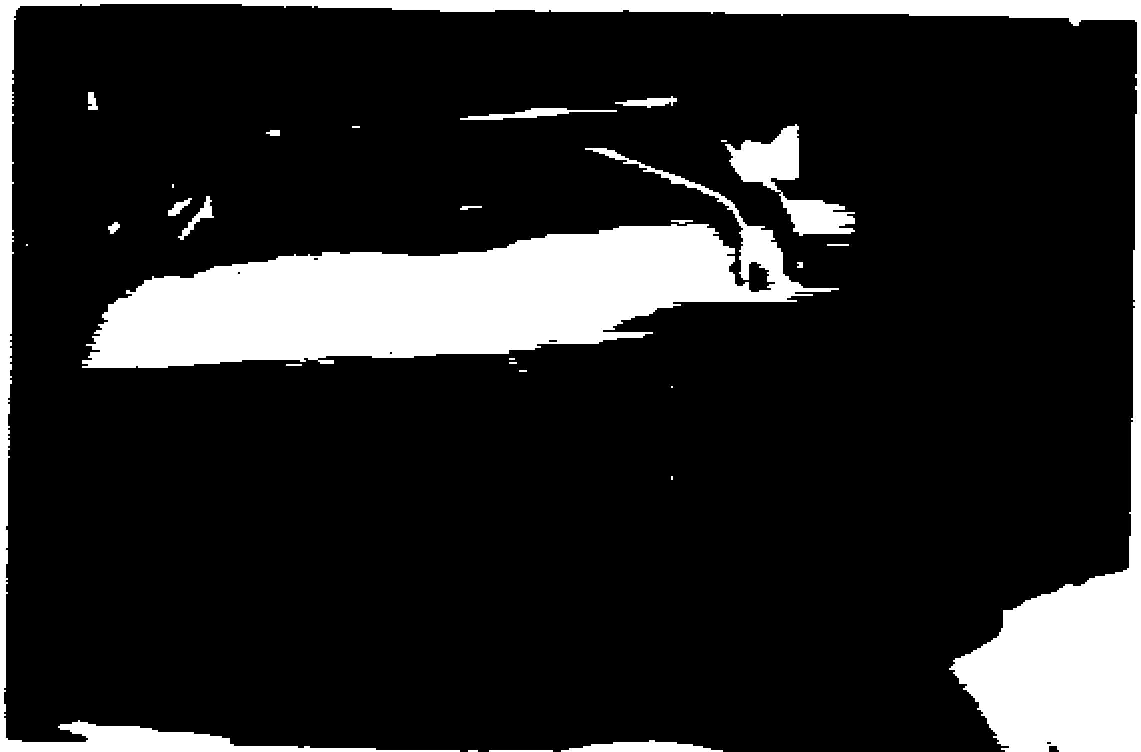




1 A close-up view of the metal transmission cooler lines, which are wet with transmission fluid.

2 A view of the metal transmission cooler lines where they connect to combustible hoses.

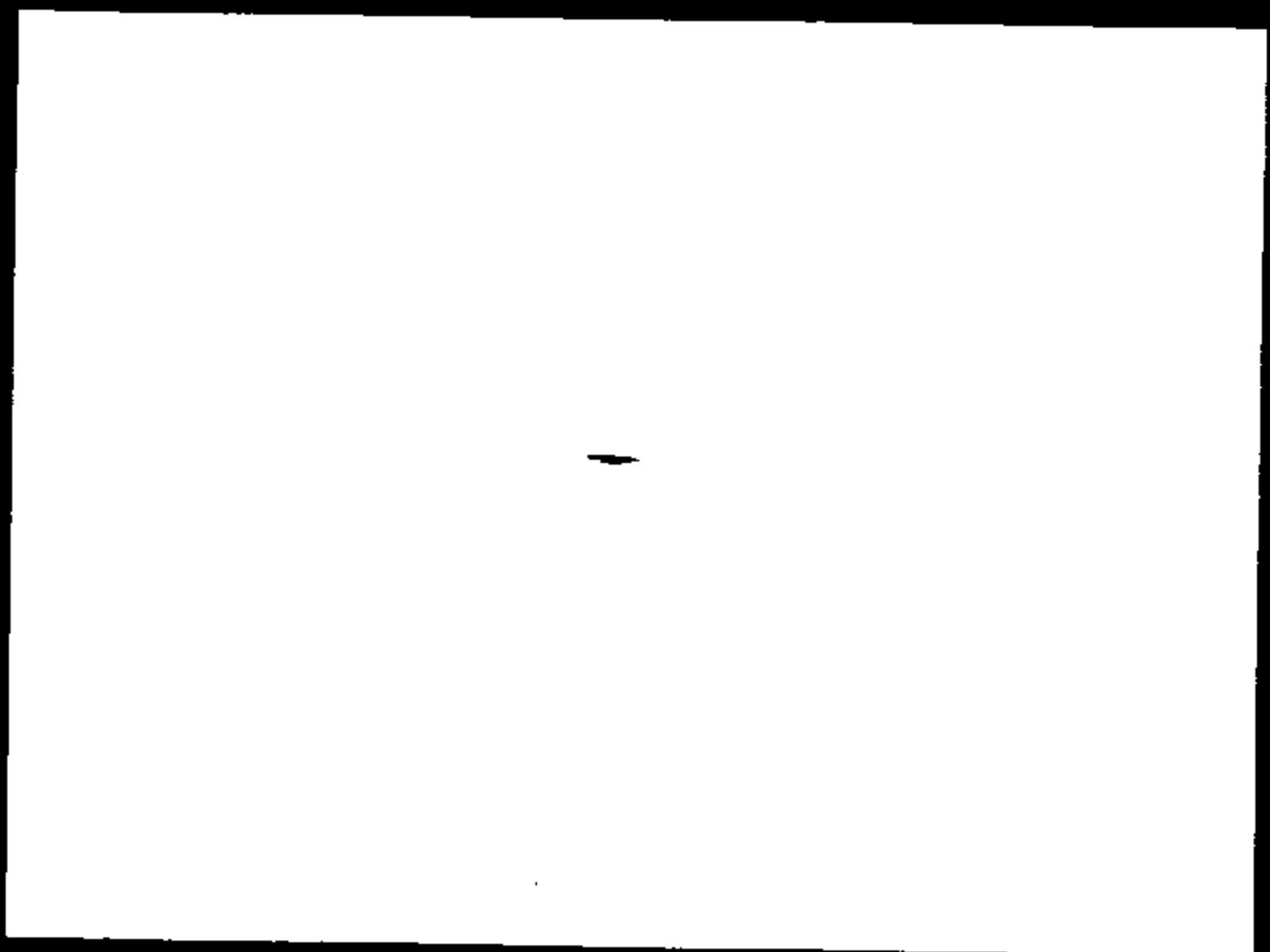
EXS-000-LC-0000

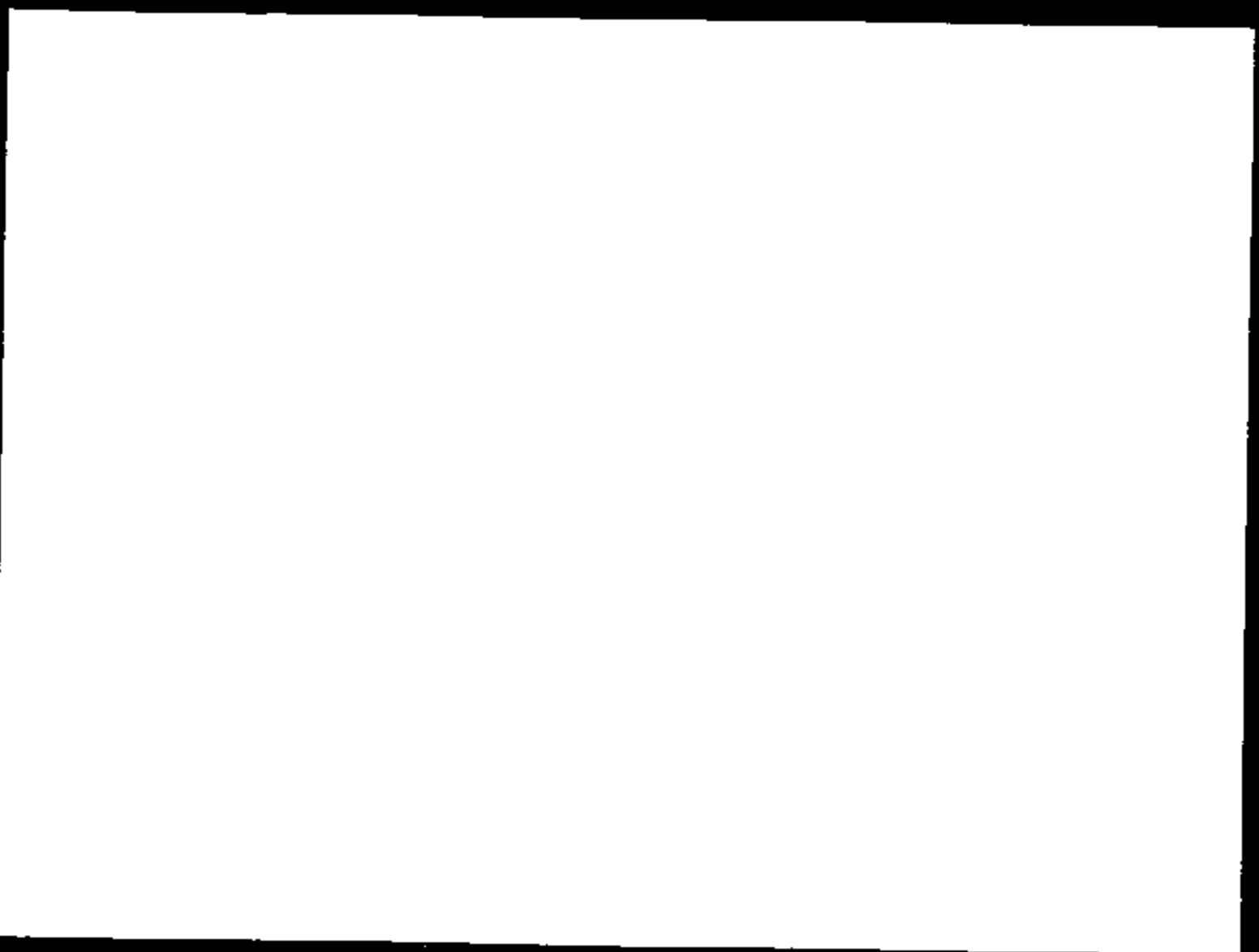


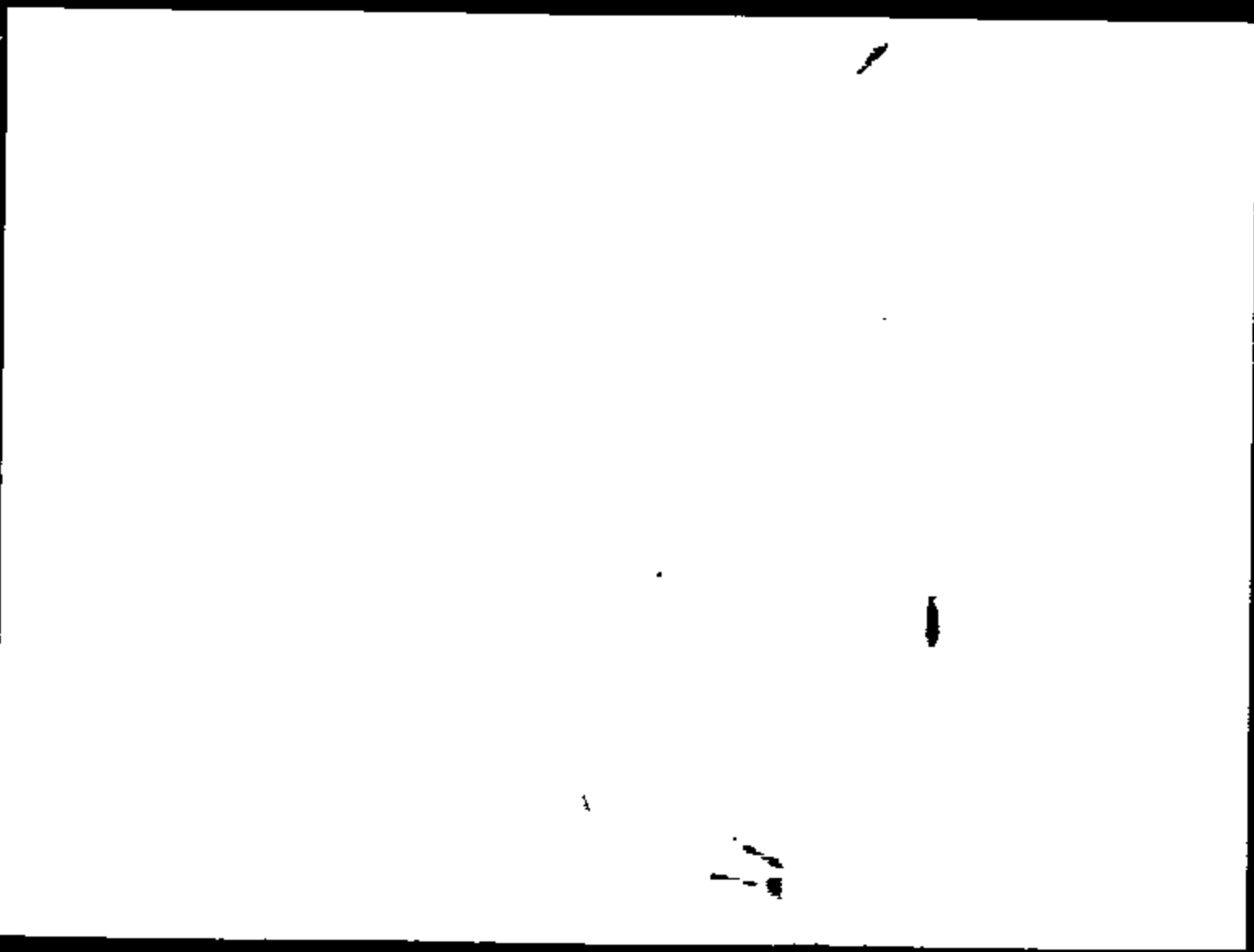
5. A view of transmission fluid present on the cooling fan shroud.

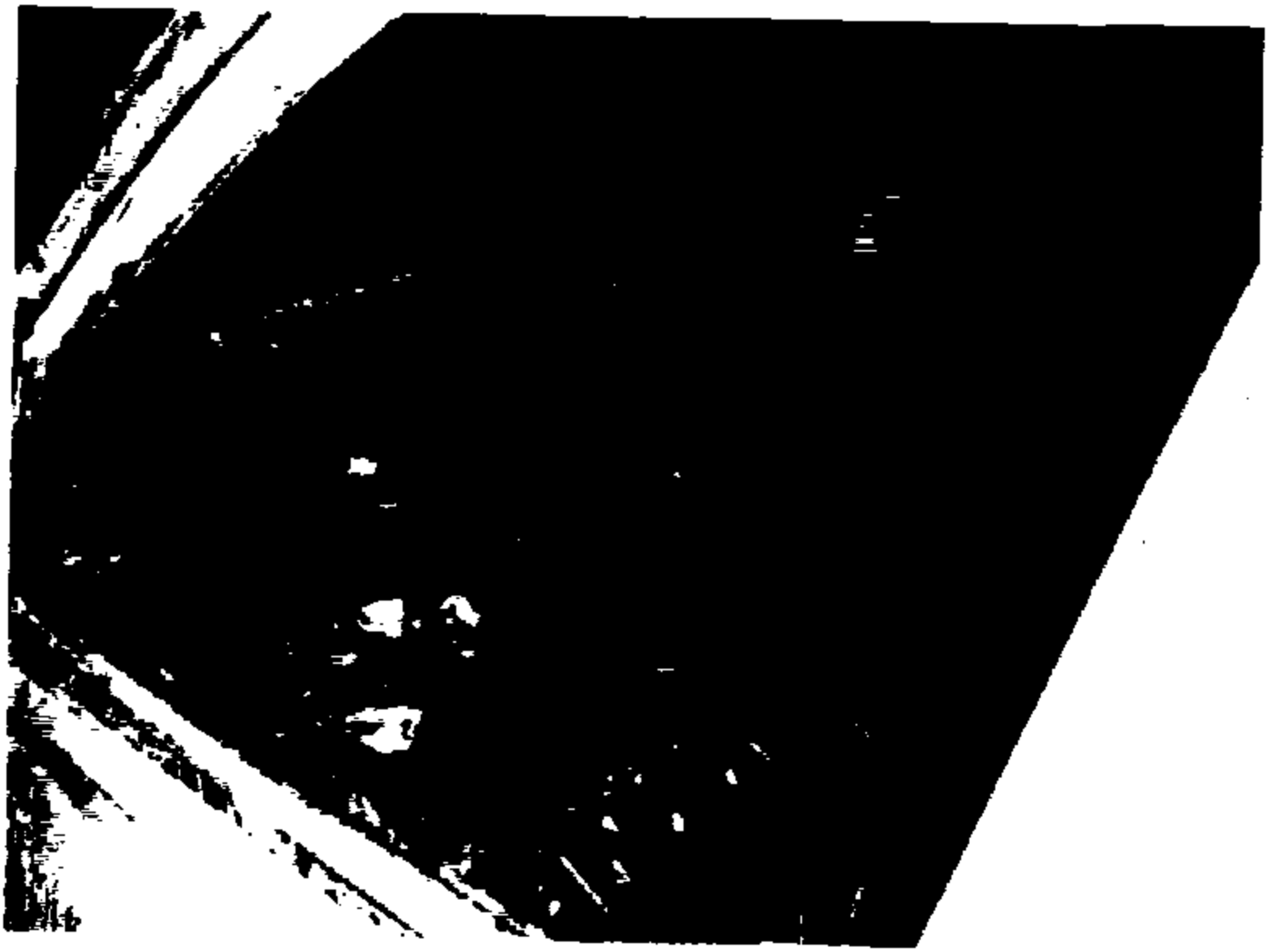
6. A view of the upper transmission cooler line connection at the radiator.

7 A view of the lower transmission cooler line connection at the radiator.

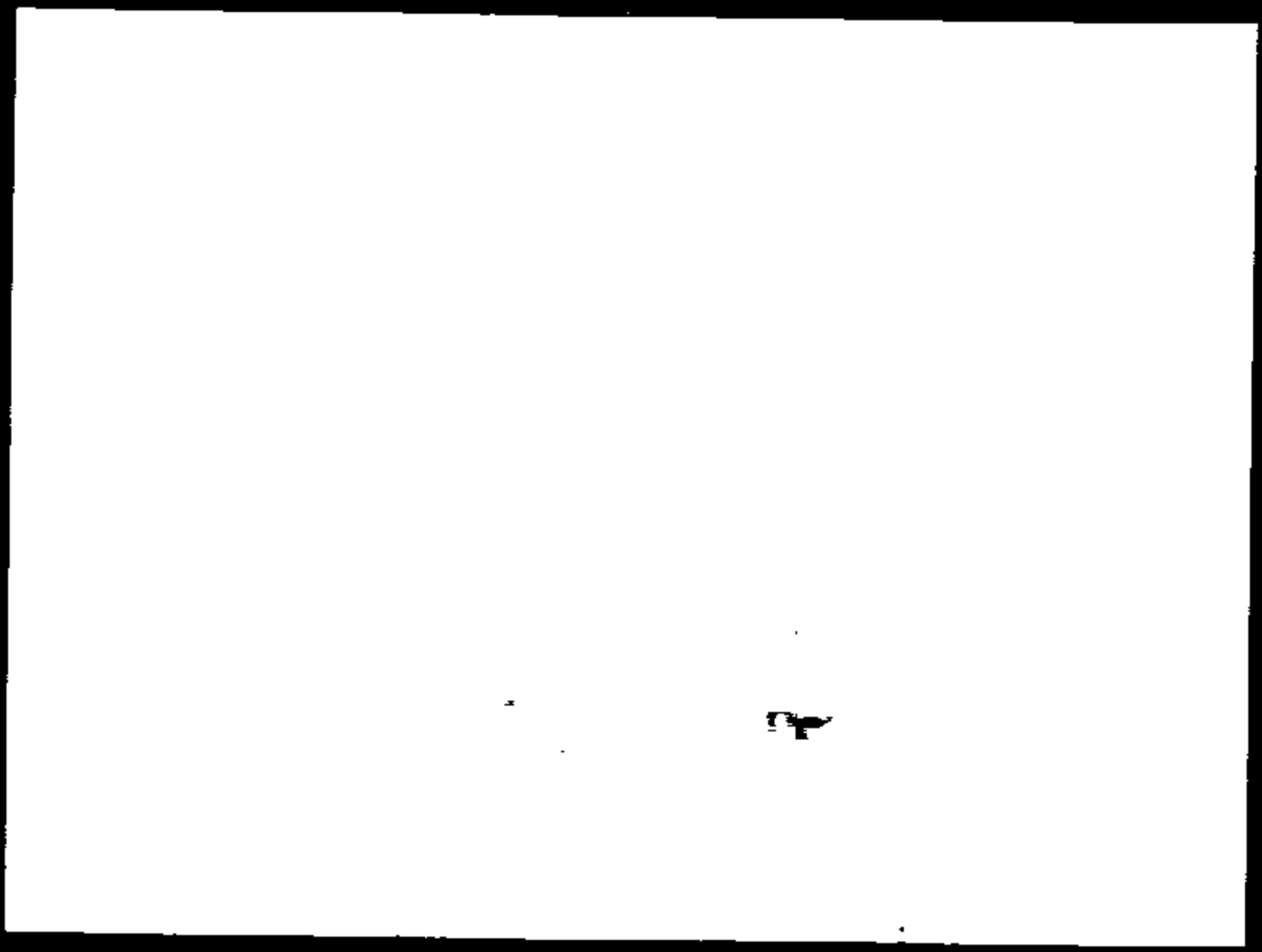




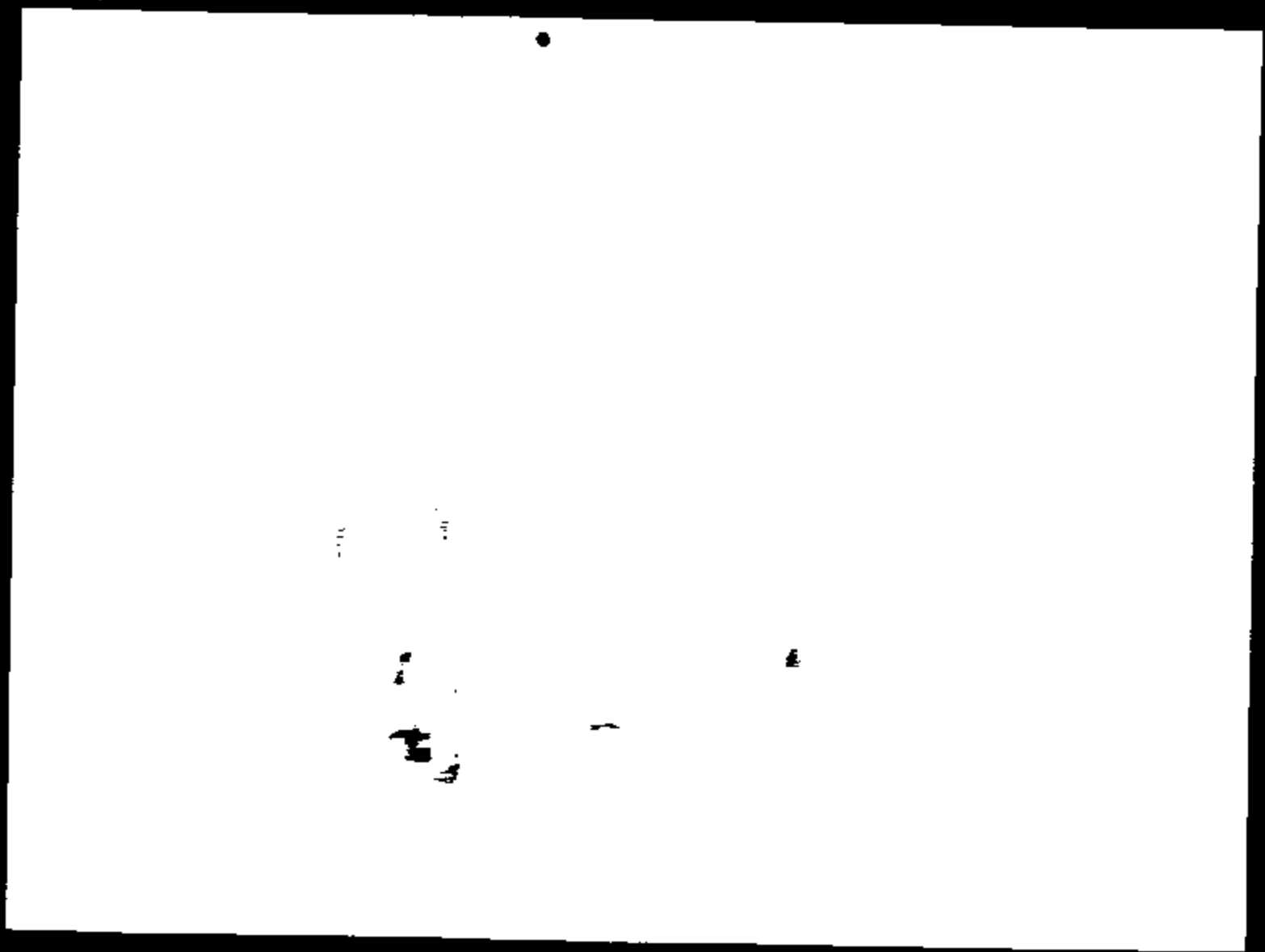


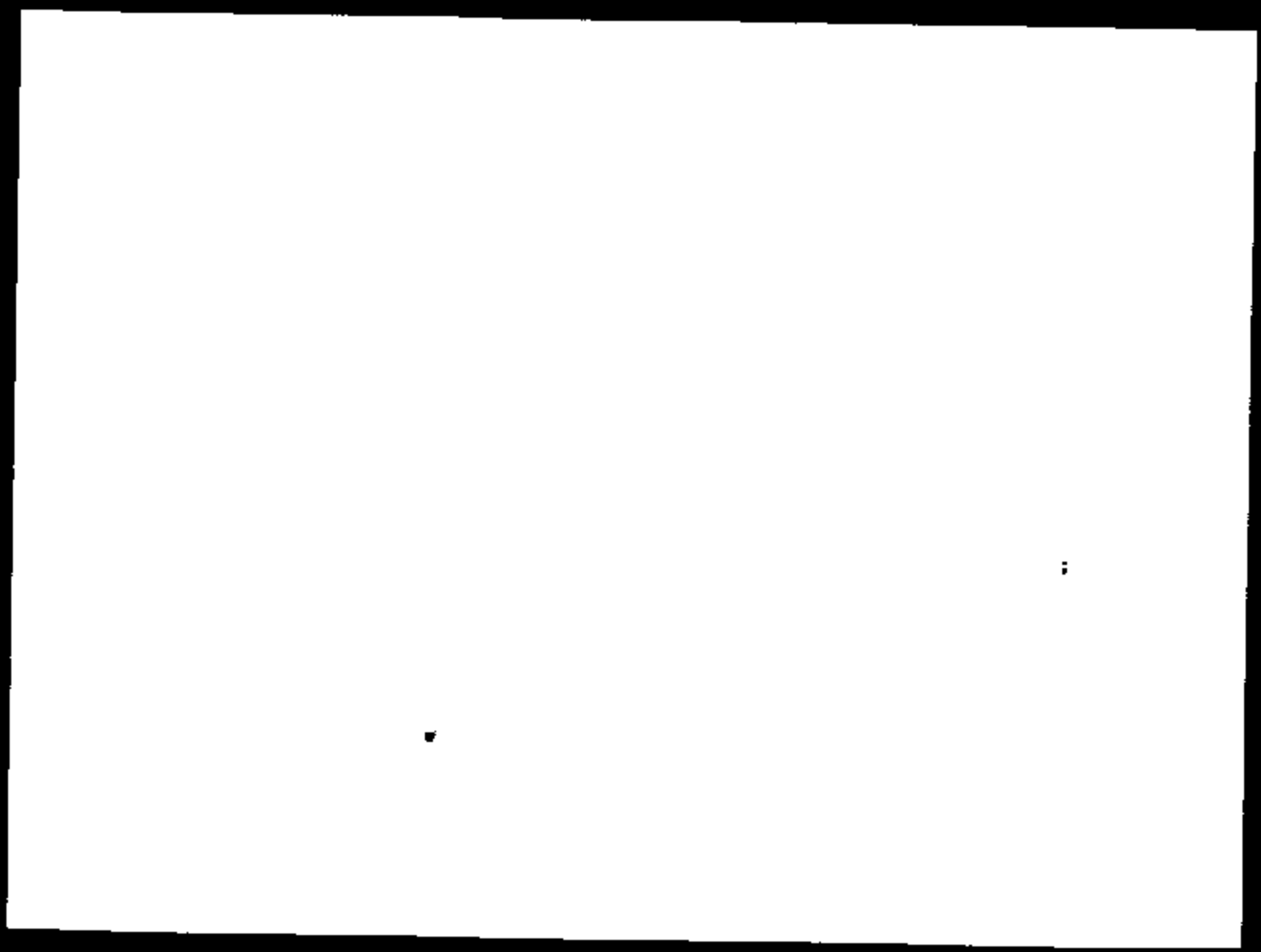


ER88-065-LC-6674



EA05-005-LC-5878





PRODUCT INVESTIGATION REPORT

FIRES

CONSUMER AFFAIRS SECTION

Date of Incident 7-15 1999 Hour 1:15 p M

'99 JUL 30 A10:48

I. OWNER-DRIVER-CLAIMANT

Owner name [redacted] Age

Address [redacted] Columbus, Ohio [redacted] Phone No. [redacted]

Driver Name [redacted] Age 40

Address [redacted] Westerville, Oh. Phone No. [redacted]

Claimant Name [redacted] Age

Address Columbus, Ohio Phone No. ( )

Is claimant represented by an attorney? ☐ Yes ☒ No

If "Yes", give name and address

II. VEHICLE

Make Ford V.I.N. 1FTZR15VXX[redacted] Year 1999 Model F150

Mileage Burned Trans. Type Auto Axle Type 2 Spd. Engine Type 4.1

Delivery Date Unknown New, Used or Demo New Lic. No. PAH 8950 State Ohio

Dealer [redacted] Address Columbus, Ohio

Inspection Sticker No. Not Required Inspection Station No. Exp. Date

Principal use(s) of vehicle Rental

Special vehicle features, equipment, modifications None

If vehicle is a truck, state gross pay load and location and description of load at time of incident.

1/2 ton, no pay load at time of fire.

Nature and extent of damages to vehicle and estimated cost of repairs. (Attach copy of estimate.)

This unit is a total. Completely destroyed by fire.

Is vehicle subject to any recall campaign(s)? ☐ Yes ☐ No If "Yes", identify Unknown

Was campaign performed? ☐ Yes ☐ No

III. PROPERTY DAMAGE

Was another vehicle involved? No Year, make and model

Other vehicle speed estimate MPH By whom

Owner name and address

Driver name and address

Extent of damage

Was property (other than a motor vehicle) damaged? (state nature and extent of damage, name of owner)

EMS-825-LC-0882

Inspection site Open field near Lewisburg, Ohio

IV. ELECTRICAL SYSTEM

A. Apparent point of fire origin Driver states the fire started at dash and steering coluan when she engaged the Speed Contrel. This burned the fuel line and burning gasoline destroyed the vehicle.

B. Fuel Panel:

1. fuses/circuit breakers blown Burned

2. oversized fuses used "

C. Note electrical component(s) damaged/destroyed Every thing inside, under hood snd in front.

D. Wiring at point of fire origin:

1. wires penetrated by sheet metal or screws/cut/or spliced Burned

2. proper/improper routing Not legible, All wireing destroyed.

3. insulation/connector condition - subject to chafing sources All burned

4. color of any bared copper wires light charcoaland copper

5. wire strands fused/welded together Fuse boxs and fuses totality destroyed.

6. beading or balling of wires where separated Not legible

E. Check condition of components

1. utilize external power source to determine if component still functions (excessive draw? drag?) No components not destroyed

2. attempt to manually rotate electromechanical components (e.g. blower motor, etc.) Same

V. EXHAUST SYSTEM

A. Check appearance of:

1. catalytic convertor Scorched

2. muffler "

3. exhaust manifold "

4. component clearance to floor pan, crossmembers, other components, etc. Floor burned.

ERG-005-LC-0003

5. note any holes, dents, separation, missing components (e.g. heat shields, manifold bolts, etc.) ________

none

VI. FUEL SYSTEM

A. Examine tank, lines, fuel metering systems for evidence of fuel leaks ________

Fuel system componants damaged or destroyed

B. Note any evidence of modified or non standard items None

VII. OTHER FLUID LEAKS

A. Examine engine for evidence of possible oil leaks All damaged from flames.

B. Possible brake fluid leaks Not not a problem

C. Transmission cooler connections leaks Destroyed

D. Power steering fluid leaks Dap missing, contents burned.

VIII. GENERAL COMMENTS:

A. Analyze and describe burn patterns:

1. paint baked/peeled/blistered Yes

2. bare metal/oxidized (rust red) no

3. low temperature metals heat damaged (refer to "Flash Points" chart if possible-available at most local fire departments) Not recognizable

4. condition of plastic, rubber, cloth fabrics All burned

B. Results of analysis As evident from attached Photos,this fire started in the area around the base of the massjacket and burning off fuel lines. The flames entered the dash and steering column fed by pressurefrom the fuel pump.

C. When was the last time the customer was in for service? Unknown. This was a unit rented for the weekend.

D. Results of observations (confirm or disavow the condition(s) exist(s)) Confirm. Photographs attached.

E. Additional comments //The fire was extinguished be a group of truck drivers using their extinguishers. The unit was towed to an open field on the outskirts of Lewisburg, Ohio by the Lewisburg Service and Towing Co. Lewisburg, Ohio 45338

Inspector [signature] C.W.Baltzley,I C

EA99-030-LC-8834

SFCHIDMA Issue Detail 07/22/99 18:19:41
==> _____

VIN: 1FTZR15VXXP[redacted] Year: 1999 Model: RANGER
Owner Status: ORIGINAL WSD: 01/27/99 Mileage: 12728
Name: [redacted] Hm Ph:
Trmt: Case: 512742029 Day Ph:
Symptom: FIRE/SMOKE SCORCHED/BURNT
Reason: LEGAL - FIRE CLAIM
Dealer: FORD MOTOR COMPANY-FORD DIV
Issue Type: 07 LEGAL CAN Court: Legal Issue Type:
Issue Status: K ACKNOWLEDG CAN Award: MORSII Contact: N

A/C	DATE	Origin	Description
	07/21/99	CALGL	OPEN LEGAL CONTACT - PRODUCT LIABILITY
	07/22/99	CALGL	MAKE OUTBOUND CALL TO CVO

F1=Help F2=AddAction F4=ActionDetail F6=DealerInfo
F7=Prev F8=Next F9=ViewMORSII F11=Menu F12=Return
NO MORE RECORDS AVAILABLE LPREL71

EA05-005-LC-6885

SFCHRFMA Issue List 07/22/99 18:19:58

==> _____

FCSD REGION: __ MARKET: __ ISSUE STATUS: __

P&A CODE: _____ CASE NUMBER: _____

VIN: 1FTZR15VXXP[redacted] SALES ZONE: _ ISSUE TYPE: __

SALES REGION: __

A C	LAST HND/ P&A	LAO	Customer Phone Number/ Trmt Customer Name	Reason/ Year Model	Stat/ Type
-	--------		----------	LEGAL - FIRE CLAIM	K
	07/22/99				07
	68027		CAPITAL LEASING FUNDING C	1999 RANGER	

F1=Help F2=AddAction F5=CustomerList F6=DealerInfo
F7=Prev F8=Next F10=IssueDetail F11=Menu F12=Return
LPREL71

NO MORE RECORDS AVAILABLE

EA05-005-LC-5695

RECEIVED
JUL 02 2001
STATE COLLEGE FCO

June 29, 2001

INSURED: [redacted]
FILE NO.: [redacted]

ASSIGNMENT DETAILS

This assignment was received on June 21, 2001 from Chuck Warren of State Farm Insurance Company. My instructions were to conduct an origin and cause examination of the vehicle involved. My investigation commenced on June 28, 2001.

ENCLOSURES

1. 23 Photographs with photo explanation sheet.
2. 1 Diagram with overlay.
3. Copies of Ford Motor Co. fuel line diagram.

VEHICLE DESCRIPTION

The vehicle was a 2001 Ford Explorer Sport Trac. It was a four door sport utility / pick-up truck. It was equipped with a 6-cylinder engine and an automatic transmission. The last six numbers of the VIN were [redacted] but could not be verified. The license plate had been removed and the inspection sticker was burned out with the windshield. The vehicle was in good condition prior to the fire, but I could not determine the mileage.

FIRE SCENE EXAMINATION

My examination of the fire scene was conducted on June 28, 2001, at B. Davis Salvage yard in Ebensburg, PA. There were no other individual present during my inspection. There were no adverse conditions affecting my examination of the scene. There were no indications the vehicle had been altered since the date of the loss, other than being moved.

In examining the exterior of the vehicle, I found the front bumper and grill, hood, and the left and right front quarter panels burned by the fire. All of the doors were burned, with the left ones burned more than the right side. The roof was also burned. The fire had just started impinging on the bed of the vehicle before it was extinguished. All of the windows were burned out, including the sunroof. The underside was only burned around the engine compartment and the front left wheel well. The left front tire was the only one burned, and all of the tires were serviceable prior to the fire.

RECEIVED
JUL 02 2001
STATE COLLEGE FCO

[redacted]

June 29, 2001

FILE NO.: [redacted]

FIRE SCENE EXAMINATION (cont.)

The fire heavily burned the entire interior. The most severe burning and melting was around the front left side, near the firewall and outward from this. The fire burned through the firewall at this point. There was nothing unusual found in the interior. A closer examination of the underside of the dash revealed wiring harnesses, aluminum parts, and plastic that should have shown more damage if the fire had started under the dash or in the interior.

The heaviest fire damage was located in the engine compartment, with the most severe damage being on the left side. All of the hoses and belts were burned, and the radiator was partially melted. The fan and shroud, along with both of the inner fenders, were also burned. Some aluminum parts on the left side and in the front were partially melted. [redacted] and wiring harnesses were burned, but there was no sign of any electrical activity or arcing.

All of the fluids were at normal levels and there were no signs of excessive oil or transmission fluid leaks. The fuel injection system and the air intake system were burned. The flexible plastic or rubber fuel lines were burned off the metal lines at the top and bottom engine areas.

With the heaviest damage being found on the left side of the engine compartment, a closer examination of this area was conducted. I could not find any signs of electrical arcing of the copper conductors in or around this area. The fuse and breaker panel located in this area sustained heavy damage from the fire, but there was no unusual melting of the copper connectors.

Because of the amount of damage in this immediate area, I could not pinpoint anything particular that could have started this fire. Since no sign of an electrical fire was found, the most probable cause would be from some type of flammable or combustible material leaking or spraying onto the exhaust manifold.

In a telephone interview with Joel Burd, he described periodic unusual odors coming from the vehicle and could only describe them as a "hot smell". He was only a half mile down the road on the day of the fire when he discovered the smell again and the vehicle started running a little unusual. He then turned around and went back home. After a few minutes into the house, he saw smoke go by his window. He went out and saw heavy smoke coming from under the hood, and something dripping and burning from under the left side of the engine compartment. It quickly spread into and through the interior.

June 29, 2001

INSURED: [redacted]
FILE NO.: [redacted]

FIRE SCENE EXAMINATION (cont.)

Based on this information from [redacted] I feel the most probable cause would be a leak in a fuel line on or around the left side of the engine. This would allow the fuel to come in contact with the hot exhaust manifold and combust into flames. It is my experience that most of these type of fires occur immediately after the engine is shut down while it is still extremely hot. When the vehicle is moving, the air around the engine is moving and makes it more difficult for ignition to take place. This type of fire requires the most perfect conditions to occur. The fuel in this case is more likely than other combustibles due to the short driving time and the vehicle acting up shortly before the fire. The fire also developed quickly aft[redacted] went inside his home.

I could not find any recalls or service bulletins on this vehicle pertaining to fuel lines. No evidence was recovered, but photographs were taken and are enclosed.

SUMMARY

It is my opinion that the fire started accidentally in the left side of the engine compartment. I could not determine the exact origin or cause, but the most probable cause was leaking fuel that came in contact with the exhaust manifold and was ignited. I feel the smell discovered by [redacted] the engine running unusual just before the fire, and the rapid development of the fire after the vehicle was shut down are very important factors in the cause of this fire.

Since I have complied with all of the instructions on this file, it will now be closed. Our files are maintained for a period of time and can easily be reopened if needed.

If you have any questions or requests for additional investigation, please advise.

Lee D. McAdams, CFEI
Investigator

RECEIVED
JUL 02 2001
STATE COLLEGE FCO

June 29, 2001

INSURED: [redacted]
FILE NO.:

PHOTO EXPLANATION SHEET

1-4	Exterior of the vehicle.
5-7	Interior of the vehicle.
8-11	Areas under the dashboard.
12-16	Engine compartment from various vantage points.
17-18	Fuse panel in engine compartment before and after examination.
19-20	Wiring found in the front left area of the engine compartment.
21	Heavy damage around the left side of engine, including the partially melted aluminum valve cover.
21-22	Fuel line on the left side of the engine.

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

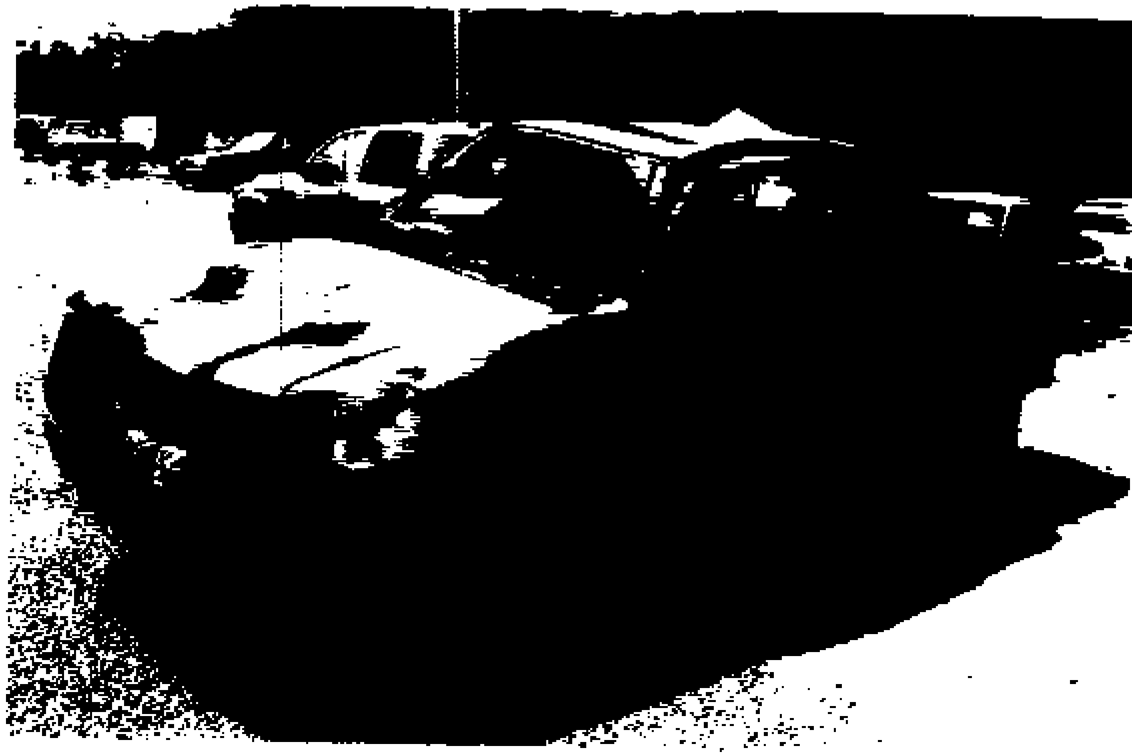


Photo # 1

Photo # 2

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

Photo # 3

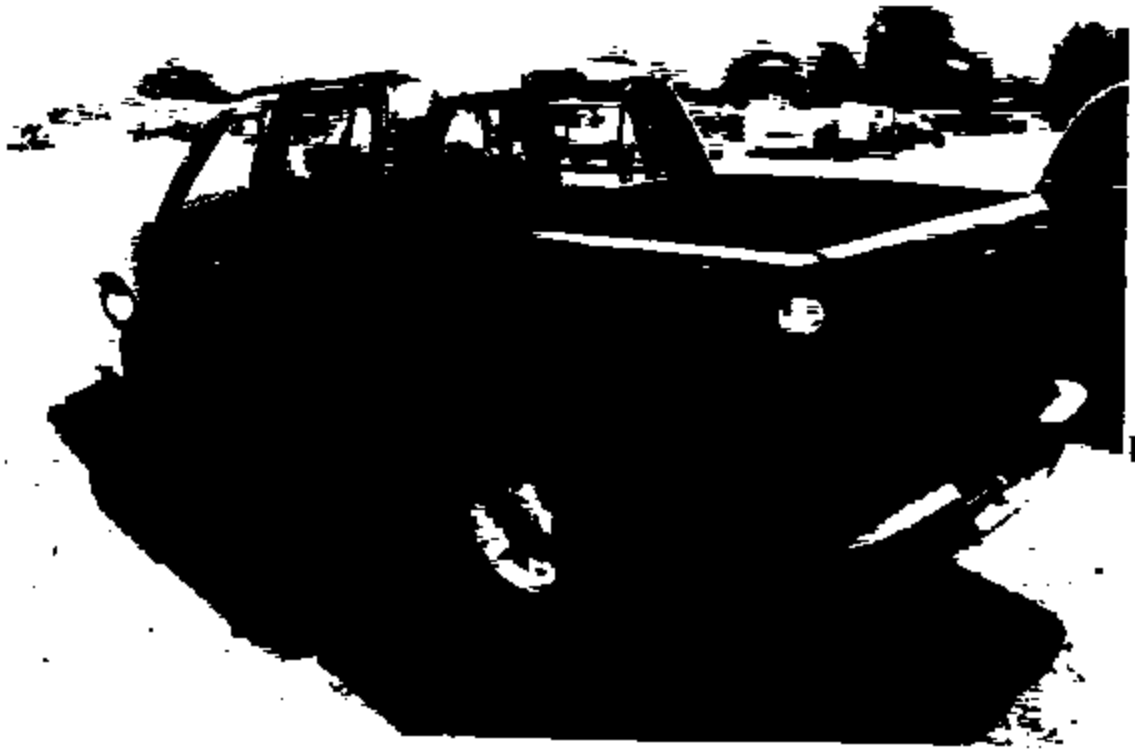


Photo # 4

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

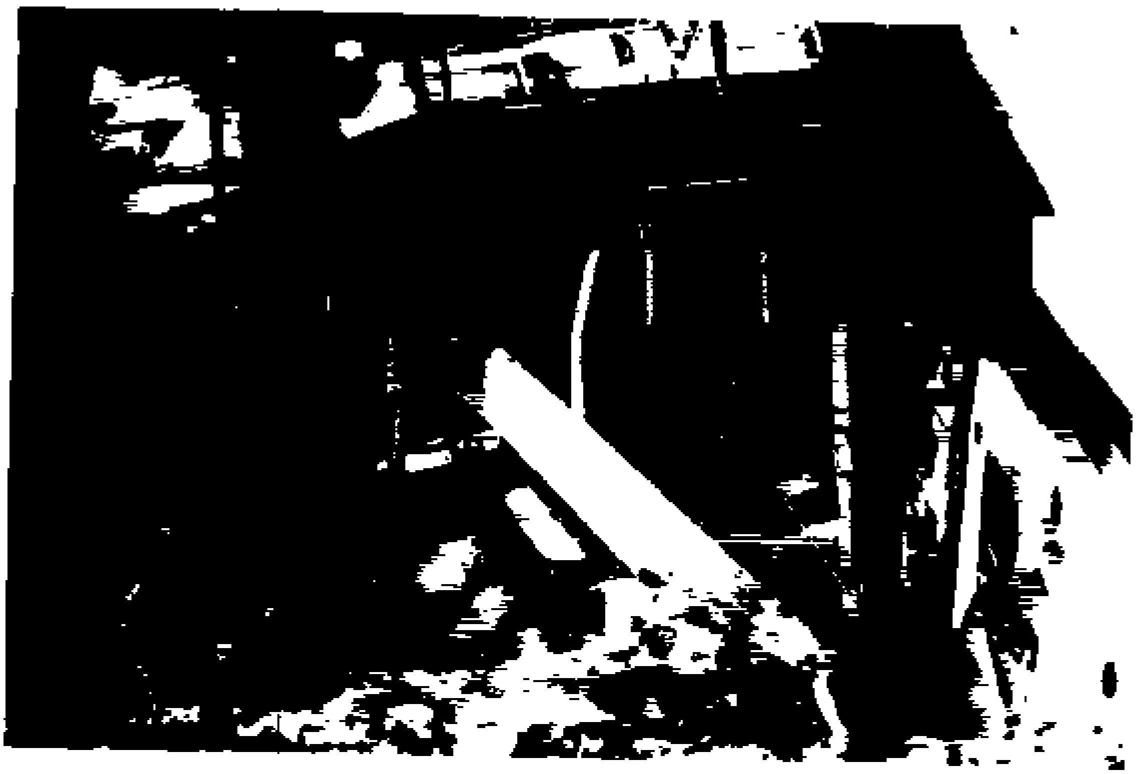


Photo # 5

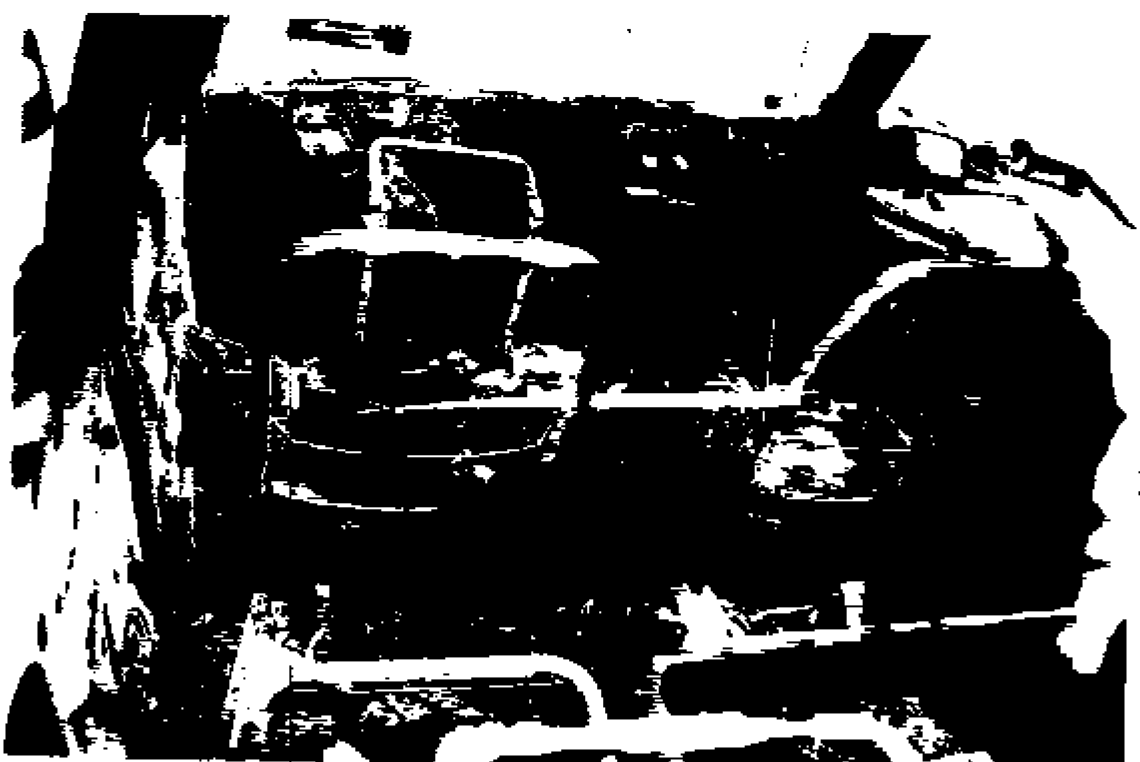


Photo # 6

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

Photo # 7

Photo # 8

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

Photo # 9

Photo # 10

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

Photo # 11

Photo # 12

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

Photo # 13

Photo # 11

Lee McAdams
Fire and Explosion Investigations

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

Photo # 15

Photo # ____

Lee McAdams
Fire and Explosion Investigations

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

Photo # 16

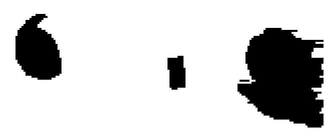


Photo # ____

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

Photo # 17

Photo # ____

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

Photo # 18

Photo # 19

Lee McAdams
Fire and Explosion Investigations

Insured: [redacted]

File Number: 0342-06-01

Photos Attached: 23

Photo # 20

Photo # 21

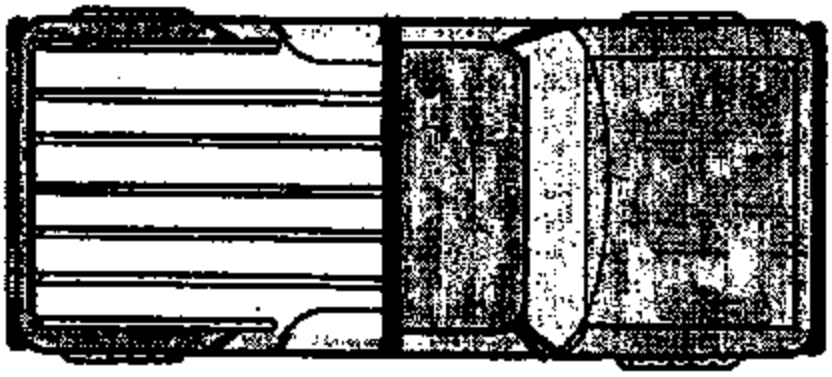
Insured: [redacted]

File Number: <u>0342-06-01</u>

Photos Attached: <u>23</u>

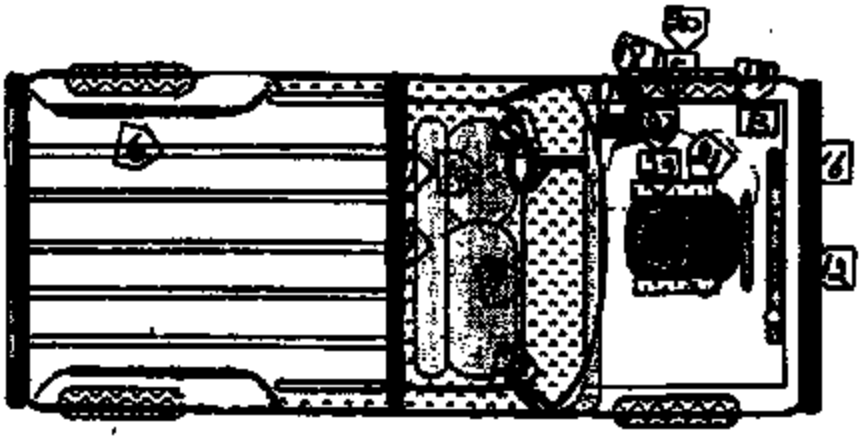
Photo # 22

Photo # 23



FRONT

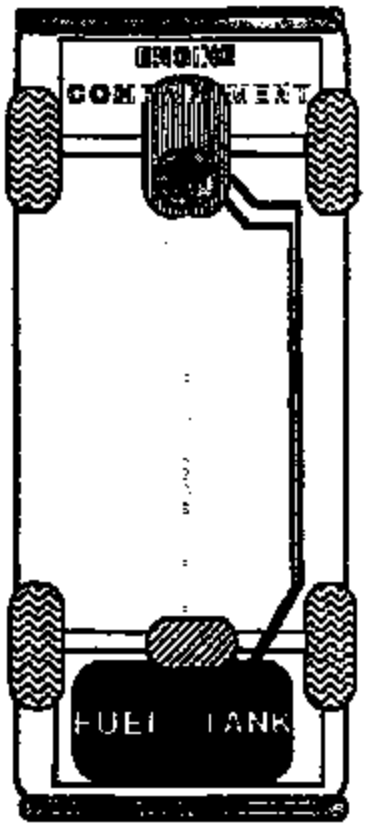
TOP VIEW



FRONT

INTERIOR VIEW

FRONT



UNDERSIDE VIEW

LEGEND

B BATTERY

PHOTO VANTAGE POINT

COPY

02 SEP 17 PM 12:59

IN THE COURT OF COMMON PLEAS
HURON COUNTY, OHIO

[redacted] Hudson, Ohio [redacted] Plaintiff,	CASE NO. CVH-20020787
	JUDGE
vs.	**COMPLAINT**
FORD MOTOR COMPANY, c/o Statutory Agent CT Corporation Systems 1300 E. Ninth Street Cleveland, Ohio 44114 Defendant.	

THE STATE OF OHIO, HURON COUNTY, ss.
I, the undersigned, Clerk of Courts of said County, hereby certify that the foregoing is a true and correct copy of the Complaint filed with me on September 17, 2002
WITNESS my signature and official seal this 17 day of September 2002
KATHLEEN L. WALCHER, Clerk
by [signature] Deputy

1. [redacted] is an Ohio corporation with a principal place of business in Columbus, Ohio.

2. Defendant Ford Motor Company ("Ford") is a Delaware corporation with a principal place of business in Michigan. Ford transacts business throughout the United States, including Ohio. Ford has designated CT Corporation System, 815 Superior Avenue, N.E., Cleveland, Ohio 44114 as its Statutory Agent for service of process in the State of Ohio.

3. At all relevant times, [redacted] owned real and personal property, including a 2000 Ford Ranger (VIN No. 1FTZR15X2Y[redacted], located at 19 Maple Avenue, Wakeman, Huron County, Ohio, 44889.

4. Allstate issued a policy of insurance bearing policy no. [redacted] for the [redacted] truck located at [redacted] Wakeman, Huron County, Ohio, [redacted]

FIRST CLAIM FOR RELIEF

5. Plaintiff restates paragraphs 1 through 4 of this Complaint.

6. On August 21, 2001, the [redacted] truck was damaged by a fire that originated in engine compartment.

7. Upon investigation, it was determined that the fire was caused by a fuel system leak within the 2000 Ford Ranger truck, which allowed gasoline to infiltrate the engine compartment where the vapors were ignited by a spark from the operating engine.

8. The fire and resulting damage was caused by the negligence of Defendant Ford, its agents, servants, and employees, acting within the scope of their agency or employment in:

(a) supplying a defectively-manufactured or designed product that it new or should have known subjected the property owners to an unreasonable risk of harm;

(b) failing to adequately, properly, and safely design, manufacture, inspect, and test the 2000 Ford Ranger truck and to make the necessary adjustments and corrections, which inspections or test would have revealed the existence of its dangerous and defective condition;

(c) failing to exercise reasonable care in the selection of component parts and devices for the 2000 Ford Ranger truck;

(d) failing to select and utilize more durable and reliable control and safety devices with respect to the 2000 Ford Ranger truck;

(e) failing to notify the car owners of the inherent dangers of the 2000 Ford Ranger truck when they knew or should have known that the design of the equipment and component parts were dangerous and defective; and

(f) otherwise failing to use due care under the circumstances.

9. Allstate has sustained damages totaling in excess of $19,051.14 as a proximate result of Defendant Ford's actions.

SECOND CLAIM FOR RELIEF

10. Plaintiff restates paragraphs 1 through 9 of this Complaint.

11. In designing, manufacturing, supplying, and selling the 2000 Ford Ranger truck to Allstate's insured, Defendant Ford expressly and impliedly warranted the car as good and of merchantable quality and fit for the purposes for which products of that nature are ordinarily and foreseeably used.

12. Allstate sustained damages totaling in excess of $19,051.14 a result of Defendant Ford's breaches of their express and implied warranties.

THIRD CLAIM FOR RELIEF

13. Plaintiff restates paragraphs 1 through 12 of this Complaint.

14. The fire and resulting damage was proximately caused by Defendant Ford's strict liability-producing conduct in:

(a) designing, manufacturing, and supplying a defective product that it knew or should have known subjected Allstate's insured to an unreasonable risk of harm;

(b) manufacturing a product in a defective condition and reasonably dangerous to Allstate's insured and their property; and

(c) failing to warn Allstate's insured of the aforesaid dangerous condition.

15. The 2000 Ford Ranger truck deviated in a material way from the design specification and performance standards of Ford and deviated from otherwise identical units manufactured to the same design specification or performance standards when it left Ford's control.

16. Allstate has sustained damage in an amount in excess of $19,051.14 as a proximate result of Defendant Ford's product, for which it is strictly liable in tort.

WHEREFORE, Allstate respectfully requests judgment against Ford in the amount of $19,051.14 plus all other relief that the court finds appropriate.

Respectfully submitted,

BRIAN GREEN (0063921)
SHAPERO, MCGINNIS, GREEN,
TATER & MICHEL LLC
Signature Square II, Suite 220
25101 Chagrin Blvd.
Cleveland, Ohio 44122
(216) 831-5100; Fax: (216) 831-9467

Attorney for Allstate Insurance Co.

P:\Brian\Allstate\Barrar\Complaint

A FDID 39017 ★ | State OH ★ | Incident Date MM 08 DD 2 YYYY 2001 ★ | Station 1 | Incident Number 01-000-45 ★ | Exposure 000 ★ | ☐ Delete ☐ Change ☐ No Activity | NFIRS -1 Basic

B Location ★

☐ Check this box to indicate that the address for this incident is provided on the "Wildland Fire Module for Section B "Alternative Location Specification". Use only for Wildland fires. | Census Tract ___-___

☒ Street address
☐ Intersection
☐ In front of
☐ Rear of
☐ Adjacent to
☐ Directions

Number/Milepost 586 | Prefix | Street or Highway Dublin | Street Type RD | Suffix
Apt./Suite/Room | City Norwalk | State OH | Zip Code 44857 -
Cross Street or Directions, as applicable

C Incident Type ★

Incident Type 131 Passenger vehicle fire

D Aid Given or Received ★

1 ☐ Mutual aid received
2 ☐ Automatic aid recv.
3 ☐ Mutual aid given
4 ☐ Automatic aid given
5 ☐ Other aid given
N ☒ None

Their FDID | Their State | Their Incident Number

E1 Date & Times — Midnight is 0000

Check boxes if times are the same as Alarm

	Month	Day	Year	Hr Min Sec
Alarm ★ (Alarm always required)	08	21	2001	18:29:00
☐ Arrival ★ (Arrival required, unless canceled or did not arrive)	08	21	2001	18:33:00
☐ Controlled (Controlled Optional, Except for wildland fires)				
☐ Last Unit Cleared (Last unit cleared, required except for wildland fires)	08	21	2001	19:30:00

E2 Shift & Alarms — Local Option

Shift or Platoon B | Alarms | District

E3 Special Studies — Local Option

Special Study ID | Special Study Value

F Actions Taken ★

Primary Action Taken (1) 11 Extinguish
Additional Action Taken (2)
Additional Action Taken (3)

G1 Resources ★

☒ Check this box and skip this section if an Apparatus or Personnel form is used.

	Apparatus	Personnel
Suppression	0001	0006
EMS		
Other		

☐ Check box if resource counts include aid received resources.

G2 Estimated Dollar Losses & Values

LOSSES: Required for all fires if known. Optional for non fires. | Month

Property $	015 ,	000 ☐
Contents $	000 ,	000 ☐

NON-INCIDENT VALUES: Optional

Property $	015 ,	000 ☐
Contents $	000 ,	000 ☐

Completed Modules

☒ Fire-2
☐ Structure-3
☐ Civil Fire Cas.-4
☐ Fire Serv. Cas.-5
☐ EMS-6
☐ HazMat-7
☐ Wildland Fire-8
☒ Apparatus-9
☒ Personnel-10
☐ Arson-11

H1 ★ Casualties ☐ None

	Deaths	Injuries
Fire Service		
Civilian		

H2 Detector — Required for Confined Fires.

1 ☐ Detector alerted occupants
2 ☐ Detector did not alert them
U ☐ Unknown

H3 Hazardous Materials Release

N ☐ None
1 ☐ Natural Gas:
2 ☐ Propane gas:
3 ☐ Gasoline:
4 ☐ Kerosene:
5 ☐ Diesel fuel/Fuel oil:
6 ☐ Household solvents:
7 ☐ Motor oil:
8 ☐ Paint:
0 ☐ Other:

I Mixed Use Property

NN	☐ Not Mixed
10	☐ Assembly use
20	☐ Education use
33	☐ Medical use
40	☐ Residential use
51	☐ Row of stores
53	☐ Enclosed mall
58	☐ Mcs. & Residential
59	☐ Office use
60	☐ Industrial use
63	☐ Military use
65	☐ Farm use
00	☐ Other mixed use

J Property Use ★

Structures

131 ☐ Church, place of worship	341 ☐ Clinic, clinic type infirmary	539 ☐ Household goods, sales, repairs
161 ☐ Restaurant or cafeteria	342 ☐ Doctor/dentist office	579 ☐ Motor vehicle/boat sales/repair
162 ☐ Bar/Tavern, or nightclub	361 ☐ Prison or jail, not juvenile	571 ☐ Gas or service station
213 ☐ Elementary school or kindergarten	419 ☐ 1-or 2-family dwelling	599 ☐ Business office
215 ☐ High school or junior high	429 ☐ Multi-family dwelling	615 ☐ Electric generating plant
241 ☐ College, adult education	439 ☐ Rooming/boarding house	629 ☐ Laboratory/science lab
311 ☐ Care facility for the aged	449 ☐ Commercial hotel or motel	700 ☐ Manufacturing plant
331 ☐ Hospital	459 ☐ Residential, board and care	819 ☐ Livestock/poultry storage (barn)
	464 ☐ Dormitory/barracks	882 ☐ Non-residential parking garage
	519 ☐ Food and beverage sales	891 ☐ Warehouse

Outside

124 ☐ Playground or park	936 ☐ Vacant lot	981 ☐ Construction site
655 ☐ Crops or orchard	938 ☐ Graded/care for plot of land	984 ☐ Industrial plant yard
669 ☐ Forest (timberland)	946 ☐ Lake, river, stream	
807 ☐ Outdoor storage area	951 ☐ Railroad right of way	
919 ☐ Dump or sanitary landfill	960 ☒ Other street	
931 ☐ Open land or field	961 ☐ Highway/divided highway	
	962 ☐ Residential street/driveway	

Lookup and enter a Property Use code only if you have NOT checked a Property Use box:

Property Use 960

Street, Other

NFIRS-1 Revision 09/11/99

EPOS-005-LC-6909

K1 Person/Entity Involved
Local Option

Business name (if applicable) | Area Code | Phone Number

Check This Box If same address as incident location. Then skip the three duplicate address lines.

Mr.,Ms., Mrs. | First Name | MI | Last Name | Suffix

Number | Prefix | Street or Highway | Street Type | Suffix

RD

Post Office Box | Apt./Suite/Room | City

Norwalk

State | Zip Code

OR

☐ More people involved? Check this box and attach Supplemental Forms (NFIRS-1S) as necessary

K2 Owner ☐ Same as person involved? Then check this box and skip the rest of this section.
Local Option

Business name (if Applicable) | Area Code | Phone Number

Check this box if same address as incident location. Then skip the three duplicate address lines.

Mr.,Ms., Mrs. | First Name | MI | Last Name | Suffix

Number | Prefix | Street or Highway | Street Type | Suffix

Post Office Box | Apt./Suite/Room | City

State | Zip Code

L Remarks
Local Option

Responded to a car fire, upon arrival pick-up was fully involved. Extinguished fire with pre-connect hose line. Fire started in the engine compartment area. Owner smelled fuel and pulled over. Car then started on fire. Charlies towed vehicle. Vehicle was a total loss.

L Authorization

Officer in charge ID	Signature	Position or rank	Assignment	Month	Day	Year
109	Alexander, Michael	LT		08	21	2001

Check Box if same as Officer in charge.

Member making report ID	Signature	Position or rank	Assignment	Month	Day	Year
109	Alexander, Michael	LT		08	21	2001

EMSC-005-LC-6910

Dispatch Cover Sheet
Field, Total Loss, Supplement

Claim #: [redacted] LRS ID: 01 Cov: HH Date Assigned: 08/22/01

Field Tech ☑ TLR ☐ ID HM1L

(Check) Action: Close ☐ Transfer ☑ If Transf to PRO, Shop ID: _____

Transfer to Waiver? Y ☐ N ☐
If Y: Staffed ☐ Non-Staffed ☐

Cancel Assignment? Y ☐ N ☐
Reason: _____

Transfer to T/L? Y ☑ N ☐

Initial Service Call	Inspection Date	Gross Estimate Amount
08/23/01	08/24/01	18982.94
Estimate Date	**Settlement Service Call**	**Phone Total Date**
08/24/01	08/27/01	

Total Loss Service Rep ID _____

Initial Service Call	Transfer to T/L Tech?	Agreed ACV Date	Settlement Service Call
	Y ☐ N ☐		

Assignment Rec'd by Service Rep Date*	Non-Validation Reason Type Code*

Non-Validation Reason Type Codes:
1-Inspect Only; 2-Owner Retained; 3-DI Total Loss; 4-No Perm. to Move; 5-Field Settled T/L; 6-Veh Disposed; 8-Other

* For any vehicles not validated at the FIC by a T/L Tech.
Assignment Rec'd Date is the date minimum necessary settlement paperwork is received by Total Loss Service Rep.

Total Loss Technician ID _____

Inspect Date	Estimate Date	Gross Estimate Amt.	ACV Amount	Tax, DMV Fees

Vehicle Recd. @ FIC Date	T/L Determ. Date

Repairable? Y ☐ N ☐
Returned for Repairs? Y ☐ N ☐
Transfer to T/L Service Rep? Y ☐ N ☐

Supplement ID _____

Suppl. Insp. Date	Repair Status*	Suppl. Type**	Supplement Amount	Compl. Date

*B/D/A ** 1/2/3/4/5/6

Denial Date	Suppl. Service Call

Refund Reconciliation ID _____

Reconcile Date	Amount Due	Refund Rec'd. Date

*Repair Status Key: B=Before, D=During, A=After
(Status is overall repair status of vehicle)

**Suppl. Type: 1=Incorrect Price; 2=Overlooked Damage; 3=Hidden Damage; 4=Negotiated Amount; 5=Full Replacement Cost; 6=Parts Price Increase

Ref: dspcovr.xls

Revised 12/6/97

DTL-14

CHILD 4-TEL

ER05-685-LC-6911

5255 Commerce Parkway West • Parma • OH • 44130
Phone: (440)887-0645 • Fax: (216)398-7202

September 27, 2001

Allstate Insurance Company
5876 Darrow Road
Hudson, Ohio 44237

ATT: Mr. Bryan Rush

RE: SUBJECT: Vehicle Fire Investigation
INSURED: [redacted]
LOSS DATE: August 21, 2001
CLAIM NO: [redacted]
OUR FILE NO: [redacted]

Dear [redacted]

On August 27, 2001, your office requested that I investigate a vehicle fire involving a 2000 Ford Ranger.

I was advised that the insured had put gas in the vehicle and started driving it when he smelled an odor described as gasoline. The fire erupted at that point.

I processed the vehicle at your Hill Avenue facility in Toledo, Ohio, on September 6, 2001.

Upon arrival at the facility, the vehicle was pointed out to me by the manager, and during the course of my examination, the vehicle was positively identified by the VIN tag, which was found to be still in place on the left side dash.

Examination of the exterior of the vehicle found that the heaviest damage was confined to the front end, with damages diminishing moving rearward.

Both front tires had burned off the rims, and the rims themselves had started to melt.

Both rear tires were fully inflated and undamaged, and from the cab back, the body panels suffered minimal damage.

The hood had been totally destroyed along with the grill assembly and both headlight assemblies, and from the exterior of the vehicle, I was able to see that the radiator and condenser had been almost totally destroyed.

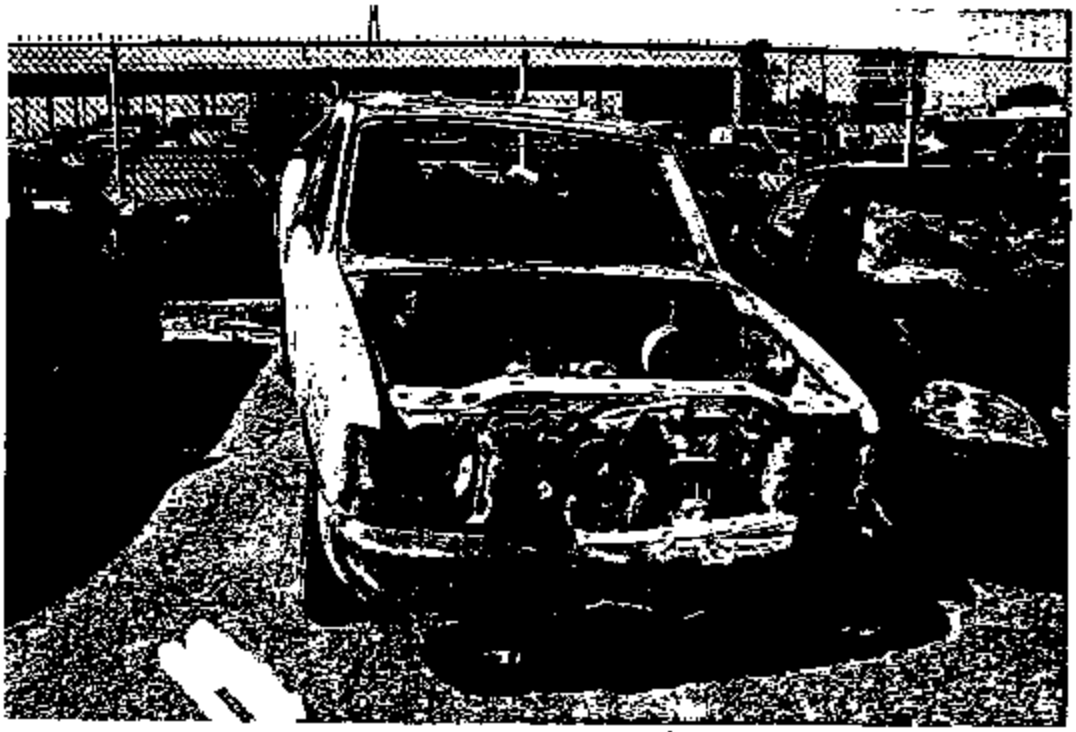
FIGURE #1

This is a view of the right side of the subject vehicle. As shown, damage was heavy at the front end and decreased moving rearward. The right front tire had been destroyed, while the right rear tire was still intact and undamaged.

FIGURE #2

This is a view of the front and right front of the subject vehicle. The hood had been destroyed along with the radiator, condenser, grill assembly and headlight assemblies.

FIGURE #3



This is a view of the front of the vehicle. As previously indicated, the radiator and condenser had burned out of the front end of the vehicle along with all combustible components on the front end.

FIGURE #4

This is a view of the left side of the vehicle. The left front tire had been destroyed, while the left rear tire was still intact.

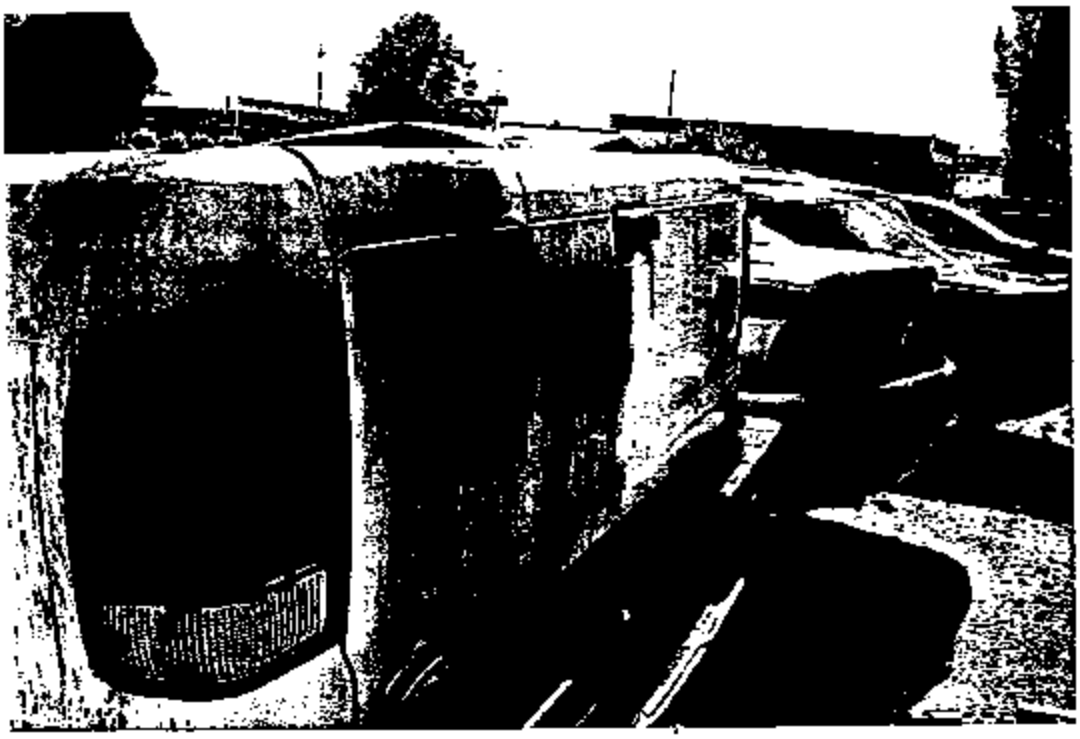
FIGURE #5

This is a view of the VIN tag used to positively identify the subject vehicle.

FIGURE #6

This is a view of the left side of the vehicle showing the lack of heavy damage on the rear body panels. The left rear tire, as previously indicated, was undamaged.

FIGURE #7

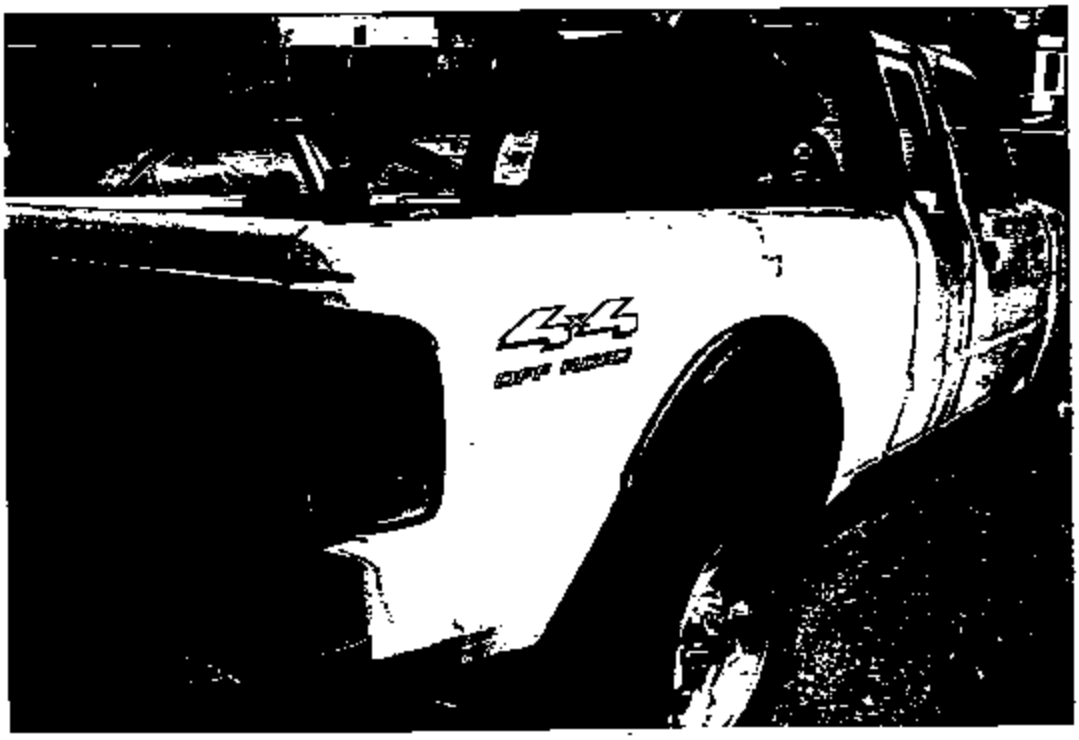


This is a view looking across the tailgate from left to right. The rear body panels suffered minimal damage.

FIGURE #8

This is a view looking along the left side from rear to front. Patterns and damages on the exterior of the vehicle indicated a front to rear burn.

FIGURE #9



This is a view of the rear and right rear of the subject vehicle. As shown, the right rear tire escaped damage, as did the rear body panels.

FIGURE #10

This is a view looking along the right side of the subject vehicle. The burn patterns on the front end of the right side were almost identical to the burn patterns on the front end of the left side.

I conducted an examination of the passenger compartment area, and found that almost all combustible and soft metal components had been destroyed.

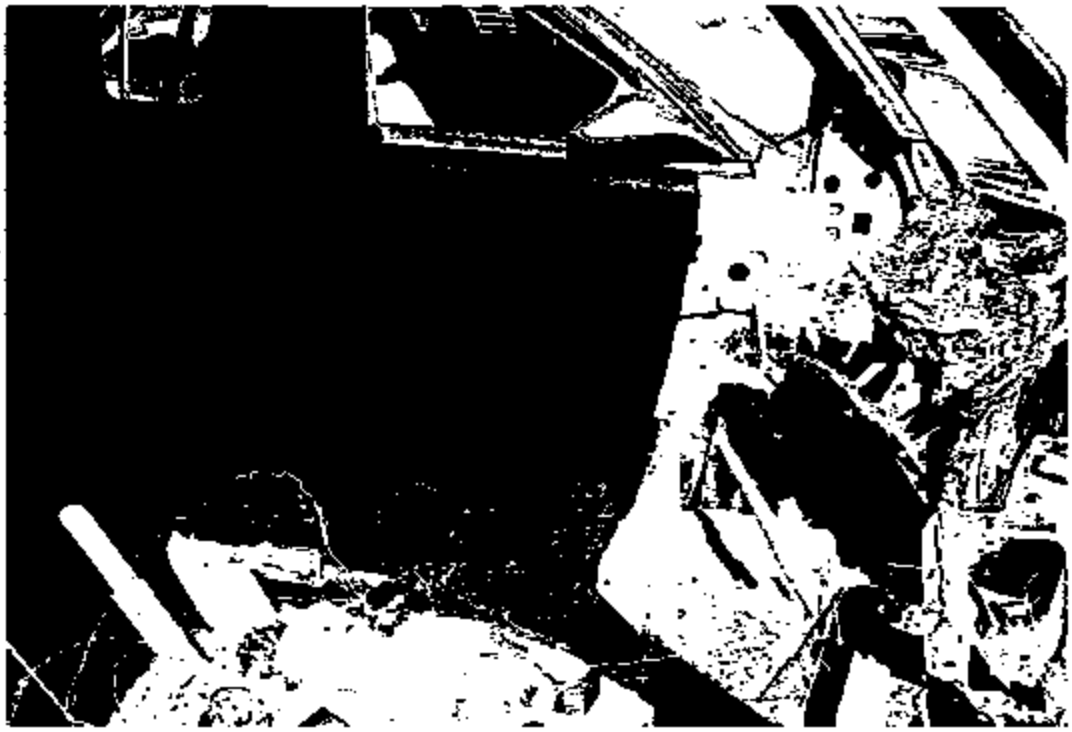
However, I did find a substantial amount of dashboard material still in place on the left side dash, and carpet on the floor was found to be damaged but not destroyed. Wiring that was available under the dash was examined, but I found no evidence of an electrical failure that would have caused this fire. In addition, the vehicle was being operated at the time of the fire, and as previously indicated, the driver smelled an odor of what he described as gasoline.

The right side dash had been destroyed, leaving a portion of the center section of the dash and the left side of the dash still in place. -The destruction on the right side of the dash was the result of two large openings in the right side bulkhead used to accommodate heating and air conditioning equipment. Once the heater box burned away on the engine compartment side of the bulkhead, heat and flames could easily penetrate the cabin area.

Also, had the fire originated in the cabin area, the dash would have been destroyed prior to ignition of the two front tires.

After completing an examination of the exterior of the vehicle and the passenger compartment area, it was my professional opinion that the fire did originate in the engine compartment.

FIGURE #11

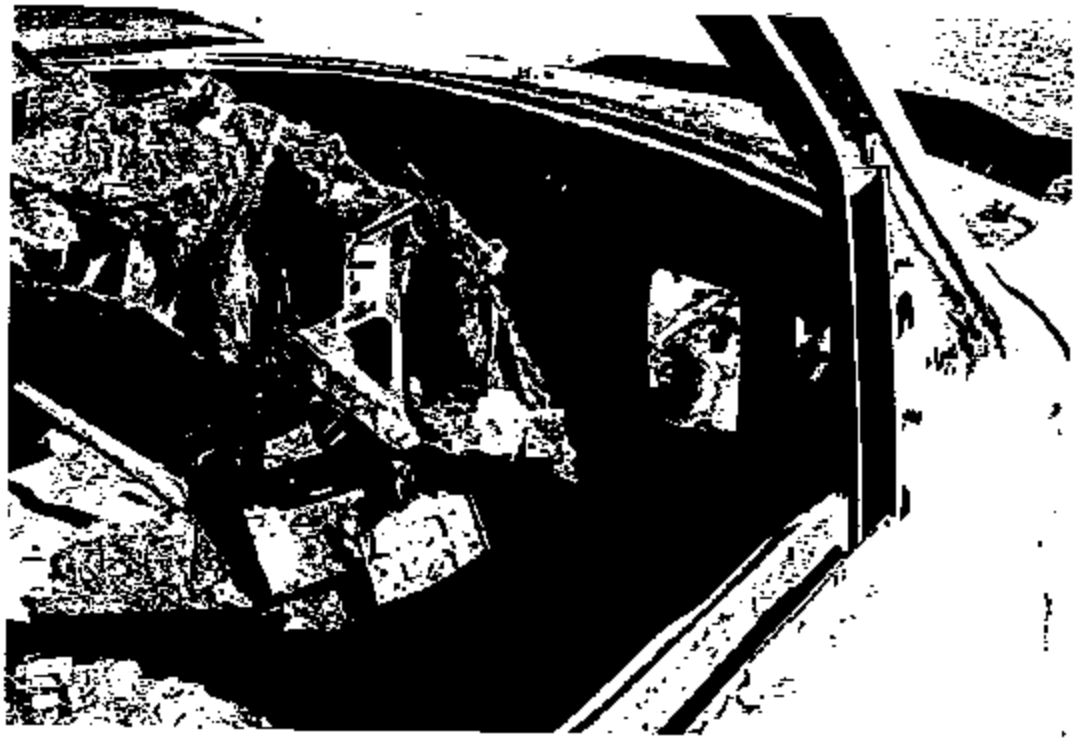


This is a view looking across the cab area from right to left. All upholstery had burned away from the seats and door panels, but I did find carpeting still remaining on the floor.

FIGURE #12

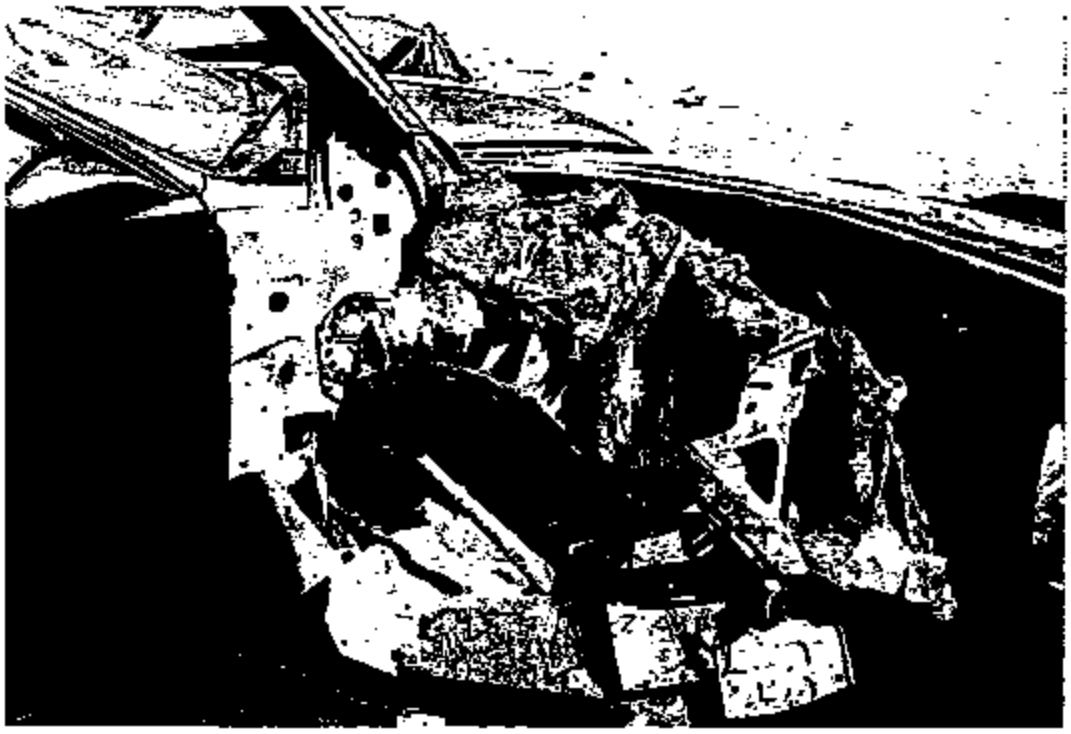
This is a view looking from the right front quadrant of the cab area back into the left rear quadrant of the cab. As shown, almost all combustible and soft metal components had been destroyed.

FIGURE #13



This is a view of the right side dash area. The right side dash had been totally destroyed as a result of the two large openings shown in the right side bulkhead. Once the heater box burned away, heat and flame had easy access to the right side of the passenger compartment.

FIGURE #14



This is a view of the center section and left side dash area. As shown, moving away from the two large openings in the right side bulkhead, damage begins to decrease.

FIGURE #15

This is a view looking down at the left front bucket seat from the right side of the vehicle. Although the upholstery and padding was destroyed, I did find the remains of what appeared to be burned padding on the seat.

FIGURE #16

This is a view of the left side and center section dash area as seen from the left side of the vehicle. Wiring running through that area that was available was checked, and I found nothing to indicate that this fire was an electrical fire.

FIGURE #17

This is a view looking across the dash area from left to right. As shown, the right side of the dash, over the two large openings in the bulkhead, was completely destroyed.

FIGURE #18

This is a view looking through the left side windshield toward the right front bucket seat. Again, all upholstery and padding had been destroyed, but I did find what appeared to be burned padding on the seat portion.

FIGURE #19

This is a view looking from the left front quadrant toward the right rear quadrant of the passenger compartment area. Carpeting remained on the floors, but it had been damaged by radiant heat.

FIGURE #20

This is a view of the left side and center section dash area as seen from the left side of the vehicle. Had the fire originated inside the cab, the dash would have been destroyed prior to ignition of the two front tires.

FIGURE #21

This is a view of the right side dash area showing the openings in the dash used to accommodate heating and air conditioning equipment.

I conducted a preliminary examination of the engine compartment, and photographed the engine compartment as it was found and prior to moving any debris and/or components.

The radiator and condenser had been almost totally destroyed at the extreme front of the engine compartment, and all soft metal components had either been totally destroyed, or had started to soften and sag.

I found the remains of the battery in the left front quadrant of the engine compartment, but I found nothing to indicate that this fire was the result of a failure in the battery cables.

The alternator had melted off its mounting bracket, and had dropped down into the front section of the engine compartment, and the compressor, on the left front corner of the engine, had started to melt and sag.

The master cylinder had been destroyed along with the reservoir for brake fluid, and almost all combustible components in the engine compartment had been totally destroyed.

I did note some melted and partially burned material on top of the engine along with the remains of the coil pack. This area was noted for additional investigation.

I found heavy oxidation on both the left and right valve covers, and a substantial amount of oxidation throughout the engine compartment area.

After completing the preliminary examination of the engine compartment, there was no doubt that the fire originated in the engine compartment, and burned back through the bulkhead into the passenger compartment area.

FIGURE #22

This is a view looking across the engine compartment from right to left. Note the heavy oxidation on the right side valve cover and other metal components on the right side and front of the engine. Also note that the alternator has melted off its mounting bracket at the right side of the engine.

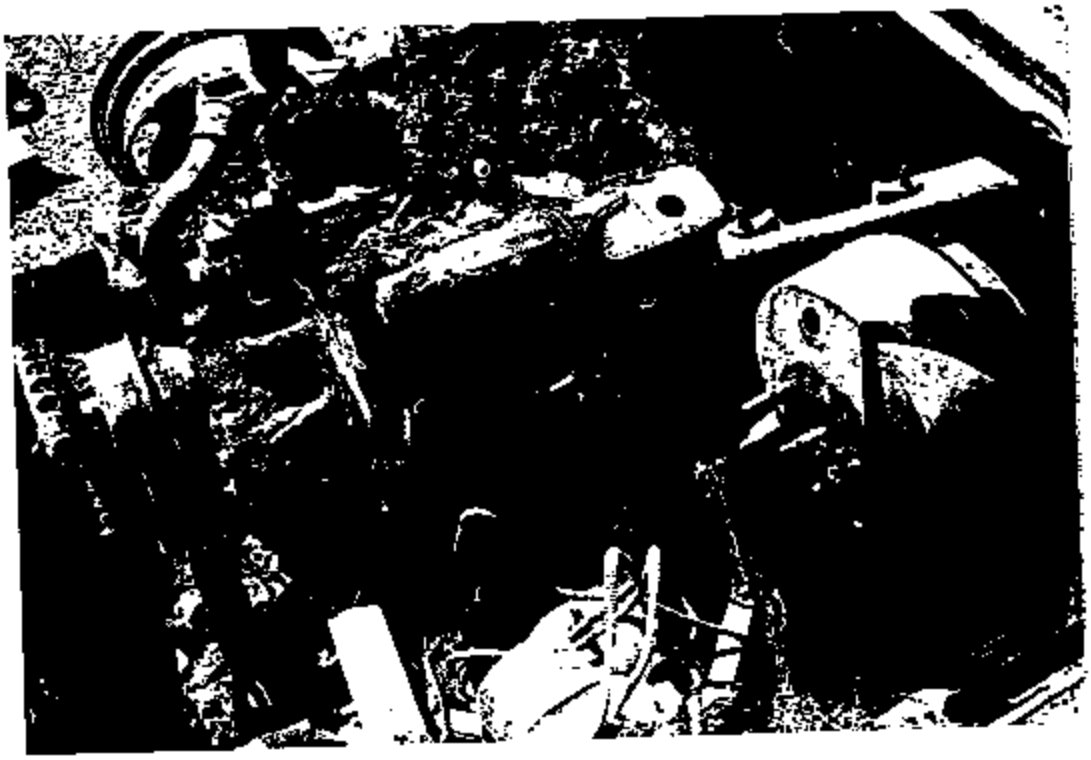
FIGURE #23

This is a view of the battery located behind the left front headlight assembly. As shown, damage is on the surfaces closest to the bulkhead and engine.

FIGURE #24

This is a view of the booster mounted on the left side bulkhead. The master cylinder and the reservoir for brake fluid had been totally destroyed. Also note the heavy oxidation on the metal components.

FIGURE #25

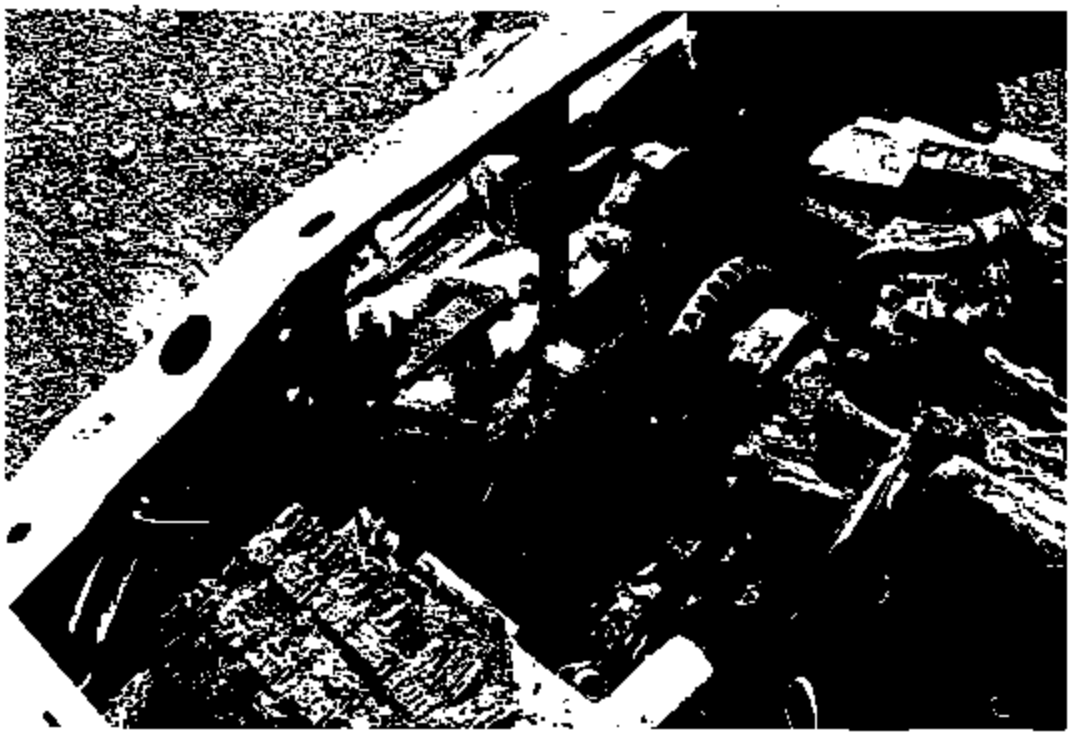


This is a view of the left side of the engine. Oxidation on the left valve cover was sporadic but heavy. Also note that the compressor, mounted on the left front corner of the engine, had started to melt and sag from the top down.

FIGURE #26

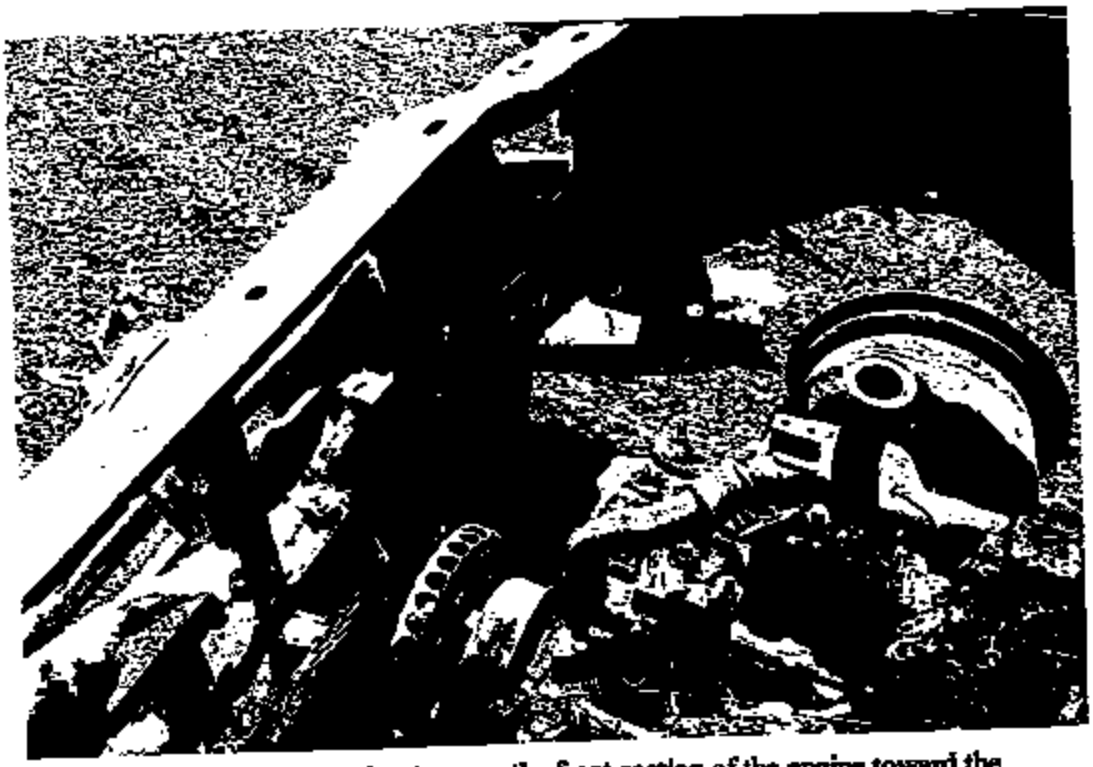
This is a view looking across the top of the engine from left to right. Part of the upper intake had been destroyed, but part of it remained, melted but in place.

FIGURE #27



This is a view looking down at the radiator and condenser. As shown, these two components have been almost totally destroyed.

FIGURE #28



This is a view looking from the left rear quadrant across the front section of the engine toward the right front quadrant. Again note that part of the upper plenum has burned away completely, while the rest remained, melted but in place.

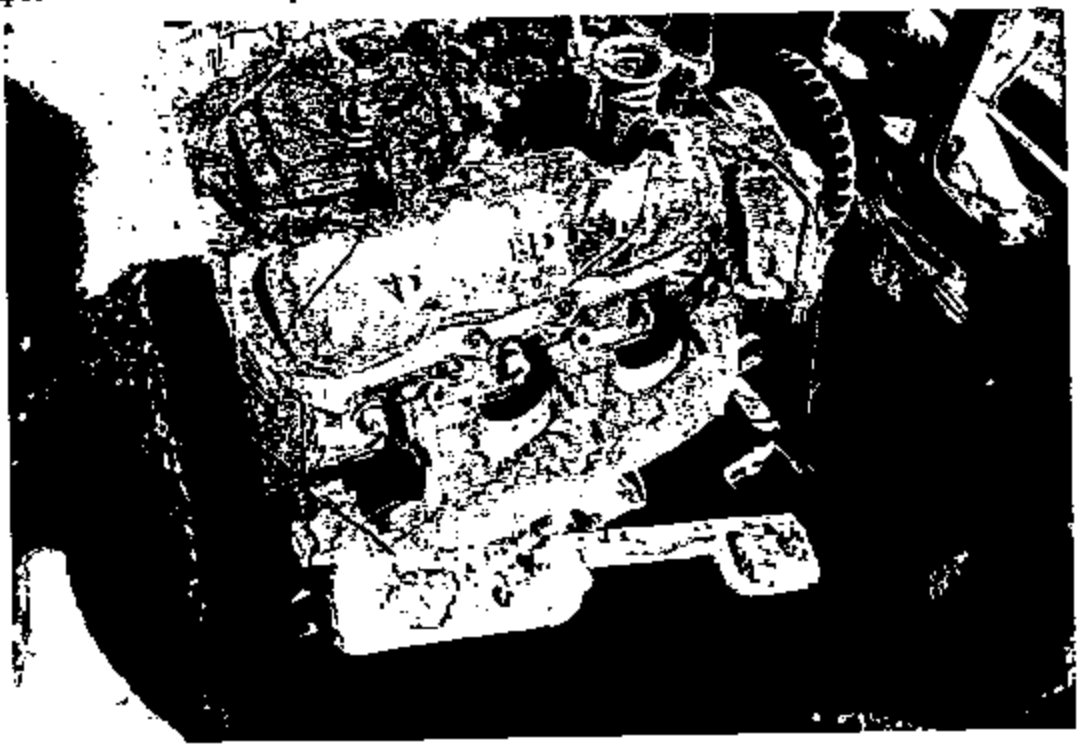
FIGURE #29

This is a view looking down into the right front quadrant of the engine compartment. The alternator had melted off its mounting bracket, and had dropped down into the lower part of the engine compartment. Note the heavy oxidation on all the metal components.

FIGURE #30

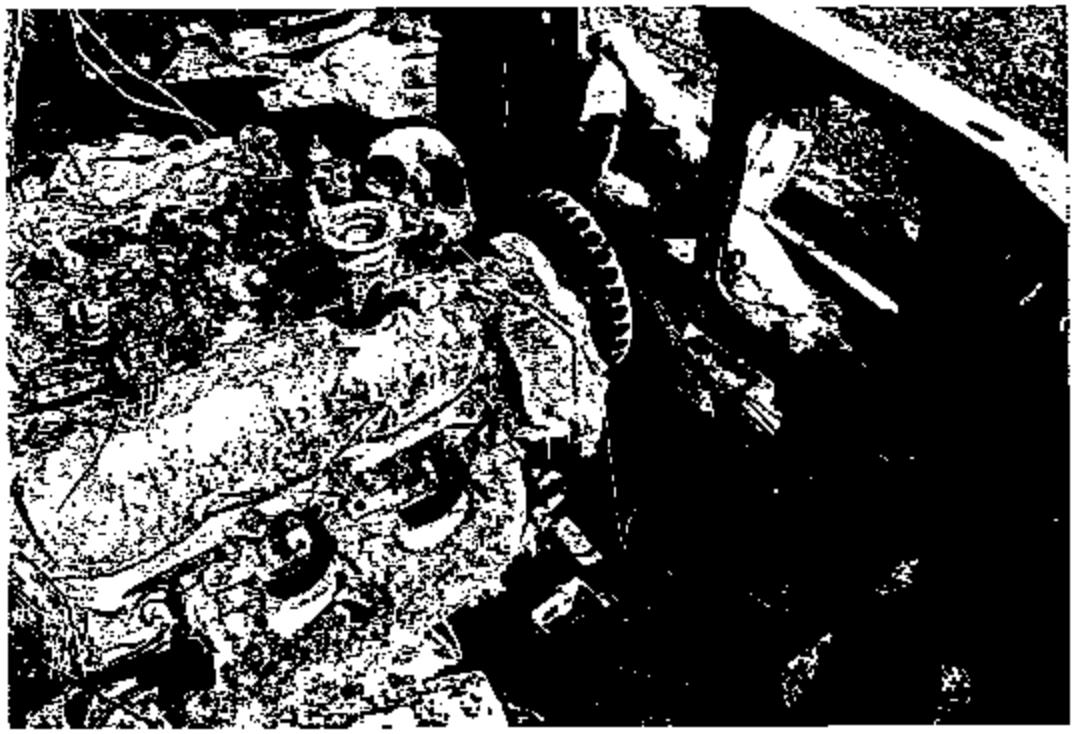
This is a view looking from the right front quadrant of the engine compartment back toward the left rear quadrant. With the exception of the battery, the coil pack and a portion of the upper intake, all combustible components had been destroyed.

FIGURE #31



This is a view of the right side of the engine looking toward the left side of the engine compartment. Sparkplug wires and boots had been totally destroyed, and heavy oxidation was noted on the valve cover.

FIGURE #32



This is a view looking from the right rear quadrant of the engine compartment to the left front quadrant. The coil pack, shown at the left center of the photograph, did survive this fire.

FIGURE #33

This is a view looking down behind the back side of the engine. Again note the large openings in the bulkhead used to accommodate heating and air conditioning equipment.

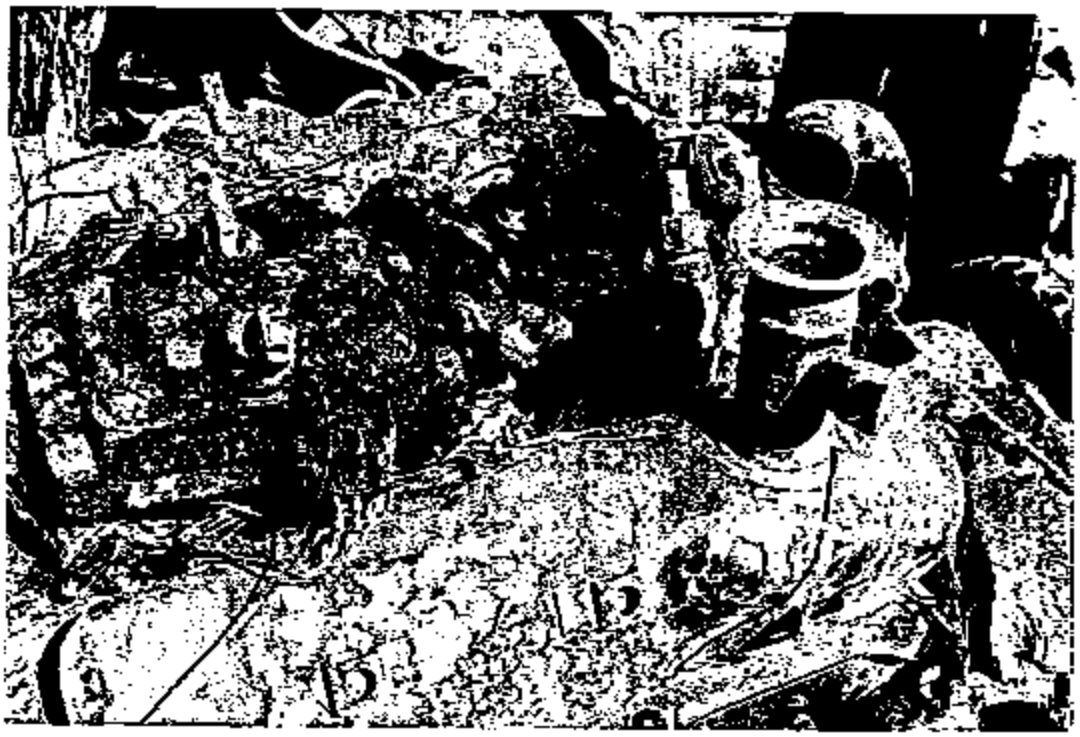
The coil pack mounted on the right rear of the engine had suffered heavy damage, but it had not been totally destroyed. The heaviest damage appeared to be on the portion of the coil pack facing the bulkhead and the center of the engine.

I unbolted the coil pack, and did find that the heaviest damage was on the surface closest to the bulkhead. I also found that the bottom of the coil pack, which was in a protected area, had started to melt.

I examined the tray where the coil pack was mounted, and noted that the surface closest to the bulkhead had been totally destroyed, and there were holes burned through the bottom of the tray. This would indicate a heat source below the coil pack, but there is no naturally existing fuel under the coil pack to sustain a fire.

The condition of the tray and the bottom of the coil pack would indicate the presence of an ignitable liquid on top of the engine. As previously indicated, the owner of the vehicle described smelling gasoline just prior to the fire, and it would be hard to not recognize the odor of gasoline since it does have a very distinctive odor.

FIGURE #34

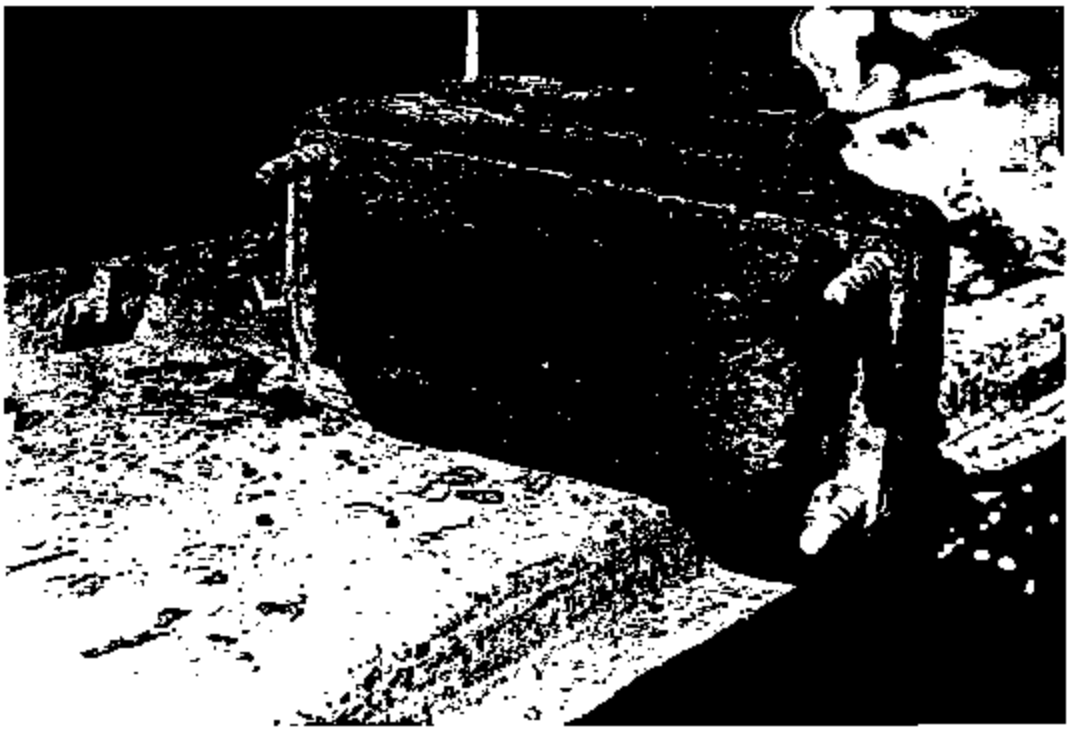


This is a view of the coil pack mounted on the right rear of the engine. As shown, the heaviest damage was closest to the bulkhead, and on the surface facing the center section of the engine.

FIGURE #35

This is a view of the side of the coil pack after it was removed. Damage was heavier on the surface facing the bulkhead.

FIGURE #36



This is a view of the bottom of the coil pack. The bottom had started to soften and sag, but it was still in fair condition.

FIGURE #37

This is a view of the tray into which the coil pack fits. As shown, the portion of the tray closest to the bulkhead has been destroyed, and numerous holes have been burned through the tray.

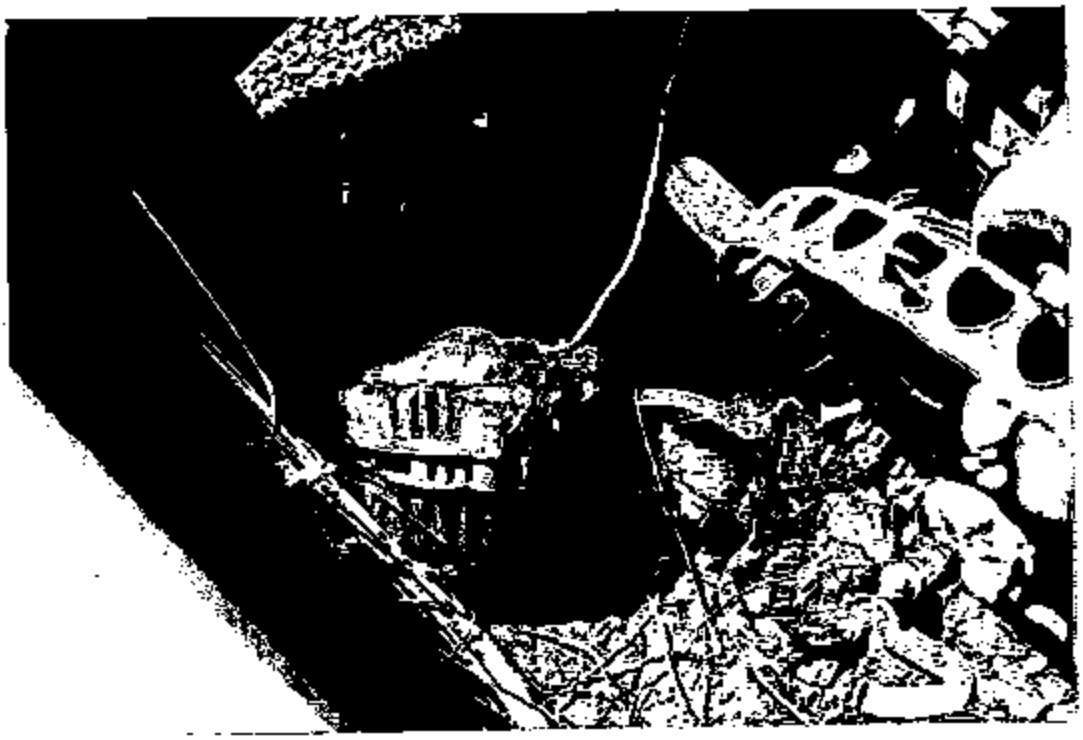
FIGURE #38

This is another view of the tray shown in Figure 37. The surface closest to the bulkhead has been destroyed, and numerous holes have burned through the tray, but as previously indicated, there is no naturally existing fuel under this tray to sustain a fire. The condition of the tray would indicate the presence of an ignitable liquid.

I conducted an examination of the alternator and the wiring leading to the alternator, and found absolutely no evidence of any type of a failure in the wiring.

The alternator had sustained a substantial amount of damage, but most of the soft metal housing was intact. The back side of the alternator had suffered more heat damage than the front side, indicating heat movement from the rear of the engine compartment forward. This is consistent with the damage done to the coil pack and the tray for the coil pack.

FIGURE #39



This is a view of the alternator as it was found at the salvage yard. I found no evidence of any type of electrical failure in the wiring that would have caused this fire.

FIGURE #40

This is another view of the alternator as it was found. The back side of the alternator had suffered more damage than the front side, indicating heat movement from the rear of the engine compartment.

FIGURE #41

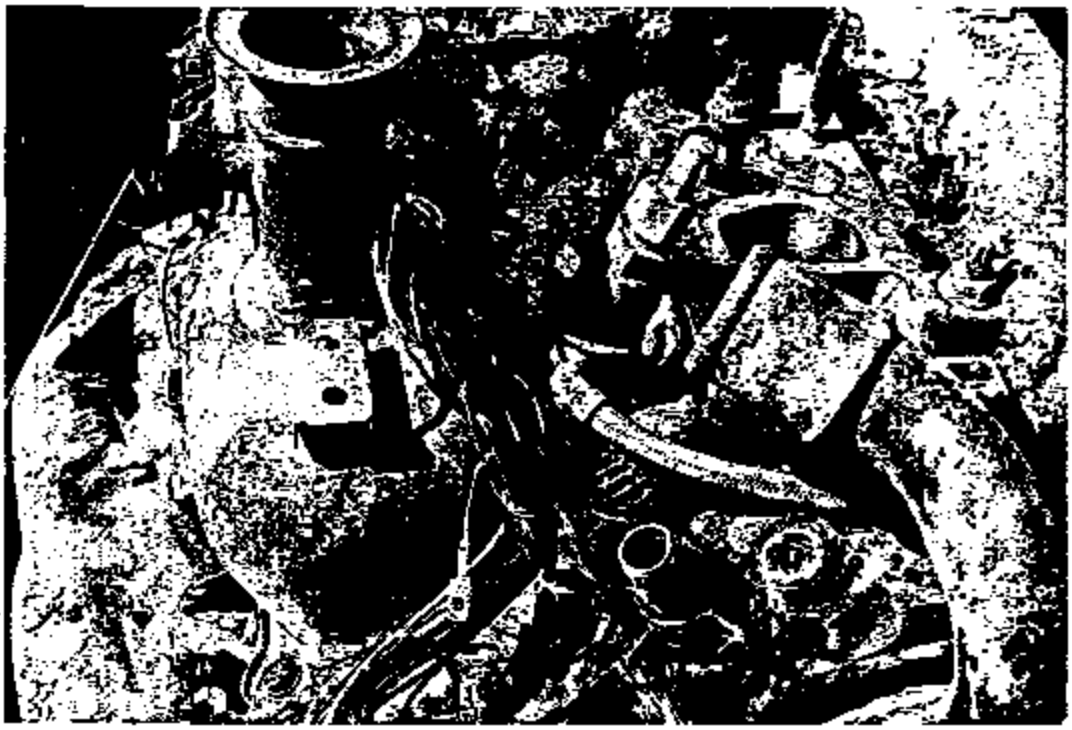
This is a closer view of the back side of the alternator in the subject vehicle. Again, heavier damage was noted on the rear surface than on the front.

I traced the fuel line from the pressure regulator back to the left side of the engine compartment, and found that it had burned in half between two connectors. I also found a short section of the fuel line laying in the lower part of the engine compartment. I again encountered soften and sagged soft metal components, and I found areas on the left side of the engine where metal had started to soften and run down toward ground level.

The heavy damage done to the soft metal components, the rundown on the engine from soft metal components melting, and the heavy oxidation found in the engine compartment are all consistent with an ignitable liquid being present as fuel.

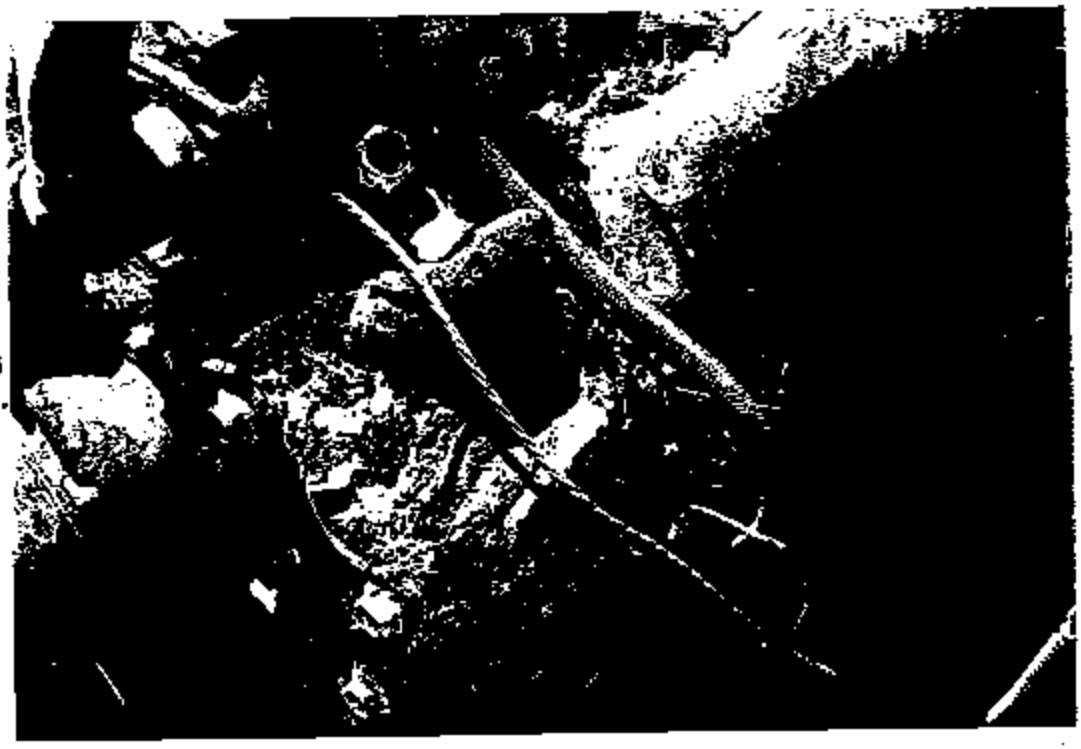
As previously mentioned, the driver of the vehicle identified the odor of gasoline just prior to the fire.

FIGURE #42



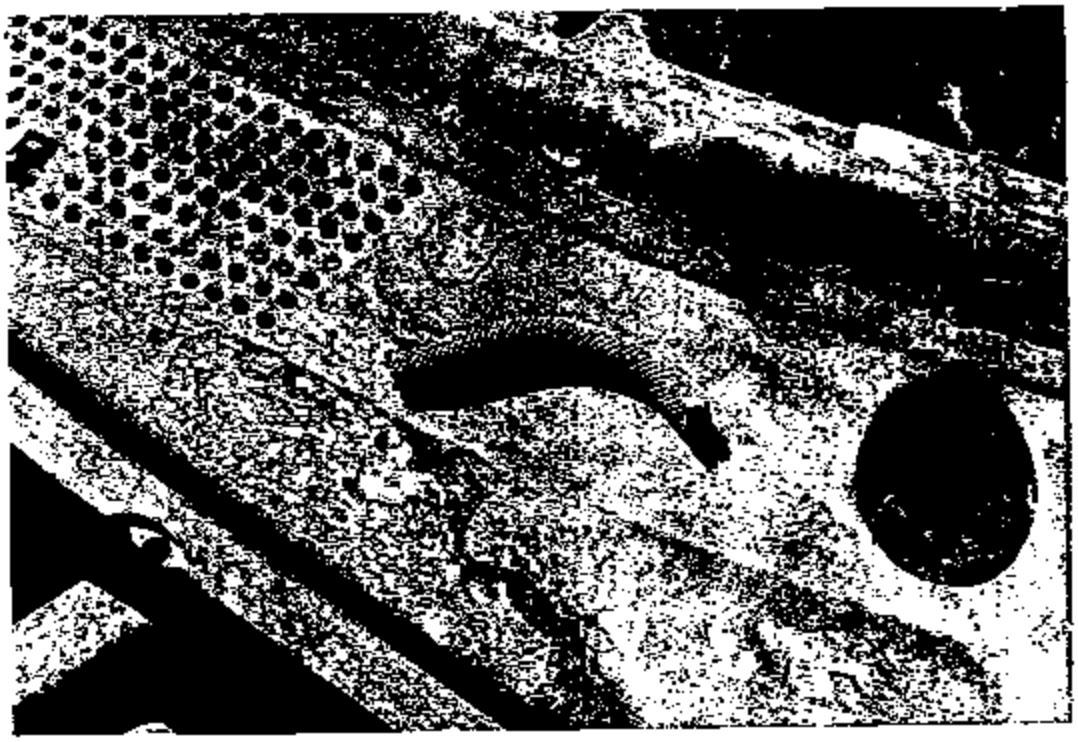
This is a view of the fuel line coming out of the pressure regulator on the right side of the engine.

FIGURE #43



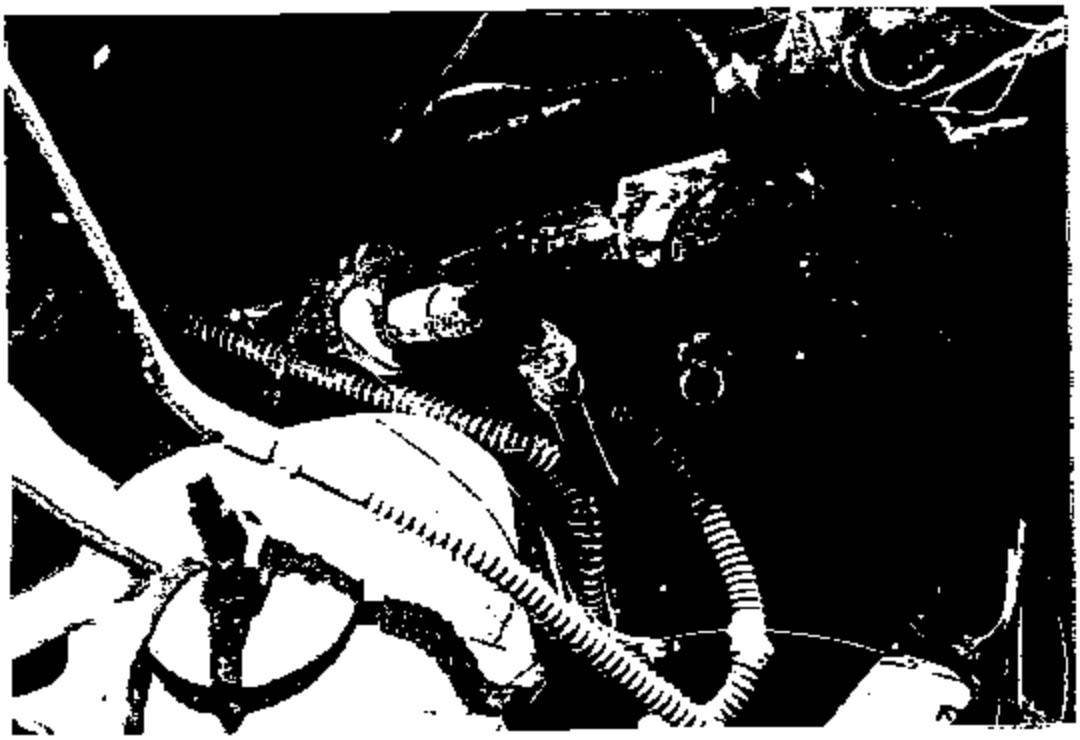
This is a continuance of the fuel line shown in Figure 42, moving toward the left side of the engine.

FIGURE #44



This is a piece of the fuel line found down in the lower part of the engine, which had burned free of the line shown in Figure 43.

FIGURE #45

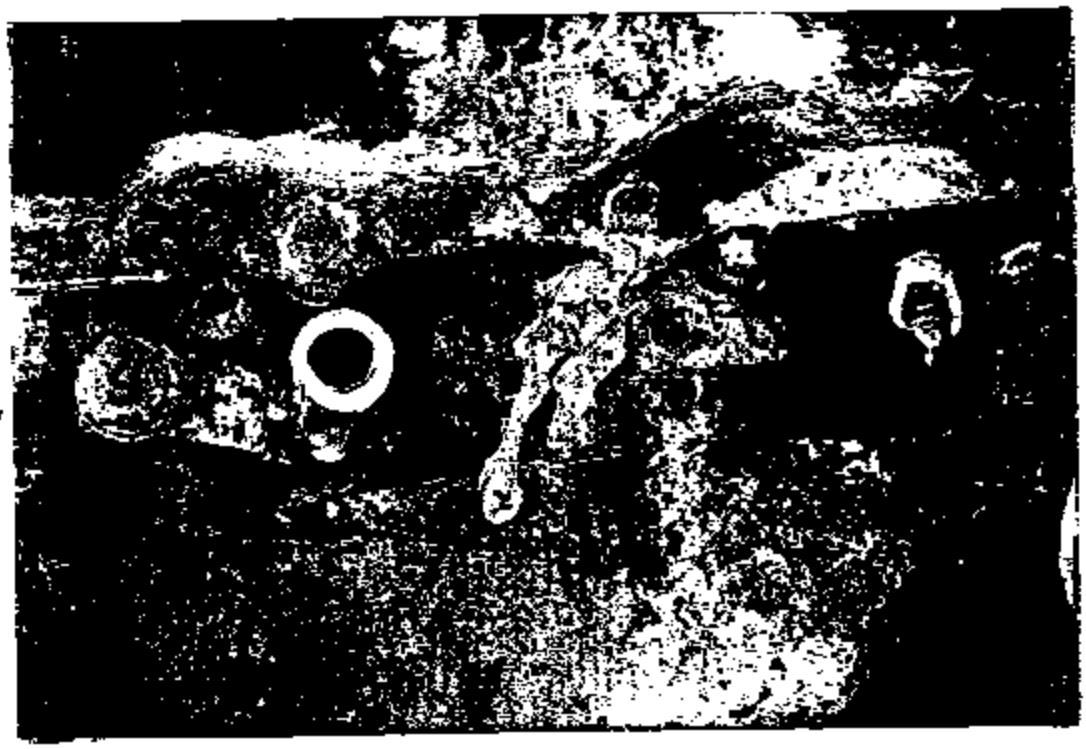


This is a view of the missing section of the fuel line between two connectors in the fuel system.

FIGURE #46

This is a closer view of the connectors shown in Figure 45.

FIGURE #47



This is a view of some of the metal which had softened and had started to run down the side of the engine toward ground level. This type of damage is consistent with an ignitable liquid being present.

After completing my examination of the subject vehicle, it was my professional opinion that this fire originated in the engine compartment, and burned back through the bulkhead into the passenger compartment.

During my examination of the engine compartment area, I did not find any evidence of an electrical failure that could have caused this fire.

The extensive damage done to combustible and soft metal components in the engine compartment is consistent with an ignitable liquid being present.

The driver of the vehicle smelled what he identified as gasoline, and then discovered the fire.

I was further advised that when they exited the vehicle, he saw flames under the truck, which is again consistent with the presence of an ignitable liquid.

Based on all available evidence, it is my professional opinion that this fire was the result of a fuel system leak, which allowed gasoline to infiltrate the engine compartment where the vapors were ignited by a spark from the operating engine.

To determine if the fuel system leak was in a fuel line or from an O-ring leak, it would be necessary to remove the remaining portion of the upper plenum to complete an examination. I did not remove any more of the components or debris than was necessary for me to make a determination as to the cause. The evidence was left with the vehicle so that if the manufacturer wishes to inspect the vehicle, the manufacturer's representatives would have the opportunity to view the vehicle in as original of a condition as possible.

If they decline to inspect the vehicle, then I would recommend that at some time in the future we remove the necessary evidence, and attempt to pinpoint the exact cause of the fuel system leak.

If you have any questions regarding the investigation or this report, or if there is any additional activity that you may require, please feel free to call upon me at any time.

Respectfully Submitted,

Wayne W. Groah, CFI
Sr. Fire Investigator
Licensed Investigator
Ohio License 6868

WWG/sk

RECEIVED NOV - 1 2004 — SN

Allstate.
You're in good hands.

Certified Mail # 7003 2260 0007 1523 4486

October 25, 2004

New

Ford Motor Company
Parklane Towers West, Suite 300
3 Parklane Blvd
Dearborn, MI 48126-2568

FORD MOTOR COMPANY
RECEIVED
NOV 0 1 2004
OFFICE OF THE
GENERAL COUNSEL

RE: Claim #: [redacted]
Our Insured: [redacted]
Loss Date: 5/15/04
Amt. of Claim: $6994.05

Attention Shawn Norton:

The above noted subrogation claim has been identified as a product liability loss. We paid our insured for their loss and are looking to you for reimbursement. Should you or your carrier need more information, please call or write me. Please remit payment to Allstate Payment Processing Center, Attn: Subro Cash, PO Box 227257, Dallas, TX 75222-7257. Please include our claim number.

Complete description of the incident: Vehicle was parked for the night when a fire developed. Per the C&O report, the fire started at the throttle body assembly where the fuel and air are mixed by the computer.

Our statement of defect: Strict Liability

Location of evidence: Verastar South, Forest Park,GA. 404-366-2298, Stock # 1408738, lot # 7009A.

Manufacturer: Ford

Model: Bronco

Year: 1995

VIN: 1FMEU15H8S[redacted]

The following information is attached:

Check copies
Payment supporting paperwork
C&O report and photos

Please acknowledge receipt of this claim and your position regarding payment of our damages within 30 days.

Sincerely,

David Laughlin

BON 2/1/5 UCC 4/1/5

David Laughlin, SCLA
Subrogation Senior Service Representative

Roanoke National Subrogation Claims Center
3800 Electric Road, Suite 301, PO Box 21169, Roanoke, VA 24018
Phone: 1-800-778-2615 or (540) 989-2800 Fax: (540) 989-2640 or (540) 776-3803
Hours: 8:00 AM – 4:30 PM EST Monday - Friday

EA05-005-LC-6842

04801	GA	5/15/2004	3	4245		NFIRS - 1
FDID	State	Incident Date	Station	Incident Number	Exposure	Basic

Location [ ] Address is on the Wildland Fire Module Census Tract:

Street Address

[redacted] WAY

Number/Milepost Prefix Street or Highway Street Type Suffix

Apt./Suite/Room [redacted] City GA State [redacted] Zip Code

Cross street or directions

Incident Type
31 Passenger vehicle fire

Aid Given or Received
None Their FDID State

Their Incident Number

Dates & Times

Alarm:	5/15/2004	00:50:00
Arrival:	5/15/2004	00:59:00
Controlled:	5/15/2004	01:02:00
Last Unit:	5/15/2004	01:53:00

Shifts & Alarms
B Shift | 2 Alrm. | 3 Dist:

Special Studies

Actions Taken
11 Extinguish
Primary Action Taken (1)
84 Refer to proper authority
Additional Action Taken (2)

Additional Action Taken (3)

Resources
[X] Apparatus or Personnel Form Used

	Apparatus	Personnel
Suppression:	0	0
EMS:	0	0
Other:	0	0

[ ] Resource counts include aid received

Estimated Dollar Losses & Values

		None
LOSSES		
Property:	0	[X]
Contents:	0	[X]
PRE-INCIDENT VALUE:		
Property:	0	[X]
Contents:	0	[X]

Casualties [X] None

	Deaths	Injuries
Fire Service:	0	0
Civilian:	0	0

Hazardous Materials Released
N None

Detector

Mixed Use Property
NN Not mixed use

Property Use
19 1 or 2 family dwelling

Person/Entity Involved

[redacted]
Phone Number

Business name

Mr
Mr., Ms., Mrs. | First Name | MI | Last Name | Suffix

[redacted] WAY
Number | Prefix | Street or Highway | Street Type | Suffix

DOUGLASVILLE
Post Office Box | Apt./Suite/Room | City

GA [redacted]
State | Zip Code

Owner

[redacted]
Phone Number

Business name

Mr
Mr., Ms., Mrs. | First Name | MI | Last Name | Suffix

2242 [redacted] RD
Number | Prefix | Street or Highway | Street Type | Suffix

ROCKMART
Post Office Box | Apt./Suite/Room | City

GA [redacted]
State | Zip Code

Authorization

Officer in charge: Banister, David, B — Signature: _____
Assignment — 5/15/2004 Date — Lieutenant/Paramedic David B. Baniste

Member making report: Banister, David, B — Signature: _____
Assignment — 5/15/2004 Date — Lieutenant/Paramedic David B. Baniste

04801	GA	5/15/2004	3 3	4245		NFIRS - 2
FDID	State	Incident Date	Station	Incident Number	Exposure	Fire

Property Details

0
Est. number of residential units

[X] Not Residential

0.000
Acres burned

[X] None
[ ] Less than one acre

0
Number of buildings involved

[X] Buildings not involved

On-Site Materials or Products [X] None

On-site material (1)

Storage use (1)

On-site material (2)

Storage use (2)

On-site material (3)

Storage use (3)

Ignition

83 Engine area, running gear, wheel area
Area of origin

UU Undetermined
Heat Source

UU Undetermined
Item first ignited [ ] Confined to object of origin

UU Undetermined
Type of material first ignited

Cause Of Ignition

[ ] Exposure Report

U Cause undetermined after investigation
Cause

Factors Contributing To Ignition

[X] None

NN None
Factor contributing to ignition (1)

Factor contributing to ignition (2)

Human Factors Contributing To Ignition

[X] None

[ ] Asleep
[ ] Possibly impaired by alcohol or drugs
[ ] Unattended person
[ ] Possibly mentally disabled
[ ] Physically disabled
[ ] Multiple persons involved

[ ] Age was a factor

Estimated age of person involved

Sex of person involved

CUNNINGHAM
INVESTIGATIVE
SERVICES

P.O. BOX 1279
SNELLVILLE, GEORGIA 30078
770-978-1251

May 26, 2004

Pat Harter
Allstate Insurance Company
P.O. Box 105627
Atlanta, Georgia 30348

RE: [redacted]
1995 Ford Bronco
Claim No. [redacted]
C.I.S. File No. 0421940
Date of Loss: 5/15/04

Dear Ms. Harter:

In accordance with your May 20, 2004 request, Cunningham Investigative Services Fire Analysis Specialist Blair Darst visited the Morrow, Georgia area on May 21, 2004 to investigate the above captioned fire loss. The purpose of the investigation was to determine the origin and cause of the fire.

A visual and photographic inspection of the fire-damaged vehicle was conducted; debris was moved; an informal interview was conducted with [redacted] insured.

The fire-damaged vehicle was a 1995 Ford Bronco. The vehicle was inspected Verastar in Morrow, Georgia.

Close inspection revealed that the fire consumed most of the combustible material in the engine compartment. The burn patterns revealed that the fire originated in the engine compartment. Close inspection revealed that the fire consumed the area of the throttle body assembly, exposing the butterfly valves where fuel and air are mixed.

The photographs taken at the time of this inspection are enclosed with this report.

Based upon the observations and investigation to date, it is the opinion of Cunningham Investigative Services that the fire originated at the location of the throttle body assembly in the engine compartment. It is further the opinion of Cunningham Investigative Services that

an undetermined malfunction, including a malfunction in the throttle body assembly, cannot be ruled out as the cause of the fire.

CUNNINGHAM INVESTIGATIVE SERVICES

Blair Darst

Blair Darst, IAAI-CFI
Fire Analysis Specialist

Kevin Cunningham

Kevin Cunningham, IAAI-CFI
Fire Analysis Specialist

JBD/KTC/sbc

IN THE STATE COURT OF COBB COUNTY, GEORGIA, CIVIL ACTION #

PLAINTIFF: [redacted]

VS

2004A 110542

DEFENDANT: Ford Motor Company

COMPLAINT FOR TORT OF NEGLIGENCE (PRODUCT LIABILITY)

STATEMENT OF FACTS

[redacted] (hereinafter referred to as "Plaintiff") files this Complaint for damages against Defendant Ford Motor Company, and respectfully shows the Court as follows;

1. Defendant Ford Motor Company (hereinafter referred to as "Defendant") is a foreign profit business corporation registered to do business in the State of Georgia. Said Defendant may be served with process through its registered agent in the State of Georgia to-wit: Corporation Process Company, 180 Cherokee Street, N.E., Marietta, Cobb County, Georgia 30060.

2. Defendant designed, tested, manufactured, assembled, inspected, marketed, distributed and warranted a 1995 Ford Bronco SUV, VIN: 1FMEU15H8SL[redacted] hereinafter "said product") prior to May 15, 2004.

3. Said product was purchased in the stream of interstate commerce prior to May 15, 2004 by [redacted] (hereinafter "Plaintiff's Insured").

4. Thereafter, Plaintiff's Insured used said product for its intended purpose without abuse and without modification.

5. On or about May 15, 2004, said product caught fire and was a total loss due to a malfunction of the throttle body assembly (hereinafter "said defective part").

6. As a result of the casualty described in the previous paragraph, property owned by Plaintiff's Insured was damaged in the amount of $6,994.05 (salvage is undetermined).

7. Subsequent investigation revealed that Defendant had negligently designed; negligently tested; negligently manufactured, negligently assembled; negligently inspected; negligently marketed; negligently distributed said product in a defective condition at the time of first distribution and sale for use.

8. Subsequent investigation revealed that Defendant's negligence described in the previous paragraph was the proximate cause of the casualty described above and of the damages described above.

9. As a result, Defendant is liable as tort feasor in the amount of $6,994.05 (salvage is undetermined) for damages caused by the defective part.

10. Plaintiff is subrogated t all rights and interest in the claim against Defendant as a result of making payments to Plaintiff's Insured under a policy of insurance.

11. Plaintiff has served Defendant a copy of: (a) Plaintiff's First For Admissions To Defendant; (b) Plaintiff's First Interrogatories to Defendant; and, (c) Plaintiff's First Request For Production of Documents To Defendant with the summons and complaint pursuant to O.C.G.A. 9-11-4(a)-(g).

12. Plaintiff has served Defendant a copy of: (a) Notice of Plaintiff's Desire To Settle This Litigation; (b) Notice of Plaintiff's Intention To Seek Attorney's Fees In The Event of A Default By Defendant; (c) Notice of Plaintiff's Intention To Seek Interest; (d) Notice of Service of Discovery Materials; and, (e) Notice of Conditional Stipulation For Extension of Time For Defendant with summons and complaint pursuant to O.C.G.A. 9-11-4(a)-(g).

COUNT A: TORT OF NEGLIGENT DESIGNING; NEGLIGENT TESTING; NEGLIGENT MANUFACTURING; NEGLIGENT ASSEMBLY; NEGLIGENT INSPECTION; NEGLIGENT MARKETING; AND, NEGLIGENT DISTRIBUTION

13. Plaintiff herein incorporates by reference the allegations contained in paragraphs 1 through 12 as if set forth herein.

14. Plaintiff shows that said defective part in said product, which was designed, manufactured, distributed and sold by Defendant was in a defective condition at the time of the first distribution and sale for use. Plaintiff shows that the defective condition existing in said product included, but was not limited to:

a. A defective design of the defective part installed in said product.

b. The failure to warn and to continue to warn users, purchasers and registered owners of such products, by letter, recall notice, or other reasonable means, of the dangerous characteristics and properties of the defective part Defendant had a duty to exercise reasonable care to design, test, manufacture, assemble, inspect, market, and distribute safe products, so as to not subject purchasers or users or innocent third parties to an unreasonable risk of harm.

15. Defendant breached its duty to exercise reasonable care with respect to said product and defective part.

16. Defendant was negligent and acted in a willful and wanton manner in designing, testing, and/or manufacturing, inspecting, marketing, distributing and selling the installed defective part in such a manner and in such condition as to make said product inherently dangerous and defective.

17. Defendant's defective product failed as a result of the negligence of Defendant described in this Count so that Defendant's negligence was the proximate cause of the incident and resulting damages described above in the **STATEMENT OF FACTS** section of Plaintiff's complaint; and, said incident and said damages was reasonable perceivable by Defendant at all times relative to Plaintiff's complaint.

COUNT B: STRICT LIABILITY OF DEFENDANT

18. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 17 as if fully set forth herein.

19. Defendant is strictly liable in tort to Plaintiff for the losses suffered by Plaintiff because the defective part installed in said product was defective when distributed and sold by Defendant, was not merchantable and was not reasonably suited to the use intended, said defective condition having existed at the time of sale. Specifically, Plaintiff shows that the defects existing in the defective part installed in said product include, but are not limited to, defects in design and engineering of the defective part installed in said product, defects which were unreasonably dangerous and pose an unreasonable risk of serious injury or death to the users of said product due to malfunctions of said product resulting from defective design and manufacture of the defective part.

20. Plaintiff further shows that Defendant failed to utilize economical and technically available safety design alternatives insofar as the design of the defective product is concerned.

21. Defendant's defective product failed as a result of the negligence of Defendant described in this Count so that Defendant's negligence was the proximate cause of the incident and resulting damages described above in the **STATEMENT OF FACTS** section of Plaintiff's complaint; and, said incident and said damages was reasonable perceivable by Defendant at all times relative to Plaintiff's complaint.

COUNT C: BREACH OF EXPRESS AND IMPLIED WARRANTIES BY DEFENDANT

22. Plaintiff incorporates by reference the allegations contained in paragraphs 1 through 20 as if set forth verbatim herein.

23. The defective part installed in said product was not merchantable, nor was it reasonably suited for the use intended, and as such, Defendant breached the express and implied warranties of fitness for a particular purpose and of merchantability in that the defective part in said product posed an unreasonable risk of serious

injury and death to its users due to the defective design of the defective part which allowed for the malfunction of said product.

24. Defendant's defective product failed as a result of the negligence of Defendant described in this Count so that Defendant's negligence was the proximate cause of the incident and resulting damages described above in the **STATEMENT OF FACTS** section of Plaintiff's complaint; and, said incident and said damages was reasonable perceivable by Defendant at all times relative to Plaintiff's complaint.

II. PRAYER FOR RELIEF AND DAMAGES

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of $6,994.05 (salvage is undetermined), plus 3% pre-judgment interest, one-third attorney fees in the event of default, costs and 3% post-judgment interest; and that a writ of fieri facias issue commanding all Sheriffs within the State of Georgia and their lawful deputies to execute said writ by levy and seizure of Defendant's goods and lands.

December 23, 2004

Ronald W. Parnell
Attorney for Plaintiff
State Bar Number 564450

Our File #234-6804
Post Office Drawer 81085
Conyers, Georgia 30013
(770) 929-8585 Answer Service