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May 3 1 2015

Certified Mail # 7001 0320 0004 8710 2623

May 25, 2005

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

RE:

Claim #:

Our Insured:

Loss Date:

12/29/04

Amt. of Claim: \$13,920.91

Attention Micki Lynn:

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 Alistate Payment Processing Center, Attn: Subro Cash, PO Box 227257, Dallas, TX 75222-7257. Please include our claim number.

Complete description of the incident: Our insured was driving home in Laredo, Texas when he noticed what appeared to be steam coming from the hood. He thought that a water hose had broken, and since he was atmost home drove on. He arrived home around 6 pm and opened the hood and saw fluid dripping under the brake master cylinder and thought it was brake fluid. Since he lived close to a Ford dealer he was going to have them handle later. Around 35-40 minutes later heard the horn and discovered the vehicle was now on fire. Our expert determined that the fire started due to the fallure of the brake pressure switch. There were no after market parts or additions on the vehicle, which had been purchased in December 2000 from Sames Motors. At the time of the loss the vehicle had 43,758 miles on it.

Our statement of defect: Strict Liability

Location of evidence: Brake pressure switch is being stored by our expert Forensic

Analysts.

Manufacturer: Ford

Model: F150 Year: 2001

VIN: 1FTRW07W51R

The following information is attached:

Check copy

Payment supporting paperwork

Salvage paperwork Fire department report

Expert report and photos

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

Sincerely,

Subrogation Serior Service Representative

PAGE 01/06 CITY PLANNING DEPT. 05/04/2005 14:27 9567171809 Page Incident Report D FIRE DEFARIMENT XK-702 repared: 4/28/05, 16:07:08 corran: FI200L 1 - 1:00 pag 01-2004-0019740-000 12/29/04 Station #8 XX702 TX Basic <u>Tocidant mather</u> · Incident date Station EDID State Yes Street address 0017.04 CITY LIMITS CALL Ю Description by Josephon Alternative location Courses treet LAREDO, TX. @ddoess Passengar vehicle fire Incident type Md given or received 3008 Still Alama District | E2 Station 80 1 Tire Alame District Smift 12/29/04 17:50:02 | Alam 12/29/04 17:55:36 la Accival 0/00/00 0:00:00 1 Controlled Last unit cleaned 12/29/04 18:29:49 | Extinguish rivary action taken (1) Value) GZ Apparators Personnal Νo Resource counts Property 18 б Summersion Accourators/ Ū ø Coatents include aid 3 personal. D4S 2 received resources | -O' a ather form vapori Deaths Injuries ! m Mazardous materials release 0 О Fire service Ô Civilian fire J Vehicle parking area I Not missed use Property use Histori 1990 property 956-722-3672 Reporting party KI OSCAR VILLARKEAL Phone mather Impolvement type 070070000

Piease Fax 210-482-4448 CHU: Molly

000000, LAREDO, TX

M GTERERIO HERMANIEZ

Officer in charge

Additions

1764570279

Gender Age Birth date Race

Station Captian

Position of rank

CAPTAIN

Assignment.

12/29/04

Daba

T-150 PICKUP

Bobile property model

e plate State

161890705130

Employee

2608 ANDRES JIMENEZ JR.

8708 GUSTAVO SALAZAR

3577 LES C. TROPUTON

	20 FIRE DEPARTMENT XK-702 bared: 4/29/05, 16:07:08 tran: \$1200L				Incident Report				Page 3		
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	At Scene	12/29/04	18:05:41			

Position

Fire Fighter

Fire Fighter

Fire Fighter

Station Captian

12/29/04 18:28:10 In Service

Action taken Amigraeck **Position** Esployee Fire fighter 321 MATHOM N. RUBIO FIREFICHTER

Assignment:

STREETCHTER

ASST. DRIVER

RIVER

CAPTAIN

Action taken

2661 FRANCISCO J. MARTINEZ

CAPIAIN

TIRE DEPARTMENT XK-702 Incident Report pered: 4/28/05, 16:07:08 gram: FI200L 12/29/04 Station #8 01-2004-0019740-000 XX702 TX WEDS - 9/10 Incident number Incident date Station Appetables/Rossongel polic State Personnel Use Apparatus Type Action taken 2 Aug CCy 3008 Engine 4 Suppression Yes 3531 RAMIRO R. ELIZONDO, JR. DRIVER 4698 GTLBERTO KERNANDEZ CAPTAIN Station Captian 7091 DELFINO J. TREVINO ASST. DRIVER Personnel Use Action taken Apparatus Type Battagency 4002 Truck or serial 4 Suppression Yes Odapatched 12/29/04 17:53:08 12/29/04 17:53:11 Enroute At: Scene 12/29/04 17:57:51 In Service 12/29/04 18:05:48 Position Action taken Assignment Deployee 2951 GERARDO RANGEL PIRETENER ASST. DRIVER 3055 RICARDO CASTILLO 5869 CHRISTOPHER D. VAELLO STREETGHTER Tire Fighter 9339 LARRY SALINAS CAPTAIN experience Type Personnel. Use Action taken Perromany ALS whit 2 EMS Yes 12/29/04 17:51:51 Dispetched Enzoute 12/29/04 17:51:55 12/29/04 18:00:37 12/29/04 18:29:49 At Scene In Service **Employee** *le*nigment Position Action taken 3132 STLVESTRE ROORIGUEZ JR. PARAMEDIC 7086 GERAROO VASQUEZ PARAMEDIC Fire Fighter Apparatus Type Action taken Personel Con Beargancy 9110 Medical & rescue unit, other 1 EH5 Yes Dispatched 12/29/04 17:54:37 12/29/04 17:54:39 Euroute 12/29/04 10:05:59 In Service **PapLoyee** Asalgoment Position . Action taken

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CITY PLANNING D-KI.

THE FIRE DEPARTMENT XX-702

Incident Report

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pared: 4/28/05, 16:07:08 gran: FI200L

XX702 1X FOTD State Invident date Station

12/29/04

Station #8

01-2004-0019740-000

Incident number

Achiticant mobile property

Passenger car

Mobile property type

ford Malus

F-150 PICKUP Mode)

2001 J.FTRW07851 Year VIN

Liceram trumber State



REDO FIRE DEPARTMENT XE-702 epared: 4/28/05, 16:07:08

Incident Report

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5923年: F1200L

XX(702 7X FIED State

12/29/04 Incident riste Station

Station #8

01-2004-0019740-000

Incident custor

Material i out

Narrative type: Incident

Manative title

Entry date. Entered by employee

Dispatch narrative

12/29/04

043640584

Call#: 043640584

Beat: 3006 ENGINE

Units.: 2112 Onite .: 2113 Omits.: 3006 Onits.: 3007 Onits.: 3008 Unita:: 4002

Onits.: 9108 Units.: 9110

Call change from STILL to BELT BY USP010703 P 01 0000000519 TOW CO: GRACE GONSALES VSF000714 DREE: 04/12/29 18:11

working fire inside damage no structural damage...2113

2113 adv allumits go back in swc except for 9108/3008 2113 req wrecker for weh to be taken out of dictiveway

garage....wrecker was adv...im727

truck on fire

on the drive way under the canopy

caller was instructed to evacuate everyone out of the house and away from the veh.

Marrative title

Entry date Entered by employee

1008 KARRATIVE 12/29/04 4698 GILBERTO HERNANDEZ 3008, 9108, 9110, 3007, 3006, 4002 AND 2113 RESPONDED TO A REPORT OF A STRUCTURE FIRE. UPON ARRIVAL UNIT FOUND A FORD PICKUP FULLY INVOLVED UNDEFORESTER A CARROSCI. 3008 USED 200' OF 1-3/4" AND 300 GALS. OF WATER TO EXTENSIONS THE FIRE, 2113 SETURNED ALL UNITS TO SERVICE EXCEPT 3008 NO FIRE OR STRUCTURAL DAMAGE TO THE RESIDENCE WAS FOUND. 2113 REQUEST-ED A WRECKER FOR THE VERICLE. 3008 RETURNED TO SERVICE.

Forensic Analysts, Inc.

PRELIMINARY REPORT OF FINDINGS

CLAIM NO: INSURED:

Prepared for:

ALLSTATE INSURANCE COMPANY 227 N. LOOP 1604E SAN ANTONIO, TEXAS 78232

ATTN: MR. ANDRE BROWN

Jeffřey R. Abráms, CFI, CFEI, ASE, CVFI

President

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I. INTRODUCTION

Reportedly, on December 29, 2004, a vehicle fire occurred, involving a 2001 Ford F-150 vehicle. On January 5, 2005, Forensic Analysis, Inc., was retained by Mr. Andre Brown of Alistate Insurance Company, to Inspect the vehicle, determine the origin and cause of the vehicle fire.

On January 10, 2005, Mr. Jeffrey Abrams, CR, CFB, ASE, CVFI, of Forensic Analysts, Inc., inspected and photographed the Ford F-150 vehicle at insurance Auto Auctions, 10475 Somerset Road, San Antonio, Texas 78251.

Samples of both engine oil and automatic transmission fluid were taken, should an oil analysis be desired to determine pre-fire condition of the engine and/or transmission. These samples are being stored at the office of Forensic Analysis, Inc., pending further instructions from Allstate Insurance Company. We removed the brake pedal deactivation switch, and are storing it at the office of Forensic Analysis, pending further instructions from Allstate Insurance Company, should there be a desire to have the brake pedal deactivation switch analyzed.

This report is based upon information available to us at this time, and is not necessarily final. Should additional information be presented or discovered, we reserve the right to review and, if necessary, revise this report and our conclusions in light of that information.

II. CONCLUSION

Forensic Analysts, Inc., inspected and photographed the Ford F-150 vehicle and interviewed the insured.

In conclusion, based on our observations and the findings as noted in this report, it is our opinion that this four-door, 2001 Ford F-150, Super Crew Pickup vehicle fire originated within the left-rear corner of the engine compartment at, and immediately surrounding, the separated brake pedal deactivation switch from this brake master cylinder assembly.

More specifically, the area of most Intense burn was that area on the front portion of the top of the brake master cylinder. The brake pedal deactivation switch had separated from this brake master cylinder assembly, and had fallen to above the suspension of the vehicle, and was found at the time of our inspection. The brake pedal deactivation switch was severely burned surrounding its entire perimeter. Additionally, the threads, which had previously been screwed into the boss at the front top portion of the brake master cylinder, still contained aluminum alloy materials surrounding them, consistent with a brake pedal deactivation switch, that literally separated as a result of deformation, and melting, and weakening of the aluminum alloy brake master cylinder assembly surrounding the switch boss.

If the fire did not originate around this area, the switch would not have separated in this fashion, as the fire would have been much more intense below the brake master cylinder, and around the brake master cylinder reservoir, prior to intensifying immediately surrounding this brake pedal deactivation switch area.

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The fire flow pattern was very distinct, from this left-rear corner of the engine compartment, immediately below the only consumed portion of the aluminum alloy vehicle hood. The fire lessened in intensity as we moved from this brake pedal deactivation switch area, toward the right-hand side of the engine compartment, toward the tront of the engine compartment, and toward the rear portion of the engine compartment, prior to the fire traveling into the interior of the vehicle at, and immediately surrounding, the left-side firewall access holes.

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All evidence is purely consistent with a single source of the origination, spreading and lessening in intensity from this single-source fire origination area. This fire was primarily contained to the upper levels within the engine compartment, with the exception of that portion of the vehicle immediately below the brake master cylinder. This also corroborates the belief that this is an area of fire origination, as it is the only area of the engine compartment that contained an elevation of burn, which traversed nearly the entire height of the engine compartment.

Sample of both engine all and automatic transmission fluid were taken, should an ail analysis be desired to help determine pre-fire condition of the engine and/or transmission. It would not, however be a recommendation to send these fluids out for analysis, as there is no indication of any contribution of the engine or transmission to the onset of this vehicle fire.

We also removed, and are storing, the separated brake pedal deactivation switch, should an analysis be desired to help determine if there is evidence, within the internals of the switch, that could corroborate the belief that the fire originated as a result of this switch failure.

We recommend that Ford Motor Corporation be placed on notice relating to the onset of this fire, and be given the opportunity to inspect the vehicle. The fact that there is no indication of any aftermarket wiring associated with the

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vehicle, and there is no indication of any repairs that had been performed on the vehicle, to have contributed to a fallure of this component in this area, all indicators point to a simple component failure that generated the onset of this localized burn within the engine compartment.

III. DISCUSSION

The scope of our inspection was to perform a vehicle fire origin and cause.

INTERVIEW WITH THE INSURED

An interview with the insured, **and the insured** who shall be referred to as The" in the following interview), helped construct an order of events immediately preceding the onset of this vehicle fire.

- He stated that he purchased the vehicle new, and thought it had around 42,300 miles at the time of this fire.
- He said that the vehicle has never been involved in an accident.
- He said that all components associated with the vehicle came with the vehicle. He installed no aftermarket electronics and no aftermarket alarm on it.
- 4. He said that on the date of the loss, he had driven it in the marning, and then the vehicle sat for approximately three (3) hours. He said that the drive in the morning was approximately three-to-four-miles (3-4).
- 5. On his way back, he said that he had driven the vehicle approximately ten-to-twelve-miles (10-12). When he was stopped at a light, he said that he saw smoke coming out from underneath the vehicle hood, in front of where he was sitting, in front of the driver seat.

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- He said that he thought that he had a water hose that had broken under the hood, so he proceeded to try to go to the house, and park the car under the carport.
- He said that he turned the engine off, and opened up the vehicle hood, and actually saw fluid disping under the brake master cylinder.
- He sold that he saw no fire at this point in time at all, and that was at around six in the evening (6:00 p.m.).
- 9. He was certain, however, that he had seen brake fluid dripping out from under the master cylinder, as he said that one time he stopped at a light, and he actually saw brake fluid leaking under the brake master cylinder, as well.
- 10. He said that there is a Ford dealership around one-and-a-half-miles $(1\frac{1}{2})$ from his house, and he was going to take it there the next available time.
- 11. He said that after he parked the vehicle, and opened up the vehicle hood, and saw no fire within the engine compartment, he said that, approximately, thirty-five-to-forty (35-40) minutes later, he heard the hom hanking on his car.
- He said that he went out, saw that the vehicle was on fire, and immediately called 911.
- He said that the vehicle burned around fen (10) minutes before the fire department arrived, and extinguished the fire.

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14. He said that he did have some recent repairs on the vehicle. In fact, in December of 2004, he said that he had about four hundred (\$400) worth of repairs performed on the vehicle, because it would not shift out of park.

Again, the scope of our Inspection was to perform a vehicle fire origin and cause.

FORD VEHICLE IDENTIFICATION

The vehicle was identified as a silver, four-door, 2001 Ford F-150 Super Crew Pickup vehicle, bearing Texas license plate number to and vehicle identification number 1FTRW07W51 The vehicle was manufactured in November of 2000. The Texas Department of Public Safety inspection sticker number could not be read at the time of our inspection, but it expired in January of 2005. The vehicle registration sticker number 0349661WE expired in December of 2004. At the time of our inspection, the adometer could not be read, as it was electronic in nature, and the electrical system had been disconnected. The vehicle was equipped with an automatic transmission.

FORD F-150 VEHICLE INSPECTION

Our inspection of the Ford F-150 Pickup vehicle, relating to pre-existing body damage, revealed no indication of any substantial pre-existing body damage at all. The film thickness was relatively uniform on all exterior body panels, inconsistent with any significant repairs that would have been performed on this vehicle prior to this inspection. This is consistent with conversations had with the insured, as well.

Our inspection of the vehicle exterior, which relates to forced entry into a locked vehicle without the use of the proper door key, revealed no indication of any evidence to substantiate that there was any type of vandalism, or violation, to generate this forced entry. Simply stated, there was no evidence of compromise surrounding the left-side or right-side door lock/handle assembly, or compromise on the exterior window panels, or door panels, to indicate any type of forced entry to have allowed access into the engine compartment, to generate some sort of a vandalism claim.

Our Inspection of the **vehicle exterior**, which relates to a **vehicle fire**, revealed the fire that was primarily contained to the engine compartment area. Specifically:

- There was no burn of consequence surrounding the rear bumper cover, taligate, or right-rear or left-rear brake lamp/turn signal assemblies.
- 2. Both right and left truck bed sides were intact and attached, and uncompromised as a result of exposure to heat or fire. Please note that we did observe some sideswipe-type of a scraping and scuffing on the rear portion of the right-rear door panel, as well as along the entire length of the right truck bed side. These markings were very fresh, and potentially consistent with relocation within the storage facility. There was no indication of this damage as a result of conversations with the insured. All that can be stated, however, is that there was some fresh damage, but this damage had not been repoired, or repainted, subsequent to the damage having been imposed upon the vehicle.
- 3. Both right-rear and left-rear, as well as right-front and left-front, door

panels were intact and attached, and relatively uncompromised, as a result of exposure to fire or heat. The farther we moved toward the front of the vehicle, however, we did observe that there were greater amounts of soot deposits that were on these door panels, patentially consistent with moving toward an area of fire intensification. Please note, however, that was no indication of any burn on any of the door panel paint, to indicate any significant fire around these door panels.

- As we continued to move forward, it must be noted that there was 4. a significant area of burn experienced by the right-front fender. However, that burn was only observed on the front half of the rightfront fender. The rear half of the right-front fender still contained intact and unburned point. Obviously, as we continued to move from the rear toward the front, we started to abserve greater fire intensification, likely, consistent with a fire originating within the engine compartment. Please note that both right-front and rightrear tire and wheel assemblies were intact and attached, and still fully inflated. at the time ÐΓ OUL inspection. This is inconsistent with any significant fire intensification surrounding. these wheels and tires.
- 5. As we continued to move torward on the left side of the vehicle, it must be noted that ninety-percent (90%) of the point was consumed on the left-front fender. The only section of point that was unconsumed, and relatively unburned, was that on the rear three-inches to six-inches (3"-6"). This, again, is purely consistent with a fire that was intensifying as we were moving from the rear toward the front of the left side of the vehicle, and a fire that was much more intense on the left side than the right side of the vehicle.

- 6. Even though this is a separate line item, it must be noted that the left-front tire and wheet assembly was burned to the point of deflation. The left-front tire was also partially consumed as a result of exposure to heat and fire. This, again, is purely consistent with a fire having been much intense on the left side than the right side of this Ford vehicle.
- 7. As we continued to move forward, it must be noted that the fire intensification significantly lessened, as the front chromed steel bumper and plastic composite top step ledge and bottom plastic composite lower air dam were intact and attached and primarily unconsumed as a result of exposure to the fire. Even the chromed section of the front bumper was intact, and still had a sheen on it, inconsistent with a fire that significantly intensified within the openair environment in the front of the engine compartment.
- 8. Even the right-front and left-front headkamp assemblies, atthough mildly burned and deformed, were still fully intact at the time of our inspection, inconsistent with a significant intensification of the in the open-air environment in front of the engine compartment.
- 9. The burn experienced by the closed vehicle hood was mild on the right third, relatively intense on the sett-side two-thirds, and contained a "hot spot" in the very rear six-inches to twelve-inches (6"-12"), immediately above, and to the right of, the brake power booster. This was a section of the aluminum alloy vehicle hood that was consumed on the top, purely consistent with the fire having been distinctively most intense in the left-rear corner of the engine compartment.

in summary of our inspection of the burn patterns experienced by the vehicle

extentor, all evidence is purely consistent with the fire having been most intense within the engine compartment, with a "hot spot" in the very left-rear corner of the engine compartment. This was the only section of the aluminum alloy vehicle hood that was partially consumed. This is corroborated by the only fire that was burned to the point of deflation, of the left front, again, completely consistent with a fire having been most intense within the left third of the engine compartment.

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Our inspection of the **vehicle interior** revealed a fire that was primarily contained to the engine compartment, as there was no significant evidence of burn within the vehicle interior at all, with one exception. That exception was immediately below the left third of the vehicle dash. Specifically:

- 1. We observed only mildly smoke-damaged interior rear bench seats.
- We observed mild smoke damage on the interior front seats.
- We observed soot and smoke that coated the interior and still Intact
 door glass, as well as the unburned interior door panels.
- 4. We did observe that the flooring material throughout the vehicle interior was primarily intact and attached, and unaffected by this fire, with the exception of that section immediately below the firewall access holes on the left third of the engine compartment.
- 5. The vehicle dash was primarily infact, and attached. There was no evidence of burn in the bottom face or tront face of the vehicle dash to indicate any compromise as a result of exposure to fire or heat. Please note, however, that the vehicle dash was indeed coated with a mild layer of soot.

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- The steering column was intact and attached as well, and coated with a relatively mild layer of soot.
- 7. The top face of the vehicle dash was primarily intact and attached, with the exception of the area surrounding the HVAC (Heating, Ventilation, and Air Conditioning) ductwork on the left half of the vehicle dash. This section of the vehicle dash was melted and mildly burned, as a result of fire flowing from the engine compartment into the interior, and not vice versa. It was only observed in the upper levels of the left half to left third of the vehicle dash, inconsistent with a fire migrating from the most intensely burned left side of the engine compartment.
- 8. We inspected the underside of the vehicle dash, to see if there was any evidence of aftermarket wining that may have been compromised, or could have contributed to the onset of the fire. At the time of our inspection, we observed that the center third of the vehicle dash contained an OEM (Original Equipment Manufacturer). AM/FM stereo/CD player. This was completely unaffected by the vehicle fire. Additionally, there was no evidence of aftermarket wiring that was consistent with any aftermarket electronics, or an alarm system having been installed on the vehicle interior. All evidence is consistent with the vehicle Interior having been completely factory or OEM (Original Equipment Manufacturer), and inconsistent with any components that contributed to the onset of this vehicle fire. Again, the only area of burn intensification was that area immediately below the left third of the vehicle dash. This was at, and immediately below, the frewall access holes, consistent with a fire that was traveling from the engine compartment into the interior, migrating through the firewall access holes, and generating fire fall-down, immediately neighboring the firewall in the vehicle

interior.

Our inspection of the **engine compartment** revealed this vehicle was equipped with a V-8, multi-port fuel-injected engine, and an automatic transmission. Specifically:

- The burn within the engine comportment was widespread, affecting virtually every component. It must be noted, however, that there was distinctively more intense burn in the left third of the engine compartment, than was observed in the right third of the engine compartment.
- 2. There was a battery immediately above the right front inner fender. This battery was severely burned, and partially consumed. The majority of the exterior plastic composite housing was burned, and partially consumed, but there was still a significant amount of infact plastic composite material surrounding it.
- The wiring that was routed immediately behind, and to the left of, the battery was burned, and partially void of insulation, but there was still a significant amount of unconsumed insulation surrounding these wires.
- 4. As we moved from this right third of the engine compartment toward the engine, it must be noted that there was still a significant amount of unconsumed rubber and plastic composite hoses, and undeformed aluminum alloy materials, associated with the airconditioning system.
- 5. The right-side engine valve cover, which was composed of a

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fiberglass composite material, was primarily intact and attached. It was primarily unconsumed as a result of exposure to this fire and heat, but the front portion of this fiberglass composite valve cover did experience the most intense burn. It is described, however, as only mildly burned, as there was no indication of any consumption of combustible materials at all.

- Fires oftentimes intensity within the relatively open-air environment in 6. the front of the engine compartment. This fire was very different, Even though there was some natural Intensification of fire in this area, the aluminum alloy air-conditioning condenser and radiator were still primarily intact and attached, and only mildly consumed on the top two-inches to four-inches (2"-4"). Ninety-percent (90%) of these aluminum alloy components were intact and attached. Even the radiator plastic composite heads were intact and attached, and only partially consumed on the top half. This would be consistent a fire having been much more intense in the top half and the bottom half of the open-air environment in the front of the engine compartment. The radiator cooling fan blades, which were plastic composite material, as well as the plastic composite radiator cooling fan shroud, were primarily consumed in this engine compartment fire, as well.
- 7. As we continued to move from the right toward the left side across the top of the engine, it must be noted that there was still a significant amount of unconsumed wiring insulation and unconsumed combustible materials immediately in front of the firewall. The aluminum alloy atternator housing in the top front portion of the engine was also intact and attached at the time of our inspection. There was no significant area of fire intensification as we were moving from the right toward the left side of the engine.

across the top.

- 8. Even though there was no significant intensification of the fire immediately above the top portion of the engine, it must be noted that the air intake plumbing, that was routed from the left-front corner of the engine compartment to the aluminum alloy upper air intake manifold, was consumed. The fire was indeed intense enough to consume this upper level plastic composite material.
- 9. As we continued to move toward the lett side of the engine, it must be noted that the power steering pump reservoir was consumed in this fire, as well as virtually all wiring insulation at, and immediately to the left of, the left-side engine valve cover. Obviously, the fire was intensifying, as we were moving across the top of the engine above the left-side valve cover.
- 10. The left-side engine valve cover was much more severely burned than the right-side engine compartment valve cover, as it was burned across nearly its entire length, and partially consumed on the tront stx-inches (6"), exposing the timing chain. The entire length of this left-side engine fibergiass composite valve cover exposed the fiberglass underlayment material. The right-side fiberglass composite valve, however, only had small sections of the fiberglass underlayment material having been exposed. This fire was significantly more intense on the left side than the right side of the engine compartment.
- 11. Testament to the fact that this engine compartment fire was relatively upper level, it must be noted that the left-front lower radiator hose was primarily intact and attached, and only severely burned on the top. The fact that it was intact and attached, and

immediately neighboring the intact left-side plastic composite radiator head, is, again, consistent with a relatively upper level left-third engine compartment fire.

- 12. The left-rear engine compartment situated power distribution center, which was a plastic composite housing with relays on the Interior, was severely burned and partially consumed. The partial consumption, however, was only noteworthy immediately to the left of the brake master cylinder. The majority of this power distribution center was intact and attached, and contained no significant "hot spots", with the exception of that portion immediately neighboring the front portion of the brake master cylinder.
- 13. The brake master cylinder, which was an aluminum alloy material, was primarily intact and attached. It did have cracks on it, immediately surrounding where the brake pedal deactivation switch was mounted.
- The brake master cylinder reservoir, however, was consumed in this fire, as was all of the paint surrounding the brake power booster.
- 15. It must also be noted that all of the wiring routed above the brake power booster was insulation-void, and there was a clean burn on the firewall immediately above the brake power booster, as well. This is indeed the area of most intense burn in the left-rear corner of the engine compartment, surrounding the consumed paint on the brake power booster, immediately neighboring the severely burned left-side engine valve cover.

Both engine oil and automatic transmission fluid samples were inspected and removed, should an analysis be desired to help determine pre-fire condition of

the engine and/or transmission. Both fluids were heavily oxidized, of the proper color, and showing no evidence of any significant mechanical improprieties or any contamination. It would not be a recommendation to send these fluids out for analysis, since there is no indication of contribution from the engine or transmission to the onset of this engine compartment fire.

Due to the fact that the front top portion of the brake master cylinder reservoir was partially cracked, and a pressure switch had separated from this brake master cylinder that was previously screwed into the top front-most bass, we attempted to locate fallen components that were previously attached to the brake master cylinder. At the time of our inspection, we did indeed observe the fallen brake pedal deactivation switch that had separated from the broke master cyfinder. It had fallen to immediately above the forward-most section of the upper control arm. This separated brake pedal deactivation switch was severely burned, still contained aluminum aftey material that was surrounding the threaded portion where it was previously secured to the brake master cylinder, and the plastic composite multi-connector on top of this brake pedal deactivation switch was severely burned. It is indeed pecullar to see that this brake pedal deactivation switch had separated from the brake master cylinder assembly, unless the fire was intense enough to soften the aluminum allay material of the brake master cylinder, in this specific area, to generate said separation.

We removed the brake pedal deactivation switch, and are storing it at the office of Forensic Analysts, pending further instructions from Alistate Insurance Company, should there be a desire to have the brake pedal deactivation switch analyzed.

All evidence, however, is purely consistent with this having been the area of most intense burn in the left-rear corner of the engine compartment, immediately below the partially consumed partial of the aluminum alloy closed

vehicle hood. All fire flow patterns were consistent with that, which lessened in intensity, as we moved away from the left-rear corner of the engine compartment, toward the right side of the engine compartment, towards the front of the engine compartment, as well as rearward toward the interior of the vehicle.

it must also be noted that the only section of the front windshield that was shattered at the time of our inspection, although intact, was that area immediately above and behind the brake power booster. This, again, is purely consistent with an area of most intense burn emanating from the left-rear corner of the engine compartment, prior to migrating mildly into the vehicle interior.

RESEARCH OF RECALL INFORMATION

We contacted the National Highway Traffic Safety Administration (NHTSA) to identify any preliminary evaluations, engineering analyses, or recalls on 2001 Ford F-150 vehicles.

At this time, a search of their records, as well as technical service bulletins, indicated no information relating to the loss as described. Please note that the brake pedal deactivation switches have been recalled on 2000 Ford F-150 vehicles.

RECOMMENDATIONS

We recommend that the 2001 Ford F-150 vehicle be retained, secured, and protected, regarding any further testing or inspection by other interested parties. We also reserve the right to be present and observe any, and oil, inspections or testing of this Lexus Ford F-150 vehicle by any other concerned parties.

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IV. BASIS OF REPORT

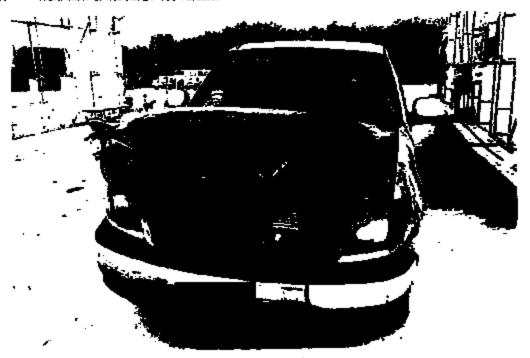
This report is based upon the following:

- 1. Inspection of the 2001 Ford F-150 vehicle.
- 2. Interview with the Insured.
- Research of recall information.
- Information and abservations as noted in this report.

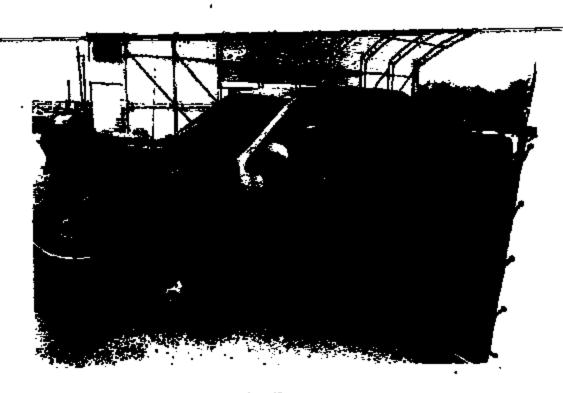
V. ATTACHMENTS

PHOTOGRAPHS

1. Front view of the Ford F-150 vehicle.



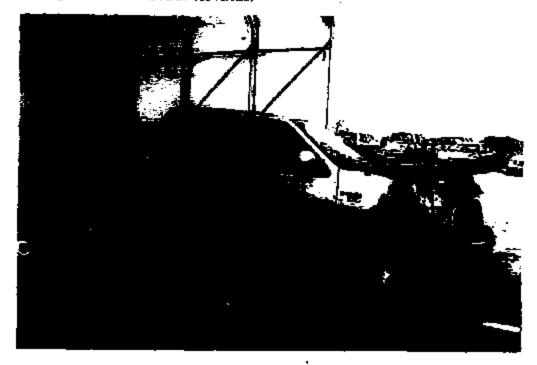
befinide view of the Ford F-160 vehicle.



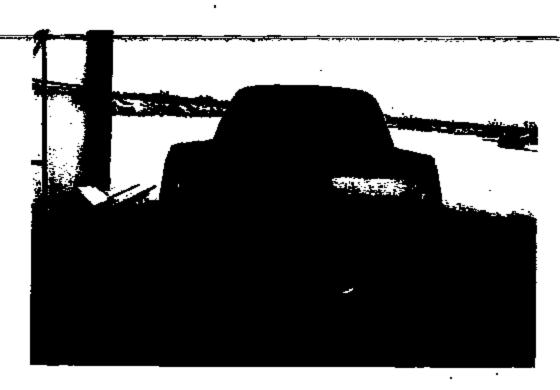
Page 23

January 24, 2005

FAI File No. 3552



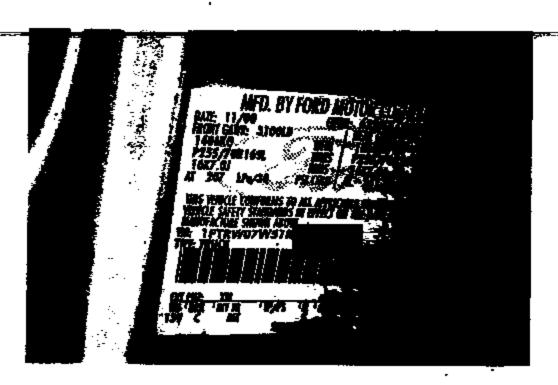
- Recryber of the Ford F-150 verticle.



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- 6; --- View of the vehicle Identification rigg.

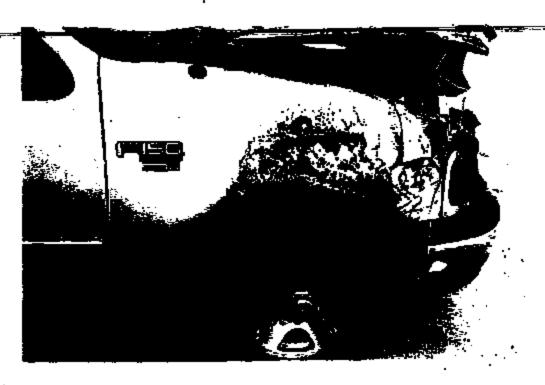


Page 25

Closer view of the intense burn surrounding the left-front fender.



8.--- Stoser view of the imped born surrounding the right-front fender.



Puge 26

Overview of the partially shaltered front windshield.



Page 27

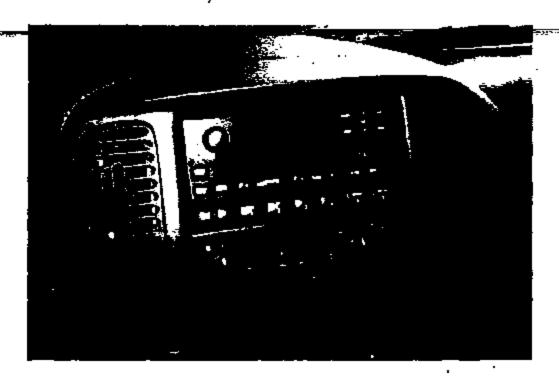


12. Overview of the unburned front seab.

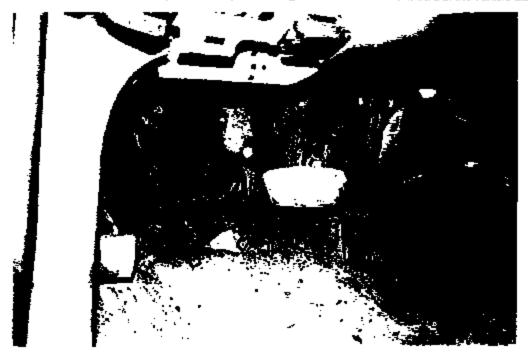


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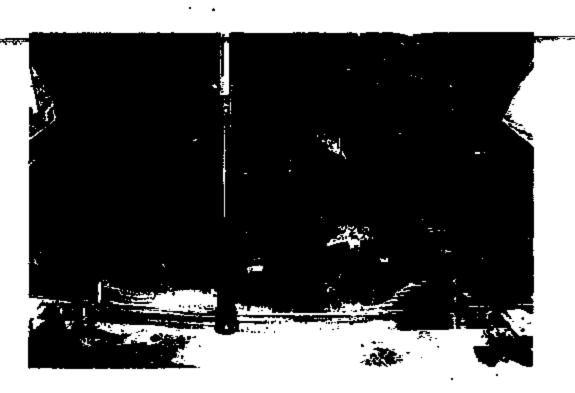
Overview of the CEM (Original Equipment Manufocturer) center-third does mounted AM/FM stereo CD player.



Page 29

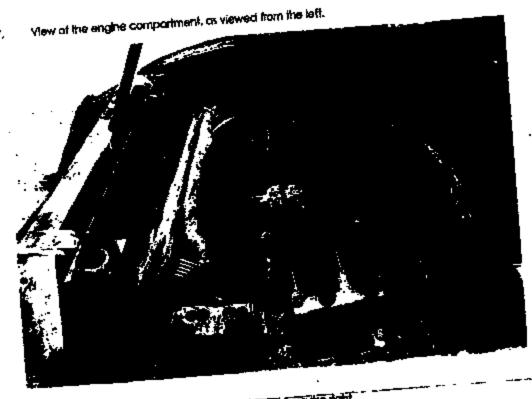


16. Overview of the engine consponing of,



Page 30

17.



- - १६:--- - - View of the बागुधेल उज्जाकृद्धांत्रास्थातं, द्ध शंक्ष्यवद्यं विदास क्षेत्रं के तेत्रे से



Page 31



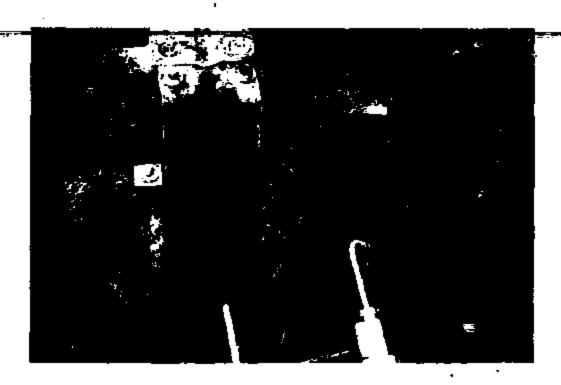
20. View of the left hair of the engine compariment, as viewed from the front.



Page 32



View of the left-side shapes fiberglass composite engine volve cover.



Page 33



24. Overview of the left third of the engine compartment, as viewed from the left.



Page 34



25. Overview of the broke moster cytholer.



Page 35

26. Overview of the left-recir corner of the engine comportment,



Page 36

Overview of the deposits on the frewall in the right half of the engine comportment.



30. - Overview of the clean burn on the flewall, immediately above the brake power booster.



Page 37

Overview of the fallen separated brake pedal deactivation switch that was observed immediately below the brake master cylinder.

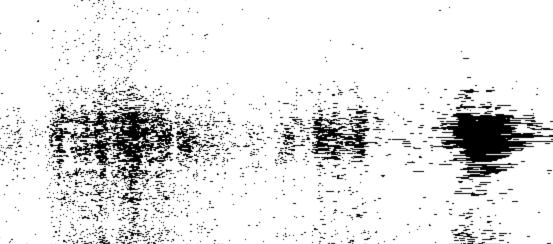


32. Overview of the folien separated brake pedal deactivation switch that was observed immediately below the brake master cylinder.



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New

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

May 6, 2005

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

Attn: Shawn Norton

Re: 63 claims relating to cruise control recall

- DOL : ??

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 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 EMAII, at mabbete@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.

Creag Mabbett

Subrogation Manager

MAY 8 2005











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Phoenix Investigations, Inc.

P.O. Box 27297 Cenver, Colonado 80227-0297 303-782-8487 1-809-580-7047 Fax: 303-762-6510 Specializing in Property Loss Investigations

November 14, 2001

Mr. Andy Artzberger Formers Insurance PO Box 378230 Denver, CO 80237

RE: A preliminary report for the origin and cause investigation conducted on a

1997 Ford F150, VIN 1FTDF1867VK

Insured:

Date of Loss:

Date of Assignment:

Claim Number:

Phoenix Investigations Case Number:

September 25, 2001 October 8, 2001

014589

Dear Mr. Artzberger,

Attached is the preliminary report for the origin and cause investigation on the above-referenced loss. The conclusions and findings are based on information available as of the date of this report.

Thank you very much for the apportunity to be of service.

Respectfully submitted,

Thomas D. McAdam, C.F.E.I.

home it por aston

Investigations Supervisor

RECEIVER

MAN 1 5 2001

by MHGSC

Montana Ucense #3869

Nevada Licerae #522

ER05-905-LC-1881

A Preligigary Report For Formers Insurance Claim # Phoenix Investigations Case #014589

ASSIGNMENT AND FINDINGS

Thomas D. McAdam, C.F.E.I., was assigned an origin and cause investigation on the fire referenced above. The truck was examined on October 10, 2001, and followup work continued through October 29, 2001.

The fire originated in the lower left portion of the engine compartment of the truck. This determination was made after analysis of post-fire patterns indicating the movement and intensity of fire, and review of witness statements.

The cause of the fire was ignition of nearby combustibles by an unknown failure of the brake control module. This determination was made after elimination of other causes at or near the point of origin.

VEHICLE DESCRIPTION

The vehicle was a white 1997 Ford F150 conventional cab pickup truck with Colorado license plates 99842R5 and VIN 1FTDF1867V The plates expire in March, 2002. It was equipped with four-wheel drive, a 4.6 liter engine, and automatic transmission. Although there were signs pointed on the doors advertising Rhino Systems, the registration found in the glove compartment indicated the truck was owned by William Moore.

The truck appeared to be in good condition prior to the fire, with no abvious body damage. The condition of the interior was consistent with a well-maintained vehicle of the age and mileage of this example. The adometer indicated 102,174 miles. The wheels and tires all matched, although the tires exhibited a significant amount of wear. The bed of the truck was finished with a sprayed-on bed liner, and the talkgate was not on the truck. No aftermarket accessories were observed.

VEHICLE EXAMINATION

In this report, the driver side of the vehicle is the left side and the passenger side is the right. All directional indications are based on this orientation.

A Preliminary Report For Formers Insurance Gain #01Phoenix Investigations Case #014589

the registered owner of the truck, gave permission for the examination and collection of evidence during a phone interview on October 9, 2001. The fire occurred at the home of the person assigned the truck. The truck was subsequently taken to Klode Salvage Distribution Center² where the examination was conducted.

Examination of the exterior of the truck found heavy damage to the hood, wind-shield, left front fender, and grille. The right front fender, cab, and bed were undamaged. The left door was slightly smaked, and the interior had heat damage on the dashboard near the windshield and smoke damage throughout. The windshield was broken out in front of the driver seat, and the damage was consistent with heat exposure and not impact-related. The right windshield wiper was intact, but the left was severely damaged and the pieces had fallen out of their brackets. The headliner in the cab sustained fire damage in line with the hole in the windshield. There was no indication of fire origin in the cab and It was eliminated from further examination.

The aluminum hood was melted with only a portion along the right side and the front remaining. The damage to the hood indicated heavier fire on the left side of the engine compartment than on the right. The plastic grille on the cowl was intact on its right side, but burned away on its left. Damage to the grille area was also markedly more severe on the left, and fire damage to the left front fender, tire, and wheel well all pointed to heavy fire on the left side of the engine compartment.

Examination of the engine compartment found the battery, located on top of the right wheel well, was melted from the top down approximately half way, with some indication of heat progression from the left. The positive post had fallen out of the battery, and the negative post was deformed by heat. The clamps on the battery cables, which had fallen away from the battery, were clean and had no indication of arcing or shorting. The cables did not exhibit any unusual discoloration indicative of high internal heat or excessive heating during the fire. Hases on the right side of the engine compartment adjacent to and below the battery

¹⁸⁴⁰⁷ S. Perfet Court, Lakewood, CO

²8300 Blakeland Orive, Littleton, CO, 80125, (303) 470-5511

A Prefiginary Report For Formers Tennouse Gold #01

were damaged directionally, showing heat exposure from the left side of the compartment. Comparison of the extent of damage on the right and left sides of the engine compartment eliminated the right side as the area of origin,

The insulation was burned off most of the wiring in the compartment, except for small isolated areas. The upper radiator hose, which was connected to the upper right portion of the radiator, was generally intact, with light fire damage on the side facing right, and heavy damage on the left side. The top half of the fan shroud was consumed by the fire, and one of the fan blades was partially melted off. The fan turned freely, and its position at the time of the fire was not getermined. The radiator was slightly melted at its upper left portion, an the side facing the rear. A "V" pattern was evident on the radiator, with its nadir below and slightly inboard of the upper left corner. The overflow hose was connected to a fitting at the upper left corner and ran downward from that point. The hose had fire damage on its side toward the right. The coolant overflow tank, located at the left front corner of the engine compartment, was melted and drooped toward the right. The lower radiator hose, located on the lower left front portion of the engine compartment, was somewhat deformed by heat on its upper side, but was intact.

The air cleaner housing and air duct were all consumed in the fire. The only remnant found of this assembly was the circle clamp for the air cleaner housing, which was in the bed of the truck. Electrical connectors were located on the top forward portion of the wheel well, beneath the air cleaner housing location. These connectors were in good condition, and the corrugated plastic tubing on the wires toward the front of the truck was undamaged. The insulation on the wires toward the back was damaged and melted away. A group of four wires led away from this area toward the front center of the engine compartment. These wires were traced and found to terminate in small connectors. The end of the wires was lying on the engine block, and it was obvious that whatever they had been connected to prior to the fire had burned away.

The brake fluid reservoir was burned away, and the contents had spilled onto the steering column and frame below. There was no significant low-level burning there. The top of the fuse box, located on the top of the left wheel well, had melted down over the fuses. There was no singular "hot spot" or area of consumption to

A Preliminary Report For Formers Insurance Claim #01-3

indicate the fire came from within the fuse box, and the melting appeared to be the result of heat exposure from an area to the front and right of the fuse box. The wires behind and below the fuse box had sustained heat damage, but there were areas where the insulation remained on the conductors. The insulation on the large wiring harness which ran across the upper rear portion of the engine compartment was burned away, but examination of the conductors found ha area of arcing, shorting, or other pre-fire failure. The conductors were brittle, indicative of exposure to high heat, with more damage noted on the left side than the right.

Examination of a nearby 1997 Ford F150 found the brake anti-lock module was located at the lower portion of the left side of the engine compartment. The module was burned away on the claimant's vehicle, and the lowest point of burning was in this area.

The overall evaluation of the damage patterns indicated heavy fire in the upper level of the left front partian of the engine compartment. This area was occupied by the air cleaner assembly and air duct. This was determined by examination of a similar vehicle. These items were plastic, and contributed a significant fuel load to the area. Tracing of the wires on the similar truck found a group of four conductors leading to a sensor in the air duct. The positioning of these four wires was consistent with the four conductors found on the engine block of the truck which barned.

INTERVIEWS

is the registered owner of the truck. He was interviewed by phone on October 9, 2001, and provided the following information:

 He bought the truck used in early 1999 from the Ford dealer at County Line and Broadway.³ It had approximately 60,000 miles on it when he bought it.
 At the time of the fire, it had slightly over 100,000 miles. (NOTE: The

³Courtesy Ford, 8252 S. Broadway, (303) 794-4343

A Preliateory Report For . Farmers Insurance Claim #01 Phoenix Inventional Case #014509

registration found in the truck during the vehicle examination indicated the purchase date was February 4, 1999.)

- An employee, Hugo Carreon, was the driver of the truck.
- He was not aware of any problems with the truck. He stated that other
 than routine oil changes and brake work, the only work done on it was the
 repair of a warning light approximately five months ago. He believed the oil
 changes were done at the Ford dealer.

Hugo Carreon

Mr. Carreon is employed at Rhino Systems, and was assigned the truck. He was contacted by phone on October 9, 2001, and provided the following information:

- He is the only person to drive the truck.
- At the time of the fire, it had been parked in his driveway for approximately 12 hours. It was unlacked, and the windows were open.
- At approximately 5:00 a.m., he was awakened by the horn blowing, followed shortly thereafter by an explosion. He observed the truck on fire and called 911. The fire was coming out of the grille and around the edges of the hood.
- He reported he had a problem about three weeks before the fire in which
 he could not shift it. It was taken to T & N Service in Commerce City. He
 was told it was an electrical problem.
- He does not check fluid levels between oil changes. He has the oil changed at 3,000 mile intervals at Super Lube on Broadway.
- The vehicle was running well the last time he drove it, with no unusual odors, noises, or any other extraordinary indications.

FIRE DEPARTMENT REPORT

The West Metro Fire Department was contacted by phone on October 9, 2001, and a copy of their report requested. Captain Dan Pfannenstiel reviewed the report while on the phone and reported that no fire department investigator was requested by the suppression personnel. As of the date of this report, the West Metro report has not been received. It will be placed in the file upon receipt.

A Preliminary Report For Fermers Insurance Claim # Procents Investigations Case #014589

NHTSA WEBSITE RESEARCH

A review of the National Highway Transportation Safety Administration (NHTSA) website found no recalls relating to the fire. There were five consumer complaints of fires similar to this incident, three of which occurred while the vehicle was parked. The vehicles had been parked from 30 minutes to 24 hours when the fires occurred.

EVIDENCE

Photographs were taken of the exterior and interior of the vehicle, and the area and point of origin. Photographs were also taken to document the vehicle examination, and of another 1997 Ford F150 located nearby. No items of evidence were taken.

DISCUSSION

The fire heavily damaged the left side of the engine compartment, with the lowest burning in the area of the anti-lock brake module. During a discussion of the incident with a Ford technician at a local dealership, he stated he had recently worked on a Ford von in which the module had melted. It did not start a fire, but the module was the only item damaged by heat.

ATTACHMENTS

Photographs Vehicle Inspection Report NHTSA Consumer Complaint report

Punhasa 24147 'ase #: 014589 Insured: Claim #: Farmers Company: Place Fire Occurred: Date of Loss: 9-25-01 Vehicle Examination Date: 10-10-01 Vehicle Examination Location: Klades 6300 Blakeland Or. Littleton CO Ford F150 Model: Manufacture: P/U Year: Body Style: License Plate: VIN#: TDF 18671A 3/02 Expiration Date: Odometer: 162174 State: Slightly Damaged = 1 - Total Damaged = 5 Fire Damaged Area(s) 5 Exterior No 5 **Interior** Nο 5 Engine Compartment Nσ Areas of Burn A) Roof Yes 1 5 **(**5) Nσ Hoad 5 Grill 2 Nο B Left Front Tire Z • 5 No 5 Left Front Fender No 1 **G**] 3 Left Front Wheel Well 1 2 Nο Ð 2 5 Left Front Door 3 '.eft Rear Door A/U Bed 2 3 5 1 Yes

areas of Burn Continued	Slight	ty Dama	nged = 1	- Total	Dames	ped = 5		
Left Rear Tire	⋈	Yes	1	2	3	4	5	
Left Rear Fender	€	Yes	1	2	3	4	5	
Left Rear Wheel Well	Θ	Yes	1	2	3	4	5	
Rear Trunk / Hatch Back	€	Yes	1	2	3	4	5	
Right Rear Tire	€	Yes	1	2	З.	4 ر	5	
Rìght Rear Fender	(NG)	Yes	1	2	3	4	5	
Right Rear Wheel Well	66	Yes	1	2	3	4	5	
Right Resir-Door	(R)	Yes	1	2	3	4	5	
Right Front Door	(No	Yes	1	2	3	4	5	
ight Front Tire	· 🚯	Yes	1	2	3	4	5	
Right Front Fender	No	(Yes)	Ø	2	3	4	5	
Right Front Wheel Well	No	Neg	1	②	3	4	5	
Do Tires and Wheels Match	No	(Ve)						
All Lug Nuts Tight and In Place	No	(eg)		,				
Engine Comportment	_		Remarks					
Hood Open During Fire		Yes						
Radiator Melted	No	(Yes)	Minus upper left					
Upper Radiator Hose Burned	No	(e)	Substantially intact					
Lower Radiator Hose Burned	No	Per	et 11					
rive Belt Burned	No	Veg			<u>. </u>			

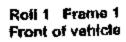
ingine Compartment Continued			<u>Remorks</u>					
Other Hoses Burned	No	(es		4 1				
Fan and Shroud Burned	No	(Ve)	Top of shoot	ud, I fan	6/24			
Inner Fender Burned	No	(Ver	Left was	e than r	967			
Heating System Burned	<i>-</i> ∕	Yes			<u> </u>			
Oil Below Lowest Mark on Dipstick	<u>(b)</u>	Yes						
Evidence of Excessive Oil Leakage	6	Yes						
Holes or Cracks in Transmission	₩	Yes						
Transmission Oil Level Satisfactory	No	€						
Problems with Drive Train/Suspension	an 🔊	Уез						
lotor Mounts Burned	N	Yes						
Electrical	No			Distorted/	Short or			
	<u> Догладе</u>	Missing	Burned	<u>Melted</u>	<u>Arcing</u>			
Battery		<u> </u>						
Battery Connections				<u> </u>				
Battery Cables			_/					
Starter	<u> </u>							
Alternator / Generator								
Ignition System		· 						
Fuse Panel				<u> </u>				
Wiring Harness(s)			<u>/</u>					

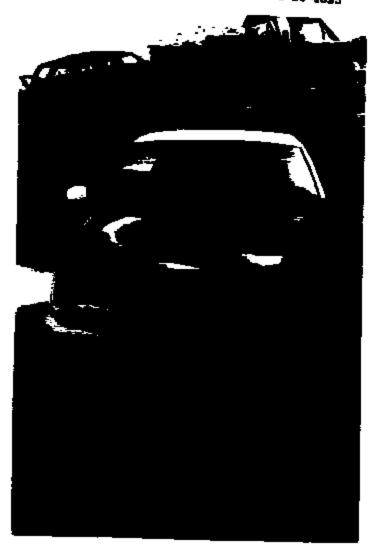
lass	No			Distorted/	
	<u>Damage</u>	<u>Smaked</u>	<u>Cracked</u>	<u>Melted</u>	<u>Broken</u>
Windshield					<u>~</u> _
Left Front Door		~			
-Left Rear Door					
Rear Window					
-Right Rear Door — -	_ <u>-</u>			- <u>-</u> -	
Right Front Door					
	<u></u> _				
Remarks: Windshall br	oken on	+ by !	heat de	iver_s	·B
Interior				Remarks	
Door(s) Open During Fire	No.	Yes _			
Left Front Door - Locked	مرابع مرابع	Yes _	-		
Left Rear Door - Locked /	U/A No	_			
Right Front Door - Locked p. 4	€Vo				
Right Rear Door - Locked /V	// No	Yes _			
Window(s) Open During Fire	<u>D</u>) Yes _			
ey in Ignition	Ð	Yes _			

nterior Continued	Remarks					
Any Accessories Removed	وُس	Yes _				
Unusual Burn Pattern(s)	(N)	Уез _				
Abnormal Melting	6	Yes _				
Unusual Objects in Vehicle	۵	Уез _				
Trunk Open During Fire	. 0	Yes _			_	
Unusual Objects in Trunk	€).					
Fuel and Emission System	No			Distanted/	Revent	
	<u>Damage</u>	<u>Smoked</u>	Cracked	Melted	Bashen	
Filler Cap	<u> ~</u>					
Filler Assembly						
Fuel Lines		·	<u>-</u>			
Fuel Filters/Carburetor /Injection					1	
Turbos W/#						
Air Intake Filters						
Fuel Vapor Recovery System					_/	
Exhaust and Tail Pipe			· 			
Muffler and Catalytic Converter						
Clamps and Connections						
Any Loose Line(s)	No	Yes				
Connections	(No)	Yes				

Type and Emission System Continued				
Fuel Tank Prior to Fire	_ Empty	1/4	1/2	3/4 _ 🗸 Full
Remarks:				
	-			
·				
Miscelloneous	.•			*
Evidence Taken		Yes		
Evidence of Explosion or Rupture	(N)	Yes		
Any Oil Sample(s) Obtained	₽	Yes		
Laboratory Results				
Fuel Sample(s) Obtained	<u>(</u>	Yes		
Laboratory Results				
Debri≤ Sample(s) Obtained	Ð	Yes		
Laboratory Results				
Location of Longest and Hottest Burn	ing:	K engine	Compart a	rent
				
				_ _
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<u> </u>				
Recent Work on Vehicle and By Whom	n: <u>Le</u>	pair chift	er - Tx	V service
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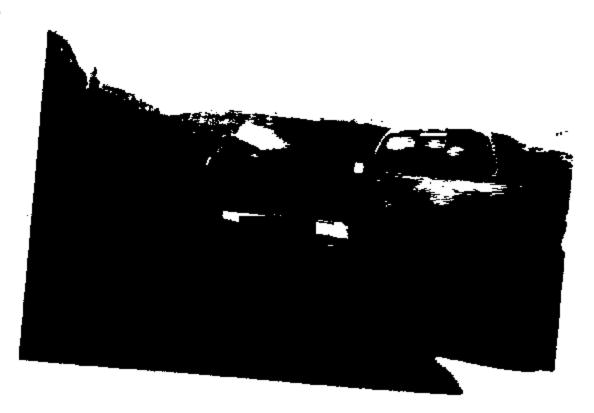
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escription of Incident:	Parked for	12 hours.	Orises	a weken	el 67
hura blowing hear	Dergelosing	1. Truck	was or	P.10. 6 K	Sec. 49
out of exiles a	round houle				• .
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ertinent Recalls and Service: Ciros while	ce Builetins Perti parked	aining to Case: 		epelv cum	-
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omments on Overall Inspe	stion:				
water an Overall Tubbe					
		- -			



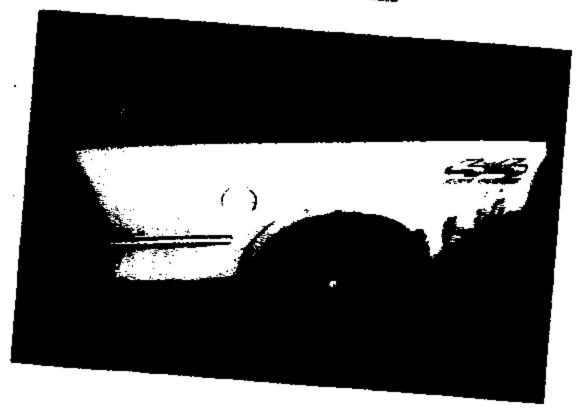


Roll 1 Frame 2 Right side of vehicle





Roll 1 Frame 3 Rear of vehicle



Roll 1 Frame 4 Left rear of vehicle





Roll 1 Frame 7 Interior/right to left

Roll 1 Frame 8 Top of cab/interior





Roll 1 Frame 9 Windshield/interior



Roll 1 Frame 10 Hood and windshield



Rolf 1 Frame 11 Engine compartment

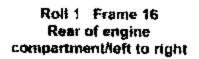


Roll 1 Frame 12 Engine compartment

Left side of engine compartment



Roll 1 Frame 15
Front of engine
compartment/left to right







Roll 1 Frame 19 Right elde of engine compartment/battery



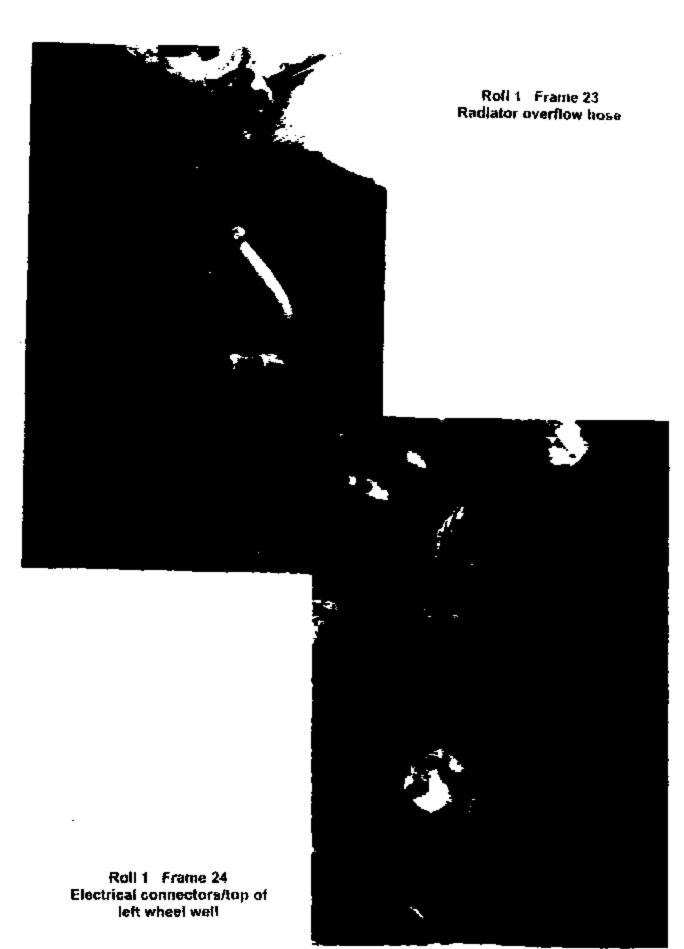
Roll 1 Frame 20 Center of engine compartment

Roli 1 Frame 21 Left side of engine compartment



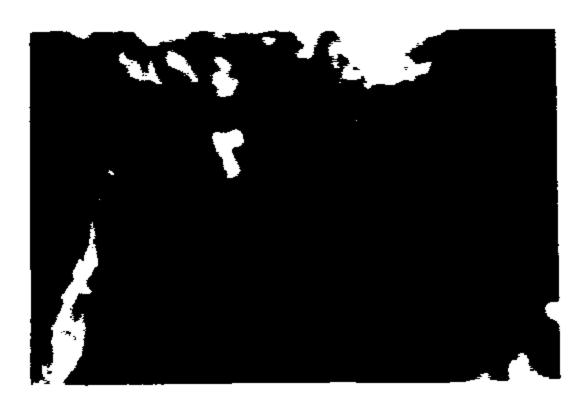
Roll 1 Frame 22 Radiator







Rolt 1 Frame 25 Upper radiator hose



Roll 1 Frame 26 Lower radiator hose

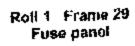




Roll 1 Frame 27 Fuse panel

Roll 1 Frame 28 Fuse panel

EASS-885-LC-1968





Roll 1 Frame 30 Wiring/top front portion/left front wheel well





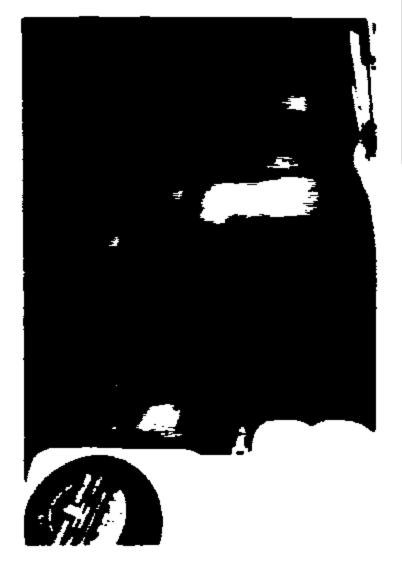
Roll 1 Frame 31 Wiring/top front portion/left front wheel well

Roll 1 Frame 32 Linderside of air cleaner mounting bracket





Roll 1 Frame 33 Wiring/similar vehicle



Roll 1 Frame 34 Left side/similar vehicle/engine compartment



Roll 1 Frame 35 Left side/similar vehicle/engine compartment



Roll 1 Frame 35 ViN plate on claimant vehicle



Roll 1 Frame 37 Wiring to air sensor



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Macinnes, WHIGHAM, LIVELY & SIEFKEN, L.L.P.

ATTORNEYS & COUNSELORS

ECMPET A. MARINNES GREGORY A. WHIGHAM SAM LIVELY MARK SIERKEN

JUL 1.2 2004

July 2, 2004

ONSUMER AFFAIRS SECTION

By Certified Mail, Return Receipt Requested Ford Motor Company Consumer Affairs P.O. Box 6248 MD-3NE-B Dearborn, MI 48126

Re:

1997 Ford F-150

VIN# 1FTDX1769VK

Owner:

To Whom It May Concern:

This will follow up on my previous conversation with Radh at your Consumer Relationship Center on June 30, 2004. In that conversation, I advised Rudh that I have been retained by Agricultural Workers Mutual Auto Insurance Company to represent them in a potential subrogation claim arising out of a fire that originated in the above-referenced Ford F-150. Our investigation, to date, reveals that this fire was probably the result of a defective brake pressure switch adsieb caused a fire, totally destroying the F-150, in addition to the Cadillas SI S. and their entire house and household goods.

Please be advised that as a result of this fire, Agricultural Workers has paid the amount of \$22,724.99 and is subrogated to any recovery they may have against Ford Motor Company. Agricultural Workers Mutual Auto Insurance Company's rights must be protected in case you do make a settlement with the Bakers.

Should you require any additional information or wish to inspect any of the damage, please call me immediately. The Bakers are in the process of cleaning up in preparation for, starting the rebuilding process. Therefore, time is of the essence.

Sincerely.

MS:kc



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HANNAH, COLVIN & PIPES, L.L.P.

ATTORNEYS AT LAW 2051 SILVERSIDE DRIVE, SUITE 260 BATON ROUGE, LOUISLANA 70808 TELEPHQNE: (225) 766-6240

FACSIMILE: (215) 766-5546

MICHAEL P. COLVEN W. RANSON PIPES JANICE CHURCH REEVES LAUREL E NICONALO KRYSTENA L. HARPER

HANKS HANKAH (Cyat -149s)

Via Certified Mail, Beturn-Receipt Responted Ms. Shawn L. Norton Ford Motor Company Parklane Tower West, Suite 300 Three Parklane Boulevard

Ra:

Insured:

Dearborne, Michigan 48126-2568

Date of Loss: Our File No.: June 4, 2002

821-2024

Dear Ms. Norton:

Please he advised that I have been retained by connection with damages sustained as a result of a fire which occurred on June 4, 2002, at the residence of its immered. in Minden, Louisiana. According to State Farm's investigation, the fire originated in a 1997 Ford F150 Pickup Truck that was parked under the carport of the above mentioned residential dwelling. As a result of the fire, the residential dwelling sustained substantial property damage which is still being assessed at this time.

Enclosed you will find an expert report prepared by Ron McKinley, which indicates that the cause of the fire was "a defective brake pressure switch." Evidence of proof of loss is being guttered at this time, and will be provided to you upon my receipt of same.

is placing Ford Motor By way of this correspondence,: Company and/or Texas Instruments on immediate notice of this claim as it is seeking full reimbursement of payments made, or to be made, on behalf of its insured. The subject vehicle is available for inspection at Copart of Louisians in Shreveport, Louisians.

If you have any questions or wish to discuss this matter further, please call.

enclosures

Shirley May

77 8150

FILED MAY 28 2003 LOCATE SEED

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VERSUS .	PARISH OF WEBSTER
FORD MOTOR COMPANY	STATE OF LOUISIANA
JOINT PET	ITION FOR DAMAGES
NOW INTO COURT, through up	dersigned coursel, come plaintiffs
a person of the full age of majority, dur	miciled and residing in the Parish of Webster, State of
Louisians, and	
	foreign insurers, authorized to do and doing business
in the State of Louisians, who, with respe	ect, represent the following:
	1.
Named defendant kerein is Ford M	oter Company, a foreign corporation, authorized to do and
doing business in the State of Louisians,	who is indebted usto plaintiffs, for the following, to wit:
	2.
At all times pertinent herato	was the owner of a certain residence, located
at Louisius	ns, (hereinsiter reterred to as the "Residence") and
a 1997 Ford P150, identified by Vehicle Id	antification Number 1FTDX1760VX
referred to as the management thicke").	
	3.
On or about June 4, 2002, while	the section which was parked under the carport at the
Residence, a fire occurred in th	retricle causing substantial damage to both the
vehicle and the residence,	
	4.
The fire originated in the engine	compartment of the 1997 Ford F150 owned by
and use caused by a deflect to the	s meed control deactivation audick, the electrical system

and/or other defects within the 1997 Ford F150.

The 1997 Ford P150 was designed, stampfactured, assembled and sold by defendant, Ford Motor Company.

6

At all times pertinent beento, Ford Motor Company and actual and/or constructive knowledge that the speed control deactivation switch could develop a resistive short in the electrical circuit or otherwise fail, resulting in an underhood fire.

7

Defendant, Ford Motor Company, is liable unto plaintiffs for the following acts of negligence and/or fault:

- Manufacturing, assembling, marketing and/or selfing a product which was uncreasonably dangerous in construction or composition;
- Meaningturing, essembling, merteting and/or saling a product which is turessoughly dangerous in design;
- C. Manufacturing, assembling marketing and/or selling a product which is unreasonably dangerous because an adequate warning about the product was not provided; and
- D. Failure to adequately warn uses of the risks/dangers of the product subsequent to acquiring such knowledge.

ā.

At all times pertinent hereto. insured the and provided enverage for the damages sustained thereto. vehicle owned by 9. Pursuant to the terms of its insurance policy and as a result of the fire, paid to or un behalf of its insured, the sum of THIRTEEN THOUSAND THREE HUNDRED SEVEN & 00/100 (\$13,307.00) DOLLARS. 10. At all times pertinent bereta innured the residence owned by and provided coverage for the damages austriced thereto. 11. Pursuant to the terms of its insurance policy and as a result of the fire <u>811</u>0 as made payments to or on behalf of its insured, for damages sustained as a result of the fire. Furthermore, a claim for damage to contents is still pending, which to make additional payments to or on behalf of

Petitioners, State Farm Mutual Automobile Insurance Company and State Farm Fire and Casualty Company are subrogated, logally, conventionally, and by the terms of the policies, to the rights of the substantial against defendant, Ford Motor Company, to the extent of payments made herein to, or on behalf of, Shirley McCoy.

ł3.

As a result of the incident described above, and bear an including but not limited to an uninsured/underinanted property loss, a lass of deductibles, lost wages, mental anguish, inconvenience, and loss of use. Included in uninsured/underinanted property loss were irreplaceable personal items such as enemorability, photographs, collectibles, etc., including numerous personal effects that belonged to her son, who is now deceased. The loss of these sentimental items has caused an antifer serious mental anguish and distress.

14.

Despite amicable demand, defondant has refused to reimborne plaintiffs for their losses.

WHEREFORE, plaintiffs pury that after due proceedings are had barein, there be judgment in favor of plaintiffs,

and against defeadent, Ford Motor Company, for the sum of all damages proven at trial, together with legal interest from date of judicial demand until paid, and for all costs of these proceedings. Plaintiffs further pray for all general and equitable relief to which they may be entitled.

By Attorneys:

HANNAH, COLVIN & PIPES, LLP 2031 Silverside Drive, Suite 260 Baton Rouge, Louisiana 70805 Telaphona: (225) 766-8240 Pacrimile: (225) 766-5546 Attornes for State Form Matural Automobil

Attorneys for State Farm Mutual Automobile Insurance Company/and State Farm Fire and Casualty Company

W. Randon Pipes (LA Ber #1774R) Krystene L. Harper (LA Ber #27494)

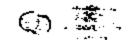
aud

MoMCHARIL, MEDLEN & D'ANNA 504 Texas Street, Selin 400 Skraveport, Louisims 71:01 Telephone: (118) 221-1004 Fecsimile: (118) 221-0002 Attornoying Shiping McCoy

Joth R. D'Anne (LA Bur \$4491)

PLEASE SERVE

FORD MOTOR COMBANY Grouph to agent for nevelse of process CT Corporation Systems 8550 United Pieze Blvd. Baton Rouge, LA 70109





¥i.

Investigation Report

Professional Appariation

Fire Cause Examination on a 1997 Ford F150 Pickup Truck at Co-Parts Auto Salvage in Shreveport, Louisiana

Prepared for

State Farm Insurance Company Bossier City, Louisiana

bу

Ron McKinley, P.E. Engineering Design Consultants June 18, 2002

Client Reference No: 18-A139-066 Engineering File No: SFB02-144D

Engineering Design Consultants

708 E. MARSHULL MYSNUS - BUSTS 4008 - LÜNGSMEW, TÉLAZ 75604 (BSJ) 596-9768 ŧi.

RECEIVED JUL 0 1 2002 BOSSIER CSO

Project Engineer: Ron McKinley, P.E.

Project File No: SFB02-144D

Address: 2633 Viking Drive

Bossier City, Louisiana 71111

Attention: Bobby Booras

Client Reference No: 18-A139-066

Date of Loss: June 4, 2002 - 12 p.m.

Location of Loss: Minden, Louisiana

Insured

RECEIVED JUL O 1 2002 BOSSIER CSO

Fire Cause Examination on a 1997 Ford P150 Pickup Truck at Co-Parts Auto Salvage in Shreveport, Louisiana

Assignment:

On June 2, 2002, I received an assignment from Fire Investigator, Bo
Roberts. Mr. Roberts requested an examination on a 1997 Ford F150 Truck
that was damaged by a fire on June 4th while parked. According to the owner,
the truck was parked about 9 p.m. and the fire was discovered
around 12 p.m. The fire occurred in the engine compartment and burned a hole
in the hood before being extinguished.

I was asked to examine the truck to determine how the fire began. The truck is being held at Co-Parts Auto Salvage in Shreveport, Louisiana. I agreed to meet Mr. Roberts at Co-Parts on the morning of June 12th to begin my examination. The work was authorized by Bobby Booras with State Farm.

Insurance Company in Bossier City.

On-site Examination:

The truck that was examined can be seen in photographs 1 through 4. It is

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Engineering Design Consultants SFB02-144D

a 1997 Ford F150 Pickup Truck with the Vehicle Identification Number

1FTDX1760VK I began by walking around the truck while viewing

the external surfaces. The burn patterns clearly indicate an engine compartment

fire. The bood is made of aluminum and has a hole melted through on the

driver side (see photograph 6). I opened the driver side door and found only

minor fire damage on the driver side floor next to the firewall. This can be seen

in photograph 8.

I opened the hood and began viewing the engine compartment. It can be seen in photographs 9 through 12. As shown in the photographs, the fire damage is primarily on the driver side of the compartment. Mr. Roberts pointed out burn patterns that indicate a fire that originated at the location of the brake master cylinder. I viewed the damage up-close and found the brake fluid reservoir completely burned away by the fire. This can be seen in photographs 13 through 18. The fire was extinguished before it spread to the rest of the engine compartment leaving a discersible V-pattern. I located the fuel hoses and found them still intact. They are indicated with arrows in photograph 15.

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Engineering Design Consultants SFB02-144D RECEIVED JUL 0 1 2002 BOSSIERFGS03

The hoses have heat stress but are not burned. . . .

I traced the electrical wires that connected to the brake pressure switch and found them brittle from the fire and broken in half. Mr. Roberts said the remains of the switch were still attached when he first viewed the truck but the switch housing was loose from the master cylinder. He removed the switch so it would not be lost while the truck was being towed to Co-Parts. The remains of the switch received from Mr. Roberts can be seen in photograph 19. As shown in the picture, the switch housing is heavily charted. The switch was originally installed on the master cylinder at the location indicated with an arrow in photograph 17. This places it next to the brake fluid reservoir.

The National Highway Traffic Safety Administration issued Recall

Number 99V124 for potential defects in the brake pressure switch (cruise

control deactivation switch) for Ford vehicles built in the years 1992 and 1993.

However, the same burn pattern in other Ford vehicles built in years 1992

through 2000 have been observed. The defective switches have caused engine

compartment fires.

Engineering Design Consultants

SFB02-144D

RECEIVED JUL 9 1 2002 BOSSIER CSO^{RO 4}

Conclusions:

The fire resulted from a defective brake pressure switch. The switch has been problematic in causing fires in several model valueles resulting in a recall. The fire was discovered before it spread throughout the engine compartment. This preserved the evidence that shows the origin point of the fire to be at the brake switch and brake fluid reservoir. The switch overheated and apparently ignited. This melted the brake fluid reservoir allowing the fire to spread. The primary fuel for the fire appears to be the brake fluid once the plastic reservoir melted.

Ron McKinley, P.B.



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April 22, 2004

Auto Subrogation Team P.O. Box 11960 Nonroa, LA 71211-1960 1-800-448-4587 Fax 1-800-726-4093

Ford Motor Company
Manager Product Claims Dept.
Mr. Howard E Keys
Parklane Tower West
3 Farklane 81vd, Suite 400
Dearborn, MI 48126

RECEIVED HAY - 4 2004

RE: Claim Number:

Date of Loss: Our Insured: December 28, 2003

492608 opin

Dear Mr. Keys:

This State Farm insured's vehicle, 1997 Ford F150 VIN
1FTDX07WXVI was involved in a loss due to cruise
activistion detect. We settled a claim with our insured in the
amount of \$10,750.13, which includes our insured's deductible.

Our investigation revealed the cause of the loss was due to the following: oruge activation defect .

Enclosed is the documentation of State Farm's claim. We are holding the vehicle until we have concluded our claim with your company. You may contact me at the phone number below to make arrangements to inspect the vehicle.

Please consider this letter as our demand to Ford Motor Company for reimburgement of \$10,750.13.

HOME OFFICES: BI

BLOOMINGTON, ILLEROIS 61710

Page 2 April 22, 2004

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

Sincerely,

Claim Handler 800-448-4587 Team 20

State Farm Mutual Automobile Insurance Company

Enclosure:

cc: estimate, vehicle inspection, valuation, co-part salvage, payment log, crash report, engineeing report, colored photos CIVIL SUIT NUMBER

4th PUDICIAL DISTRICT COURT

AL3-1400 SOREA

PORD MOTOR COMPANY

PARISH OF MOREHOUSE

PETITION FOR DAMAGES

The petition of STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, a fixelign insurance corporation authorized to do and doing business in the State of Louisians, with respect represents:

I.

Made defendant herein is Ferd Motor Cumpuny, a foreign corporation, who may be served through its agent for service of process, CT Corporation Systems, 8550 .

United Plaza Blvd., Beton Rouge, Louisians.

2,

Defundant is justly and truly indebted unto patitioner for such more as are reasonable in the premises, together with legal interest from date of judicial demand until paid, and for all costs of these proceedings.

3.

As a direct result of the above described fire, the second relative was rendered a total loss.

5.

The cause of the aforementioned fire was latent end/or hidden manufacturing. deflects that existed at the time of the purchase by Mr. Thormpson.

 \sim жий то section 2

Ford Motor Company is liable ante politioners for all denunges set forth havein as the related was unreasonably dangerous in construction and composition because design defects caused how from electrical short-circuit arcing to occur.

7.

The above described defects are also redicitary and are the result of defects that have rendered the vehicle uncless, or its use so inconvenient, that it must be presumed that would not have purchased the vehicle if the had known of the defects at the time of the sale thereof.

۸.

was neither awars of the deficits existing at the time of the sole of the subject vehicle, nor should be have been presented to discover such defects as a secondary product beyon.

9,

As the manufacturer, Pord Motor Company has actual knowledge of the redbibitory defects and is not sutilised to notice and opportunity to expair said defects, which in this case is impossible due the nature of the loss sectained.

10

in violation of the warming against indishilarly defects, Ford Motor Company caused the damage or injuries complained of herein, both legally and in fact.

IJ.

At all times pertinent become, there was in full force and effect a policy of insurance, issued by State Parm, Mutant Automobile Insurance Company in favor of providing coverage for each damages as sustained by the Twenticle and, as a result of such contractual commitment, State Farm Mutual Automobile Insurance Company paid to contractual commitment, State Farm Mutual Automobile Insurance policy, said aboutet being the value of the value of the value. State Farm Mutual Automobile Insurance Company is therefore legally, contractually and conventionally subrugated to the rights of its insured.

Petitioner seeks an award just and adaptate under the premises herein; however,

the amount sought is below the jurisdictional limits required for a trial by jury.

WHEREFORE, STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY PRAYS:

- I) That this petition be filed and that the defendant be served with a copy of same and cited to appear and answer said potition within the delays allowed by law;
- That after trial to had, there be judgment received betten in favor of plaintiff, STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, and 2) against defendant, FORD MOTOR COMPANY, for all states due to the premises. together with legal interest on all some from date of judicial descend until paid. and for all costs of these proceedings; and
- 3) For all orders seconsary and proper in the premises, and for field, general, and equitable relief.

Respectfully submitted,

ARMOUR LAW FIRM (A Limited Liability Gorgeny)

By: Bonita Procett-Armour 1744 Jackson Street

P. O. Box 710 Alexandria, Louisiana 71309

(315) 442-6611

(315) 442-4719 - fax

La.Sup.Ct Ber Roll #21627

Attorney for State Farm Mutual Astornebile Interence Company

PLEASE SERVE:

Ford Meter Company CT Corporation Systems 8550 United Plans Blvd. Beton Rooge, Louigiana



IRE AND DAMAGE CONSULTANTS

Dalles, Texas April 9, 2004

State Farm Insurance Co. PO Box 52808 Shreveport, LA 71135-2808

Attention: Howard Hines

Rez

Ford F150

Fire

Bastrop, Louisiana

Date of Fire: Decomber 28, 2003 State Farm File No: 18-0956-142 Hang File No: 1040197-118/129

As you requested, we have inspected the captioned vehicle to determine the origin and cause of a fire. Our inspection was conducted on March 12, 2004, following the original origin and cause inspection by Mr. Be Roberts of Be Roberts & Associates, Shreveport, Louisiana. This initial report covers work completed to date.

This engineering report has been written for your sole use and purpose and only you have the sufficiently to distribute it to any other person, firm, or corporation. Hang Engineering Co. and its agents and employees do not have and do disclaim any contractual relationship with, or duty or obligation to, any party other than the addressee of this report and the principals for whom the addressee is acting. Only the engineers who signed this document have the authority to change its contents and then only in writing to you. This report addresses the results of work completed to date. Should additional information become available, we reserve the right to amend, as warranted, any of our conclusions.

DESCRIPTION

The involved vehicle was a 1997 Ford F150 XLT, Vehicle Identification Number (VIN) IFTDX07WXV The vehicle was a black, automatic transmission 3-door extended cab pickup truck equipped with emise control, power steering, and power brakes. At the time of the fire, the vehicle had 96,389 miles on the odometer. The vehicle was manufactured in September 1996 and was equipped with a 4.8 liter V-8 engine.

POST OFFICE BOX 814245 - DALLAS, TEXAS 75381-4246 - WWW.HAAGENGINEERING.COM 2455 McIVER LANE - CARROLLTON, TEXAS - 75006 - 972-247-8444 - FAX 972-484-1821

Page 2 April 9, 2004

Bastrop, LA

Haag File: 1040197-129/118

BACKGROUND

We obtained background information from Mr. Bo Roberts of Bo Roberts & Associates. According to Mr. Roberts, about two weeks before the fire, the owner replaced a brake fuse that had burned out. The owner drove the vehicle on a long trip and noted that the cruise control coased operating while he was driving. He took the vehicle home and parked it in his garage. About an hour and a half after he parked it, he noted that the truck was on fire and the fire was concentrated in the engine compartment on the driver's side toward the firewall. He was able to extinguish the fire while it was still contained to the engine compartment.

INSPECTION

At the time of our inspection, the vehicle was located at CoPart Auto Auctions, 5235 Greenwood Road, Shreveport, Louisiana. The apparent extent of burning was confined to the engine compartment, primarily on the driver's side, toward the firewall. The vehicle appeared to be undisturbed in the burned area. The brake master cylinder had been heavily burned but there was some plastic left melted on the brake fluid container closest to the firewall. The switch and associated wiring on the end of the master cylinder was burned, but mostly intact.

The fuse compariment was burned and covered with melited aluminum from the hood but was essentially intact. The cruise control module forward of the fuse box was also burned mostly on the exterior and toward the fuse box but was also primarily intact. The wiring harness across the top of the brake master cylinder and wiring from the fuse box and cruise control was burned free on insulation but we found no arcing of any wires. A solenoid about an inch long and 3/4 inch in districter was hanging by two wires from the wiring harness. The copper on the solenoid was slightly sooted but an o-ring on one side of the solenoid was unburned and pliable. The solenoid appeared to have been burned from the top and plastic dripped down. Two other wires hanging down from the wiring harness had contacts on the end of them. The contacts were hurned and what appeared to be an electronic component (possibly a resistor) was still attached to one of them.

Wires in the area of the fire were all intact except one of the wires on the switch at the end of the brake master cylinder, which had broken. The opposite end of the wire was intact and had a piece of melted aluminum on it.

The sir filter case was mostly intact and had two holes in it where the fire had burned through the plastic exposing the interior portions. The paper air filter inside was intact. Other rubber and plastic components toward the top of the engine were melted and burned but in general, all components of the engine could be easily identified, with the exception of items that had been consumed in the immediate area of the brake master cylinder.



State Farm Insurance a Ford F150

Bastrop, LA

Page 3 April 9, 2004 Hang File: 1040197-129/118

We photographed the area of the fire origin thoroughly and removed some of the melted bood that had fallen into the engine compartment to expose wires and components. We noted the wires coming through the firewall were intact and covered with insulation and wires toward the front of the engine were also intact and covered with insulation. The primary burning was around the master cylinder, and on top of the engine where secondary burning appeared to have occurred near ruptured fuel lines.

The remainder of the vehicle was intact. We inspected the brake switch on the brake pedal in the cab. The switch was located on the brake pedal attached to the red that connects the brake pedal to the master cylinder. The switch opened when the brake was released and closed consistently when the brake pedal was touched. Approximately 1/4 inch of brake pedal movement operated the switch. This corresponded to approximately 1/32 of an inch of movement at the switch itself. We were unable to cause the switch to stick or find any malfunction of the switch or short-circuiting of wiring around the switch.

In order to preserve evidence, we stabilized fragile components in the engine and left them in place.

DISCUSSION

There have been many fires associated with the cruise control in 1997 Ford products that have a failure of the brake system reported by owners in the days preceding the fire. Usually, those reports indicate that a brake light or brake light fuse had to be changed. This fire appears to have followed this same pattern as many fires that have occurred in Ford Lincoln Town Cars and other models. In all of those fires, the cruise control brake shutoff switch or related components have been suspected as the cause of the fire.

Most of the fires involving the cruise control on Ford vehicles result in fires that consume so much of the vehicle engine, master cylinder, cruise control, and other affected components, that a determination of the exact cause of the fire is not possible. However, on this vehicle, with the exception of exterior plastic burning, the entire cruise control module, brake master cylinder, cruise control brake switch, and other similar components are intact. Additionally, components that are burned are still held in place by wiring, which is fragile, but still intact. Therefore, we recommended that the inspection be halted until Ford could be notified and Ford engineers could be involved in further inspection should Ford decide to do so. We were instructed to suspend this inspection based on that recommendation. This inspection has therefore been suspended pending notification of other parties.



Page 4 April 9, 2004 Hang File: 1040197-129/118

Bastrop, LA

PRELIMINARY CONCLUSIONS

Based on the background information we received and our inspection, we conclude the following:

- The origin of the fire is near the firewall on the driver's side in the engine compartment of the pickup track.
- The cause of the fire appears to be related to a failure of the cruise control and may be related to a burned out brake fuse indicating a malfunction of the brake indication system on the vehicle prior to the fire.

ADDITIONAL WORK PROPOSED

Our inspection was suspended pending notification of other parties. Once the additional parties are present, the inspection can be completed and final conclusions reached. Note that this additional inspection will be destructive and fragile evidence must be removed and stored.

* MANY I SARE
Licenses No. 30003

Respectfully submitted,

HAAG ENGINEERING CO.

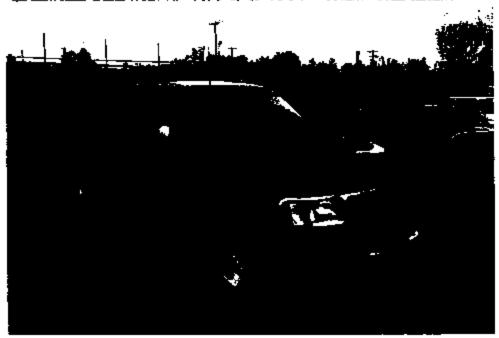
Mark T. Babb, P.E.

Louisiana Registration 30655

John D. Stewart, P.E. Texas License 38512

MTB/JDS:dig

MAAG

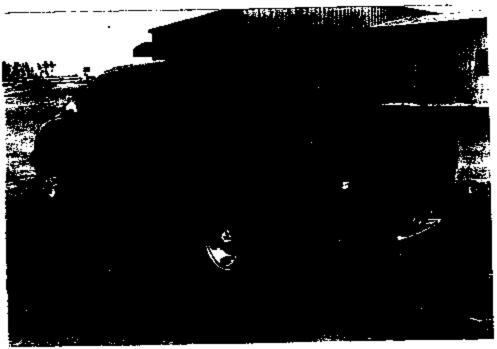


PHOTOGRAPH 1: Front passenger's side of the vehicle.

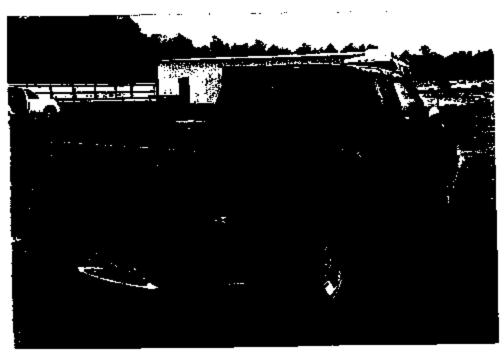


PHOTOGRAPH 2: Front driver's side of the vehicle.

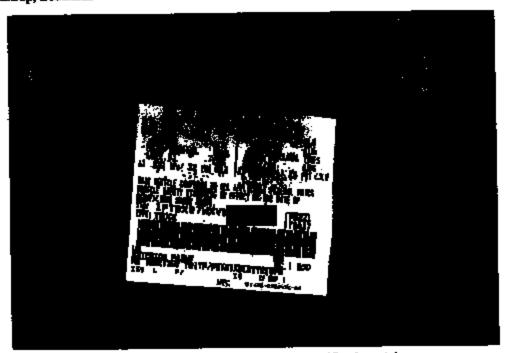
Photos taken March 12, 2004 Hang File No: 1040197-118/129



PHOTOGRAPH 3: Rear driver's side of the vehicle.



PHOTOGRAPH 4: Rear passenger's side of the vehicle.



PROTOGRAPH 5: The vehicle identification sticker.



PROTOGRAPH 6: A view of the engine compartment from the top prior to our inspection.

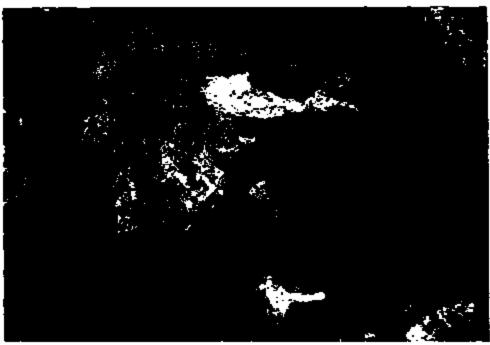
Photos taken March 12, 2004 Haag File No: 1040197-118/129



PHOTOGRAPH 7: A closer view of the engine compartment from the top.



PHOTOGRAPH 8: A view of the apparent origin area.



PHOTOGRAPH 9: The fuse box area.



PHOTOGRAPH 10: Various components were hanging from very fragile wires. We photographed them before touching them, as the wires were very fragile.



PROTOGRAPH 11: Another burned engine component. This burned part contained a coil.



PHOTOGRAPH 12: A view of the burned coil in the previous photograph.



PHOTOGRAPH 13: These contacts were located in the origin area.



PHOTOGRAPH 14: Reverse side of the contacts.

State Farm Insurance Companies



PORO III. (PI CANIMAY

FEB 0 4 2004

CONSUMER ASTAURS Farm Service Center SECTION Revenue: LA 71135

January 26, 2004

4 HB -3 A8 40

Ford Motor Company Customer Relation Services PO Box 6248 Dearborn, Mi 48121

Claim Number:

Date of Loss: Our Insured:

Your Insured: Your File #:

Amt. Coll: Amt. Medical

Amt. Rental:

Deductible: Total Sub:

December 28, 2003

Spending

\$250.00

\$pending

Dear To Whom it may concern:

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

Enclosed are supporting papers to document our loss.

Please accept this letter as notice of our subrogation rights and communicate with us regarding your position in this matter.

Sincerely.

Howard Hines

Claim Representative

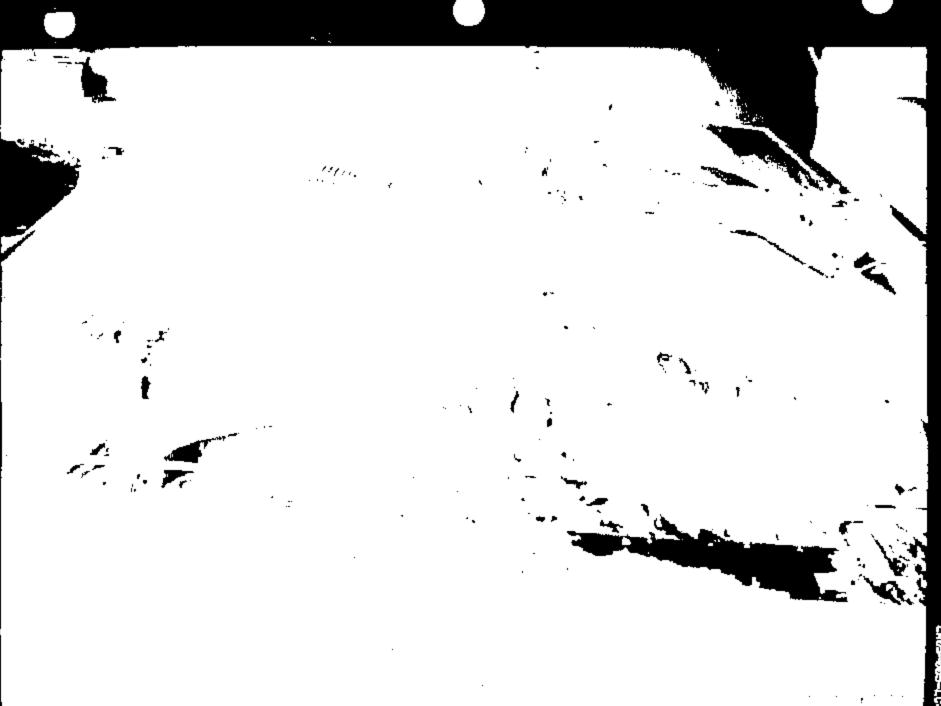
(800) 325-6280

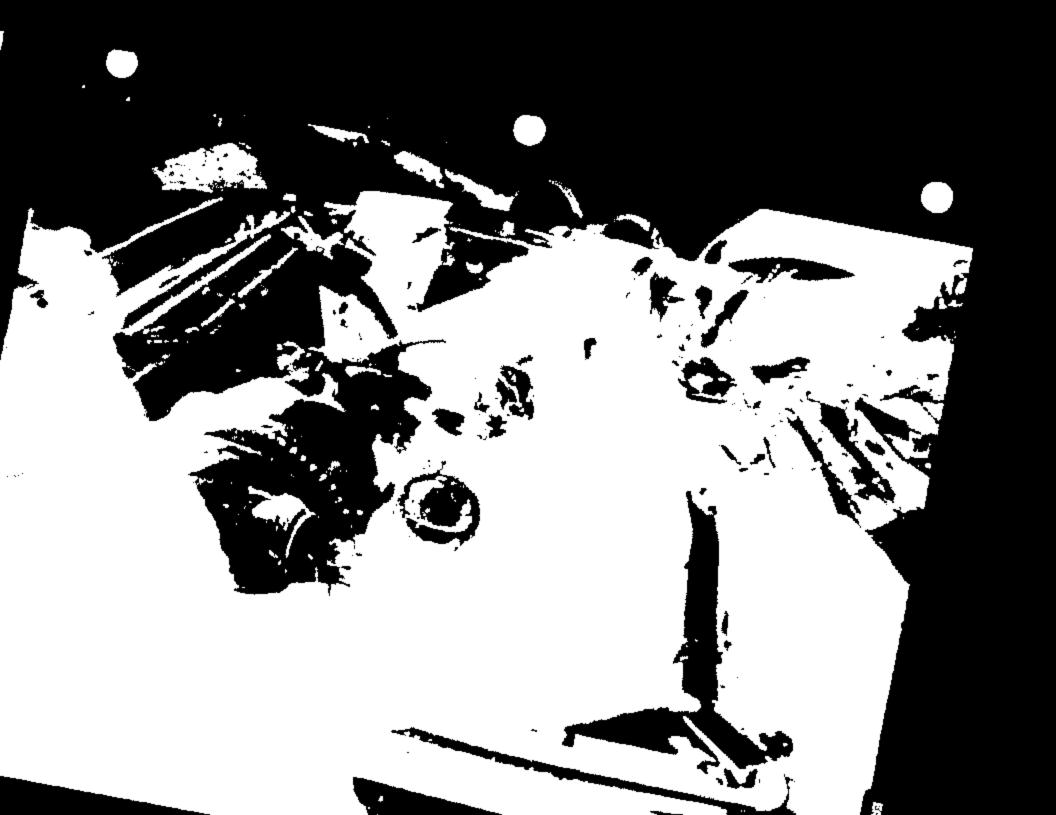
State Farm Mutual Automobile Insurance Company

12/28/03 To expedite service, please use the above claim hu all written and oral correspondence.

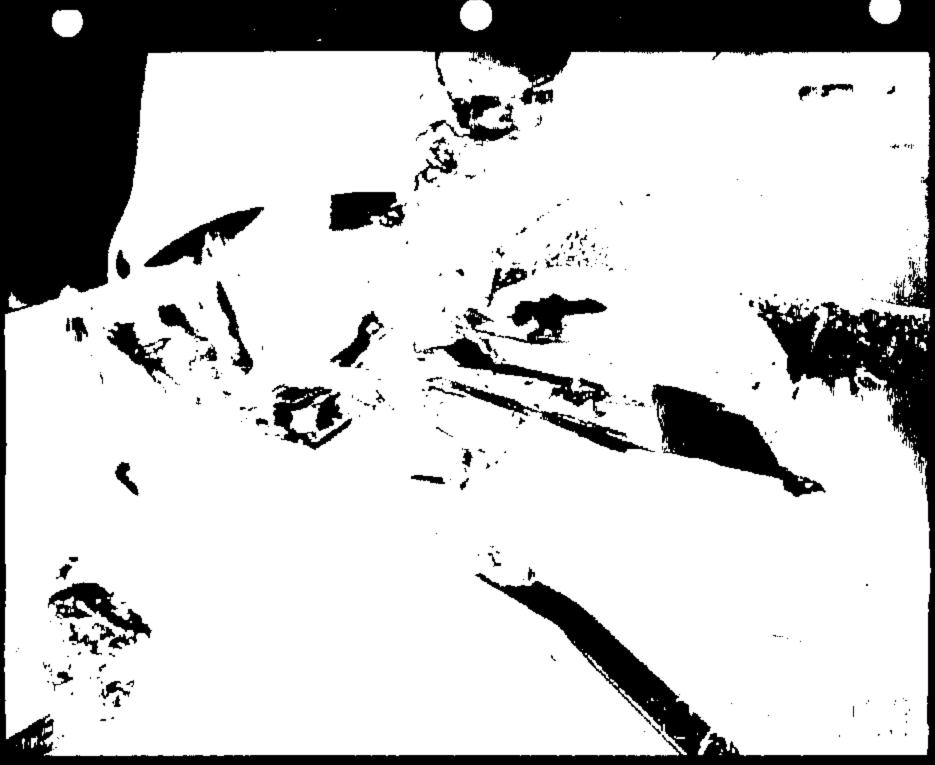
HOME OFFICES: BLOOMINGTON, ILLINOIS 61710-0001

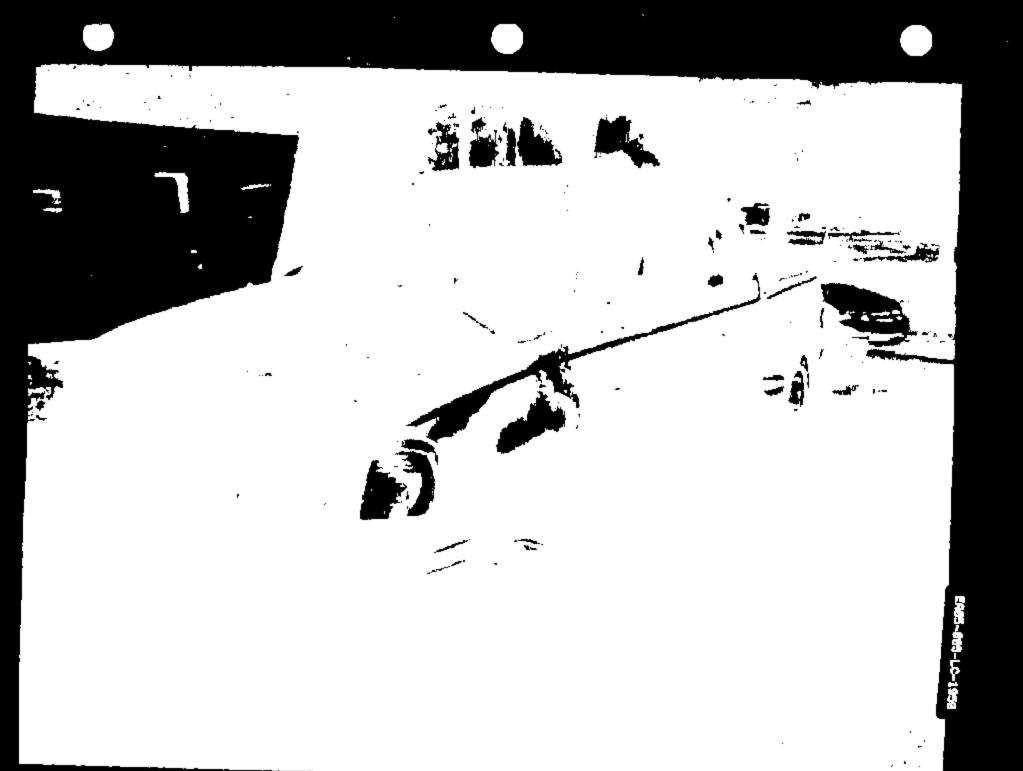
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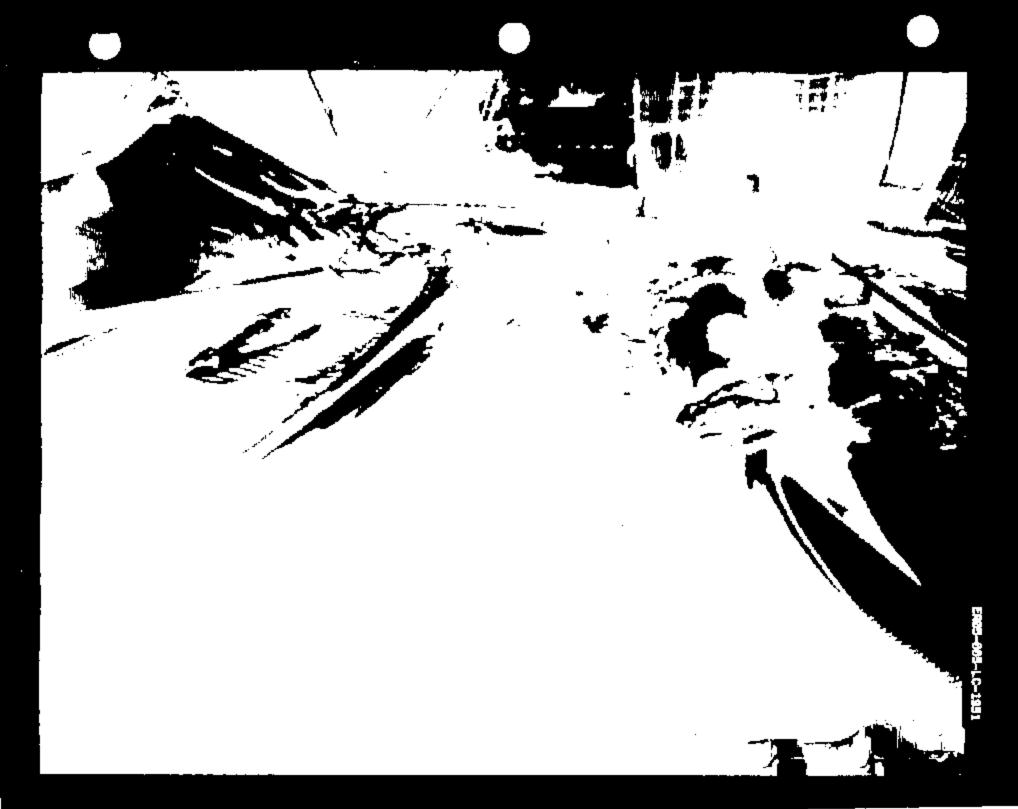




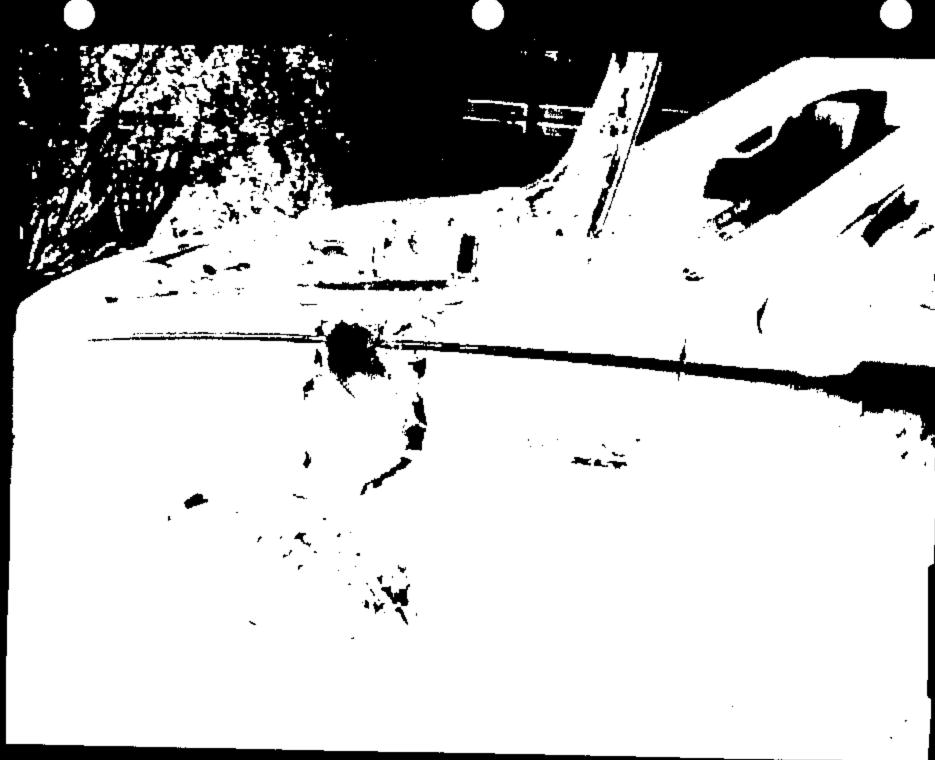














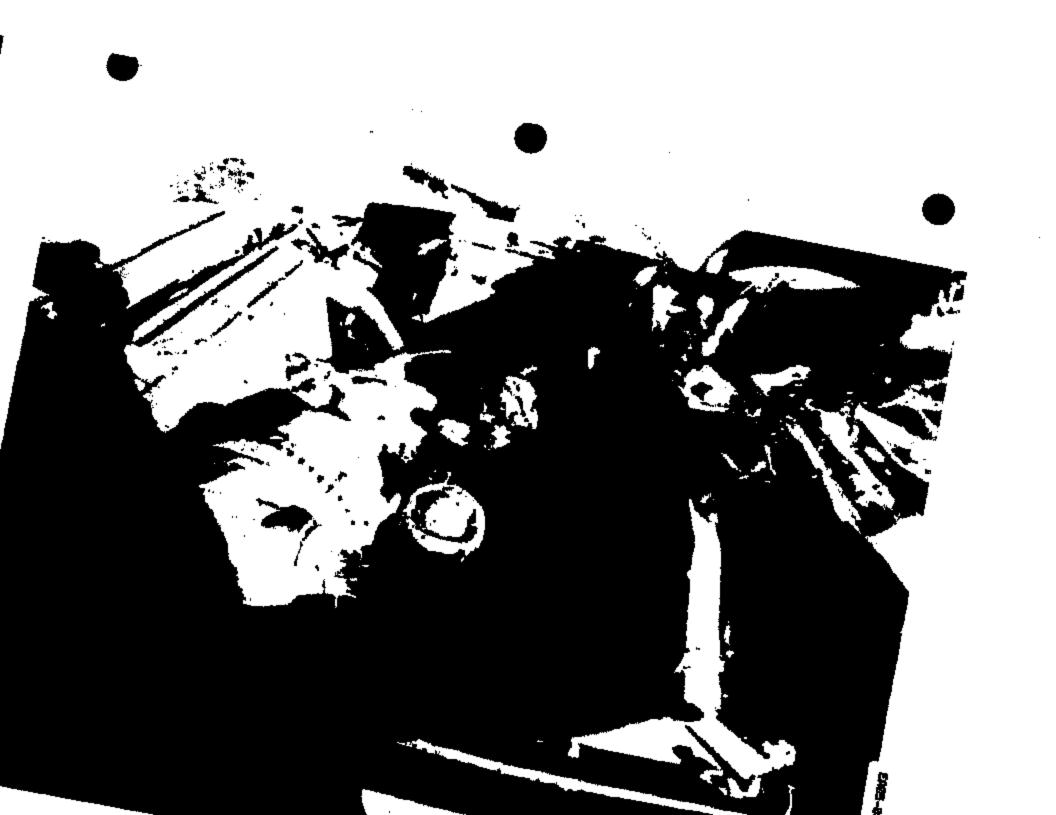




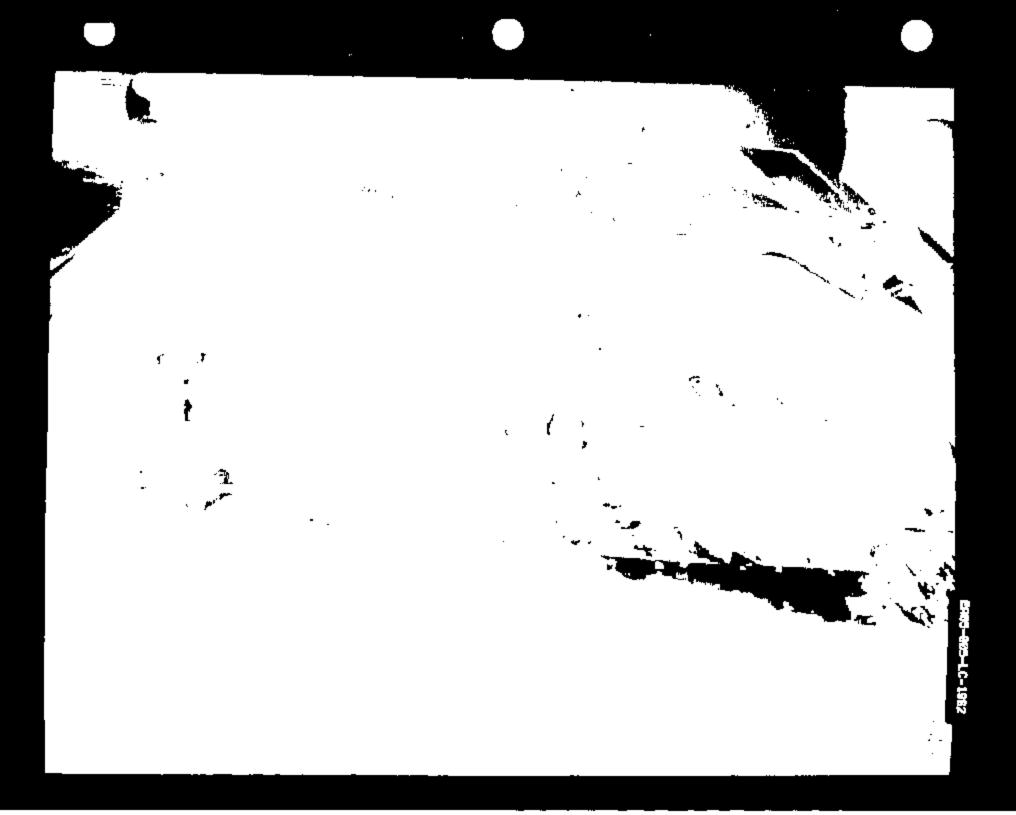




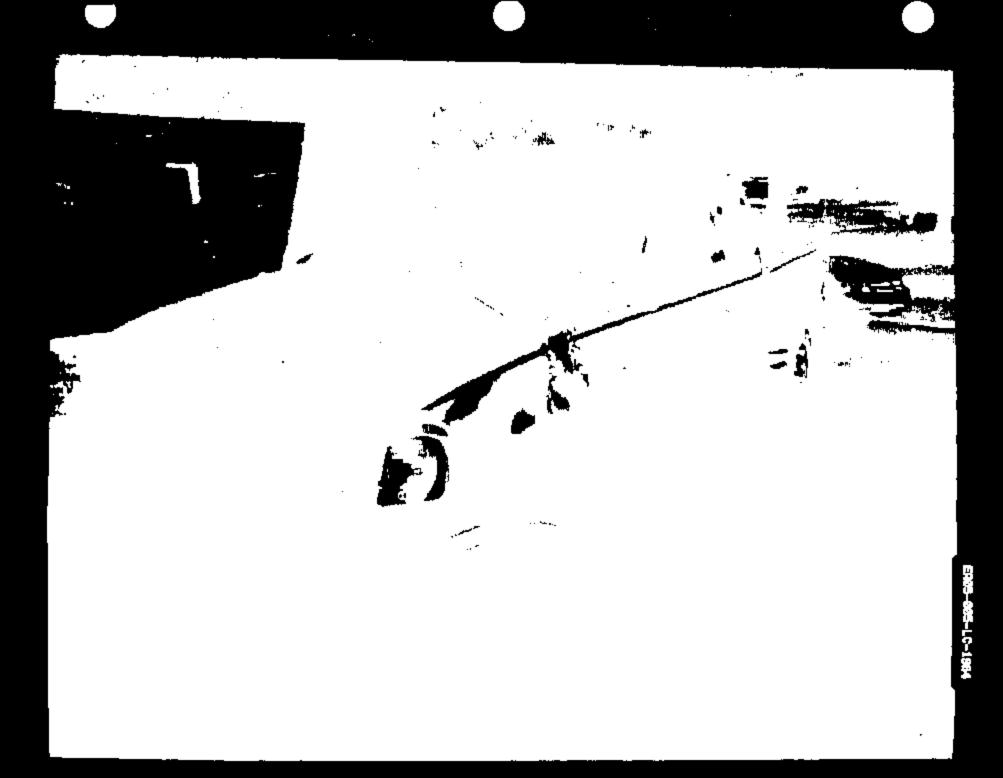
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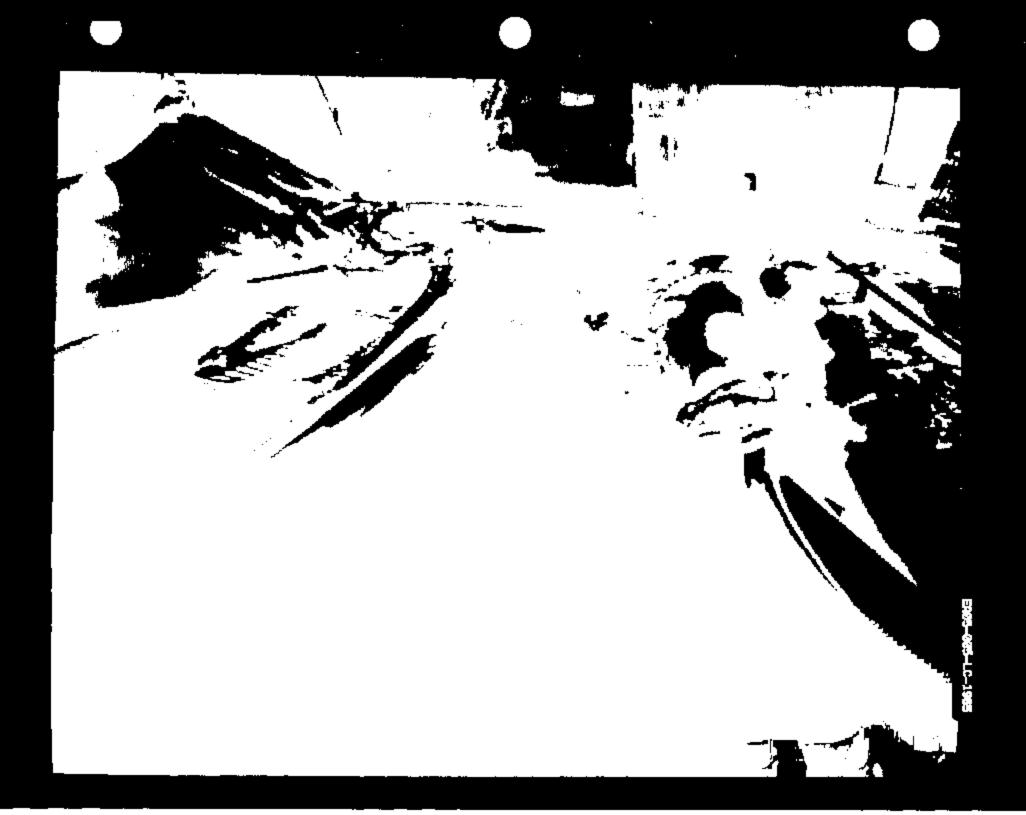














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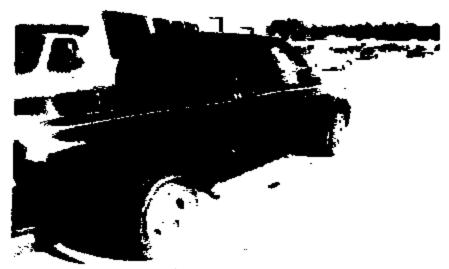
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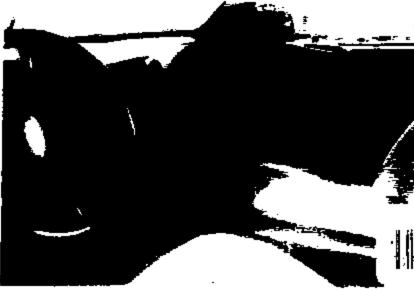
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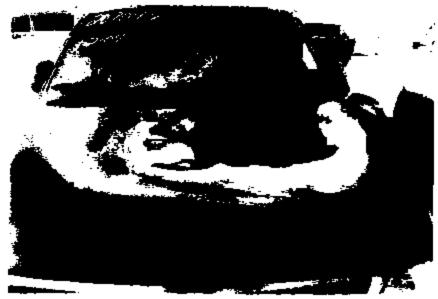
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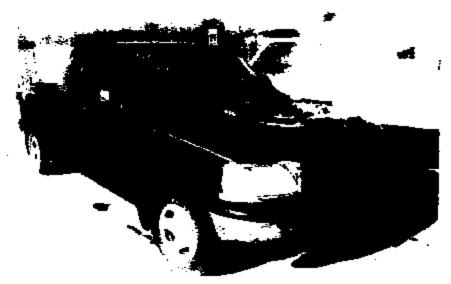




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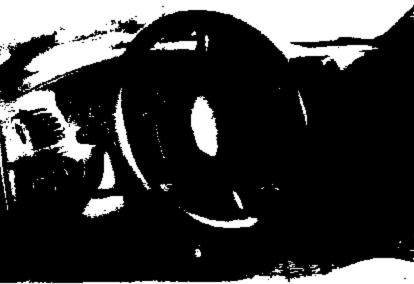


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National Document Center P.O. Box 268992

Oklahoma City, OK 73126-8992 one at@farmecaiasuracce.com

Fax: 877-217-1389

04/29/2004

MAY -5 A8:00

Ford Motor Corporation P O Box 6248 MD-3NE-B Deerborne, MI 48126

Res Our Insured:

Our Claim#:

Date of Loss: Your Insured:

Total Amount Owed: \$9,165.18

099 SUB 04/03/2004

Ford Motor Corporation

FORD MOTOR COMPANY
RECEIVED

MAY 0 5 2004

We have made payment to our insured for damages to their vehicle resulting from a fire. Our investigation has established that the fire started around the master cylinder. By virtue of our subrogation rights this letter is to advise you that we expect payment from you for the amount of damages within 14 days of the receipt of this letter.

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

If you need additional support for our claim or require further information, please call in its 512-238-5743 with your FAX number so that the requested information can be sent trisibil.

Sincerely.

Parmets Texas County Mutual Insurance Company

Durk Baum

Gwen Baum Subrogation Representative

ATTACHMENT(S)



igithay abouted <a href="mailto:Check" 04/14/2004 08:25 PM

To: aron,kigees/@fermeralrayrence.com

Subject: Conclusion for FAI 3231, claim #1004 890 453-1-1, Inquired Martinez

xilena

Aron.<?xml:namesoace "um:schemas-microsoff-com:office:office" />

Here is the conclusion for the above referenced claim # insured Ramon Mortinez, FAI file No. 3231.

oc:

The hard copy of the report will follow in a few weeks, but if it is needed sooner: please do not hesitate to contact me.

In conclusion, based on our observations and the findings as noted in this report, it is our opinion that this 1997 Ford F-150 vehicle engine compartment fire was lowest, and most intense, surrounding the top front portion of the brake master cylinder, in the left rear comer of the engine compartment.

All burn patterns relating to consumption, or partial consumption, of combustible materials point toward this brake master cylinder area, consistent with a fire flowing in all directions away from the left rear corner of the engine compartment, and away from the brake master cylinder area. There was no significant burn below the brake master cylinder, and all hoses surrounding the j brake master cylinder were only severally burned on the side pointing toward; the brake master cylinder. This was observed on the power steering pump! reservoir, hoses, and air filter assembly as well.

The fire disfinctively lessened in intensity from this very localized area of intense burn, surrounding the front top portion of the brake master cylinder prior to being extinguished, and prior to scalloping out a section of the left side bottom (welve inches (12") of the front windshield.. This fire did not even significantly intensity Within the open-air environment in the front of the engine compartment. This fire is described as relatively short-lived.

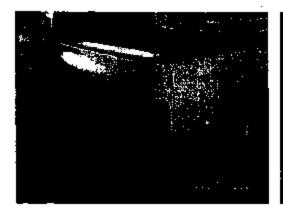
The facts that this vehicle was not fully warmed up, prior to the caset of the vehicle fire, and that the vehicle was aff, and not occupied, and the owner of the vehicle and driver of the vehicle did not smell anything unusual, relating to the onset of this fire, and is sensitive to adon relating to this vehicle, all evidence Is purely consistent with this vehicle fire having been the result of ignition of falled electrical components surrounding the brake pressure switch, on the top front portion of the brake master cylinder. Due to the multitude of engine compartment fires surrounding these brake master cylinder electronics, all evidence again is purely consistent with this having been a failed component, generating sufficient heat to ignite surrounding combustibles. We recommend that Ford Motor Corporation be put on notice relating to the onset of this fire, and be held fully accountable for this fire loss.

Please let me know if you have any questions or transmission problems.

Regards,

Jeffrey Abrame FORENSIC ANALYSTS, INC. 281-558-9396, FAX 211-531-9339

Persistent hearthum? Check out Dissetive Health & Wellness for information and advice.



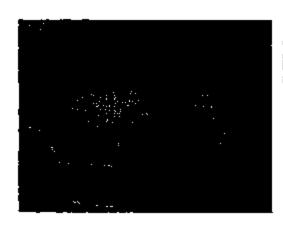








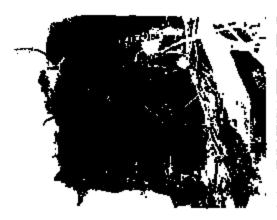




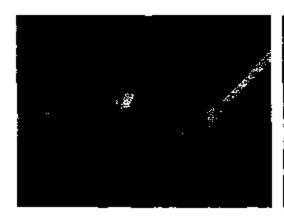






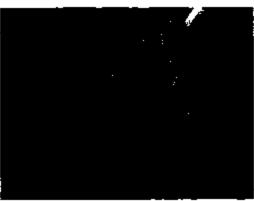
















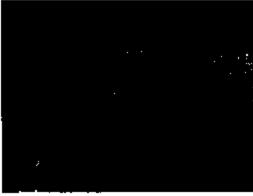


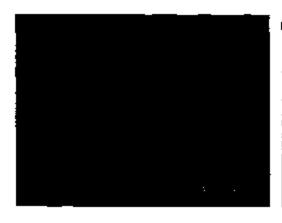




















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State Farm Insurance Companies



November 6, 2003

State Farm Insurance Subregation PO 80x 22095 [Correspondence] Tulas, OK 74121-2085 PO 80x 8037 (Psyments] Columbia, MO 66205-6071 Hours: Mon-Fri 7:00 AM - 5:30 PM

Ford Motor Co. #3 Parklane Blvd, Ste 400 Dearborn, MI 48126

RB: Claim Number:

Date of Loss: Our Insured: Occoper 3, 2003

Dear Claims Department:

Our State Farm insured, had a 1997 Ford Pickup which was involved in a fire under the hood claim. We settled the claim with our insured in the amount of \$1,104.57, which includes our insured's deductible.

Our investigation revealed the cause of loss was due to a fire originating in the brake, master cylinder area under the hood.

Enclosed is the documentation of State Farm's claim. Please consider this letter as our demand to the Ford Motor Company for reimbursement of \$1,104.57.

Sincerely,

Kevin Stahle ext 5539

Claim Processor (888) 650-1917

State Farm Fire and Casualty Company

KS

PF

10/3/03 10/3/03 10/3/8/03 02/8/03 02/8/03

HOME OFFICES: BLOOMINGTON, ILLINOIS 61710-0001

State Farm Mutual Automobile Insurance Company



February 06, 2004

12222 State Farm Bivd P.O. Box 22095 Tutsa, OK 74146 885-650-1917

Ford Motor Company Parklane Towers West, Suite 300 Three Parkland Blvd. Dearborn, MI 48126

Altr: Shawn L. Norton

RE:

Our insured:

Clalm#:

DOL:

10-3-03

Dear Mr. Norton:

In reference to your letter dated November 17, 2003, attached are the answers you requested:

Date of loss was 10-3-03 and occurred in Moore, OK

See insured statement attached

3. I have attached our documentation

4. The vehicle has already been repaired

We await your response.

Sincerely,

Küm fiyde

Clairt Representative

Mooris) Ox

RECT: (2) MA

HOME OFFICE: BLOOMINGTON, ILLINOIS 61710-DOM

RECORDED STATEMENT

(Тар	e begins) <u>Cltay (in</u> audible).
Q. A	You're that correct? That's correct,
Q.	Okay my name is Rosalind Williams I'm speaking via telephone telephone telephone telephone telephone.
٨	
Q. A.	Offi hum.
Q.	is that correct? Cleay this is regarding an incident involving a fire in your vehicle is that correct?
^	That's correct.
Q. A.	Okay. When did this eccident happen? Ult on man
Q. A	I have the date listed as October 3rd, 2003 is that correct? That's correct
Q.	Okay and I have the time of loss at approximately 8:00 P.M.?
A.	Um hum.
Q.	Okey, was anybody in the vehicle when this happened?
Α.	No.
V.	Okay. What is the address of the location where this happened? It was an oh the state outh Penn Lane, Moore, Oktahoma.
Q. A.	Okay and you said that that is your daughter's residence? Yes.
Ø.	Okav, what is your daughter's name?
Q. A	Okas, and the second se
Œ.	Oh spell her last name. Oh boy tret's a good question let me
Q. A.	Oksy Let me
Q.	Well in the meantime we can kinds get back to it while you're looking at it. What I in your opinion what happened with this tire?
	•

- A. Well in my opinion we ah like I said we was in the process of movin' we bought a house in the city and we hadn't closed on it so we just kinds took it over to the other garage and took it over there and parked it.
- Q. Y- you drove it?
- A. I drove it to the house.
- Q. Oktay, and just parked it...
- A. Um hum.
- Q. In the driveway?
- A. Um hum.
- Q. Nothing euspicious or anything...
- A. No
- Q. Going on with the vehicle ...
- A. No.
- Q. At that time. Okay was this the same day that the accident happened?
- A. Li sure was.
- Q. The incident happened?
- A. Yesma'am.
- Q. So about what time do you think that day did you drive it over there?
- A. If well it, I drove it over that momin' fout 10:00 it was sittin' all day.
- Q. And no one else had driven it...
- A. No.
- Q. Between that time?
- A. No no one ever drives that vehicle.
- Q. No one ever drives it?
- A. No.
- Q. For what reason would they not drive it?
- A. Well we have several vehicles.
- Q. So there's nothing wrong with the vehicle as to the reason why you wouldn't drive it correct?
- A. That's correct.
- Q. Okay, it's just that you have other vehicles...
- A. Um hum.
- Q. And this one the- that's the least likely to get driven?
- A. Right
- Q. Is that correct, what's the make year and model of that vehicle?

Statement Of: Claim: Page 2

- ٨ ffs a '97 F150.
- Q. So It's a Ford truck?
- ٨. Um hum.
- is that correct, okay. Have you had any repairs done to that vehicle prior to this fire? Q.
- Uh before? ۸.
- Q.
- Yes it was in the at I had at, we had a tomado in Moore and it had some half half damage and body work done on it.
- Q. So there there was no mechanical...

Francistate Fore

- Q. Repair done?
- No. ۸.
- Q. Okay. So only just to the body of the vehicle?
- ۸. Um hum.
- Q. Okay. So the vehicle was not running and the keys were not in the ignition...
- A. Correct.
- Q. At the time (maudible).
- Correct.
- Q. Okay, when you purchased the vehicle you purchased it new or from someone else?
- A Uh i purchased it from my credit union.
- Q. Okay so...
- ۸. l think it was a repossess.
- Q, Okey do you letow about how many miles were on the vehicle when you purchased it?
- Um yea it was 50 bout 54. Æ
- Q. Thousand miles?
- Bout 54, um hum.
- Q. Do you know if any repair, and if any repair or work that had been done prior to that?
- No there had been none we checked the history on it.
- Q. You checked the history and that was what they gave you?
- Um իստ,
- Okay. In your opinion could you speculate in any way as to how this could'we possibly Q.
- Well um not really I mean I just had it, I I sent in for a s-routine inspection 'bout two weeks before that.
- Q. Where was that done?



A. It was done down at ah downtown Ford.

From State Ferm

- Q. is that in Moore, Oldahoma?
- No that's Oklahoma City. A.
- In Oklahoma City, Oklahoma?
- Yeah it's Bob Howard now.
- Q. Bob Howard, okey. And they just gave it a clean bill of health so to...
- A. Մյու հայու
- a. Sceak and...
- A. Well they just put these new tires on it 'cause I had a recall on my tires.
- Q.
- Uh that's basically it. ٨
- Q. Um hum.
- That's all it needed basi-, it only has 92,000 miles nobody ever drives it so you know. ٨
- Q. Did you get the oil changed on it or anything like that?
- Uh yes I had well, I I me I change the oil myself and it it, like I say nobody ever drives it. so uh I usually change the oil probably I i'd say every other month.
- Okey. How many do you know about how many miles it had on it, on it when the Q. accident happened?
- A Um hum what it's got on it now 92,076 i think.
- Q. Okey. When did the when did you purchase that vehicle?
- Α. I purchased that vehicle five years ego.
- a. Um so that would be 1999 is that correct?
- Um bum. Α.
- a. In 1999 okay. Is there anytiging else that you can think of that we need to talk about with regard to the vehicle other than the things that we've discussed?
- A. N- no ma'am un like I say ah I had a couple of days before I I had, like I said I took it to the shop and end an they looked over it and couldn't find anything wrong with it.
- Q. Nothi-it just everything just routine check...
- Ye≄h.
- Q. Everything is olcay?
- Α. Um hum.
- Q. Now so can I be certain that it was your daughter that discovered the vahicle was on fre?
- No actually it was my son in law. ٨
- Q. Your son in law did he say he heard anything?
- No it was it was on fire.

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- Q. So he just came outside...
- A. Yeak well no he at the (insudible) he was drivin' up in the yard with his trailer.
- Q. Um hum.
- And it was on fire. So if he hadn't of come it'd a burned up it was full (inaudible) so.
- it was full of smoke?
- A. Yeah it...
- Q. Ckey.
- Yeah it was full of smoke and also full of fuel.
- Q. Ckey. So he just drove up and it was on fire?
- A. Yeo.
- Q. Okay now it was on fire from coming from under the hood?
- A. Um hum.
- Q. Closy.
- A. Um hum.
- Q. Did it totally consume the vehicle?
- A. Uh well it is fat as I know I had just had back surgery so I I could see it didn't, it just burned under the hood and what he did was took a water hose and just kinda washed under it 'cause he, I always leave the key in the house so he opened...
- Q. Um hum.
- A. He opened the hood and kinds put it out with water.
- Q. Okey so did the police de- or fire department come at some point...
- A. No...
- Q. In time?
- A. No no I called, a matter of fact air he called me and my wife and me got in, got in our other car and went over there and we was, we was stayin' there at the time so uh we got there and I called you guys.
- Q, Okay.
- A. And and told you and it was out so I called up, I have Triple A so I called a tow truck and had it sent down to Bob Howard.
- Q. Okay Okay you do understand that this is, we did a recorded statement for this is that correct?
- A. Um hum.
- Q. This I-, and we're doing that with your consent is that correct?
- A. That's correct.
- Q. Okay the time is now 10:00 A.M., today's date is Friday, January the 2nd, 2004 fm going to turn off the recorder now okay?
- A. Alrighty.

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