



Post Office Box 33040
Lakeland, Florida 33807-3040

- Government Employees Insurance Company
- GEICO General Insurance Company
- GEICO Indemnity Company
- GEICO Casualty Company

APR 05 2005

03/28/05

Ford Motor Corporation
Consumer Affairs Dept
P.O. Box 6248
MD 3 NE B
Dearborne, MI 48126

Our Claim#: [REDACTED]
Our Insured: [REDACTED]
Date of Loss: 12/28/04

Vehicle: 1998 Ford Explorer
VIN#: 1FMZU32E2W2 [REDACTED]



5 APR -5 10:35

CONSUMER AFFAIRS
SECTION

To Whom It May Concern:

This letter is advise your company that GEICO GENERAL INSURANCE COMPANY will be investigating further to determine the cause of the fire on this vehicle.

This letter is our notice to you that should it be determined that the cause of fire was caused by a manufacturer's defect; we will be pursuing your company for the damages that were incurred on this claim.

If you should wish to have one of your representatives inspect this vehicle it is located at: Sadisco
375 Kelly Drive
West Palm Beach, FL 33411
Ph# 561-798-5793

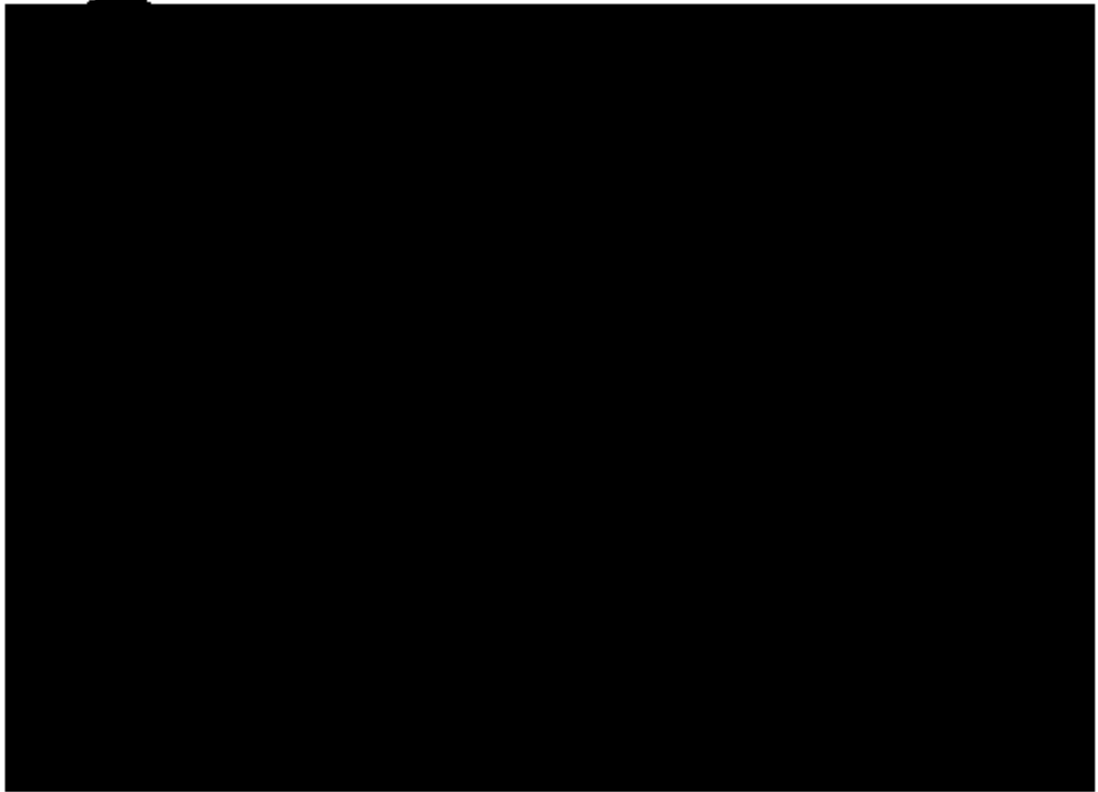
Please reference their stock# 230291 when calling about the vehicle.

Should you have any questions, please do not hesitate to contact me at the phone number listed below.

Sincerely,

Kris Wehman
Kris Wehman/D063
Claims Adjuster
800 648 2493 ext 4447

EA05-005-LC-0451



August 18, 2003

IN RE: Citizens Claim No. [REDACTED]
H&A File No. 03-1449VF
Date Received July 10, 2003
[REDACTED]

HERNDON
ASSOCIATES

Investigators / Consultants

36135 Schoolcraft
Livonia, Michigan 48150
Fax: 734-591-0140

1 800 961-2909
walt@herndon-assoc.com
dan@herndon-assoc.com

P.O. Box 27
Boysse City, Michigan 49712
231 582-5543

Licensed in Michigan,
Ohio, Illinois, Indiana and Arizona

www.herndon-assoc.com

PREDICATION:

This report is predicated upon the request of Ms. Kim Campbell, Citizens Claims Specialist, Special Investigation Unit, to conduct an investigation into [REDACTED] with special reference to the fire loss of a 1996 Ford, Bronco.

SECRETARY OF STATE:

Through the Secretary of State, the following information was obtained:

1996 FORD 1FMEU15H4T [REDACTED]
28 STA-WAGON ORIGINAL
04/25/1996 122G1150108 BRONCO 29 A

[REDACTED]
SOUTH ROCKWOOD [REDACTED]

****ADDRESS FROM DRIVER LICENSE****

NO SECURED INTEREST ON RECORD

REGISTRATION INFORMATION:

LQZ241 PC-RENEWAL
07/12/2003 S-362-789-497-552
MI SOS

INSPECTION:

On July 11, 2003 at 8:30 a.m., Investigators Devin Jordan and Walt Herndon arrived at Rockwood Auto Parts in South Rockwood, Michigan, to conduct an investigation into the fire loss of a 1996 Ford, Bronco.

Once at the scene, a close inspection provided the following information:

SEE ENCLOSED INVESTIGATION REPORT

EA05-005-LC-8452

IN RE: Citizens Claim No. [REDACTED]
H&A File No. 03-11071
Date Received July 10, 2003
[REDACTED]

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Prior to leaving the scene, several 35mm color photographs were taken and are enclosed.

ORIGIN AND CAUSE INVESTIGATION:

On July 11, 2003 at 8:30 a.m., Investigators Devin Jordan and Walt Herndon arrived at Rockwood Auto Parts, 11694 Armstrong in South Rockwood, Michigan, to conduct an origin and cause investigation into the fire loss of a 1996 Ford, Bronco, red in color, Vehicle Identification Number 1FMEU15H4TL [REDACTED]. Upon arriving at the facility, the vehicle is located and at this time, the vehicle identification number in the area of the windshield and dash has been destroyed. The investigation does reveal Michigan license plate [REDACTED] which is registered to the vehicle with a Jack Demmer Ford framing around the license plate.

Initial observations reveal evidence of a fire to have originated within the engine compartment, with the most severe damage present on the left or driver's side. The fire has extended, breaching the bulkhead and windshield, entering the passenger compartment, extending and lessening in degree extending toward the rear of the vehicle. The examination further reveals all the window glass to have melted, cracked, falling in and out during the course of the fire. The examination further reveals the fiberglass rear cover has been almost totally consumed during the course of the fire.

The examination is now focused to the fuel tank, fill tube and fuel cap, as well as the underside of the vehicle, where no evidence of any fire origin could be found. The examination further reveals both rear tires are intact and inflated, with some evidence of melted plastic from the inner wheel wells.

The examination of the rear cargo door reveals evidence of exposure fire damage, with no evidence of any fire origin. The examination continues, and jack stands remain, and there is clothing still present. The examination further reveals the remains of a weed wacker, spring and fiberglass from the rear cover. The examination further reveals that the rear seat has been consumed during the course of the fire, as well as both front seats. At this time, debris has been placed in the cab area from the fire scene. The examination further reveals the dashboard has been consumed during the course of the fire, and located in the cab area is the alternator and blower motor.

The investigation is now focused to the engine compartment, where the brake fluid, power steering fluid and radiator have drained during the course of the fire. The examination of the oil

IN RE: Citizens Claim No. [REDACTED]
H&A File No. 03-1115-11
Date Received July 10, 2003
[REDACTED]

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and transmission fluids reveals that the transmission fluid is full, and the oil barely registers on the dipstick. The examination further reveals that the damage is much more pronounced on the left or driver's side of the engine compartment versus that of the right or passenger's side. The examination of the battery reveals it is fire damaged, exposing the plates. The examination further reveals that the most severe damage to the battery is on the side pointing toward the left or driver's side. The investigation continues and upon examining the battery cables, although they are void of insulation, there is no evidence of any electrical faulting. The examination further reveals the bracket that secures the alternator in place has melted, with the alternator falling onto the ground, and was placed into the passenger compartment at the fire scene.

The investigation is now focused to the cast aluminum plenum, where extensive melting is present on the right or passenger's side and is in the immediate area of the openings at the bulkhead, where the fire penetrated into the passenger compartment.

The investigation is now focused to the upper portion of the engine, where there is the remains of the radiator hose at the engine, there is the remains of fuel injectors and combustibles. The examination continues, and the reinforced fuel lines are intact, the clips are in place, and there is no evidence of any fuel leakage that could be attributed to the cause of the fire.

The inspection continues, and a close examination reveals combustible fluid in the area of the power steering pump, the power steering hoses have been consumed, however, the lower radiator hose is still present in the left front of the engine compartment.

The investigation is now focused to the area of the air filter element, where some element remains. The examination of the wiring on the left or driver's side reveals connectors with combustibles still present, and there is no evidence of any electrical faulting.

The investigation is now focused to the radiator and air conditioning condenser, which has been almost totally consumed during the course of the fire.

The examination is now focused to the left or driver's side of the engine compartment, where starting with the left rear and moving forward, the spark plug boots have been almost totally consumed. The examination further reveals charring and burning present on the exhaust manifold, and there is an accumulation of oil on the cylinder head.

The examination of the metal transmission cooler lines reveals that they are basically intact, travel over and connect into the radiator on the left or driver's side.

IN RE: Citizens Claim No. [REDACTED]
H&A File No. 03-1 [REDACTED]
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[REDACTED]

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At this time, after completing an examination of the engine compartment, no evidence of any electrical failure could be found and attributed to the cause of the fire. Further, no evidence of any flammable liquid leak or coolant leak could be found and attributed to the cause of the fire. The fire originates within the engine compartment, where oil is leaking from the left or driver's side valve cover, running onto the exhaust manifold and upon ignition, the fire extended upward and outward from that location, causing the damage present. At this time, the investigation continues.

TITLE INFORMATION:

A review of the title information indicates that the 1996 Ford, Bronco is an original purchase to [REDACTED] of [REDACTED] Apartment [REDACTED] in South Rockwood, as of April 25, 1996, at which time the odometer read 29 actual miles. There is no secured interest listed on record. The Michigan license plate number [REDACTED] registered to the vehicle expired on July 12, 2003. The driver's license number listed on the registration is [REDACTED]

NICB VINASSIST:

A review of the NICB Vinassist indicates that the 1996 Ford, Bronco XL, 4 x 4, is equipped with a 5.8 liter, fuel-injected, V8 engine, and was assembled in Wayne, Michigan.

NATIONAL HIGHWAY TRAFFIC & SAFETY ADMINISTRATION:

A search of the National Highway Traffic & Safety Administration, for 1996 Ford, Bronco vehicles did not produce any recalls or defect investigations.

ALL DATA SYSTEM:

A search of the All Data System for 1996 Ford, Bronco full size trucks equipped with 5.8 liter, V8 engines, produced one recall. Upon reviewing same, it was found not to pertain to the fire in question.

IN RE: Citizens Claim No. [REDACTED]
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A further search produced a number of customer interests and technical service bulletins. Of interest is technical service bulletin #98-7-4, dated April 1998. This article indicates the availability of new silicone gasket and sealant, part #F7AZ19554-EA, for routine engine service or the repair of engine oil leaks for a number of Ford vehicles, including 1984 through 1996 Ford Bronco trucks. Under action it indicates, use the new silicone gasket and sealant for servicing oil pan gaskets and T joints, intake end seals, overhead cam caps, valve and timing covers, bearing split lines, side cover plates, and rear oil seals. Further, the article indicates the new sealant has better adhesion, flexibility for moving/vibrating joints, resistance to fluids and easier to dispense. (See enclosed technical service bulletin.)

SOUTH ROCKWOOD FIRE DEPARTMENT:

Correspondence has been forwarded to the South Rockwood Fire Department, requesting a copy of their fire incident report pertaining to the vehicle. Upon receipt of the report, it will be forwarded to the Claims Specialist.

SOUTH ROCKWOOD POLICE DEPARTMENT:

Contact with the South Rockwood Police Department was made, at which time it was ascertained that Officer Kevin Walters is off on leave and would be the only officer who has access to the digital photographs of the vehicle. If the photographs are available, they will be forwarded to the Claims Specialist.

OWNER INTERVIEW:

On July 10, 2003 at 4:00 p.m., Investigator Robert Persyn conducted an interview with [REDACTED], who is the titleholder, named insured and last operator of the vehicle. [REDACTED] is the only operator of the vehicle, and had not been experiencing any complaint or problems with the vehicle prior to the fire.

The fire was discovered on July 9, 2003 in the early afternoon, and the weather conditions were slight wind, blowing from the driver's side to the passenger's side. The location of the fire was in the parking lot at 12699 Stoneridge in South Rockwood. Subsequently, the insured contacted

IN RE: Citizens Claim No. [REDACTED]
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Date Received July 10, 2003
[REDACTED]

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911, and the South Rockwood Fire Department responded in ten to fifteen minutes, and extinguished a fire involving the 1996 Ford, Bronco equipped with an eight cylinder engine.

The vehicle was purchased new in 1996 from Jack Demmer Ford. At the time of the purchase, a factory three year/36,000 mile warranty was in effect and no extended warranty was obtained. During the warranty period, warranty work on the vehicle included two anti-lock brake system repairs and auto lock-outs repair and a transmission replacement outside the warranty period at 50,000 miles, which was paid for by Ford Motor Company, however, the insured paid for the labor.

Service work performed on the vehicle included a battery two to three years prior to the fire installed by the insured, and front end (suspension) service performed by The Trans Man in Lincoln Park. Copies of the service history were forwarded to this Investigator.

At the time of the fire, the fuel tank was approximately three-quarters full, and it was learned that the insured normally checks the fluid levels. The last party to have entered the engine compartment prior to the fire would have possibly been The Trans Man in Lincoln Park to service the front suspension. It was further learned that oil changes on the vehicle are either performed by Penzoil on Allen Road and Eureka, or occasionally the insured performs same himself. The insured went on to state that he was uncertain as to when the oil was last changed, however, it is probably due for an oil change, as he changes same approximately every 4,000 miles.

Between oil changes, the insured does not have to add any fluids, and had not been experiencing any mechanical or electrical problems prior to the fire.

The mileage at the time of the purchase was new and the mileage at the time of the fire loss was in the low 90,000's.

Since ownership of the vehicle, the insured has not experienced any problems with animals building nests or chewing wires within the engine compartment. Further, he has not received any recall notices, campaigns or correspondence from the manufacturer.

The insured went on to state that he is a nonsmoker, and no one was smoking in the vehicle prior to the fire. It was further learned that no aftermarket electrical accessories have been added to the vehicle, and all wiring is factory.

IN RE: Citizens Claim No. [REDACTED]
H&A File No. 03-1449VP
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[REDACTED]

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The vehicle is equipped with a factory keyless entry system, and the insured utilizes a portable cellular telephone in the vehicle. Further questioning revealed that the vehicle is factory wired for a trailer, however, the insured was not pulling a trailer prior to the fire.

Since ownership of the vehicle, it has not been involved in an accident.

Leading up to the fire, the vehicle had been in operation for approximately 40 minutes, and was parked for under five minutes prior to the discovery of the fire. Prior to parking same, all accessories in the vehicle functioned.

Just prior to the discovery of the fire, the insured did not observe any fluid leaks, did not experience any operability problems, and did not observe any warning lights illuminated or changes in the gauges.

Further questioning revealed that the insured did not detect any odors, however, did hear a pop.

In a short scenario, the insured stated he had parked the vehicle, heard a pop, looked outside, and observed white smoke and orange flames emanating from the engine compartment on the left or driver's side near the fire wall.

At the time of the fire, the hood was closed and remained closed until the arrival of the fire department. Further questioning revealed that all doors were closed, all windows were up, however, the vehicle was not locked.

The insured went on to state that South Rockwood Police Officer Kevin Walters took digital photographs of the fire. The firemen did not indicate any probable cause regarding the fire, and the insured has no idea as to the cause of the fire.

As a result of the fire, there was damage to the vinyl siding on the front of the apartment complex and to the asphalt in the parking lot.

No other fire investigators have contacted the insured, and no items have been removed from the vehicle since the fire. When questioned regarding any contents in the vehicle, the insured indicated that he had a new weed wacker with very little gasoline inside of it, which was in the rear cargo area.

IN RE: Citizens Claim No. [REDACTED]
H&A File No. 03-1449VF
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[REDACTED]

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SERVICE HISTORY:

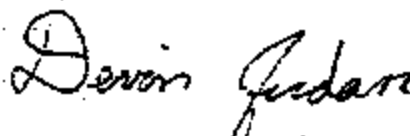
This Investigator was forwarded copies of the remaining service history pertaining to the vehicle, however, according to the insured, some paperwork was in the glovebox and lost during the fire. Upon reviewing the invoices forwarded to this Investigator, all were found to have nothing whatsoever to do with the fire in question. (See enclosed invoices.)

CONCLUSION:

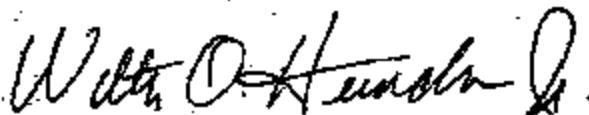
Having completed an examination of the vehicle, reviewed an interview with the insured, conducted research pertaining to the vehicle, reviewed the service history pertaining to the vehicle, reviewed a report prepared by Master Mechanic Edward Nightingale of this office, and based upon all of the information known at the time of the preparation of this report, it is the opinion of both Investigators that the fire was accidental in nature. It is further the opinion of both Investigators that the fire originated within the engine compartment, on the left or driver's side, where oil was leaking from the valve cover onto the exhaust manifold, and upon ignition, the fire extended upward and outward, causing the damage present. The fire is deemed to be an accidental fire.

It should be reiterated that there is a technical service bulletin pertaining to several Ford vehicles, including 1996 Ford, Broncos, which outlines the availability of a new silicone gasket and sealant for the repair of engine oil leaks, to include the valve cover.

At this time, all requests for services have been completed, we are closing our file and forwarding our report and photographs for your review.



Devin C. Jordan



Walter O. Herndon, Jr.

DCJ/kp

03-1528MB



1. View of the damaged VIN plate.

2. View of the front of the vehicle.



All Action Details for Issue

Print

VIN: 1FMEU15H4T [REDACTED] Year: 1999 Model: BRONCO Case: 518301489
 Name: [REDACTED] Owner Status: Original WSD: 1995-04-18
 Symptom Desc: AUTO TRANS UPSHIFT NO UPSHIFT Primary Phone: [REDACTED]
 Reason Desc: AWA - WITHIN CRITERIA, REQUESTING AWA Secondary Phone:
 Issue Type: 03 CONCERN Issue Status: CLOSED

Action: REQUEST CRM/SVC MGR TO CONTACT CUSTOMER

Dealer: 02771 JACK DEMMER FORD, INC.

Origin Desc: GENERAL CAC

Odometer: 48000 MI

Comm Type: PHONE

Analyst Name: KAMBIZ AMID

Analyst: KAMID

Action Date: 05/28/1999

Action Time: 14.20.43.000

Action Data: No

Comments: CUSTOMER SAYS: TRANSMISSION PROBLEM CUSTOMER IS SEEKING FINANCIAL ASSISTANCE PER CUSTOMER, DEALER SAYS: NONE CAC ADVISED: - WARRANTY HAS EXPIRED - FORWARDED INFORMATION TO THE DEALERSHIP FOR FINANCIAL CONSIDERATION - REQUESTED CRM/SERV MGR CONTACT CUSTOMER WITHIN 2 BUSINESS DAYS INFERENCE CASE ID: 2365

Action: ADVISE CUST INFO WILL BE SENT TO DLR; CONTACT CRM

Dealer: 02771 JACK DEMMER FORD, INC.

Origin Desc: US CONCERN CASE BASE

Odometer: 48000 MI

Comm Type: PHONE

Analyst Name: KAMBIZ AMID

Analyst: KAMID

Action Date: 05/28/1999

Action Time: 14.20.43.000

Action Data: No

Comments: CUSTOMER SAYS: TRANSMISSION PROBLEM CUSTOMER IS SEEKING FINANCIAL ASSISTANCE PER CUSTOMER, DEALER SAYS: NONE CAC ADVISED: - WARRANTY HAS EXPIRED - FORWARDED INFORMATION TO THE DEALERSHIP FOR FINANCIAL CONSIDERATION - REQUESTED CRM/SERV MGR CONTACT CUSTOMER WITHIN 2 BUSINESS DAYS INFERENCE CASE ID: 2365

Action: AWA P05 - OFFER ACCEPTED BY CUSTOMER

Dealer: 02771 JACK DEMMER FORD, INC.

Origin Desc: DEALER

Odometer: 48000 MI

Comm Type: PHONE

Analyst Name: JACK DEMMER FORD INC

Analyst: F48016

Action Date: 06/02/1999

Action Time: 17.02.00.589

Action Data: No

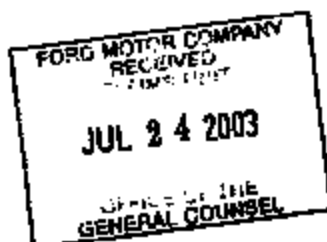
Comments: SM HAS SPOKE WITH CUSTOMER AND OFFERED P05 ASSISTANCE TOWARD TRANS REPAIR. CUST HAS AGREED AND VEHICLE IS CURRENTLY IN SHOP.

ALLAMERICA FINANCIAL®
CITIZENS
INSURANCE

July 21, 2003

RECEIVED JUL 28 2003 **CERTIFIED/REGULAR MAIL**
4000 0000 0025 6931 2689

Ford Motor Company
Attn: Howard Keyes-Mgr. Claims Dept.
Parklane Tower West
Suite 400
3 Parklane Blvd
Dearborn, MI 48126



RE: 1996 Ford Bronco
VIN-1FMEU15H4T [REDACTED]
Claim Number: 26-03-481731
Date of Loss: 07/09/03

Strochine, Terry

Dear Sir:

Please accept this as our possible subrogation rights regarding the above vehicle, which caught fire on the above stated date.

The vehicle is currently located at Insurance Auto Auction located at 28701 Hildebrandt, Romulus, MI 48174. It is being held under Stock number [REDACTED] The telephone number is 734-946-6490.

Please be advised that we have scheduled an appointment for August 8, 2003 at 9:00am should you wish to inspect this vehicle.

Should you have any questions please don't hesitate to call.

Sincerely,

Kim Campbell
Kim Campbell
Claims Specialist

STATE OF MICHIGAN
IN THE 1ST DISTRICT COURT



Case No.: 03-

-GC

Plaintiff,

Hon.

v

FORD MOTOR COMPANY and
JACK DEMMER FORD, INC.,

Defendants.

HEWSON & VAN HELLEMONT, P.C.
CHRISTINE M. SUTTON (P81005)
Attorneys for Plaintiff
29900 Lorraine, Suite 100
Warren, MI 48093
(586) 578-4500

COMPLAINT

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this complaint pending in this court, nor has any such action been previously filed and dismissed after having been assigned to a judge. MCR 2.113(C)(2)(a).

NOW COMES the Plaintiff, Citizens Insurance Company of America, as Subrogee of [REDACTED] by and through its attorneys, Hewson & Van Hellemont, P.C. and for its cause of action against the Defendants, Ford Motor Company and Jack Demmer Ford, Inc., states as follows:

1. That Plaintiff, Citizens Insurance Company of America, is a Michigan corporation duly engaged in the business of issuing policies of insurance Throughout the State of Michigan, including the City of South Rockwood, County of Monroe.

2. That Defendant, Ford Motor Company, is a Delaware corporation duly licensed and conducting business throughout the State of Michigan, including the City of South Rockwood, County of Monroe.

3. That Defendant, Jack Demmer Ford, Inc., is a Michigan corporation duly conducting business within the City of Wayne, County of Wayne, State of Michigan.

4. That this case is within the jurisdiction of the District Court because it seeks damages less than Twenty-Five Thousand and 00/100 (\$25,000.00) Dollars.

GENERAL ALLEGATIONS

5. That prior to July 9, 2003, Plaintiff, Citizens, issued a policy of insurance to its Subrogor, [REDACTED] insuring the 1996 Ford Bronco, vehicle identification number 1FMEU15H4T [REDACTED] against fire, among other risks.

6. That Defendants, Ford Motor Company and Jack Demmer Ford, Inc., sometime prior to July 9, 2003, manufactured, designed, and/or sold the subject vehicle.

7. That on or about July 9, 2003, Plaintiff's insured, [REDACTED] had driven the 1996 Ford Bronco for approximately 40 minutes when he pulled into the parking lot at his apartment complex and parked and exited the vehicle. About five minutes after exiting the vehicle [REDACTED] heard a pop, looked outside and observed white smoke and orange flames coming from the engine compartment on the driver's side of the vehicle.

8. That as a result of the damages to the subject vehicle, the Plaintiff's Subrogor, [REDACTED], made a claim with Citizens for benefits under the policy of insurance.

9. That pursuant to the terms of the policy of insurance and claim filed by [REDACTED] Citizens paid benefits totaling Twelve Thousand Six Hundred Ten and 10/100 (\$12,610.10) Dollars.

10. That pursuant to the terms of the policy of insurance, and the response to the claim filed by its Subrogor, Plaintiff made payment to the Subrogor and received an assignment of his claims via subrogation agreement and release, to the extent of payment.

WHEREFORE, Plaintiff, Citizens Insurance Company of America, as Subrogee of [REDACTED], prays that this Honorable Court enter Judgment in its favor and against Defendants, Ford Motor Company and Jack Demmer Ford, in the amount of Twelve Thousand Six Hundred Ten and 10/100 (\$12,610.10) Dollars, plus costs, interest, and attorneys fees.

COUNT I

**BREACH OF IMPLIED WARRANTY
UNDER UNIFORM COMMERCIAL CODE**

11. That Plaintiff hereby incorporates, by reference, herein each and every allegation contained in paragraphs 1 through 10 above as though set forth herein verbatim.

12. That the Uniform Commercial Code, as codified in Michigan, provides in MCL 440.2314; MSA 19.2314 that seller warrants that goods are of a merchantable quality and are fit for ordinary purposes for which the product is intended to be used.

13. That Defendants, Ford Motor Company and Jack Demmer Ford, are sellers within the meaning of the statute referred to in the preceding paragraph.

14. That Plaintiff's Subrogor relied on the skills, knowledge, judgment and reputation of the Defendants, Ford Motor Company and Jack Demmer Ford, Inc.

15. That prior to July 9, 2003, Plaintiff's Subrogor, [REDACTED] was utilizing the vehicle in a manner consistent with its intended and foreseeable purposes and/or uses.

16. That the representations and warranties were false, misleading and inaccurate, in that the vehicle, when put to the actual performance, proved to be unsound and unsuitable for the purposes for which it was intended.

17. That the vehicle was unsafe, dangerous, defective, and not of merchantable quality.

18. That the Defendants, Ford Motor Company and Jack Demmer Ford, breached the implied warranty.

19. That the damages to the Subrogor's vehicle was proximately caused by Defendants breaching the implied warranty.

20. That Plaintiff, Citizens, is entitled to judgment against Defendants, Ford Motor Company and Jack Demmer Ford, for their breaches of the implied warranty under the Uniform Commercial Code.

WHEREFORE, Plaintiff, Citizens Insurance Company of America, as Subrogee of [REDACTED], prays that this Honorable Court enter Judgment in its favor and against Defendants, Ford Motor Company and Jack Demmer Ford, in the amount of Twelve Thousand Six Hundred Ten and 10/100 (\$12,610.10) Dollars, plus costs, interest, and attorneys fees.

COUNT II

NEGLIGENCE

21. That Plaintiff hereby incorporates, by reference, herein each and every allegation contained in paragraphs 1 through 20 above as though set forth herein verbatim.

22. That Defendants, Ford Motor Company and Jack Demmer Ford, knew or should have known that the engine in the subject vehicle was capable of malfunctioning in ordinary operation.

23. That by reason of the defective product, Plaintiff's Subrogor [REDACTED] were caused to suffer damage to their automobile.

24. That Defendants, Ford Motor Company and Jack Demmer Ford, their agents, servants or employees were negligent in:

- a. The design, manufacture, production, licensing, marketing, testing, and sale of the vehicle and in failing to properly inspect same;
- b. in failing to maintain adequate quality control standards over goods sold under its trademark;
- c. in negligent selling, supplying, and endorsing the product and manufacturing, selling, distributing, and delivering an inherently dangerous product without performing the proper tests and safeguards against defects;
- d. in failing to design, manufacture, sell, distribute, and deliver a product which did not have a defect in the engine;
- e. in acting in a careless and reckless manner, and causing suffering and permitting the vehicle to be exposed to the risk of destruction;
- f. in causing suffering and permitting a defective product to be sold and distributed to the general public, including Plaintiff's Subrogor;
- g. in holding the product herein to be suitable for use when, in fact, it was not;
- h. in selling a defective product and failing to warn of the product's defects;

- i. in failing to fulfill its continuing duty to warn of the product's defects;
- j. in failing to warn of the defects after sale; and
- k. in failing to properly service, and repair said product and generally, acted with neglect, carelessness and recklessness.

25. That [REDACTED] vehicle was damaged as a direct and proximate cause of Defendants' negligence.

WHEREFORE, Plaintiff, Citizens Insurance Company of America, as Subrogee of [REDACTED] prays that this Honorable Court enter Judgment in its favor and against Defendants, Ford Motor Company and Jack Demmer Ford, in the amount of Twelve Thousand Six Hundred Ten and 10/100 (\$12,610.10) Dollars, plus costs, interest, and attorneys fees.

COUNT III

BREACH OF IMPLIED WARRANTY IN TORT

26. That Plaintiff hereby incorporates, by reference, herein each and every allegation contained in paragraphs 1 through 25 above as though set forth herein verbatim.

27. That Defendant impliedly represented that the vehicle and the equipment therein were safe, of merchantable quality, and fit for the ordinary purposes for which the product was intended to be used.

28. That Plaintiff's Subrogor, [REDACTED] relied on the skill, knowledge, judgment, representations, and warranties of the Defendants, Ford Motor Company and Jack Demmer Ford.

29. That the representations and warranties were false, misleading, and inaccurate in that the vehicle, when put the test of actual performance, proved to be unsound and unsuitable for the purposes for which it was intended.

30. That the product was unsafe, dangerous, and not of merchantable quality.

31. That Defendants, Ford Motor Company and Jack Demmer Ford, have breached their implied warranties.

32. That Plaintiff's damages were proximately caused by the breaches of implied warranties by Defendants, constituting a tort by Defendants, Ford Motor Company and Jack Demmer Ford, against the purchaser of the vehicle, Plaintiff's Subrogor, [REDACTED]

33. That Plaintiff, Citizens, is entitled to judgment against Defendants, Ford Motor Company and Jack Demmer Ford, for compensatory damages, attorneys fees, and costs for Defendant's tortious breach of implied warranties.

WHEREFORE, Plaintiff, Citizens Insurance Company of America, as Subrogee of [REDACTED] prays that this Honorable Court enter Judgment in its favor and against Defendants, Ford Motor Company and Jack Demmer Ford, in the amount of Twelve Thousand Six Hundred Ten and 10/100 (\$34, 664.70) Dollars, plus costs, interest, and attorneys fees.

COUNT IV

CONSUMER PROTECTION ACT

34. That Plaintiff hereby incorporates, by reference, herein each and every allegation contained in paragraphs 1 through 33 above as though set forth herein verbatim.

35. That the acts and omissions of Defendants, Ford Motor Company and Jack Demmer Ford, Inc., described in the preceding paragraphs violated the Michigan Consumer Protection Act, MCL 445.901, et seq.

36. That by selling a defective vehicle and/or services, Defendants, Ford Motor Company and Jack Demmer Ford, Inc., breached the Michigan Consumer Protection Act by committing the following unfair, unconscionable and deceptive methods, acts, and/or practices:

- (c) Representations that goods or services have sponsorship, approval, characteristics, ingredients, services, benefits or quantities which they do not have or that a person has sponsorship, approval, status, affiliations or connections which he does not have;

- (e) Representing that goods or services are of a particular standard, quality or grade or that goods are of a particular style or model, if they are of another;

- (s) Failing to reveal a material fact, the omissions of which tends to mislead or deceive the consumer and which fact could not reasonably be known by the consumer;

- (y) Gross discrepancies between the oral representations of the seller and the written agreements covering the same transaction or failure of the other party to the transaction to provide the promised benefits;

- (bb) Making a representation of fact or statement of fact material to the transactions such that a person reasonably believes the represented or suggested state of affairs to be other than it actually is; and
- (cc) Failing to reveal facts which are material to the transaction in light of representations of facts made in a positive manner.

37. That Plaintiff is entitled to judgment against Defendants, Ford Motor Company and Jack Demmer Ford, for compensatory damages, attorney fees and costs of Two Hundred Fifty and 00/100 (\$250.00) Dollars per violation of the Act, whichever is greater.

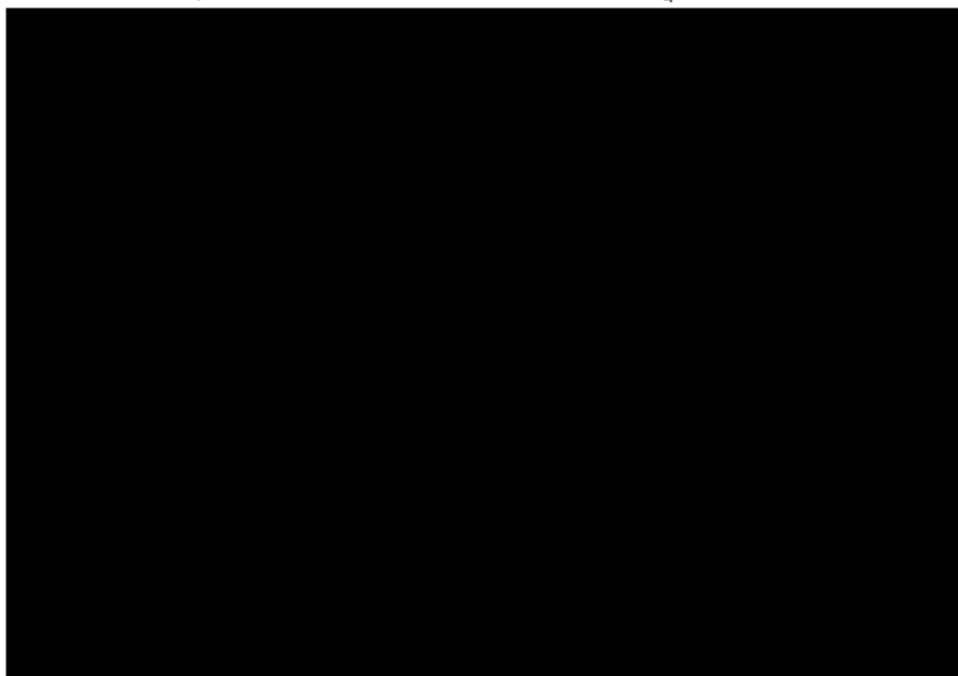
WHEREFORE, Plaintiff, Citizens Insurance Company of America, as Subrogee of [REDACTED] prays that this Honorable Court enter Judgment in its favor and against Defendants, Ford Motor Company and Jack Demmer Ford, in the amount of Twelve Thousand Six Hundred Ten and 10/100 (\$12,610.10) Dollars, plus costs, interest, and attorneys fees.

Respectfully submitted,

HEWSON & VAN HELLEMONT, P.C.

By:


CHRISTINE M. SUTTON (P81005)
Attorney for Plaintiff
29900 Lorraine, Suite 100
Warren, MI 48093
(588) 578-4500



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

PLAINTIFF: [REDACTED]

(Our File #234-6808)

VS

DEFENDANT: Ford Motor Company

20054 1127-7

COMPLAINT FOR TORT OF NEGLIGENCE (PRODUCT LIABILITY)

STATEMENT OF FACTS

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

1. Defendant Ford Motor Company (hereinafter referred to as "Defendant") is a corporation registered to do business in the State of Georgia and may be served with process through its registered agent.
2. Defendant designed, tested, manufactured, assembled, inspected, marketed, distributed and warranted a 1996 Ford E-150 Conversion Van, VIN: 1FDEE14Y3TH [REDACTED] (hereinafter "said product") prior to July 19, 2004.
3. [REDACTED] (hereinafter Plaintiff's Insured") purchased said product in the stream of interstate commerce prior to July 19, 2004.
4. Thereafter, Plaintiff's Insured used said product for its intended purpose without abuse and without modification.
5. On or about July 19, 2004, said product failed and caused damage.
6. As a result of the failure of said product described in the previous paragraph, property owned by Plaintiff's Insured was damaged in the amount of \$9,854.38 (salvage is undetermined).
7. Subsequent investigation revealed that Defendant had negligently designed; negligently tested; negligently manufactured; negligently assembled; negligently inspected; negligently marketed; negligently distributed said product in a defective condition at the time of first distribution and sale for use.
8. Subsequent investigation revealed that Defendant's negligence described in the previous paragraph was the proximate cause of the casualty described above and of the damages described above.

9. As a result, Defendant is liable as tortfeasor in the amount of \$9,854.38 (salvage is undetermined) for damages caused by said failed product.

10. Plaintiff is subrogated to all rights and interest in the claim against Defendant as a result of making payments to or on behalf of Plaintiff's Insured under a policy of insurance.

NEGLIGENCE OF DEFENDANT

11. Plaintiff herein incorporates by reference the allegations contained in paragraphs 1 through 10 as if set forth herein.

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

a. Defective and negligent design, testing, manufacturing, assembling, inspection, marketing, and distribution of said product.

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

13. Defendant breached its duty to exercise reasonable care with respect to the defective and negligent design, testing, manufacturing, assembling, inspection, marketing part.

14. Defendant was negligent and acted in a willful and wanton manner in designing, testing, manufacturing, assembling, inspecting, marketing, distributing of the defective said product in such a manner and in such condition as to make said product inherently dangerous and defective.

15. Defendant's defectively and negligently designed, tested, manufactured, assembled, inspected, marketed, and distributed said product which failed as a result of the negligence of Defendant described in this Count, so that Defendant's negligence was the proximate cause of the incident and resulting damages described above in the STATEMENT OF FACTS section of Plaintiff's complaint; and, said incident and said damages were reasonably perceivable by Defendant at all times relative to Plaintiff's complaint.

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

PLAINTIFF: [REDACTED]

(Our File #234-6808)

2005A 1127-7

VS

DEFENDANT: Ford Motor Company

PLAINTIFF'S NOTICES TO DEFENDANT

I. NOTICE OF PLAINTIFF'S DESIRE TO SETTLE THIS LITIGATION

In the event Defendant desires to settle Plaintiff's claim but is unable to pay the total amount claimed by Plaintiff within 30 days of receipt of this notice, then Plaintiff would be willing to accept reasonable installment payments upon receipt of a written offer of settlement from Defendant.

II. NOTICE OF PLAINTIFF'S INTENTION TO SEEK ATTORNEY'S FEES IN THE EVENT OF DEFAULT BY DEFENDANT

In the event a written settlement agreement is not concluded within 30 days of service of summons and complaint upon Defendant and in the event of a default by Defendant, Plaintiff intends to seek one-third attorney's fees pursuant to O.C.G.A. 13-6-11 on the grounds that Defendant has been stubbornly litigious and has caused Plaintiff unnecessary trouble and expense as a matter of law by forcing Plaintiff to resort to the Courts when no bona fide controversy existed.

III. NOTICE OF PLAINTIFF'S INTENTION TO SEEK INTEREST

In the event a written settlement agreement is not concluded within 30 days of service of summons and complaint upon Defendant, this paragraph constitutes written notice pursuant to O.C.G.A. 51-12-14 that if Defendant fails to pay the claimed sum within thirty (30) days from receipt of this notice, then Plaintiff shall be entitled to receive interest on the claimed sum (if the judgment is for an amount not less than the claimed sum) at the legal rate from the thirtieth (30) day following the date of Defendant's receipt of this written notice until the date of judgment.

IV. CONDITIONAL STIPULATION FOR EXTENSION OF TIME FOR DEFENDANT

In the event a written settlement agreement is not concluded within 30 days of service of summons and complaint upon Defendant, then Defendant must obey the SUMMONS which requires Defendant to file with the clerk of said court and to serve a copy on the Plaintiff's Attorney an answer to the complaint which was served on Defendant.


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

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

PRAYER FOR RELIEF AND DAMAGES

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of \$9,854.38 (salvage is undetermined), plus the legal rate of pre-judgment interest, attorney fees, costs and the legal rate of post-judgment interest; and, that a writ of fieri facias issue commanding all Sheriffs within the State of Georgia and their lawful deputies to execute said writ by levy and seizure of Defendant's goods and lands.

February 3, 2005



Ronald W. Parnell
Attorney for Plaintiff
State Bar Number 564450
234-6808.C

Our File #234-6808
Post Office Drawer 81085
Conyers, Georgia 30013
(770) 929-8585 Answer Service

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Transportation Technology

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CASE 24137

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4.0 CONCLUSIONS

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1.0 ASSIGNMENT

1.1 Client: Allstate Insurance Company

Doris Elliott

1.2 Subject: 1996 Ford Econoline Van

Ser# 1FDEE14Y3T [REDACTED]

Mileage: CND

1.3 Location: Sadisco South

Rex Road

Forest Park, Georgia

1.4 Purpose: Determine cause of the fire.

1.5 Date of inspection: August 3, 2004

2.0 Participating Personnel

2.1 Investigator: Michael E. Bresnock- Consultant

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3.0 EXAMINATION OF VEHICLE

3.1 This vehicle was a conversion van. The vehicle was provided by Ford Motor Company to Centarus as an incomplete chassis. The conversion was completed by Centarus on June 25, 1996. At the time of our investigation, the vehicle was situated on parking stall [REDACTED] at Verastar South in Forest Park, Georgia (Photo #1). The exterior surfaces of the vehicle were photographed to document its condition at the time of the investigation (Photo #2, #3, #4). The vehicle identification number was recorded from a label on the driver side front door (Photo #5).

3.2 The major exterior surface fire damage was on the driver side front of the vehicle (Photo #6). In addition to a portion of the fiberglass hood being decomposed, the driver side front fender was also oxidized (Photo #7). A burn through opening was visible on the driver side of the windshield (Photo #8). You will note that the frontal burn pattern was on the upper level of the core support (Photo #9). There were some accumulations of soot at the parting seam between the hood and the passenger side front fender (Photo #10). The driver side front tire was fully inflated which indicated that the fire was above the level of the tire (Photo #11). In addition to the windshield opening the fire penetrated a section of the firewall enabling it to enter the interior

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compartment from beneath the dash (Photo #12). Sections of the overhead console and headliner material sustained fire exposure damage (Photo #13). Additionally, there was some melting noted at the instrument cluster and radio housing (Photo #14, #15). There was no fire damage on either one of the running boards to indicate the fire advanced from beneath the vehicle (Photo #16, #17).

3.3 The path of the fire was able to be traced from the driver side of the engine compartment to a location on the cowl and then to the windshield opening (Photo #18, #19). The body section of the brake master cylinder had melted allowing the brake lines to separate from the master cylinder (Photo #20). The passenger side of the engine compartment sustained some fire exposure damage which caused most of the rubber and plastic components to begin melting (Photo #21). Accumulations of fiberglass matting found adjacent to the battery and below the master cylinder were removed to gain access to lower level components (Photo #22).

3.4 After removing the fiberglass matting material, the remains of the master cylinder body were found (Photo #23, #24). Additional findings included the electrical connector for the cruise control deactivation switch (Photo #25). At a location

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adjacent to the battery tray, the remains of the cruise control deactivation switch were found (Photo #26, #27, #28). The remains of the brake master cylinder along with the cruise control deactivation switch were retained as evidence (Photo #29). An overhead view of the fire damage shows the most significantly damaged areas surrounded the approximate location of the cruise control deactivation switch (Photo #30).

3.5 The vehicle was elevated for an examination of the undercarriage. There were no indications that the fire originated beneath the vehicle (Photo #31, #32, #33).

4.0 CONCLUSIONS

4.1 The fire originated on the driver side of the engine compartment and was caused by a failure in the cruise control deactivation switch. The fire advanced through openings in the windshield and through an opening in the firewall and then into the interior. Fire damage in the interior was minor in contrast to the volume of fire damage found beneath the hood. An analysis of burn patterns and fire damage isolate a location along the driver side of the engine compartment which was previously occupied by the cruise control deactivation switch. The switch and a

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section of the master cylinder body were retained as evidence. The cruise control system incorporates the deactivation switch as a redundant device. The electrical circuitry involved in the cruise control system provides an electrical potential through the cruise control deactivation switch to the servo amplifier even when the engine is off and the vehicle is parked.

INCIDENT REPORT

Riverdale Fire Services

NFIRS-1

☐ DELETE
☐ CHANGE

A	FDID 63182	INCIDENT NO 84-061196	EXP NO 06	MO 07	DAY 19	YR 04	DAY OF WEEK Monday	ALARM TIME 2 10 17:09	ARRIVAL TIME 10:15:00	IN SERVICE 11:09:00
B	TYPE OF SITUATION FOUND Vehicle Fire						TYPE OF ACTION TAKEN 13 Extinguishment		MUTUAL AID 1 <input type="checkbox"/> Recd <input type="checkbox"/> Given	
C	FIXED PROPERTY USE Apartment - Over 20 Units						IGNITION FACTOR 424 Undetermined		00	
D	CORRECT ADDRESS Riverdale, GA						CE 3	TWN	ZIP CODE	CENSUS TRACT 0158.00
E	OCCUPANT NAME						TELEPHONE		ROOM/APT NO	
F	OWNER NAME						ADDRESS Riverdale, GA		TELEPHONE	
G	METHOD OF ALARM FROM PUBLIC Radio				TYPE OF ALARM 4 First Alarm		DISTRICT 1 13	SHIFT C	STATION 21	NO. ALARMS 1
H	911 USED Enhanced 911		PERSONNEL RESPONDED 1		ENGINES RESPONDED 006		AERIAL APPARATUS 000		OTHER VEHICLES 002	

I	NUMBER OF INJURIES FIRE SERVICE 000		OTHER 000		NUMBER OF FATALITIES FIRE SERVICE 100		OTHER 000	
---	--	--	-----------	--	--	--	-----------	--

J	COMPLEX Apartment Complex		42		MOBILE PROPERTY TYPE Passenger Vehicle		10	
K	AREA OF FIRE ORIGIN Engine Area, Running Gear		63		EQUIPMENT INVOLVED IN IGNITION Elec. Dist. Box Ignition		40	
L	FORM OF HEAT OF IGNITION Undetermined		00		TYPE OF MATERIAL IGNITED Material Compounded w/Oil		00	
M	METHOD OF EXTINGUISHMENT Preconnect w/Tank Water		5		LEVEL OF FIRE ORIGIN Grade to +8'		1	
					ESTIMATED LOSS 5,000		ESTIMATED VALUE 15,000	

N	NUMBER OF STORIES		CONSTRUCTION TYPE	
O	EXTENT OF FLAME DAMAGE		EXTENT OF SMOKE DAMAGE	
P	DETECTOR PERFORMANCE		SPRINKLER PERFORMANCE	
Q	IF SMOKE SPREAD BEYOND ROOM OF ORIGIN		TYPE OF MATERIAL GENERATING MOST SMOKE	
R			FORM OF MATERIAL GENERATING MOST SMOKE	

S	IF MOBILE PROPERTY	YEAR 06	MAKE FORD	MODEL ECONOLINE	SERIAL NO. 1FDEE14Y3TH	LICENSE NO.
T	IF EQUIPMENT INVOLVED IN IGNITION	YEAR 06	MAKE FORD	MODEL ECONOLINE	SERIAL NO. 1FDEE14Y3TH	

(X) CHECK IF COMMENTS

U	OFFICER IN CHARGE (NAME, POSITION, ASSIGNMENT)	DATE
	Mathis, Marcus C/Battalion Chief	07/18/2004
	MEMBER MAKING REPORT (IF DIFFERENT FROM ABOVE)	DATE
	Sheppard, James R/Lieutenant	07/18/2004

RESPONDING PERSONNEL **Riverdale Fire Services**

FILE	INCIDENT NO	EXP NO	MO	DAY	YR	DAY & F WEEK	ALARM TIME
03182	04-001186	00	07	19	04	Monday 2	10:17:00

STAFF ID	NAME	ACTIVITY CODE	PAY \$CL	HRS	HRS PD	POINTS
1486	Edmonson, Kenneth W	33 Fire		0.87	0.87	0.00
1505	Earnest, Elton D	33 Fire		0.87	0.87	0.00
1515	Mathis, Marcus G	33 Fire		0.87	0.87	0.00
1522	Williamson, Ronald P	33 Fire		0.87	0.87	0.00
1529	Sherwood, James R	33 Fire		0.87	0.87	0.00
1545	Clements, Dustin C	33 Fire		0.87	0.87	0.00

TOTAL PARTICIPANTS: 6

TOT. L. PERSONNEL HRS: 5.22

INCIDENT REPORT
Riverdale Fire Services

FID	INCIDENT NO	EXP NO	MO	DAY	YR	DAY OF WEEK	ALARM TIME
00102	04-001100	00	07	19	04	Monday	10:17:00

A

NARRATIVE

STA 21 WAS CALLED OUT ON A 33 AUTO AT 1017. BATT 20 ARRIVED ON SCENE TO FIND A 1986 FORD VAN ON FIRE WITH FLAMES COMING FROM THE ENGINE COMPARTMENT. E21 ARRIVED AND PUT 1 1/2 FIRE HOSE ON THE GROUND AND PUT FIRE OUT. MOST FIRE DAMAGED WAS KEPT TO THE ENGINE AREA. E21 LEFT VAN WITH CHIEF EARNEST HANDS, E21 BACK IN SERVICE AT 1100. OWNER OF VAN WAS [REDACTED] PHONE [REDACTED] LIVING AT [REDACTED] FOREST PARK GA. [REDACTED]

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Photograph: #1

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: 1995 Ford Econoline Conversion Van

Note: Situated on an outdoor parking stall at Verastar South in Forest Park, Georgia.

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Photograph: #2

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: 1986 Ford Econoline Conversion Van

View of driver's side.

Consulting Service

Transportation Technology

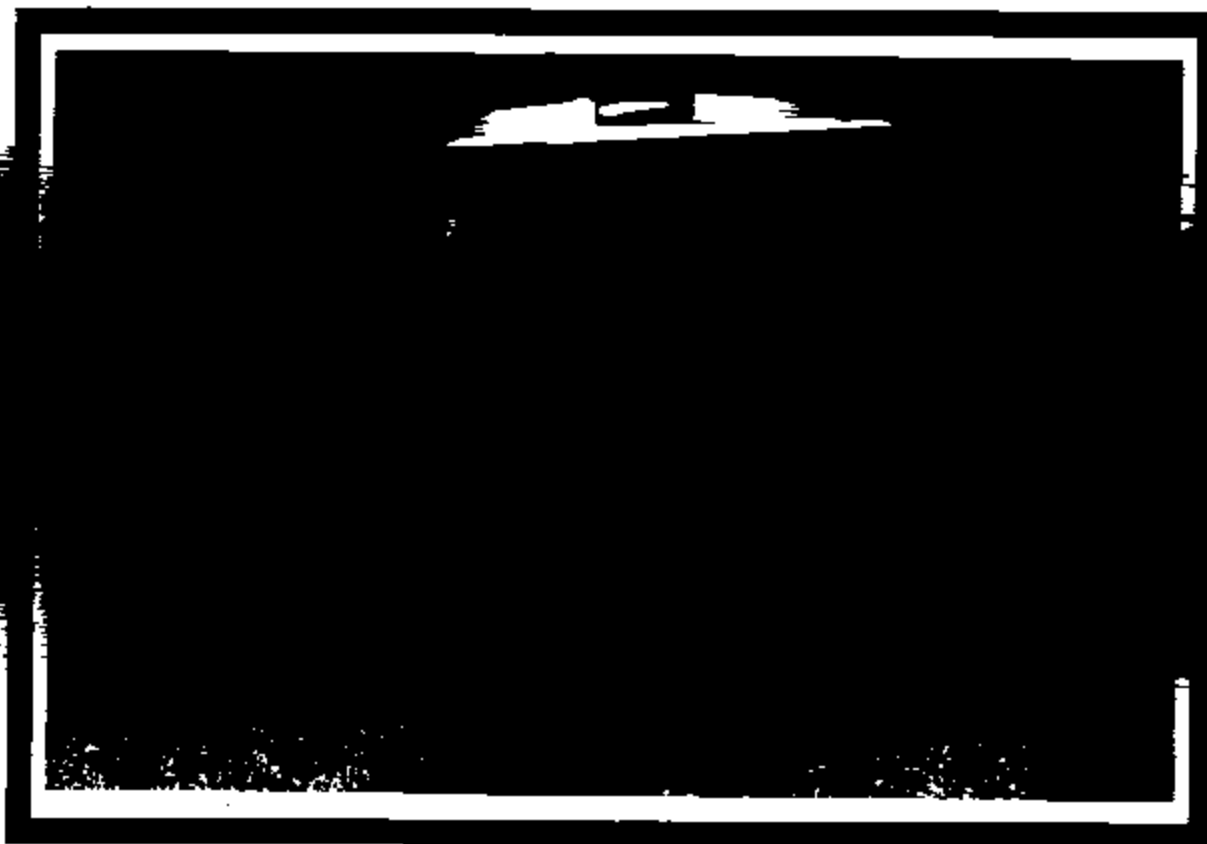
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Photograph: #3

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: 1986 Ford Econoline Conversion Van

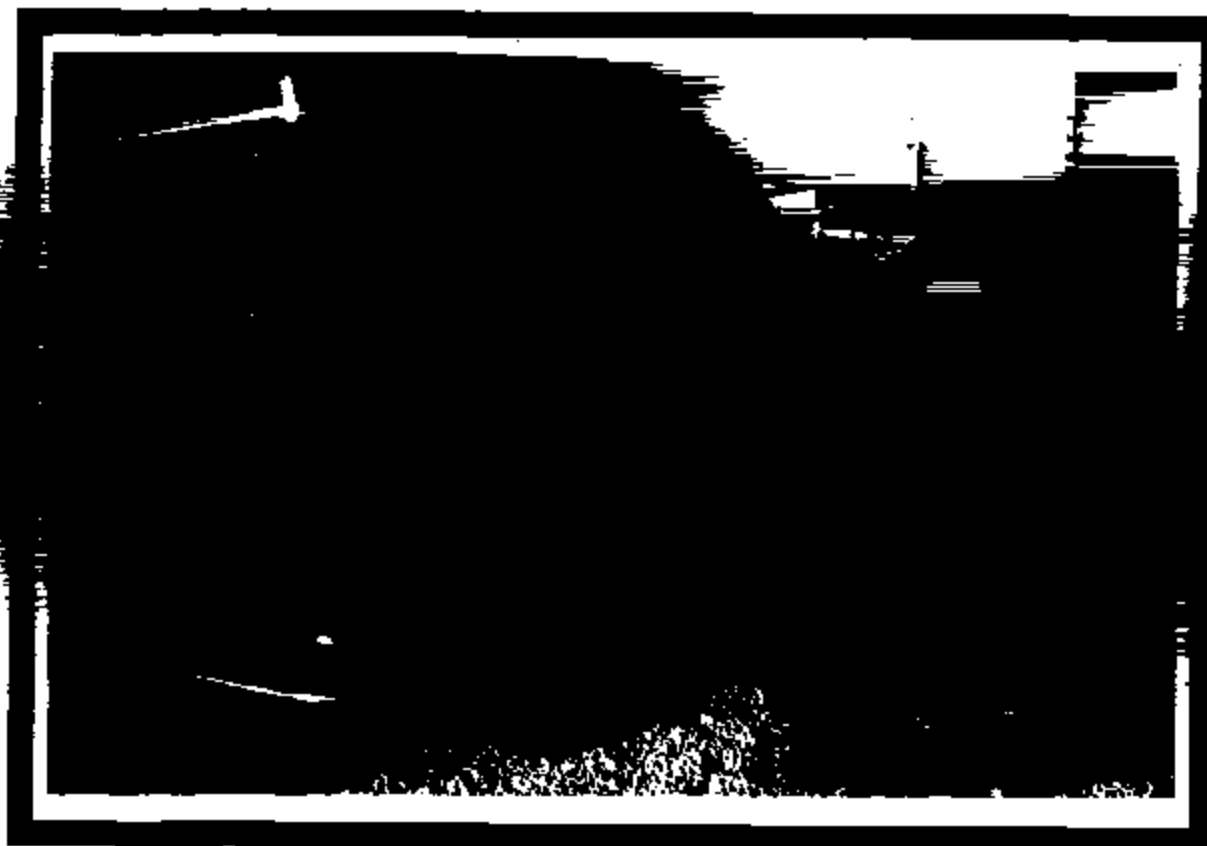
Rear view.

ER05-005-LC-8487

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Photograph: #4

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: 1986 Ford Econoline Conversion Van

View of driver's side.

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Photograph: #5

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Driver's Side Front Door Opening

Note: Location from which VIN was recorded.

ERG-825-LC-0400

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Photograph: #6

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Driver's Side Front

Note: Decomposed section of hood panel.

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Photograph: #7

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Driver's Side Front Fender

Note: Oxidation pattern on driver's side front fender.

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Photograph: #8

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Windshield (driver's side)

Note: Burn through opening.

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Photograph: #9

Transportation Technology : 24137

Date Taken: August 3, 2004

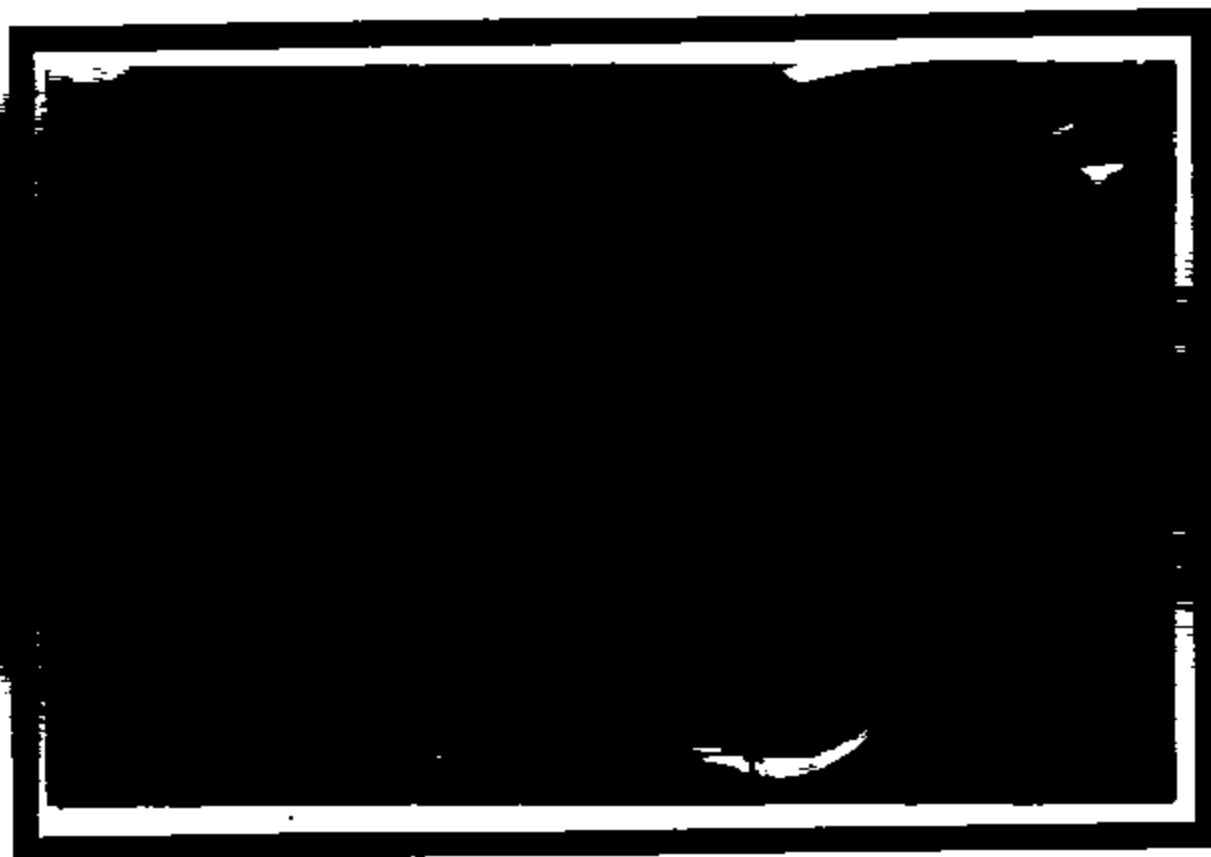
Description of Subject: Core Support

Note: Burn pattern on upper level of core support.

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Photograph: #10

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Passenger's Side Front

Note: Accumulation of soot between hood and front fender on passenger's side.

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Photograph: #11

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Driver's Side Front Tire

Note: Fully inflated tire.

Consulting Service

Transportation Technology

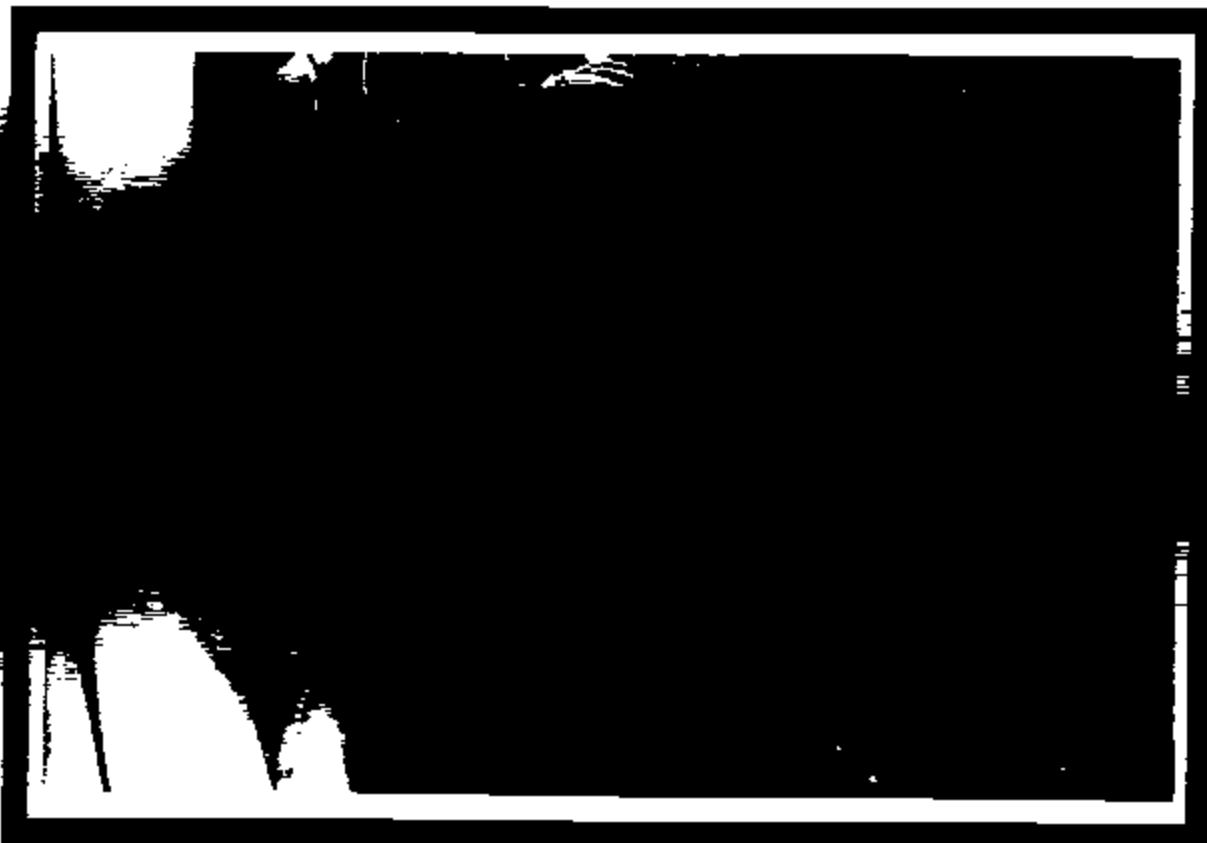
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Photograph: #12

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Interior (lower dash area)

Note: Opening through which fire advanced to the Interior.

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Photograph: #13 Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Upper Console & Headliner

Note: Fire damaged areas of headliner.

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Photograph: #14

Transportation Technology : 24137

Date Taken: August 3, 2004

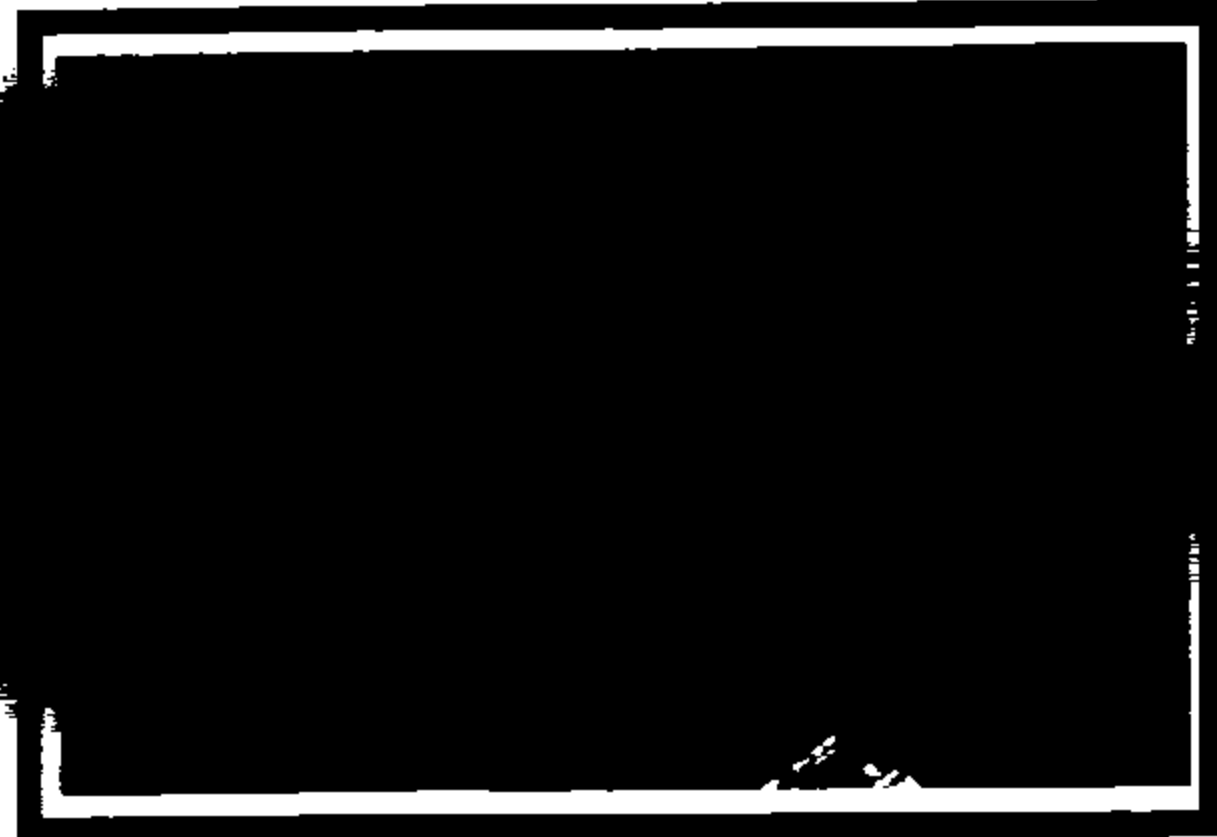
Description of Subject: Instrument Cluster

Note: Melted plastic section.

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Photograph: #15 Transportation Technology : 24137
Date Taken: August 3, 2004
Description of Subject: Radio Housing

Note: Deformed plastic.

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Photograph: #16

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Driver's Side Running Board

Note: No fire damage.

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Photograph: #17

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Passenger's Side Running Board

Note: No fire damage.

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Photograph: #18

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Cowl & Engine Compartment

Note: Direction of fire spread.

EA05-005-LC-0502

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Photograph: #19

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Cowl & Windshield

Note: Direction of fire spread.

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Photograph: #20

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Brake Master Remains

Note: Remains of the brake master cylinder, still attached to the brake booster were melted.

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Photograph: #21

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Engine Compartment (passenger's side)

Note: Partially melted plastic and rubber components on the passenger's side of the engine compartment.

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Photograph: #22

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Fiberglass Matting

Note: Removed from the area below the brake master cylinder.

EP05-005-LC-0506

Consulting Service

Transportation Technology

1184 Wind Mill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #23

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Engine Compartment (driver's side)

Note: Melted portion of brake master cylinder uncovered after the fiberglass matting was removed.

EA85-005-LC-0087

Consulting Service

Transportation Technology

1184 Wind Hill Lane

Marietta, Ga. 30064

Telephone / Fax (770) 426-6173

or Toll Free (877) 328-3385

www.vehicleinvestigator.com



Photograph: #24

Transportation Technology : 24137

Date Taken: August 3, 2004

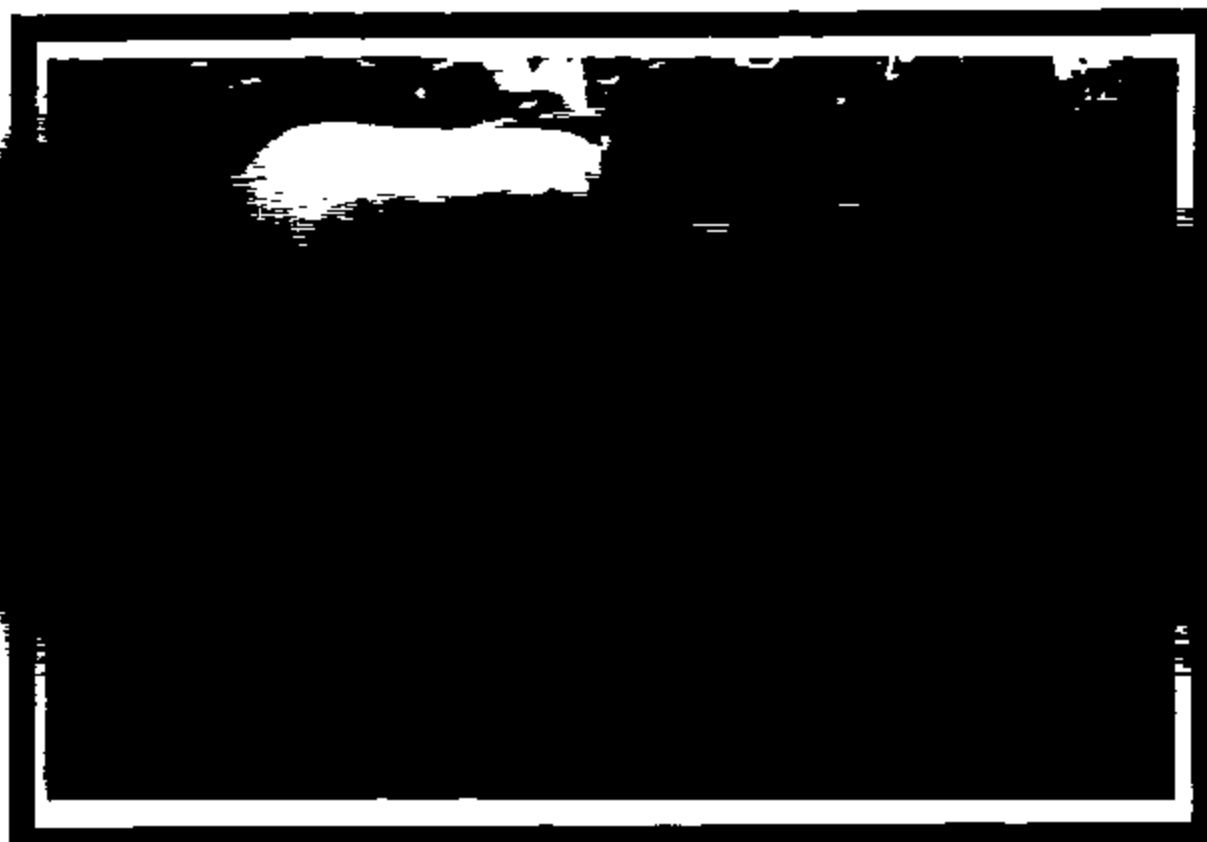
Description of Subject: Master Cylinder (uncovered section)

Note: Magnified view.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-6173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #25

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Electrical Connector

Note: Originally attached to the cruise control deactivation switch.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 428-8173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #26

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Cruise Control Deactivation Switch Remains

Note: Location where remains were found.

Consulting Service

Transportation Technology

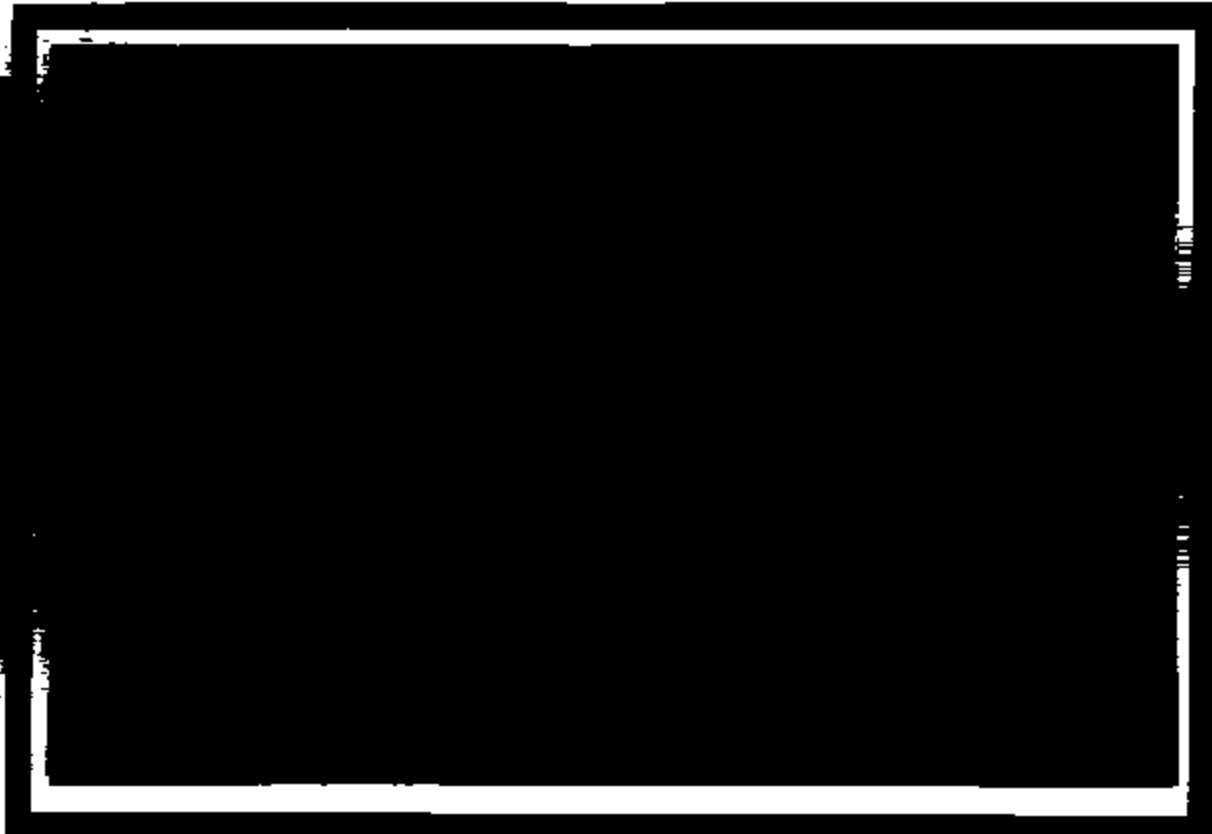
1184 Wind Hill Lane

Marietta, Ga. 30064

Telephone / Fax (770) 428-8173

or Toll Free (877) 328-3385

www.vehicleinvestigator.com



Photograph: #27

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Cruise Control Deactivation Switch

Note: Removed from the location near the battery tray.

EA05-005-LC-8511

Consulting Service

Transportation Technology

1184 Wind Hill Lane

Marietta, Ga. 30064

Telephone / Fax (770) 426-6173

or Toll Free (877) 328-3385

www.vehicleinvestigator.com



Photograph: #28

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Cruise Control Deactivation Switch

Note: Alternate view.

Consulting Service

Transportation Technology

1184 Wind Hill Lane

Marietta, Ga. 30064

Telephone / Fax (770) 426-6173

or Toll Free (877) 326-3365

www.vehicleinvestigator.com



Photograph: #29

Transportation Technology : 24137

Date Taken: August 3, 2004

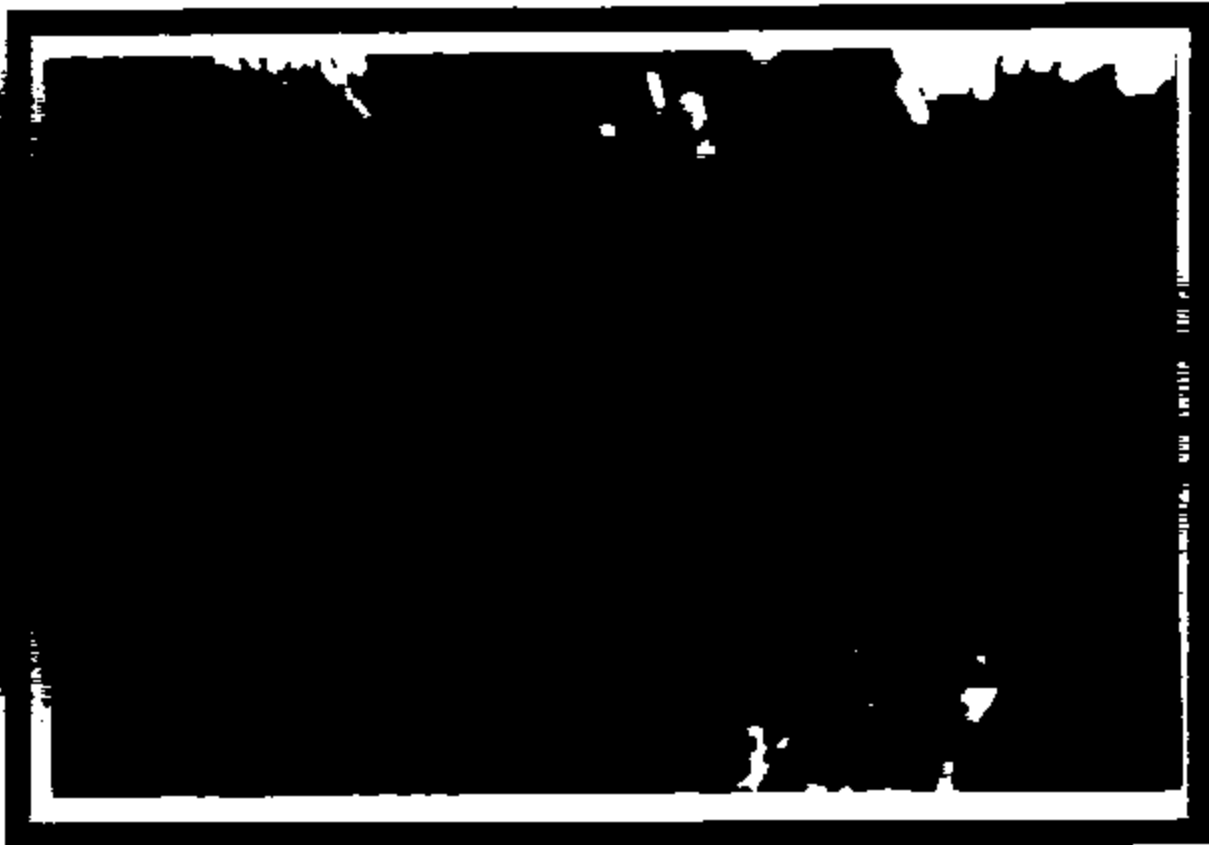
Description of Subject: Master Cylinder Section & Cruise Control Deactivation Switch

Note: Parts retained as evidence.

Consulting Service

Transportation Technology

1184 Wind Hill Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-8173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



Photograph: #30

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Fire Damaged Area Of Engine Compartment

Note: Approximate location of the cruise control deactivation switch within the fire's origin location.

EP05-005-LC-0014

Consulting Service

Transportation Technology

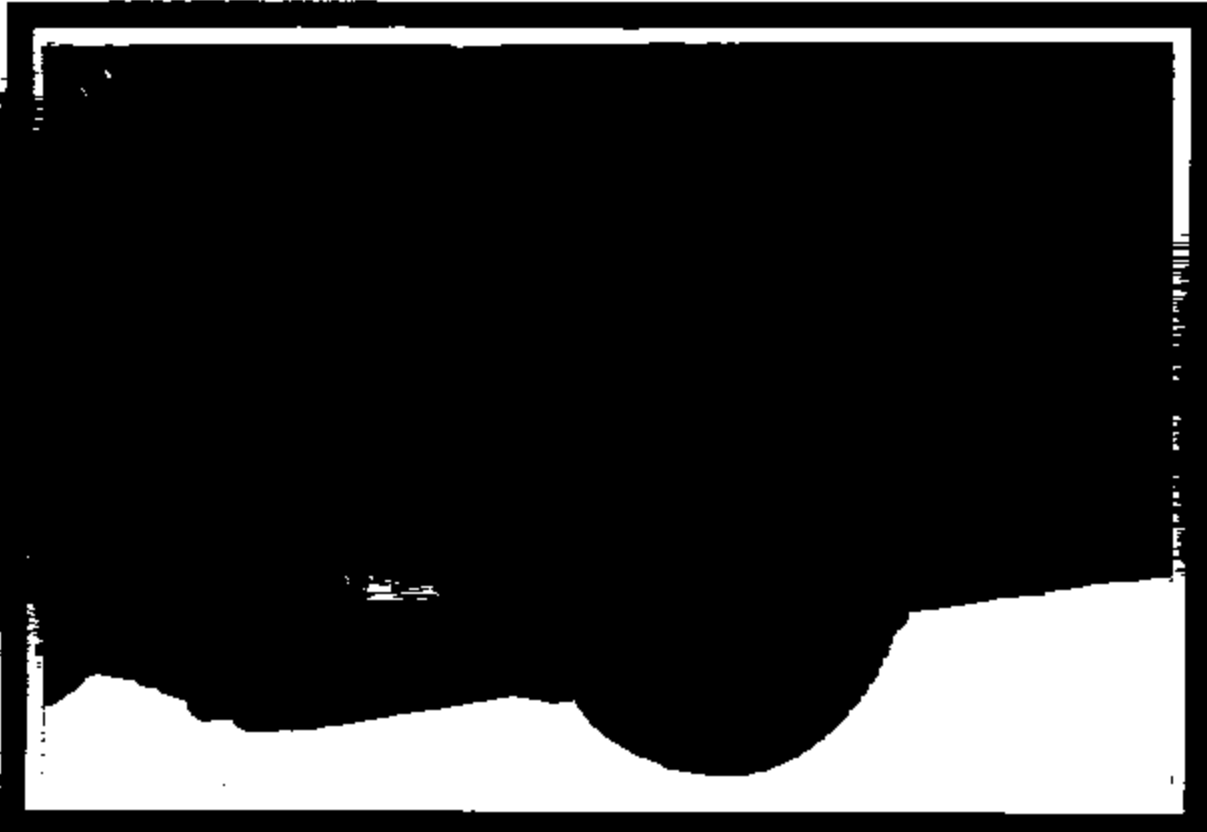
1184 Wind Hill Lane

Marietta, Ga. 30064

Telephone / Fax (770) 426-6173

or Toll Free (877) 328-3385

www.vehicleinvestigator.com



Photograph: #31

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Undercarriage

Note: No evidence of undercarriage fire damage.

Consulting Service

Transportation Technology

1184 Wind Hill Lane

Marietta, Ga. 30064

Telephone / Fax (770) 426-6173

or Toll Free (877) 328-3385

www.vehicleinvestigator.com



Photograph: #32

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Undercarriage

Note: No evidence of undercarriage fire damage.

Consulting Service

Transportation Technology

1184 Wind HBI Lane
Marietta, Ga. 30064
Telephone / Fax (770) 426-8173
or Toll Free (877) 328-3385
www.vehicleinvestigator.com



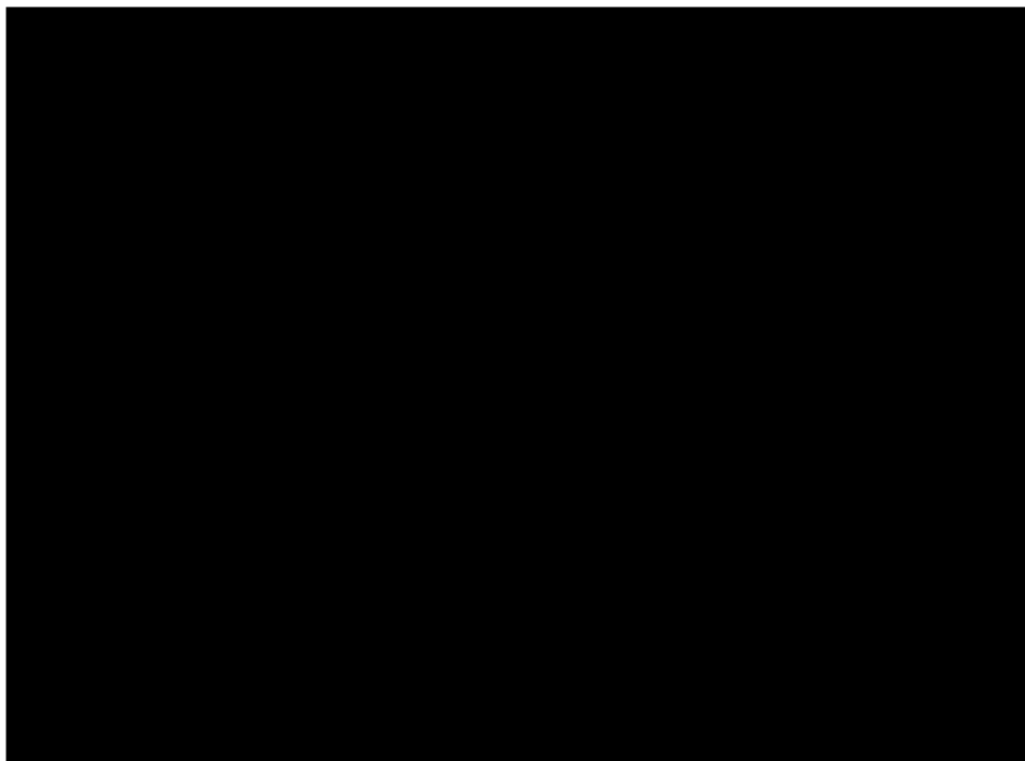
Photograph: #33

Transportation Technology : 24137

Date Taken: August 3, 2004

Description of Subject: Undercarriage

Note: No evidence of undercarriage fire damage.



MAR 29 2005

GEICO
DIRECT

- Government Employees Insurance Company
- GEICO General Insurance Company
- GEICO Indemnity Insurance Company
- GEICO Casualty Insurance Company

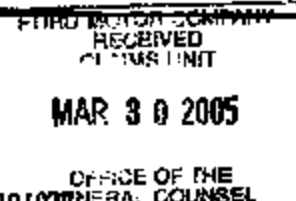
One GEICO Blvd. • Fredericksburg, VA 22406-9900

PAYMENT RECOVERY NOTICE

FORD CONSUMER AFFAIRS
P O BOX 6248
MD-3NE-B
DEERBORN, MI 48126

Date: 03/16/2005

Our File #: 0150179740101000
Our Insured: ANDRE SOKOL



Your Insured/Driver: [REDACTED]

Your File #: UNKNOWN

Your Vehicle: 00 FORD Tag #:

Date of Loss/Location of Loss: 3/5/02

**WHEN RESPONDING-
PLEASE REFER TO OUR
CLAIM NUMBER.**

Our investigation shows your insured to be at fault for this accident.

- ☐ 1. Repair or replacement of our vehicle has been concluded. Our subrogation claim will be forwarded. Please support our interest.
- ☐ 2. Payment for repairs has been made. Documentation is attached. Please honor our claim.
CO's Interest: \$ Insured's Deductible: \$ Towing: \$
Rental: \$ Total: \$
- ☒ 3. Our Vehicle was declared a total loss. Documentation is attached. Please honor our claim.
Amount paid to Insured: \$17,662.90 Insured's Deductible: \$
Net Salvage Recovery: \$172.50 Rental: \$140.00
Towing/Storage: \$204.00 Total: \$17,834.40
- ☐ 4. We have subrogation rights for no fault benefits paid. Our documentation is attached. Please honor our claim.
Medical: \$ Wages: \$ Others: \$ Total: \$
- ☐ 5. Since notifying you on [REDACTED] of our subrogation claim, we have paid additional damages of [REDACTED]. Please include this in your payment to us. Documentation is attached. Our Total Claim is \$ [REDACTED].
- ☐ 6. Documentation of our claim was sent to you on [REDACTED]. When may we expect payment?
- ☐ 7. Arbitration was filed and a decision was rendered in our favor on [REDACTED]. Total award is \$ [REDACTED]. When may we expect payment?
- ☒ 8. Please make your check payable to:
☒ GEICO
☐ GEICO General Insurance Company
☐ GEICO Casualty
☐ GEICO Indemnity Company
- ☒ ATTN: CASHIERS
P.O. BOX 96008
WASHINGTON, DC 20090-6008

**Please pay our insured directly for out of pocket rental of \$ [REDACTED]

THANKS FOR YOUR PROMPT ATTENTION.

PAYMENT RECOVERY EXAMINER: Angie Jackson
PHONE: (540) 236-4684
FAX: (561) 244-0881

EN05-005-LC-0510

COPY TO	OTHER REPORTS:		PRINCE GEORGE'S COUNTY POLICE		CASE NUMBER		CASE NUMBER
	ARREST	ACCIDENT	INCIDENT REPORT		02-064-0800		
	CONTINUATION	10			LINKED CASE NUMBER		
	PROPERTY	OTHER					
	SPECIAL		TYPE OF INCIDENT		DATE/TIME OCCURRED		
			Impounded Vehicle		3/5/02 1615 hrs		
			Washington MD		DATE/TIME REPORTED		
					3/5/02 1710 hrs		
SUMMARY OF INCIDENT							
Vehicle was on fire for unknown reason							
PERSONS		V-VICTIM		A-REPORTING PERSON		T-TA	
		W-WITNESS		F-PRINCE GEORGE'S POLICE DEPARTMENT			
CODE	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
B	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
SA	ADDRESS	CITY		STATE	ZIP	HOME TELEPHONE	
LN							
PLACE OF EMPLOYMENT / SCHOOL / OR OTHER INFORMATION						OTHER TELEPHONE	
DIST. IV						457	
CODE	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
X	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
SA	ADDRESS	CITY		STATE	ZIP	TELEPHONE	
LN						00	
CODE	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
X	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
SA	ADDRESS	CITY		STATE	ZIP	TELEPHONE	
LN						00	
A-ARRESTED		S-SUSPECT		MORE NAMES IN DETAIL? Y			
F-FIELD OBSERVATION				0			
CODE	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
X	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
SA	ADDRESS	CITY		STATE	ZIP	TELEPHONE	
LN						00	
WGT	WGT	EYES	HAIR	OTHER DESCRIPTION, PHYSICAL APPEARANCE / DESCRIPTION OF WEAPON			
CODE	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
X	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
SA	ADDRESS	CITY		STATE	ZIP	TELEPHONE	
LN						00	
WGT	WGT	EYES	HAIR	OTHER DESCRIPTION, PHYSICAL APPEARANCE / DESCRIPTION OF WEAPON			
TOTAL	VEHICLE	S-STOLEN		A-VEHICLE AUDIT		O-OTHER	
		N-RECOVERED		I-IMPOUNDED		U-UNAUTHORIZED USE	
OWNER	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
SA	NAME: LAST	FIRST	MIDDLE	RACE-SEX-DOB		H N	
LN	ADDRESS	CITY		STATE	ZIP	TELEPHONE	
						00	
OWNER NOTIFIED		DATE/TIME		INSURANCE COMPANY			
0		08:00 PM					
YR. MAN.	MAKE AND MODEL	TYPE	COLOR	STATE		MONTH/YEAR	
2000	FORD EXPLORER	TR	WHITE	MD		6/03	
VIN	1FMYU73EX2			REMARKS			
RELEASE	KEYS IN IGNITION?		MAY VEHICLE BE RELEASED?		IMPOUND NR		
Unknown	0 N		0 N WHY?		2750		
VALUE	IF RECOVERED, JURISDICTION STOLEN FROM		STATE		VEHICLE AUDIT USE		
9,000	CITY/COUNTY						
TOWED BY	LOCATION TOWED TO		RESERVED				
ONION Hill Towing	1115-ELWIN RD PT WASH. MD 20784						
TELE-COMMUNICATIONS NOTIFIED?		ID		ELECTRONIC MAIL		DATE/TIME	
0 N		C-938		TELEPHONE		3/5/02 1719 hrs	
CONTINUED ON REVERSE		PAGE		OF		PAGES	
0 N		1		1		1	
REPORTING OFFICER		ID		BEAT		DISP	
No LE 2657		5-6		12		APPROVAL	
						Kade 9/31	

03/06/2002 at 01:25 PM File# 45155-00018214

Claim# 0150179740101027-01

Owner: [REDACTED]

Appraiser: SHERIE LANHARDT

2000 FORD EXPLORER 4X4 XLT 6-4.0L-FI 4D UTV WHITE Int:

GEICO

8100 MALCOLM RD

CLINTON, MD 20735

Cellular: (240)375-2461

IMAGE REPORT



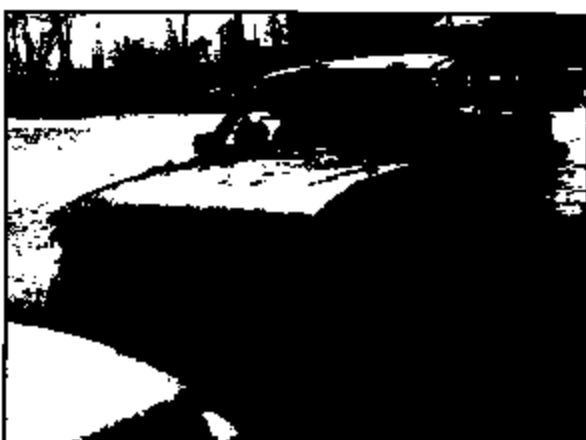
03/06/2002: EST01:



03/06/2002: EST01:



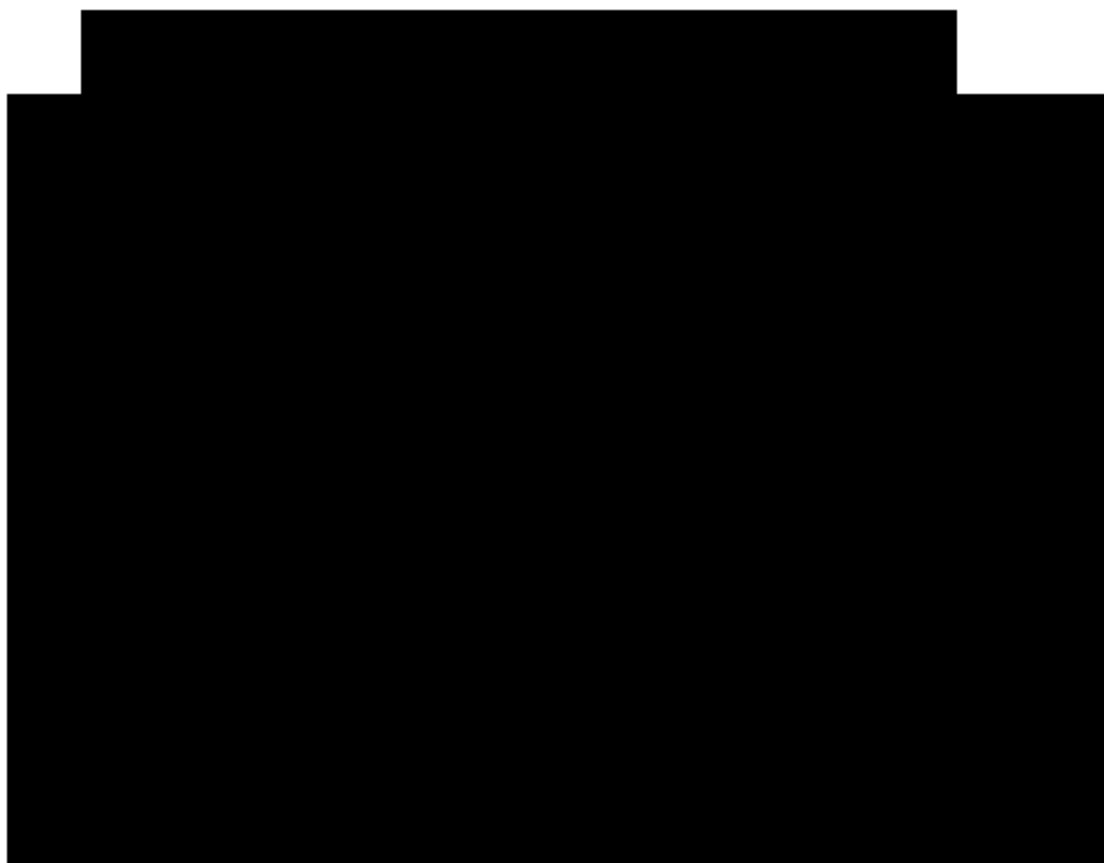
03/06/2002: EST01:



03/06/2002: EST01:

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Pathways - A product of CCC Information Services Inc.



RAM Mutual Insurance Company

James Faber, Sr. V.P. - Member Services
317 Clevel Dr. SW, Hutchinson, MN 55350

P.O. Box 306 - 16 E Hwy 61 - Echo, MN 55733-0306

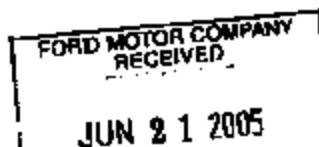
Phone/Fax: (320) 587-4037

Phone: (218) 879-3321

SENT VIA FACSIMILE TO: (313) 845-7727 AND 1ST CLASS U.S. MAIL

June 20, 2005

Mr. Andrew A. Chabot, Claims Analyst
Ford Motor Company
Parklane Towers W., Suite 300
Three Parklane Blvd.
Dearborn, MI 48126-2568



RE: OUR INSURED: [REDACTED]
INSURANCE CO: Prairie Farmers Mutual Ins. Co.
DATE OF LOSS: 06-11-05 at approximately 7 p.m.
PROPERTY: Dwelling & Household Goods, by Fire

Dear Mr. Chabot:

This is a notice regarding a potential product liability claim, arising out of a fire loss that originated in a 1997 Ford F-150 pickup truck, VIN: 1FTDX1863VK [REDACTED]. The fire occurred while the vehicle was parked inside an attached garage and was discovered when smoke alarms sounded inside the home. The homeowner's wife, [REDACTED], then investigated and witnessed flames coming from the left front of the pickup truck. No one was injured in the ensuing fire; however property damages are estimated at \$100,000 to the dwelling and contents.

This notice is to afford representatives of your company the opportunity to inspect the Ford pickup and the fire scene. We will preserve the fire scene (attached garage, contents and vehicles) through July 8, 2005 pending your response. Please contact me, Jim Faber, at Tel/Fax: 320-587-4037 to facilitate arrangements to inspect the fire scene. [REDACTED] residence is located [REDACTED] Dakota, MN [REDACTED]. The location is in southeastern Minnesota, approximately 15 miles west of Lacrosse, Wisconsin.

Very truly yours,


Jim Faber, CFI
RAM Mutual Ins. Co.

ER05-005-1-C-9722

All Action Details for Issue

Print

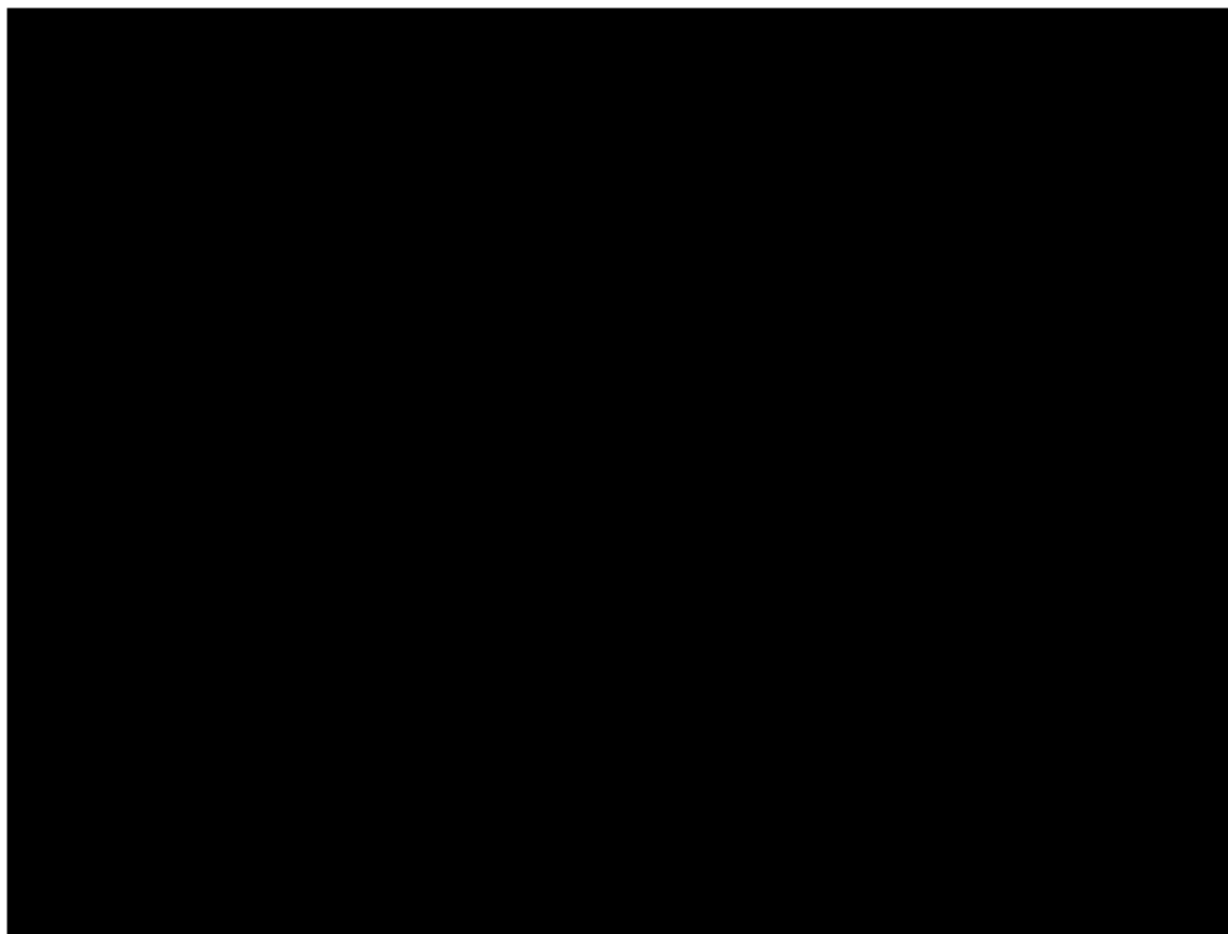
VIN: 1FTDX1863VK	Year: 1997	Model: F-SERIES	Case: 1641491725
Name:	Owner Status: Subsequent	WSD: 1996-01-23	
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD		Primary Phone:	
Reason Desc: LEGAL - ACCIDENT / FIRE		Secondary Phone:	
Issue Type: 10 OGC	Issue Status: CLOSED		

Action: CONTACT ADVANCED TO OGC	
Dealer: 08286 SUGAR LOAFFORD, LINCOLN, MERCURY, INC.	Origin Desc: US CONCERN CASE BASE
Odometer: 131000 MI	Coman Type: PHONE
Analyst Name: HOWELL KIM	Analyst: KHOWELL4
Action Date: 06/21/2005	Action Time: 15.02.27.382
	Action Data: No

Comments CUSTOMER SAID: -THE VEH WAS PARKED IN HIS GARAGE WHEN IT CAUGHT ON FIRE, THE GARAGE IS BEYOND REPAIR, THERE IS A LOT OF SMOKE DAMAGE IN THE HOUSE-THE FIRE OCCURRED ON 6/11/05-THE FIRE CAME FROM UNDER THE ENGINE COMPARTMENT-THE VEH IS STILL AT HIS HOME -THERE WAS A FIRE REPORT FILED WITH THE FIRE DEPT-THEY BELIEVE THAT THE FIRE STARTED FROM THE VEH -THE FIRE REPORT WAS FILED IN WINONA COUNTY(FIRE REPORT NUMBER NOT AVAILABLE)-HE HAS FILED A CLAIM WITH HIS INSURANCE COMPANY, BUT IS WAITING TO SEE IF FORD IS GOING TO COME AND INVESTIGATE THEMSELVES-THE VEH IS NOT REPAIRABLE, THE VEH WAS NOT RUNNING WHEN THE FIRE STARTED-HE WOULD LIKE TO KNOW IF HE NEEDS FORDS AUTHORIZATION TO HAVE CLEANERS COME IN AND CLEAN UP THE HOUSE-DEALER SAID: NONECRC ADVISED: I WILL FORWARD THIS INFORMATION TO THE FORD OGC DEPARTMENT. YOU WILL BE CONTACTED WITHIN 3-5 BUSINESS DAYS.-CAC ADVISED CUST THAT IT WOULD BE UP TO HIS INSURANCE COMPANY IF THEY WANTED TO HAVE SOMEONE COME OUT AND CLEAN HIS HOME, IF THEY FELT THE SMOKE DAMAGE HAD ANYTHING TO DO WITH THE VEH FIRE THEN THEY COULD SUBROGATE FORD-AS PER LINK CSR RONALD

E7025-005-1C-00123

6/23/2005





Office of the General Counsel

PRIVILEGED & CONFIDENTIAL

Ford Motor Company
Parklane Towers West
Suite 300
Three Parklane Boulevard
Dearborn, Michigan 48128-2688

June 22, 2005

Dakota, MN [REDACTED]

507-643-8571

Re: DOL: June 11, 2005
Vehicle: 1997 F-150

Dear [REDACTED]

Recently the Office of the General Counsel of Ford Motor Company was made aware of your recent contact to our Customer Relations Center in regards to the above captioned loss. We thank you for the opportunity to address this concern in a timely manner.

It appears that you have turned this matter over to your insurance company. Should you or your insurance company wish to pursue a claim with Ford Motor Company, please have your insurance company and/or you contact us in writing to the address noted above, or the fax number given below, notifying us of their intent to pursue subrogation, or your intent to pursue a claim directly.

Please be advised that all necessary steps must be taken to ensure that the subject vehicle and all of its component parts are maintained and preserved for trial. Ford Motor Company has the right to inspect the vehicle and remove and test any component part that you claim to be defective, and to be presented with the vehicle and the subject component part(s) at the time of trial, should litigation ensue from this informal claim.

If you propose to repair the vehicle for continued usage, such repairs may not be performed until after Ford Motor Company has inspected the vehicle and removed and tested any component part you claim to be defective or advised you in writing that it does not intend to perform such inspection and/or testing at this time. But even in that event, Ford Motor Company will insist that all components claimed to be defective are maintained and preserved for trial.

Sincerely,

Shawn L. Norton
Claims Analyst
Fax (313) 390-2107

04705-000-LC-00124

86888835 773

Ship. #
Desc.
No. Ref.

WL
Date
Bill To

2001 (03/04) S SENDER'S COPY
Zip/Postal Code
City

New

BEGINNING OF CONTACT
06/22/2005

VOICE OF THE CUSTOMER TRACKING SYSTEM

JUN 22 2005

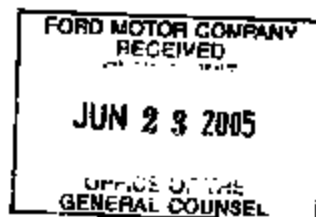
08.00.04

REGION: 58 TWIN CITIES	OGC ISSUE	CASE NBR: 1541481725
VIN: 1FTDX1863VK	ZONE: B1	OPENED: 06/21/2005
	ENGINE: 8	CLOSED: 06/21/2005
	VEH TYPE: T	

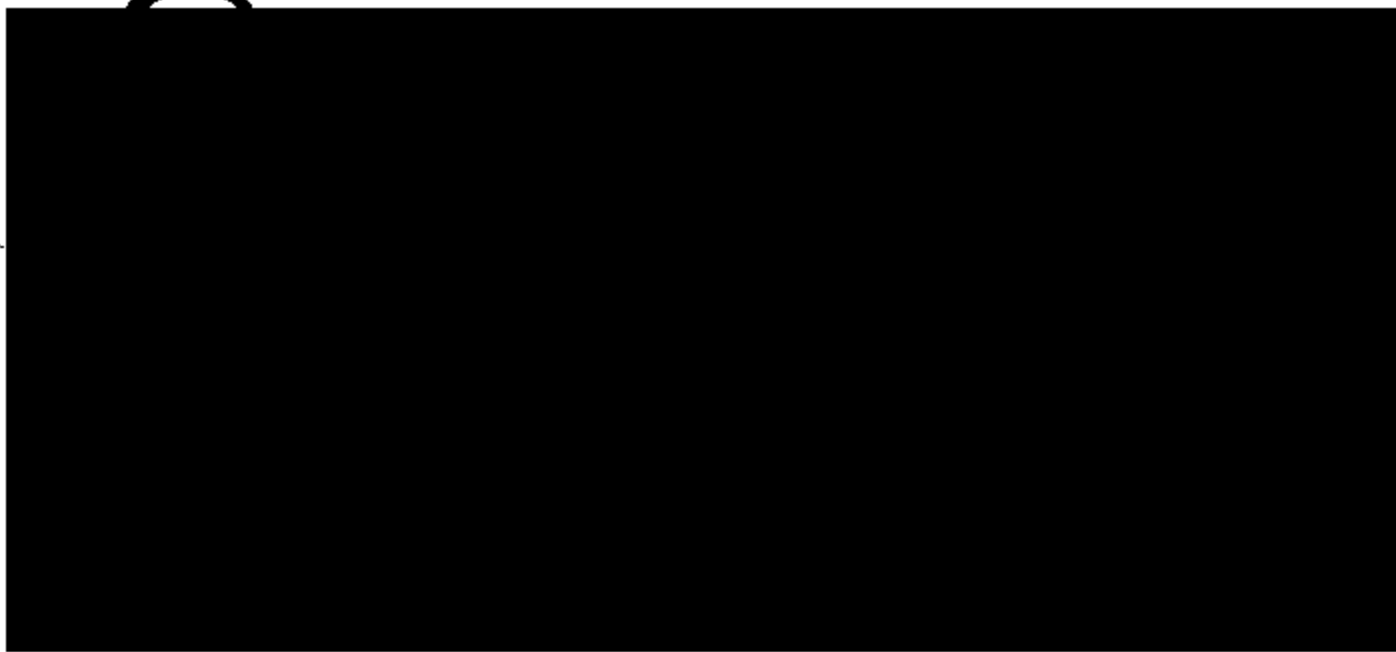
LAST NAME: [REDACTED]	FIRST NAME: [REDACTED]	STATUS: CLOSED
TITLE: [REDACTED]		MI: [REDACTED]
ADDRESS: [REDACTED]		
CITY: DAKOTA	STATE: MN	ZIP: [REDACTED]
HOME PHONE: [REDACTED]		
MODEL YEAR: 1997	MODEL: F150 4X4 SUPERCAB PICKUP	
MILEAGE: 131000		
DEALER NAME: SUGAR LOAF FORD, LI	SALES CODE: F58545	P & A: 09286
REASON CODE: 0792 LEGAL - ACCIDENT / FIRE		
SYMPTOMS: 704145 FIRE/SMOKE VISIBLE FLAME UNDERHOOD		

ORIGIN: CAC138 - US CONCERN CASE BASE COMMUNICATION: PHONE
ACTION: 705 - CONTACT ADVANCED TO OGC
DOCUMENT: ANALYST: KHOWELL4 HOWELL KIM

DATE: 06/21/2005 TIME: 15.02.27:
ACTION DATA/COMMENTS:



CUSTOMER SAID: -THE VEH WAS PARKED IN HIS GARAGE WHEN IT CAUGHT ON FIRE, THE GARAGE IS BEYOND REPAIR, THERE IS A LOT OF SMOKE DAMAGE IN THE HOUSE-THE FIRE OCCURRED ON 6/11/05-THE FIRE CAME FROM UNDER THE ENGINE COMPARTMENT-THE VEH IS STILL AT HIS HOME -THERE WAS A FIRE REPORT FILED WITH THE FIRE DEPT -THEY BELIEVE THAT THE FIRE STARTED FROM THE VEH -THE FIRE REPORT WAS FILED IN WINONA COUNTY(FIRE REPORT NUMBER NOT AVAILABLE)-HE HAS FILED A CLAIM WITH HIS INSURANCE COMPANY, BUT IS WAITING TO SEE IF FORD IS GOING TO COME AND INVESTIGATE THEMSELVES-THE VEH IS NOT REPAIRABLE, THE VEH WAS NOT RUNNING WHEN THE FIRE STARTED-HE WOULD LIKE TO KNOW IF HE NEEDS FORDS AUTHORIZATION TO HAVE CLEANERS COME IN AND CLEAN UP THE HOUSE-DEALER SAID: NONECRC ADVISED: I WILL FORWARD THIS INFORMATION TO THE FORD OGC DEPARTMENT. YOU WILL BE CONTACTED WITHIN 3-5 BUSINESS DAYS.-CAC ADVISED CUST THAT IT WOULD BE UP TO HIS INSURANCE COMPANY IF THEY WANTED TO HAVE SOMEONE COME OUT AND CLEAN HIS HOME, IF THEY FELT THE SMOKE DAMAGE HAD ANYTHING TO DO WITH THE VEH FIRE THEN THEY COULD SUBROGATE FOR D-AS PER LINK CSR RONALD



DOWNES RACHLIN & MARTIN PLLC

ATTORNEYS AT LAW

106 MAIN STREET • PO BOX 500 • LITTLETON • NEW HAMPSHIRE 03581 0500
+1 603 444 0216 • FAX +1 603 444 0768

Via Facsimile and
Certified Mail, Return
Receipt Requested

March 3, 2000

Ford Motor Company
Legal Department
Parklane Towers West, Suite 800
3 Parklane Boulevard
Dearborn, Michigan 48126

Re: [REDACTED]
Newport, Vermont
Date of Loss: February 16, 2000

Dear Sir or Madam:

This firm is counsel for Co-operative Insurance Companies, which insures [REDACTED]. On February 16, 2000 the Spates Construction building owned by [REDACTED] in Newport, Vermont was destroyed by fire. An article discussing the fire is attached.

There are preliminary indications that a 1995 Ford Bronco, VIN # 1FMEU15HXS [REDACTED] was located in area of origin and possibly was involved in causing the fire. The purpose of this letter is notify of this in the event you wish to have an investigator inspect the fire scene and/or this vehicle before reconstruction begins.

Our cause and origin investigator, David J. Eliassen, CFI (802)748-2880, is coordinating access to and investigation of this fire scene. If you wish to have a representative inspect the scene or the remains of the 1995 Bronco, please have him or her contact Mr. Eliassen right away. Absent such contact, we will assume that you do not wish to participate in this investigation.

Sincerely yours,


Gregory S. Clayton

enclosures

cc: David J. Eliassen, CFI
Co-operative Insurance Companies

LTR16198.1

* Paul Cavin
617 236 1900
Liberty Mutual Insurance
at 5001 North
Hart of Vehicles
Truckers Express
Stores



March 30
week of
Charles Bural
978 692-4143

ENCL-003-L-C-0026



These charred remains of a motor vehicle are part of the aftermath of a fire early Wednesday morning at Spates Construction.

Derby

Hay Barn Fire Amounts To Huge Financial Loss

BY THERMIL ALBEE

Staff Writer

The loss of Spates Construction's main storage building and most of its contents to fire early Wednesday morning could amount to somewhere in the vicinity of \$300,000 to \$400,000, owner Frank Spates, Jr., said later in the day.

Spates said he was insured for the loss, and insurance representatives were com-

ing to the scene today.

Lost in the Derby, Vt., blaze were large construction tools and supplies, including tools and supplies for the company's concrete work, along with five motor vehicles, a tractor, boat, two generators, along with tires for 12 of the company's vehicles, to name a few.

"We are just inventorying now," Spates said of the fire loss.

See Barn Fire, Page 20

Barn Fire

Continued from Page 1

But the company will be able to continue its operations despite the loss, Spates said.

Spates said equipment can be rented until new equipment is purchased.

And he said a tool shed containing small tools, located about 20 to 30 feet from the large storage barn that was completely gutted in the fire, was untouched.

Spates said it was difficult to determine what was in the barn at the time because tools, equipment and materials are in and out of the building depending on the construction project. He said with the season in a slow period, much of the construction items were stored in the building.

None of the company's major construction equipment was kept in the barn, he said.

Apparently at least one car and some of the other construction equipment was removed before the fire got out of control.

Spates and Derby Line Fire Chief Craig Egan said one of the major contributors to the fire was hay stored in a mezzanine on the second floor of the barn. Spates said his company sold and used the hay as mulch or construction sites. Some of the hay was used the last of winter by his son, Grant, who also works at the construction company.

Both Spates and Egan said the fire destroyed the second floor of the building, and the hay dropped down on the first floor, adding to the difficulties in extinguishing the blaze.

But none of the other various buildings

owned by the firm. One danger could have been the company's fuel tanks, located about 20 feet away.

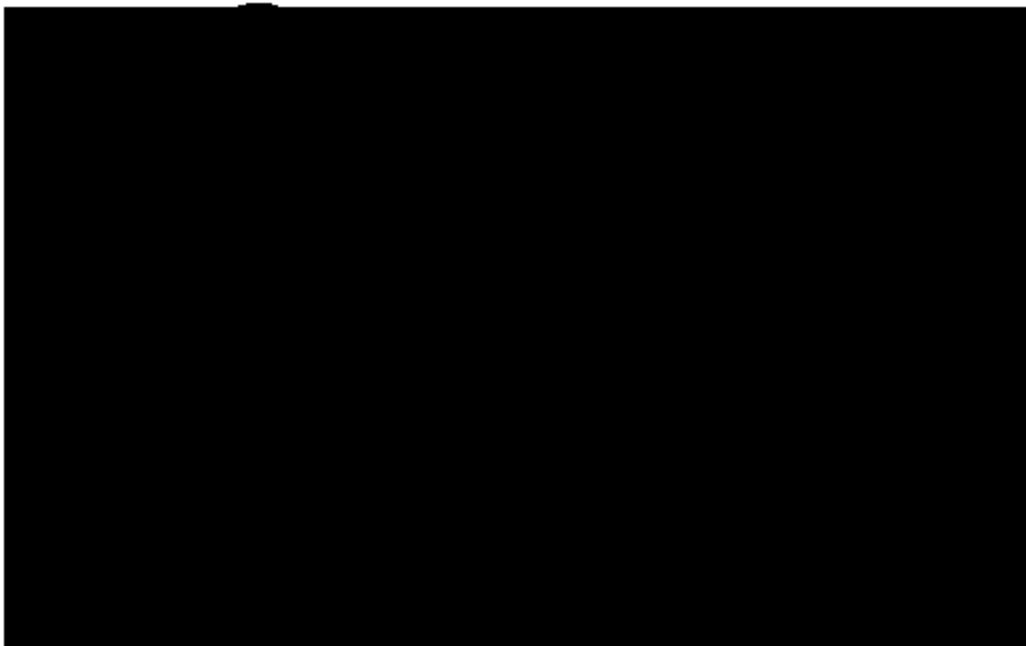
Egan said the approximately 25 firefighters from Derby and Stansfield, Quebec, and Derby Line had the fire under control within about an hour and a half.

Firefighters left the scene at about 10:30 a.m.

Egan said the fire is not considered suspicious. It is believed the fire started in one of the motor vehicles parked in the barn.

Spates said he had gotten up early to get ready for work and get the coffee going when he heard a loud knocking, which was the security alarm from a Beacore parked in the barn.

When he went to investigate, "Every-



State Farm Insurance Companies®



June 14, 2005

2600 Memorial Boulevard
Murfreesboro, TN 37129

FORD MOTOR CO.
OFFICE OF GENERAL COUNSEL
PARKLANE TOWERS WEST
SUITE 300
THREE PARKLANE BLVD.
DEARBORN, MI 48126-2588

RECEIVED JUN 15 2005 JUN 16 2005
OFFICE OF THE
GENERAL COUNSEL

ATTN: HOWARD KEYES, MGR. CLAIM DEPT.

RE: Claim Number:

HOMEOWNERS
FORD EXPLORER
VOLVO

Insured:
Date of Loss:
Location:

6-02-05
NASHVILLE, TN

*called
6/15/05
6/14/05 X 2
minor
smoke
damage*

Dear Sirs:

We are writing to you with reference to a loss sustained by our insured on the above date of loss.

Information we have at this time indicates the origin of this fire to be a 1998 Ford Explorer 1FMZU32E8W2 [REDACTED]

The resulting fire has caused damage to our insured's residence and 2 vehicles.

Please accept this letter as notice of subrogation resulting from this fire and contact me as soon as possible so as to reserve your right of inspection of the vehicle if so desired.

Please contact me by 6-21-05, for any additional information you may require and indicate whether or not you wish to inspect the vehicle.

Thank you for your cooperation and understanding.

Sincerely,

2550-07-000-0000

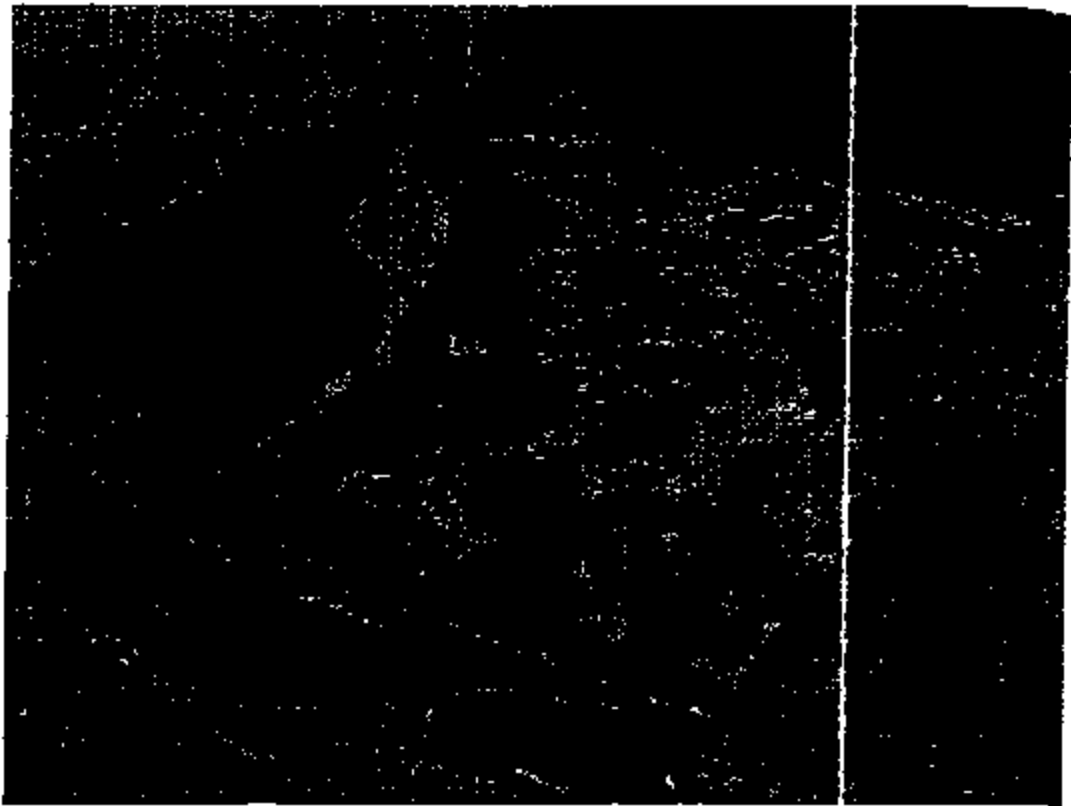
Buddy Broiles
Claim Representative
Subrogation Unit
(615) 682-3428 (office) , (615) 516-8554 (cell)
(615) 682-3282 (fax)
State Farm Fire and Casualty Company

BB/012
012/0106002a

ENR05-005-LC-9529



ER05-005-LC-8538



003-005-10-0031



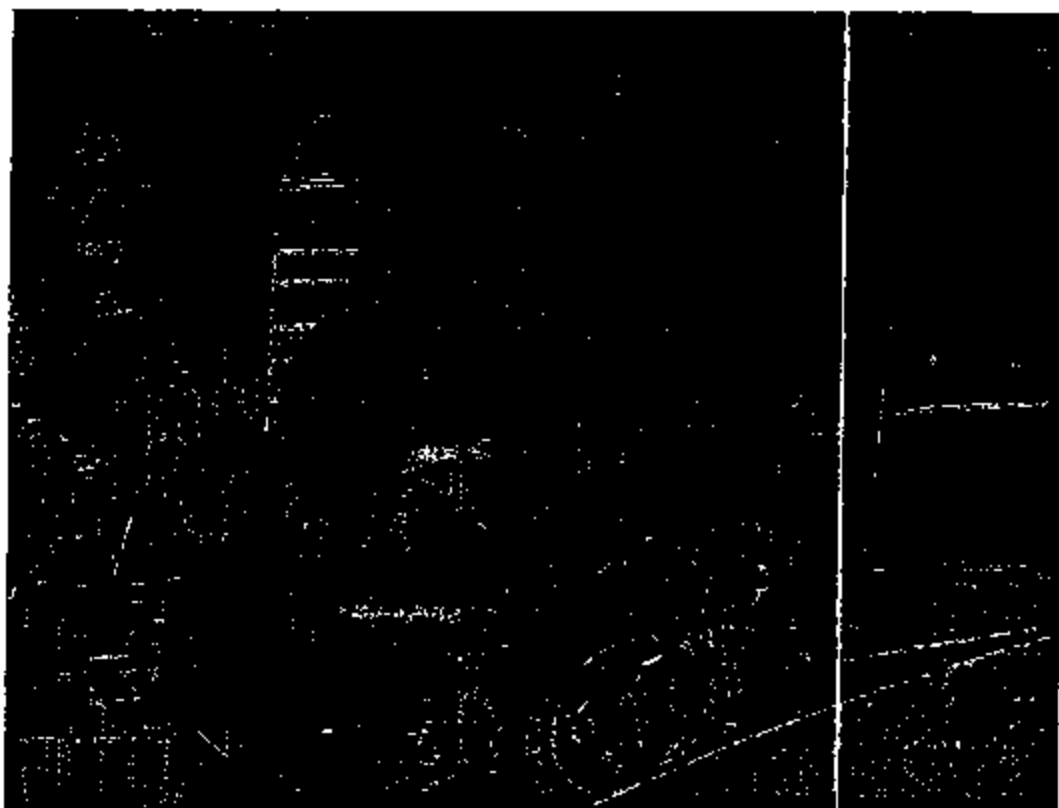
ERG-085-LC-0532



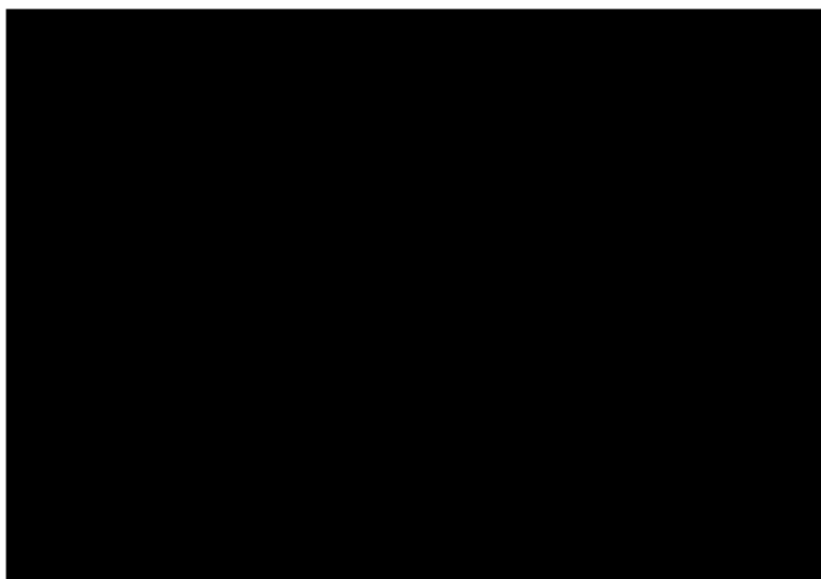
CR00-005-LC-0033



EP05-015-LC-0034



0005-003-L-0535



All Action Details for Issue

Print

VIN: 2FTRX17Y53 [REDACTED] Year: 2003 Model: F-SERIES Case: 522260644
 Name: [REDACTED] Owner Status: Original WBD: 2003-10-13
 Symptom Desc: FIRE/SMOKE VISIBLE FLAME Primary Phone: [REDACTED]
 Reason Desc: LEGAL - FIRE CLAIM Secondary Phone: [REDACTED]
 Issue Type: 07 LEGAL Issue Status: CLOSED

Action: OPEN LEGAL CONTACT - PRODUCT LIABILITY

Dealer: 04527 CHAMPION FORD HIGHWAY 6

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION-FD

Odometer: 5883 MI

Comm Type: FAX

Analyst Name:
LEICH,CHERIE

Analyst: CLEICH

Action Date: 03/05/2004

Action Time:
16.02.31.019

Action Data: No

Comments *****PRODUCT LIABILITY***** FAX RECEIVED 3-5-04. DEALER CONTACT:
 ERIC MUNSON. CUSTOMER ALLEGES VEHICLE CAUGHT FIRE. CUSTOMER REQUESTS CONTACT FROM FORD
 REPRESENTATIVE.

Action: MAKE OUTBOUND CALL TO DEALER

Dealer: 04527 CHAMPION FORD HIGHWAY 6

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION

Odometer: 5883 MI

Comm Type: PHONE

Analyst Name: PAWELEK, MAUREEN
(M.L.)

Analyst: MPAWELEK

Action Date: 03/08/2004

Action Time:
11.19.32.258

Action Data: Yes

Comments LEFT MESSAGE FOR ERIC MUNSON AT DEALERSHIP TO DISCUSS.

Data Element Name

Data Value

CONTACT PERSON

LEFT MESSAGE

Action: REFER TO INSURANCE CARRIER - INSURANCE COMPANY ALREADY INVOLVED

Dealer: 04527 CHAMPION FORD HIGHWAY 6

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION

Odometer: 5883 MI

Comm Type: PHONE

Analyst Name: PAWELEK, MAUREEN
(M.L.)

Analyst: MPAWELEK

Action Date: 03/08/2004

Action Time:
14.01.38.355

Action Data: No

Comments SPOKE WITH ERIC MUNSON AT DEALERSHIP, WHO SAID THAT THE CUSTOMER HAD NOT
 REQUESTED THAT FORD GET INVOLVED; THE INSURANCE ADJUSTER DID. INSURANCE HAS ALREADY
 INSPECTED UNIT. ERIC STATED THAT THERE WAS A STACK OF PARTIALLY BURNED PAPER IN THE AREA OF THE
 FIRE'S ORIGIN. ADVISED ERIC THAT INSURANCE COMPANY SHOULD HANDLE, AND SUBROGATE IF THEY FEEL
 THERE IS MANUFACTURER LIABILITY.

All Action Details for Issue

[Print](#)

VIN: 26TRY17M5	Year: 2003	Model: F-SERIES	Case: 522260644
Name:	Owner Status: Original	WSD: 2003-10-13	
Symptom Desc: FIRE/SMOKE VISIBLE FLAME		Primary Phone:	
Reason Desc: LEGAL - FIRE CLAIM		Secondary Phone:	
Issue Type: 07 LEGAL	Issue Status: OPEN		

Action: OPEN LEGAL CONTACT - PRODUCT LIABILITY

Dealer: 04527 CHAMPION FORD HIGHWAY 8

Origin Desc: CONSUMER AFFAIRS - LITIGATION
PREVENTION-FD

Odometer: 5683 MI

Comm Type: FAX

Analyst Name:

Analyst: CLEICH

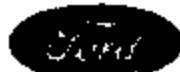
LEICH,CHERIE

Action Date: 03/05/2004

Action Time:
10.02.31.010

Action Data: No

Comments *****PRODUCT LIABILITY***** FAX RECEIVED 3-5-04. DEALER CONTACT:
ERIC MUNSON. CUSTOMER ALLEGES VEHICLE CAUGHT FIRE. CUSTOMER REQUESTS CONTACT FROM FORD
REPRESENTATIVE.



DEALER REQUEST FOR CONSUMER AFFAIRS REVIEW

IMPORTANT - DO NOT PERFORM REPAIRS UNTIL AUTHORIZED!

This Form is for RETAIL VEHICLES ONLY. For FLEET VEHICLES call 1-800-343-5338

DEALER INFORMATION:

Requesting Dealer Champion Hyundai PAA 04527 Region & State SW Region / TX
 Contact Person Enl. Hanson Phone # (281) 530-2217

CUSTOMER/VEHICLE INFORMATION:

New or Used New WSD 10/13/2003 Year/Model 2003 F-150
 VIN 2FTRK17W53C Mileage 5683.5
 Customer Name [REDACTED]
 Address [REDACTED]
 City Houston County Harris State TX Zip code [REDACTED]
 Home Phone [REDACTED] Work Phone [REDACTED]

DETAILS OF INCIDENT:

Incident Involves (Circle all that apply): Accident Y/N Fire Y/N Injury Y/N

Medical Attention Sought: Y/N

Date of Incident 06/20/04

Is customer alleging a component defect caused the incident? Y/N If yes, what type & details < Newer has said anything besides fact that they no longer want the vehicle >

Was a police report filed? Y/N If yes, where < Don't know >

Has the Insurance Company been contacted? Y/N What did the insurance company advise? inspector sent out on 05/02/04 to review vehicle. Stated that he was unsure of root cause of fire.

Owner's Insurance Company [REDACTED] Agent's Name Daniel Goodell
 Insurance Company Phone Number (713) 516-7348

If the vehicle is a conversion unit, who is the coach builder? N/A
 City N/A State N/A Zip N/A

RESOLUTION that CUSTOMER is SEEKING:

- New vehicle b/c they no longer want this unit.
Wife is very very upset.

PROVIDE ADDITIONAL COMMENTS ON A SEPARATE SHEET OF PAPER
 ATTACHMENTS? Y/N, PAGES:
 Fax to: (313) 845-5668, or (313) 845-5555
 PLEASE USE THIS SHEET AS ORIGINAL AND DUPLICATE AS NEEDED

October 2003

Ford Motor Company - Ford Motor Vehicle Assistance Company

9-38

826938

COPY

NO. _____

IN THE COUNTY CIVIL COURT

C.C.C.L. #1

AT LAW NO. _____

OF HARRIS COUNTY, TEXAS

VS.

FORD MOTOR COMPANY

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff, _____ complains of

FORD MOTOR COMPANY, Defendant, and for cause of action shows:

I.

Plaintiff intends this to be a Level I case.

II.

Plaintiff is an insurance company lawfully conducting business in the State of Texas, County of Harris.

Defendant, FORD MOTOR COMPANY, is a corporation conducting business in the State of Texas, and may be served by serving its registered agent for service of process, C. T. Corporation System, 350 North St. Paul, Dallas, Dallas County, Texas 75201.

III.

Plaintiff has an interest in the matter in controversy in that Plaintiff, _____ was the automobile insurance carrier for _____ at the time of this loss, which is more specifically set out below. As a result of the incident outlined below, Plaintiff paid insurance benefits to and/or on behalf of _____ and now seeks subrogation rights in association therewith.

IV.

On or about February 20, 2004, John Suarez did own a 2003 Ford F-150 pickup truck bearing vehicle identification No. 2FTRY172530 [REDACTED] On or about said aforementioned date, a fire started in said aforementioned vehicle, totally destroying same.

V.

An evaluation of the fire travel patterns and an examination of the truck remains revealed the area of origin and the cause of the fire was a problem at the top center portion of the fuel tank.

VI.

Whenever in this Petition it is alleged that Defendant(s) did any act or thing, it is meant that Defendants' officers, agents, servants, employees, or representatives did such act or thing and that, at the time such act or thing was done, it was done with the full authorization or ratification of Defendant corporation, or was done in the normal and routine course and scope of the agency and/or employment of Defendants' officers, agents, servants, employees, or representatives.

VII.

The 2003 Ford F-150 pickup truck bearing vehicle identification No. 2FTRY17W53C [REDACTED] was designed, manufactured, sold and/or distributed by the Defendant herein, FORD MOTOR COMPANY.

VIII.

(NEGLIGENCE)

As its first cause of action against Defendant, Plaintiff restates and realleges the previous paragraphs as if fully set forth verbatim, and would further show unto the Court the following:

Defendant owed a duty to Plaintiff to exercise reasonably prudent and ordinary care in the design, manufacture, inspection, sale and distribution of the 2003 Ford F-150 pickup truck in

question. Defendant violated this duty by negligently designing, manufacturing, inspecting and/or selling the 2003 Ford F-150 pickup truck and by failing to act as a reasonable prudent person would have under the same or similar circumstances. Defendant's negligent acts and/or omissions include, but are not limited to:

1. In failing to design the 2003 Ford F-150 pickup truck and/or its component parts properly and correctly;
2. In failing to manufacture the 2003 Ford F-150 pickup truck and/or its component parts properly and correctly;
3. In failing to inspect the 2003 Ford F-150 pickup truck and/or its component parts properly and correctly, which inspection would have revealed any defective condition that could have been remedied by appropriate corrections or adjustments;
4. In failing to test the 2003 Ford F-150 pickup truck and/or its component parts properly and correctly;
5. In failing to manufacture the 2003 Ford F-150 pickup truck and/or its component parts in a good and workmanlike manner;
6. In supplying a defective product;
7. In failing to warn consumers of the defective condition which it knew or should have known created an unreasonable risk of harm; and
8. In otherwise failing to use due care under the circumstances.

IX.

Each of the above referenced acts and omissions, singularly or in combination with others, constituted negligence, which proximately caused the damages suffered by Plaintiff, which are in excess of the minimal jurisdictional limits of this Court.

X.

(STRICT LIABILITY)

As for its second cause of action against Defendant, Plaintiff restates and realleges the previous paragraphs as if fully set forth verbatim and would show unto the Court the following:

Prior to the date of the incident in question, Defendant designed, manufactured, sold and/or distributed the 2003 Ford F-150 pickup truck in question and/or its component parts in a manner so as to render the 2003 Ford F-150 pickup truck unsafe and unreasonably dangerous and introduced as 2003 Ford F-150 pickup truck into the stream of commerce. At the time of the incident, the 2003 Ford F-150 pickup truck was being used in a manner for which it was designed, manufactured and sold.

XI.

Defendant's design, manufacture, sale and/or distribution of the 2003 Ford F-150 pickup truck in question and/or its component parts caused defective, unsafe, and unreasonably dangerous conditions, which were the producing and/or proximate cause of the damages sustained by the Plaintiff.

XII.

(BREACH OF EXPRESSED AND IMPLIED WARRANTIES)

As for its third cause of action against Defendant, Plaintiff restates and realleges the previous paragraphs as if fully set forth verbatim and would further show unto the Court the following:

Defendant expressly and/or impliedly warranted that they designed, manufactured, inspected, sold and/or distributed the 2003 Ford F-150 pickup truck and/or its component parts in a good and workmanlike manner. Defendant breached these warranties in one or more of the following respects:

1. By designing, manufacturing, selling and/or distributing the 2003 Ford F-150 pickup

- truck and/or its component parts which were not merchantable or fit for ordinary use;
2. By failing to design and manufacture the 2003 Ford F-150 pickup truck and/or its component parts in a good and workmanlike manner;
 3. By releasing into the stream of commerce the 2003 F-150 pickup truck and/or its component parts which were not merchantable; and
 4. By their negligence in the design, manufacture, inspection, sale and/or distribution of the 2003 Ford F-150 pickup truck and/or its component parts.

XIII.

Each of the above referenced acts and/or omissions, singularly or in combination with others, constituted a breach of the aforesaid expressed and/or implied warranties and was a producing and/or proximate cause of the damages sustained by the Plaintiff.

XIV.

Defendant's conduct, as described above, is the proximate and/or producing cause of Plaintiff's actual damages. As a result of the conduct of the Defendant, John Suarez's 2003 F-150 pickup truck was totally destroyed. The difference in the fair market value of said vehicle immediately before said collision as compared to its fair market value following said collision was Twenty-One Thousand Five Hundred Fifty-One and 30/100 Dollars (\$21,551.30), all to Plaintiff's damages in that sum.

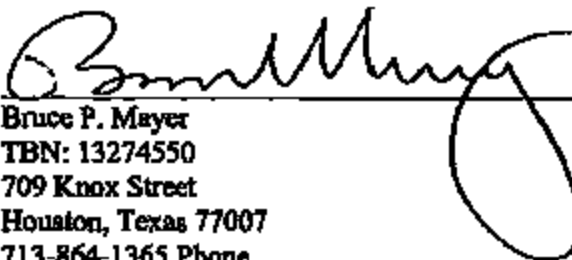
WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that Defendant be cited to appear and answer, and that on final trial Plaintiff have:

1. Judgment against Defendant for Twenty-One Thousand Five Hundred Fifty-One and 30/100 Dollars (\$21,551.30) with post-judgment interest at the legal rate;
2. Costs of suit; and
3. Such other and further relief, both general and special, legal and equitable, to which Plaintiff may be justly entitled.

Respectfully submitted,

LAW OFFICE OF BRUCE P. MAYER

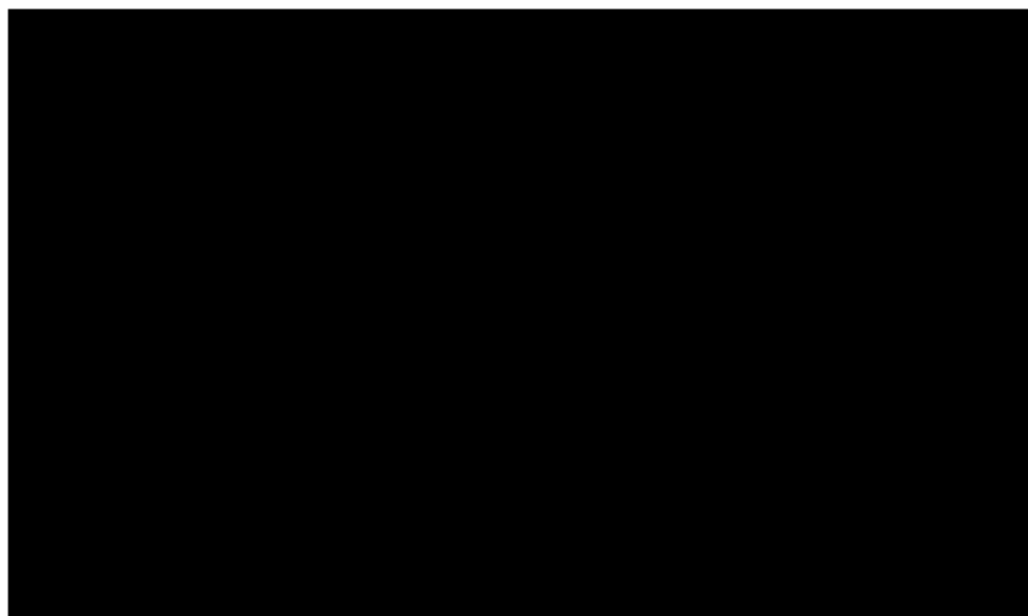
By:



Bruce P. Mayer
TBN: 13274550
709 Knox Street
Houston, Texas 77007
713-864-1365 Phone
713-864-9272 Fax

ATTORNEY FOR PLAINTIFF





AIC-File

Advanced Investigative Concepts
Fire and Explosion Scene Analysis

Fire Investigation Report

Vehicle Fire (Inside Structure)

File Number: AIC-0010105-SF

Prepared For:

State Farm Insurance Company
Claim Number [REDACTED]

Insured:

[REDACTED]

Loss Description:

**1996 Ford Ranger
1702 Creekhaven Drive
Duncanville, Texas**

Attention:

**Ms. Shanna Novak
Claim Representative
State Farm Insurance Company
2424 W. Pleasant Run Road
Lancaster, Texas 75146**

January 13, 2006


David Mark Howell, C.F.I./C.F.E.I.
AIC Director / Senior Fire Consultant

Advanced Investigative Concepts
One Fox Hollow Run
Denton, Texas 76208

Telephone/Fax: (940) 321-1702
(800) 213-1955 PIN #05
E-mail: MarkHowell@centurytel.net

EA05-005-LC-0545

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B. Photographs	
1. Photography Log	
2. Photographs	
C. Fire Consultant Curriculum Vitae	
D. Fire Analysis & Photographs on CD (inside back cover)	

Section I

Introduction

Ms. Shanna Novak, Claim Representative, representing State Farm Insurance Company, retained Advanced Investigative Concepts (AIC-Fire) on January 3, 2005 to determine the origin and cause of a vehicle and structure fire loss that occurred on January 2, 2005.

The location of the 1998 Ford Ranger pick-up, when examined, was inside the residential garage of [REDACTED] the insured. The residence was located at [REDACTED] in Duncanville, Texas.

AIC-Fire Senior Fire Consultant David Mark Howell, C.F.I. / C.F.E.I., conducted the vehicle and scene examination on January 3, 2005.

Opinions and conclusions contained in this report are based on information available at the time of the investigation. In the future, if any other information, which could in any way impact or affect the conclusion contained herein becomes available; we will revise and amend our determination as deemed appropriate.

This report was prepared for the exclusive use of State Farm Insurance Company and is not intended for any other purpose.

Section II

Origin and Cause

The fire originated around the brake master cylinder in the engine compartment of the 1998 Ford Ranger. It is suspected that the fire was caused by a faulty cruise control deactivation switch which was attached to the brake master cylinder. The burn patterns place the area of origin around the brake master cylinder. The electrical components and the wiring of the cruise control deactivation switch will need to be examined, by a qualified engineer, to determine the exact cause of the fire.

Section III

Fire Analysis

On January 3, 2005, this investigator examined the fire-damaged vehicle and residence of [REDACTED] the insured. The vehicle was located in the garage, of the residence, at [REDACTED] Texas when inspected. The 1998 Ford Ranger and residence were damaged by fire on Sunday, January 2, 2005 at approximately 2:13 a.m.

Structure and Vehicle Analysis:

Examination, of the residence, was begun on the west (front) side and continued clockwise systematically. The examination of the vehicle which was parked in the garage, attached to the south side of the residence, was begun on the exterior front and continued clockwise systematically. Digital photography was used to document the damaged structure and vehicle.

The residence sustained heavy fire, heat, and smoke damage. The heavy smoke from the fire, which originated in the garage located on the southwest corner of the home, extended into the residence. The damage sustained by the residence was caused by the vehicle fire that occurred in one stall of the garage. All of the damage, sustained throughout the residence was documented by photography. All of the photographs are included on the CD attached to the back cover of this report (Photograph 1).

The residence had a three-car garage with the two-car garage being separated from a single stall garage where the fire originated. There was heavier fire damage found in the single car garage than was found anywhere else throughout the structure. Heavy fire damage was noted on the face of the bricks located above the garage door (Photograph 2).

The 1998 Ford Ranger was totally destroyed by the fire that originated inside the engine compartment of the vehicle. The combustible grill and front light assemblies were found partially consumed and melted onto the front bumper of the vehicle. There did not appear to have been any previous collision damage to the vehicle. The wheels were factory Ford equipment and the tires were found to be in relatively good condition. Although fire damaged, the tires had not been consumed. The aluminum hood sustained heavy fire damage and was found partially consumed along the firewall. There was heavy oxidation on the driver's side, of the engine compartment, near the firewall. The fire had breached the windshield and entered the passenger compartment. Heavy oxidation was found to the top, of the vehicle, which was caused by exposure to the fire that originated in the engine compartment (Photograph 3).

There was a combustible bed cover, which was in relatively good condition, installed on the bed of the truck. The burn patterns indicated that the fire had traveled from the front of the vehicle toward the rear. The fire in the interior, of the vehicle, was severe enough that it breached the windows located on all sides. Again, there was heavy oxidation and heat stress noted to the top of the cab. The rear tire and wheel matched those found on the front (Photograph 4).

The garage and the rear of the vehicle sustained heat damage down to a level located about three feet above the floor of the garage. The line of demarcation was relatively even, from side to side, and indicated that the fire had originated at the front of the vehicle. The combustible taillight assemblies were found melted, but found in place at the rear of the vehicle. Texas license plate [REDACTED] was found affixed to the rear bumper of the Ford truck (Photograph 5).

The driver's side rear bed, of the vehicle, appeared to have sustained damage similar to that found on the opposite side. Again, the factory Ford wheel and aftermarket tire were found fire damaged, but still intact (Photograph 6).

The burn patterns found on the driver's side, of the cab, were found to be similar to those on the bed. The line of demarcation was also found to be approximately three feet above floor level. As aforementioned, the windows had been breached, by the fire, and the interior of the vehicle sustained heavy fire damage. The front driver's side fender sustained heavier fire damage when the fire vented, to the exterior, under the fender well. The driver's side front tire sustained heavy fire damage from direct flame impingement. Oxidation was noted to the fender of the vehicle indicating it was exposed to extreme heat from the fire. The driver's side, of the engine compartment, sustained the heaviest fire damage (Photograph 7).

The interior, of the vehicle, had been damaged from the top downward. Once the fire entered the passenger compartment, thru the windshield, it consumed the combustible materials of the dash and the top sections of the combustible seats. All of the fire patterns indicated that the fire originated inside the engine compartment and then traveled into the passenger compartment of the Ranger (Photograph 8).

The distorted metal of the passenger compartment top was the result of direct flame impingement as the fire burned combustibles within the compartment. Once ignited, the headliner collapsed onto the seats in the passenger compartment (Photograph 9).

There was a radial burn pattern that extended from the firewall located on the driver's side, of the vehicle, and there was heavy oxidation to the surrounding steel support structures which indicated that the fire had originated over the brake master cylinder. The aluminum hood was partially consumed in, what would later be determined to be, the area of origin. The front, of the hood, sustained substantially less fire damage (Photographs 10 and 11).

The electrical fuse/relay distribution box was located on the driver's side fender well. The large wiring harness was located in the same area and extended along

the firewall to the passenger's side of the engine compartment. The aluminum alloy brake master cylinder had been mostly consumed as had the plastic brake fluid reservoir (Photograph 12).

The hood was removed from the vehicle and the engine compartment was examined. There was a substantially larger amount of combustible materials found to be only partially consumed on the passenger's side which indicated that the fire was not as intense, on the passenger's side, as it had been on the driver's side. The alternator and the positive alternator cable were inspected and ruled out as being sources of ignition. There were no electrical faults found to the alternator cable (Photograph 13).

The battery, located on the driver's side front quadrant of the engine compartment, sustained heavy fire damage from the rear which was toward the area of origin. The battery cables were inspected and no electrical faults were found. It was noted that the aluminum alloy materials, around the brake master cylinder, had been consumed however, those located in other areas of the engine compartment were found not to be melted. The aluminum radiator had not been consumed by the fire (Photograph 14).

The electrical distribution panel had been destroyed by the intense fire. The plastic composite material exterior housing, of the box, had been melted onto the electrical components. The electrical distribution box will need to be examined, by a qualified engineer, to determine if, in fact, any faults occurred. It must be noted, however, that damage to the master cylinder was much more extensive and the combustible material of the box housing were not totally consumed (Photograph 15).

The wiring harness, which ran between the electrical distribution box and the opposite side of the engine compartment, sustained heavy heat stress damage. The wires were collected, in a plastic bag, to preserve them as evidence. There

were no components removed, from the vehicle, during the inspection (Photograph 16).

Interviews:

[REDACTED] the Insured, was interviewed on the day of the inspection. [REDACTED] said that he had driven the Ford to his acreage in Bandera, Texas on the weekend of the fire. He said that he had driven, from Bandera back to Duncanville and arrived home at approximately 6:00 p.m. on the evening prior to the fire. He parked the truck in the garage without incident. [REDACTED] said that he used the cruise control, on the vehicle, during most of his highway travel. He said that he had not experienced any recent mechanical trouble with the vehicle.

Conclusion:

In conclusion, based on the vehicle fire examination and witness statements, this investigator has determined the fire originated in the engine compartment around the brake master cylinder. It is suspected that the fire was caused by a faulty cruise control deactivation switch which was attached to the brake master cylinder. The burn patterns place the area of origin around the brake master cylinder. The electrical components and the wiring of the cruise control deactivation switch will need to be examined, by a qualified engineer, to determine the exact cause of the fire.

Section IV

Overview

1. The fire-damaged vehicle was analyzed and photographed.
2. Robert Summers, the insured, was interviewed.
3. The Duncarville (Texas) Fire Department Incident Report was reviewed.
4. The pertinent data was compiled and evaluated. This fire report was written after all available information was received and a determination of the origin and cause of the fire was made.

Section V
Attachments

Section V

Attachment A

Duncanville (Texas) Fire Department Incident Report

DIS10	TX	MM	DD	YYYY	2	05-0000023	000	<input type="checkbox"/> Select	NRMS -1
FDIN *	Class *	Incident Date *	Alarm	Alarm	Alarm	Alarm	Alarm	<input type="checkbox"/> Change	Basic
								<input type="checkbox"/> No Activity	

Location

☐ Check this box to indicate that the address for this incident is provided on the incident form. Do not check this box if the address is not provided on the incident form.

☒ Street address

☐ Intersection

☐ In front of

☐ Back of

☐ Adjacent to

☐ Directions

Address: [REDACTED]

City: Duncanville

State: TX

Zip: 75001

Phone: [REDACTED]

Other: [REDACTED]

Incident Type

10 Mobile property (vehicle) fire

Aid Given or Received

☐ Medical aid received

☐ Ambulance aid received

☐ Ambulance aid given

☐ Ambulance aid given

☐ Other aid given

☐ None

1. Data & Times

Check box if alarm was given

Month: 01, Day: 02, Year: 2005

Alarm #: 02, 02, 2005, 02:13:44

Arrival #: 01, 02, 2005, 02:14:33

Controlled: ☐

Lost Unit: ☐

Clearance: 01, 02, 2005, 02:53:53

2. Shift & Alarm

Level: 01, 02

3. Special Studies

Level: 01, 02

Actions Taken

10 Fire, Other

Primary Action Taken (1)

Secondary Action Taken (2)

Tertiary Action Taken (3)

4. Resources

Check box if resources were used

Suppression: 0000, 0014

Other: [REDACTED]

5. Estimated Dollar Losses & Values

Property: \$ [REDACTED], [REDACTED], [REDACTED]

Contents: \$ [REDACTED], [REDACTED], [REDACTED]

Property: \$ [REDACTED], [REDACTED], [REDACTED]

Contents: \$ [REDACTED], [REDACTED], [REDACTED]

Completed Modules

Fire-1

Structure-2

Civil Fire One-3

Fire Serv. One-4

Fire Serv. Two-5

Fire-6

Fire-7

Wildland Fire-8

Apparatus-9

Personnel-10

Alarm-11

11. Casualties

Deaths: [REDACTED]

Injuries: [REDACTED]

Civilian: [REDACTED]

12. Detectors

1 Detector alerted

2 Detector did not alert

3 Other

13. Hazardous Materials Release

1 None

2 Personal: [REDACTED]

3 Flammable: [REDACTED]

4 Corrosive: [REDACTED]

5 Toxic: [REDACTED]

6 Explosive: [REDACTED]

7 Radioactive: [REDACTED]

8 Other: [REDACTED]

14. Mixed Use Property

10 Not mixed

11 Assembly use

12 Educational use

13 Medical use

14 Residential use

15 How of stores

16 Religious hall

17 Bus & Residential

18 Office use

19 Industrial use

20 Military use

21 Other mixed use

Property Use Structures

11 Church, place of worship

12 Restaurant or cafeteria

13 Bar/Tavern or nightclub

14 Elementary school or kindergarten

15 High school or junior high

16 College, adult education

17 Care facility for the aged

18 Hospital

Outside

14 Blaground or park

15 Grove or orchard

16 Forest (timberland)

17 Outdoor storage area

18 Dump or sanitary landfill

19 Open land or field

341 Clinic, clinic type infirmary

342 Doctor/dentist office

343 Prison or jail, not juvenile

419 1 or 2 family dwelling

420 Multi-family dwelling

430 Rooming/boarding house

440 Commercial hotel or motel

450 Residential, board and care

460 Dormitory/school

519 Food and beverage sales

520 Vacant lot

521 Graded/care for plot of land

522 Lake, river, stream

523 Railroad right of way

524 Canal street

525 Highway/divided highway

526 Residential street/driveway

527 Household goods, sales, repairs

528 Motor vehicle/boat sales/repair

529 Gas or service station

530 Business office

531 Electric generating plant

532 Laboratory/science lab

533 Manufacturing plant

534 Livestock/poultry storage (barn)

535 Non-residential parking garage

536 Warehouse

537 Construction site

538 Industrial plant yard

Property Use: 419

1 or 2 family dwelling

Person/Entity Involved

Local Option

Continued from FRX Application

Date Code

Phone Number

Check this box if
address is
different location.
Then ship the three
duplicate address
labels.

Mr., Ms., Mrs. First Name

M

Last Name

Suffix

Address

Public Street or Highway

Apartment Type

Suffix

Post Office Box

Apartment/Building/Room

City

State

Zip Code

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

Owner

☐ Same as person involved
Then check this box and ship
the rest of this form.

Continued from FRX Application

Date Code

Phone Number

Check this box if
same address as
previous location.
Then ship the three
duplicate address
labels.

Mr., Ms., Mrs. First Name

M

Last Name

Suffix

Address

Public Street or Highway

Apartment Type

Suffix

Post Office Box

Apartment/Building/Room

Duncanville

City

State

Zip Code

Remarks

Local Option

Arrived on scene to find a lot of smoke in the area. Fire was then seen through garage window. Garage door was opened by occupant and truck inside was found on fire with fire extending onto roof of garage. The 250' crosslay was pulled by acting Capt. Riffe and Pvt. Ary and advanced through the front door and lead to the garage. The 200' crosslay was pulled by Pvt. Laybe and used to knock down flames through the garage windows. Fire extension was confined to the single car garage, although smoke extended throughout the house. Truck was a 1998 Ford Ranger 4 x 4 VIN # 1FTRR15X4W [REDACTED], LIC TAG [REDACTED]. Damage was sprayed throughout the garage and the attic was checked for fire extension. Pvt. [REDACTED] examined area for cause and origin.

FRX-001-LC-0001

Authorization

4897

Officer in charge is

Riffe, Tim

Signature

FRX

Position or rank

Assignment

01

02

2005

Month

Day

Year

is ☒ 4897

Number making report is

Riffe, Tim

Signature

FRX

Position or rank

Assignment

01

02

2005

Month

Day

Year

Section V
Attachment B
Photographs

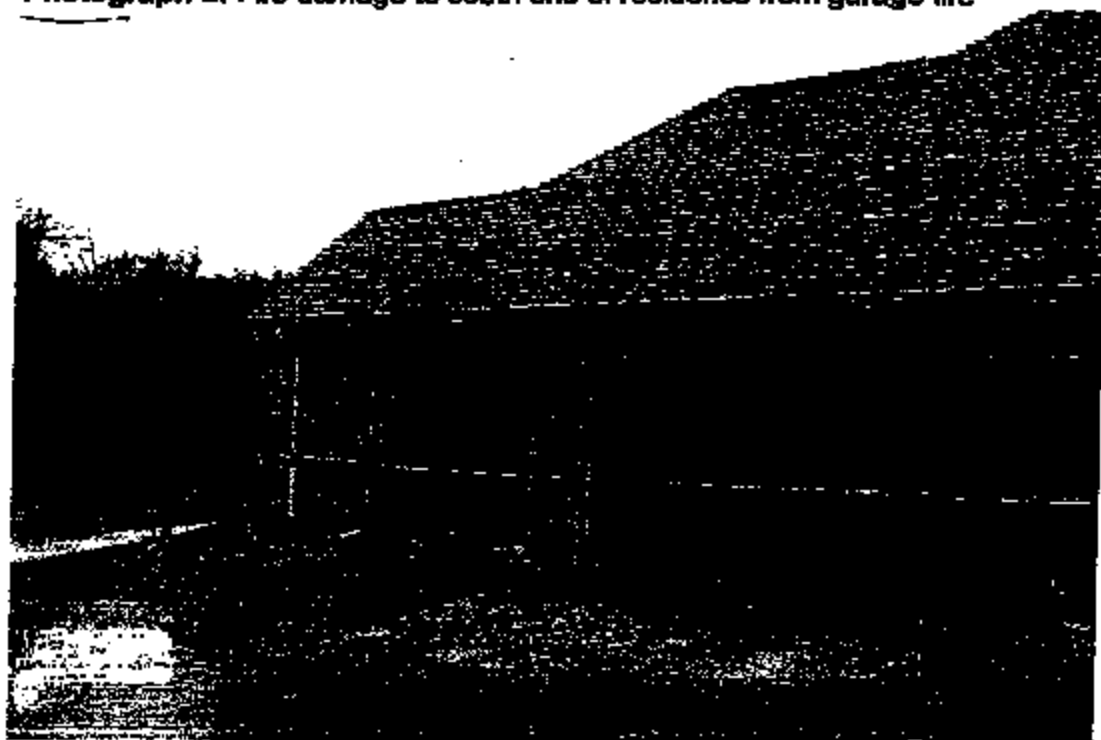
Photography Log

- Photograph 1: Residence at 1007 Creekhaven Drive in Duncanville, Texas**
- Photograph 2: Fire damage to south end of residence from garage fire**
- Photograph 3: Front of the 1998 Ford Ranger**
- Photograph 4: Passenger's side of vehicle**
- Photograph 5: Rear of the Ford Ranger**
- Photograph 6: Driver's side rear of vehicle**
- Photograph 7: Driver's side cab and front fender**
- Photograph 8: Interior of vehicle**
- Photograph 9: Fire damage to roof of passenger compartment**
- Photograph 10: Radial burn pattern over area of origin**
- Photograph 11: Fire damage to the driver's side front fender and tire**
- Photograph 12: Area of origin around brake master cylinder**
- Photograph 13: Passenger's side of engine compartment**
- Photograph 14: Driver's side of engine compartment**
- Photograph 15: Electrical distribution box**
- Photograph 16: Wiring harness bagged to preserve evidence**

Photograph 1: Residence at [REDACTED] in Duncanville, Texas



Photograph 2: Fire damage to south end of residence from garage fire



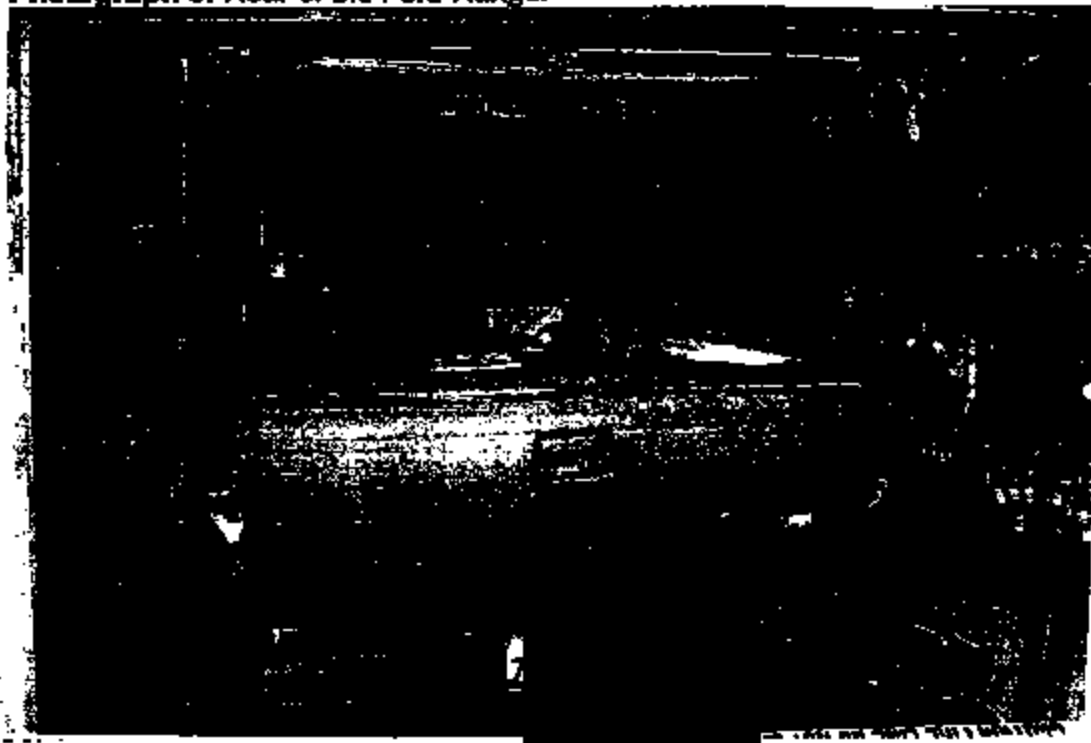
Photograph 3: Front of the 1998 Ford Ranger



Photograph 4: Passenger's side of vehicle



Photograph 5: Rear of the Ford Ranger



Photograph 6: Driver's side rear of vehicle



Photograph 7: Driver's side cab and front fender



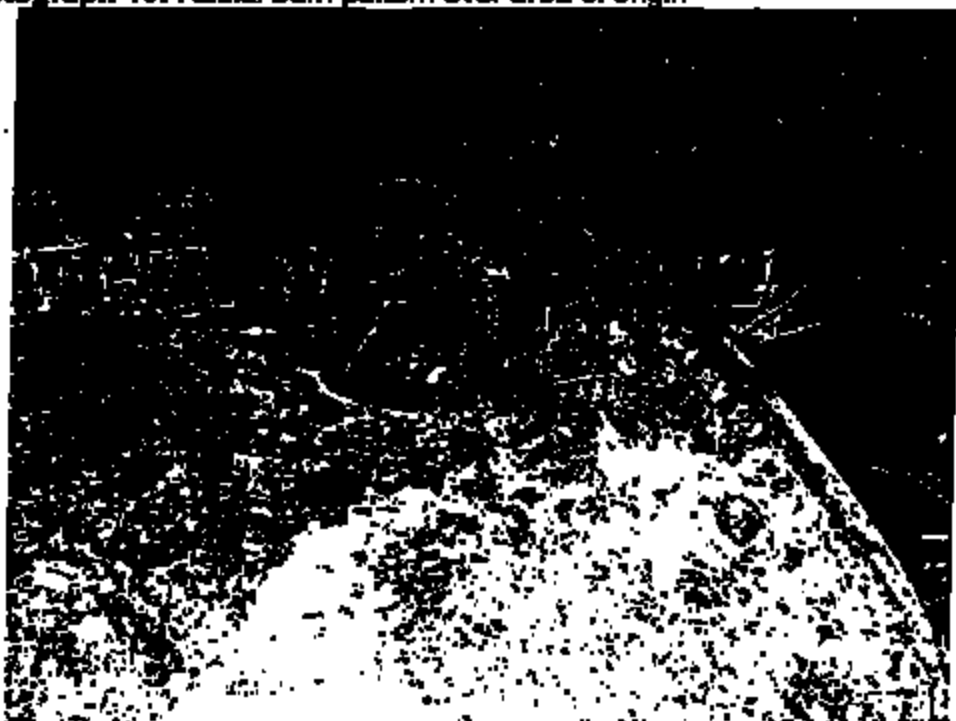
Photograph 8: Interior of vehicle



Photograph 9: Fire damage to roof of passenger compartment



Photograph 10: Radial burn pattern over area of origin



Photograph 11: Fire damage to the driver's side front fender and tire



Photograph 12: Area of origin around brake master cylinder



Photograph 13: Passenger's side of engine compartment



Photograph 14: Driver's side of engine compartment



Photograph 15: Electrical distribution box



Photograph 18: Wiring harness begged to preserve evidence



Section V
Attachment C
Fire Consultant Curriculum Vitae

**Mark Howell, C.F.I., Senior Fire Consultant
Curriculum Vitae and Training**

David "Mark" Howell is Director and Senior Fire Consultant of Advanced Investigative Concepts, Inc.; a Texas licensed private investigation company specializing in fire origin and cause investigations. Mark has over twenty-eight years experience in the fire service and has served as a Firefighter/Paramedic and the Fire/Arson Investigator for the Carrollton, Texas Fire Department. In 2000, after serving eight-years as the Fire & Arson Investigator for the City of Carrollton, Texas, he was appointed Special Deputy United States Marshal and assigned to the United States Treasury, Bureau of Alcohol, Tobacco and Firearms, Dallas Group II Bomb and Arson Task Force. Mark retired in 2002 from the municipal fire service and the ATF task force.

Mark holds both the Certified Fire Investigator (CFI) certificate from the International Association of Arson Investigators and the Certified Fire and Explosives Investigator (CFEI) certificate from the National Association of Fire Investigators. With Carrollton, he was a State of Texas certified Advanced Firefighter, Advanced Arson Investigator, Intermediate Instructor, Peace Officer and Fire Inspector. He is Owner/Director of Advanced Concepts in Training, a seminar production company specializing in fire related topics and has coordinated numerous workshops and seminars in North Texas. Mark has investigated over 1000 fires and has testified as an expert witness in state and federal criminal arson related trials. Also, he has given several civil depositions referencing fire investigations and has testified as an expert witness in civil court.

Mark is past-president of the North Texas Fire Investigators' Association (NTFIA) and has served several years as NTFIA Secretary/Treasurer. He is a current Director of A Texas Advisory Council on Arson (ATAC). Besides his affiliation with NTFIA and ATAC, Mark holds memberships in the International Association of Arson Investigators (IAAI) and the Texas Chapter of IAAI, the National Association of Fire Investigators, and until retirement, the North Texas Chapter of International Association of Special Investigative Units, the Texas Police Association, and the International Association of Firefighters.

Mark's accolades include being nominated in 1996 by A.T.F. Dallas Group II supervisors as the National Association of Police Organization's national award of "Top Cop" and, he has twice been presented the *Excellence in Service* award and once the *Carrollton Ambassador* award by the City of Carrollton along with numerous commendations.

Mark Howoff, C.F.I., Senior Fire Consultant**Training:**

1974 to 2002, Carrollton Texas Fire Department; Firefighter
1988 to 2000, Emergency Medical Education; Director/Instructor
1994 to 2002, Advanced Concepts in Training; Director/Instructor
1990, Emergency Resource; Surviving the Hazardous Materials Incident
1991, Texas Engineering Extension Service; Methods of Teaching
1991, National Fire Academy; Hazardous Material Responder
1991, Texas Commission on Fire Protection Personnel Standards and Education; Intermediate Instructor
1993, Appointed Fire & Arson Investigator for the City of Carrollton, Texas
Police Academy: 1993, North Central Texas Council of Governments Regional Police Academy; Basic Course in Applied Police Science - Peace Officer
1993, Texas Engineering Extension Service, The Texas A&M University System Criminal Justice Academy; Standardized Field Sobriety Testing
1993, National Academy for Professional Driving; Tactical Police Driving
1993, Public Agency Training Council; Kinesic Interview and Interrogation Techniques
Arson / Fire Investigation Academy: 1993, Dallas County Fire Academy; Fire & Arson Investigation (Fire and Arson Investigator Certification Course)
1993, Texas Commission on Fire Protection Personnel Standards and Education; Investigator
1993, Carrollton Police Department; Crime Scene Search
1993, Texas Engineering Extension Service, The Texas A&M University System Fire Protection Training Division; Ignition To Trial
1993, National Fire Academy; Instructional Techniques for Company Officers
1994, Carrollton Fire Department; Crime Scene / Arson Investigation Photography
1994, International Association of Arson Investigators; Fire Investigation Theory Applied to Live Burns
1994, Texas Engineering Extension Service, The Texas A&M University System Fire Protection Training Division; 39th Annual Texas Fire and Arson Investigators Seminar
1994, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms National Academy, Glynnco, GA.; Advanced Arson for Profit Course
1994, Federal Bureau of Investigation's Law Enforcement Officers Training School; Photography
1994, Cellular Telecommunications Industry Association, Washington, D.C.; Cellular Fraud Awareness and Prevention Training
1994, Public Agency Training Council; Advanced Kinesic Interview Interrogation Techniques
1994, International Fire Code Institute; Uniform Fire Code Update
1995, North Texas Fire Investigators' Association, Secretary
1995, Texas Engineering Extension Service, The Texas A&M University System; 40th Annual Texas Fire and Arson Investigators Seminar
1995, International Training Association; Advanced Cause and Origin/Expert Witness
1995, National Association of Fire Investigators; Determining the Cause and Origin of Fires and Explosions Training Seminar, Chicago, IL

1995, Lewisville Fire Department; Ordnance / Explosive Recognition
1995, International Association of Arson Investigators; Juvenile Firesetter Intervention
1996, North Texas Fire Investigators' Association, 2nd Vice-President
1996, Texas Commission on Fire Protection Personnel Standards and Education; Fire
and Arson Investigator Intermediate
1996 to 2002, Texas Commission on Fire Protection Personnel Standards and
Education; Fire and Arson Investigator Advanced
1996, Institute of Criminal Justice Studies; Juvenile Law for Street Officers
1996, International Training Association; Practical Bomb and Explosive Device
Investigations
1997, North Texas Fire Investigators' Association, 1st Vice-President
1997, The Texas A&M University System, Texas Engineering Extension Service Fire
Protection Training Division; Texas Fire and Arson Investigators Seminar
1997, North Central Texas Council of Governments Regional Police Academy; Cultural
Diversity
1997 to 2001, Texas Commission on Fire Protection Personnel Standards and
Education; Fire Inspector
1997, North Central Texas Council of Governments Regional Police Academy; Special
Investigative Topics
1997, International Association of Special Investigation Units; I.A.S.I.U. Seminar
1997, North Texas Fire Investigators' Association; Advanced Concepts In Fire
Investigations
1997, Massachusetts State-Wide Coalition for Juvenile Firesetter Intervention Programs;
Massachusetts Juvenile Firesetter Intervention Program
1997, Office of the Governor; Writing to Win
1998, North Texas Fire Investigators' Association, President
1998, Collin County Criminal District Attorney's Office; Texas Homicide Symposium
1998, The Texas A&M University System, Texas Engineering Extension Service Fire
Protection Training Division; Texas Fire and Arson Investigators Seminar
1998, U.S. Department of Justice, F.B.I.; Interviewing & Interrogation Techniques
1998, The Texas A&M University System; Determination: Arson, How to Investigate the
Crime
1998, North Texas Fire Investigators' Association; A Basic Fire Investigation
1999, The Texas A&M University System, Texas Engineering Extension Service Fire
Protection Training Division; Texas Fire and Arson Investigators Seminar
1999, A Texas Advisory Council on Arson; Explosive Recognition & Interviewing
Techniques
1999, State of Texas, Office of the State Fire Marshal; Juvenile Firesetter Intervention
Program
1999, North Texas Fire Investigators' Association; Analytical Interviewing Techniques
2000, North Texas Fire Investigators' Association, Secretary/Treasurer
2000 to 2002, United States Treasury, Bureau of Alcohol, Tobacco and Firearms, Dallas
Group II Bomb and Arson Task Force; Investigator
2000, The Texas A&M University System, Texas Engineering Extension Service Fire
Protection Training Division; Texas Fire and Arson Investigators Seminar
2000, Texas Chapters of IASIU; Here and Beyond 2000

2000, North Texas Fire Investigators' Association; NFPA 921 Series, Basic Methodology, Recording the Scene, & Explosions
2000 to 2002, United States Department of Justice, United States Marshal's Service; Special Deputy United States Marshal.
2000 to present, Texas Commission on Private Security; Investigation Company Owner (Advanced Investigative Concepts, Llc. # A10050)
2000 to present, Texas Commission on Private Security; Owner/Manager, Llc. # 9424
2001, North Texas Fire Investigators' Association, Secretary/Treasurer
2001 to present, National Association of Fire Investigators; Certified Fire and Explosion Investigator
2001, The Texas A&M University System, Texas Engineering Extension Service Fire Protection Training Division; Texas Fire and Arson Investigators Seminar
2001, The North Texas Fire Investigators' Association; NFPA 921 Series, Fire Patterns, Legal Considerations, & Investigation of Motor Vehicle Fires
2001, United States Treasury, Bureau of Alcohol, Tobacco and Firearms; Advanced Explosives Investigative Techniques course
2001, The North Texas Fire Investigators' Association; NFPA 921 Series, Electricity & Fire, and Appliance Failures
2001, International Association Bomb Technicians and Investigators; Advanced Improvised Explosive Devices and Terrorist Activities Regional Training Conference
2002, Instructor, North Texas Chapter International Association of Special Investigative Units; Fraud Focus 2002, Fatality Fire Investigations
2002, The Texas A&M University System, Texas Engineering Extension Service Fire Protection Training Division; Texas Fire and Arson Investigators Seminar
2002 to present, International Association of Arson Investigators; Certified Fire Investigator
2002, Instructor, State Farm University, Fire Related Appliance Failures
2002, A Texas Advisory Council on Arson (ATAC), Director
2002, Instructor, Metropolitan Home and Auto, Fire Investigations
2002, Instructor, State Farm Insurance Company, Burn Pattern Recognition
2002, A Texas Advisory Council on Arson, Trial Preparation
2002, 19th Annual East Texas Arson Investigators' Seminar, Electrical Fire Investigation
2003, Instructor, NIGB & State Farm Insurance, 8th Annual Conference
2003, Instructor, Nationwide Insurance Company, Fire and Explosion Investigations
2003, Instructor, State Farm Insurance Company, Fire Scene Investigations
2003, Instructor, Republic Insurance Company, Fire and Death Investigations
2004, Instructor, North Texas Chapter International Association of Special Investigative Units Fraud Seminar; Structure and Vehicle Fire Investigations

Note: Bold denotes major schools, certifications, licenses, or appointments