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EDSC-025-10-9599

VEHICLE INSPECTION REPORT / TOTAL LOSS SETTLEMENT REPORT 36500

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GFI

Gaddy Fire investigations

309 Bowdin Court, Ladson, SC 29458-6243 Phone/Fax - 843-863-0297

INVESTIGATION REPORT

REPORT NUMBER: ONE

PRIVILEGED AND CONFIDENTIAL July 17, 2000

PREPARED FOR:

State Farm Insurance

PO Box 2679

Myrtle Beach, SC 29578

ATTENTION:

Ricky Prosser

INSURED:

DATE OF LOSS: July 9, 2000

LOSS LOCATION:

Squeaky's Towing

Hwy 501

Conway, SC

POLICY NUMBER:

Unknown

CLAIM NUMBER:

FILE NUMBER:

A-0040

Other on mid

CASE NO. A-0040 INSURED:

ASSIGNMENT

I received this assignment on July 13, 2000, from Mr. Ricky Prosser of State Farm Insurance Company. His instructions were to conduct an origin and cause investigation. The investigation commenced on July 14, 2000.

SUMMARY OF ORIGIN AND CAUSE

The fire originated in the engine compartment on the passenger's side close to the fire wall. It was caused by the ignition of transmission fluid that came in contact with the hot block.

RISK

The risk a 2000 Ford Explorer, with a confirmed VIN ending with the No odometer reading was possible, and there was no state tags on the vehicle. A six-cylinder fuel injected gasoline engine with an automatic transmission powers it.

EXAMINATION

The fire scane examination was conducted on July 14, 2000, at Squeaky's Towing on Highway 501 in Conway, SC. I also went to the spot where the vehicle burned, and photographed that area. The vehicle was unaltered, and no prior examination had been conducted.

EXTERIOR

The exterior was burned from bumper to bumper. The driver's side still had some paint on the bottom of the doors. The fire was much more intense on the passenger's side of the vehicle. There were four matching stock rims and tires. The front passenger's side tire had burned until even the rim had melted. The VIN plate was still readable and the gas cap was in place at the time of the loss.

INTERIOR

The interior was guitted by fire. The seats still had some material left on them. All of the normal equipment was still in place, such as radios and speakers. In addition, I saw no signs of after-market equipment. The fire was the hottest around the dashboard area on the passenger's side. The heater core was completely

CASE NO.

A-0040

INSURED:

burned away, and the patterns show that the fire extended from the engine compartment into the passenger compartment through this opening.

ENGINE COMPARTMENT

The engine compartment was burned, but the heaviest damage was on the passenger's side. The radiator was burned away. The battery was melted down to the plates, and the throttle body had melted from flame contact. The passenger's side of the fire walt appears to be where the fire originated. On the driver's side, there is still cloth coverings present on some of the hoses, and some of the rubber hoses are still in place. On the passenger's side, everything burned. The heater core is gone, the fuel rail is burned away and everything else in the area is melted. I checked the wiring harnesses, but found no indication of an electrical short. The degree of damage, and its location, leads me to believe that the tront seal of the transmission failed, and fluid was sprayed out onto the hot block. The transmission dipstick was dry, and I attempted to draw a sample with a pump. However, nothing could be drawn out. These facts, along with the insured's statement about the car barely moving just prior to the fire, indicates a loss of transmission fluid.

COMMENTS

I have now completed my assignment. The file will remain active, and any additional information will be added.

W.F. Gaddy, CFI Ladson, SC 843-863-0297

ENCLOSURES

Forty-two color photographs, with explanation sheet.

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CASE NO. A-0040

INSURED:

PHOTOGRAPH EXPLANATION SHEET

1	The VIN plate
2-5	The exterior
6	Showing the gas cap
7	The front passenger compartment
8	The rear seat
9	The trunk area
10	Showing where the heater core is missing at the dash board
11	Showing some of the cloth material still present in the backseat
12	Showing rubber moldings that were still on the roof of the car
13	Showing the inside of the hood
14-17	Showing the engine compartment
18	The transmission dipatick
19	The oil dipstick
20	Showing the pump that I used to try to draw a transmission sample
21	The battery compartment box
22	The melted bettery
23	Showing the passanger's side of the engine compartment
24	Showing the fire well and the digstick tube for the transmission fluid

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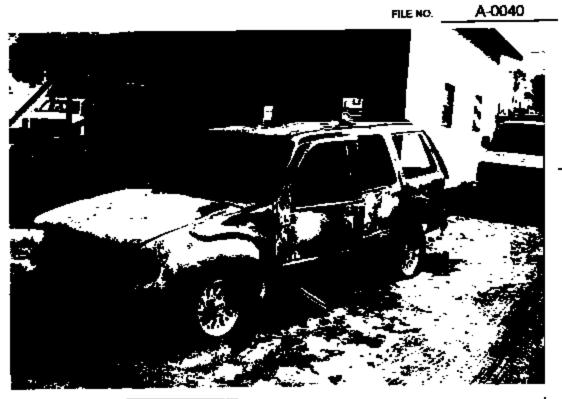
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INSURED:	A-0040
25	Showing the cloth material on the metal line, still present on the driver's side
26	The top-down view looking at the throttle body is melted
27	Showing the transmission cooler lines that have dropped
28	The front driver's side tire
29	The front passenger's side tire
30	The rear passenger's side tire
31	The rear driver's side the
32	Showing the red paint that is still visible on the driver's side
33	Showing some rubber molding that survived the fire on the driver's door
34	Showing the debris that I cleaned out from the driver's side floorboard, no keys were found in the vehicle
35-36	Showing the radio speakers are still in place
37	Locking down at the dashboard
38-42	Where the fire burned on Highway 905
	- Control of the cont



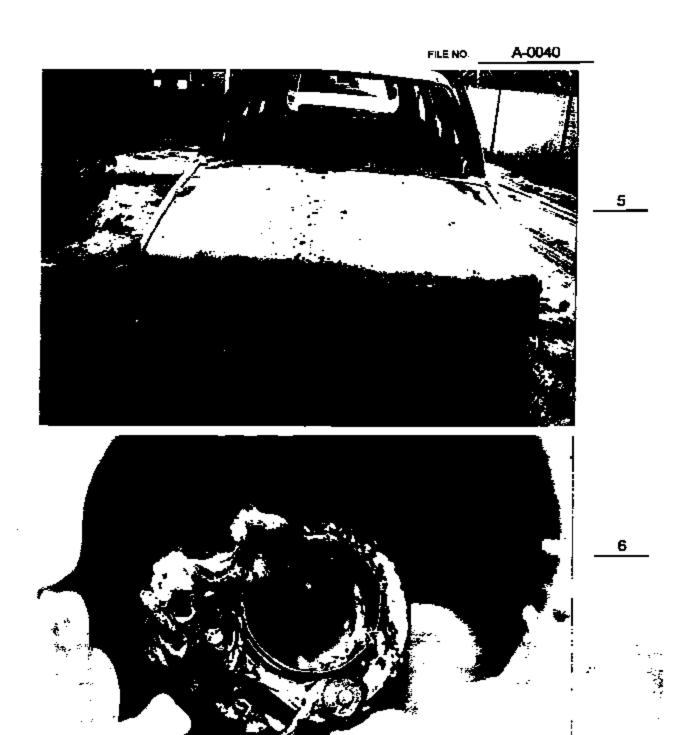


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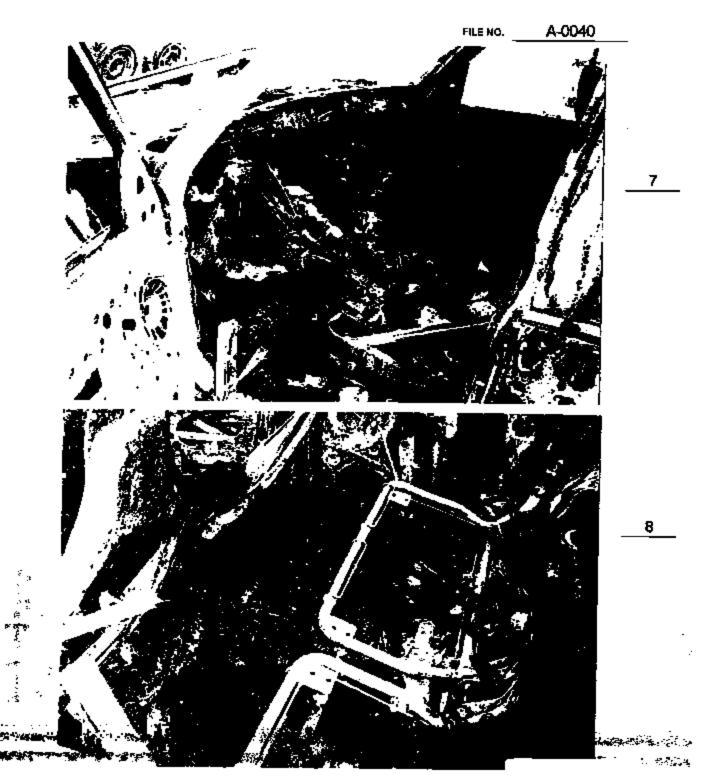




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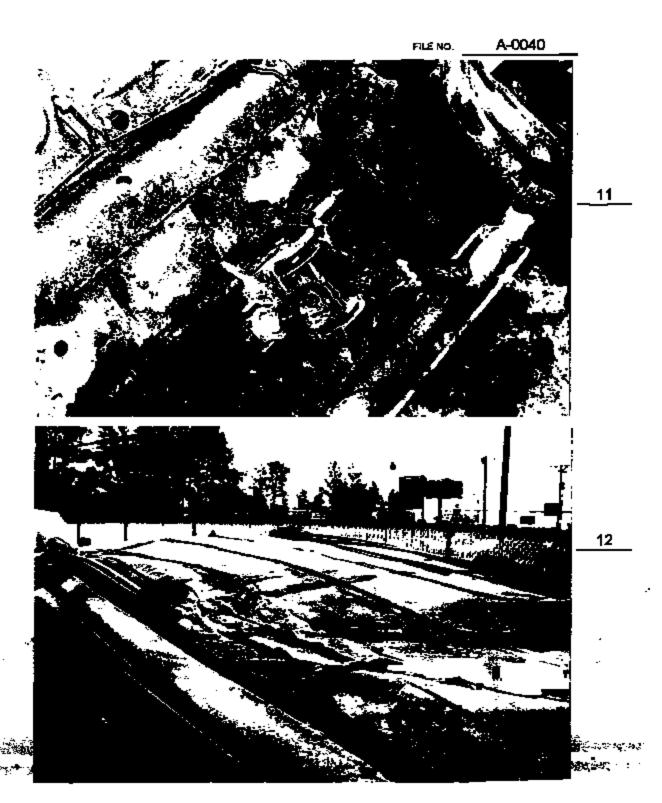


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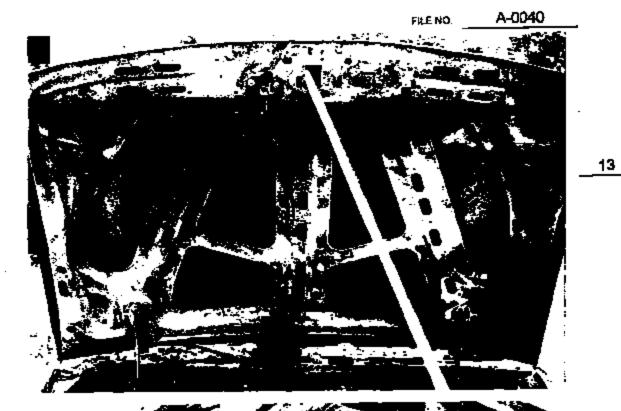




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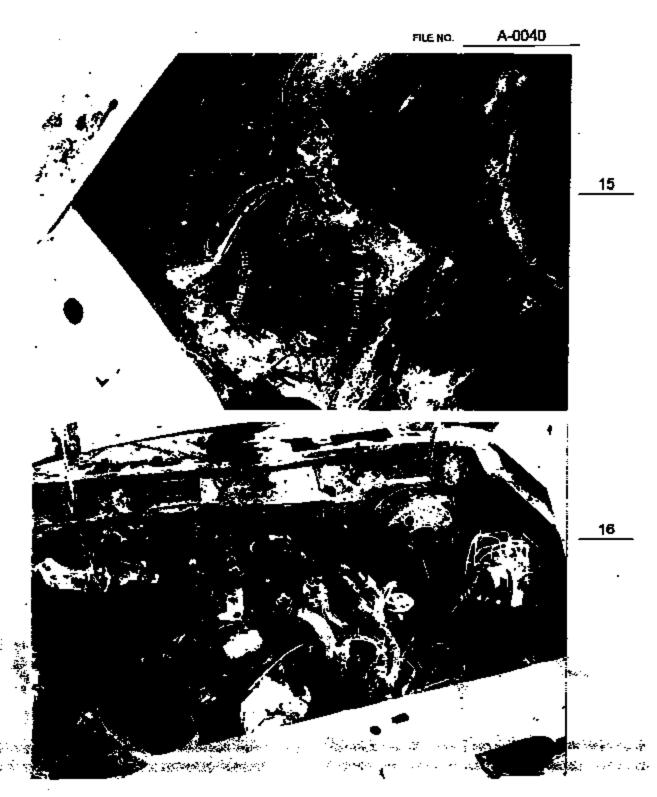
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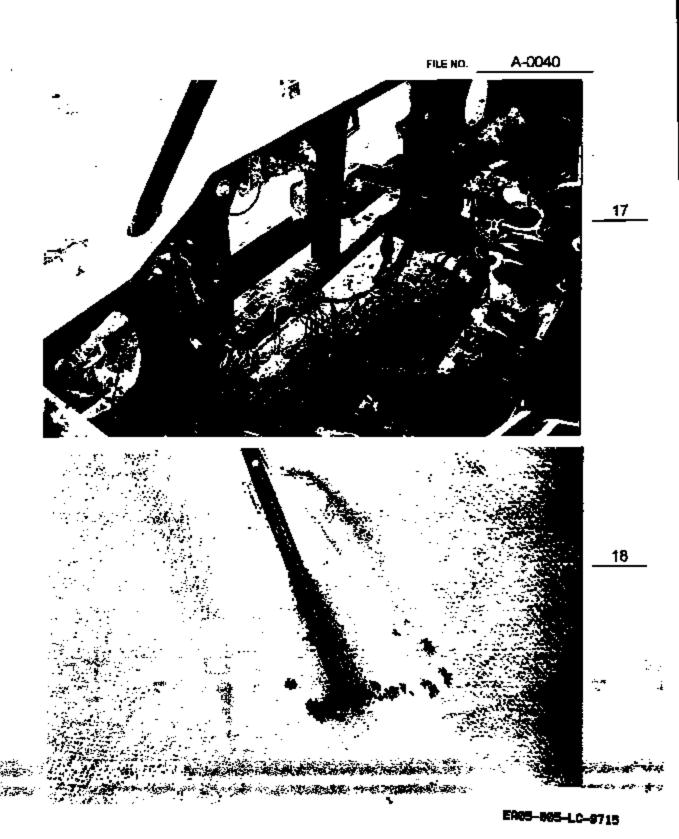






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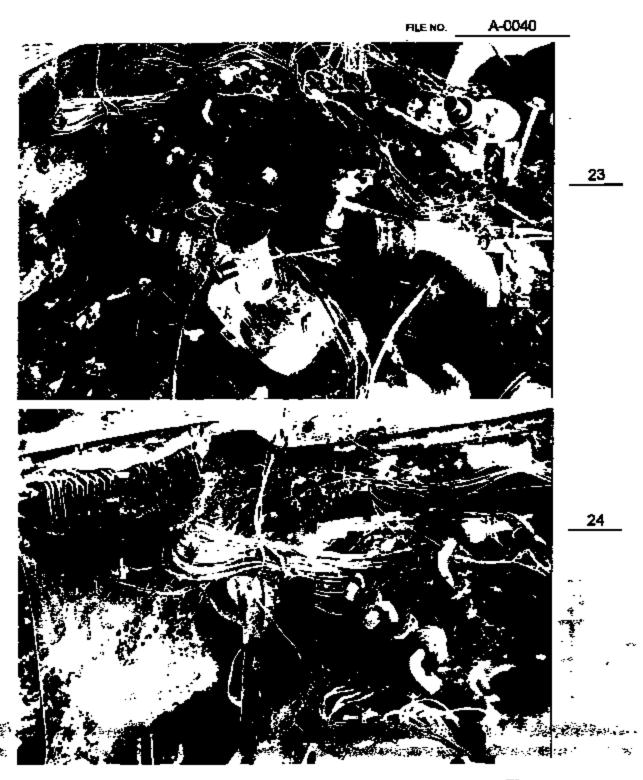






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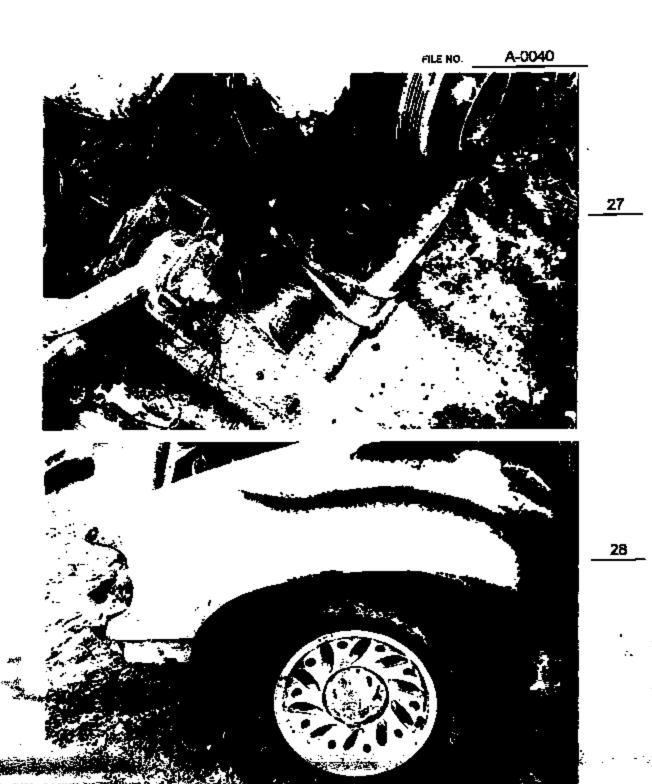






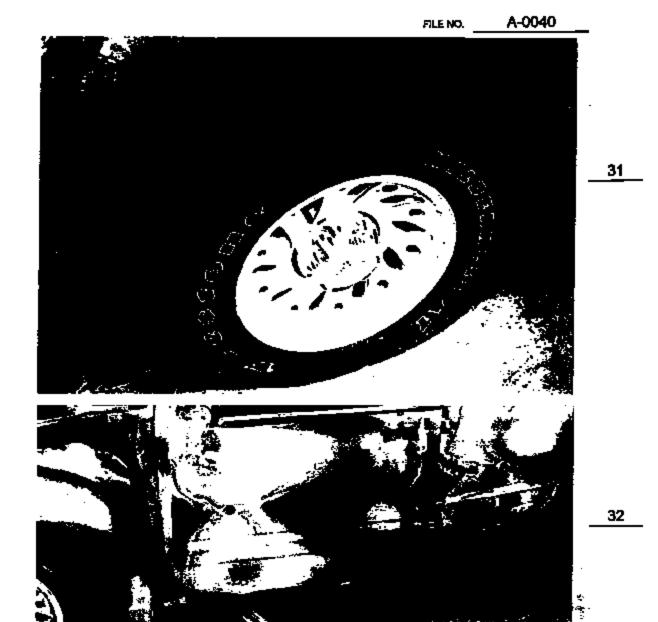
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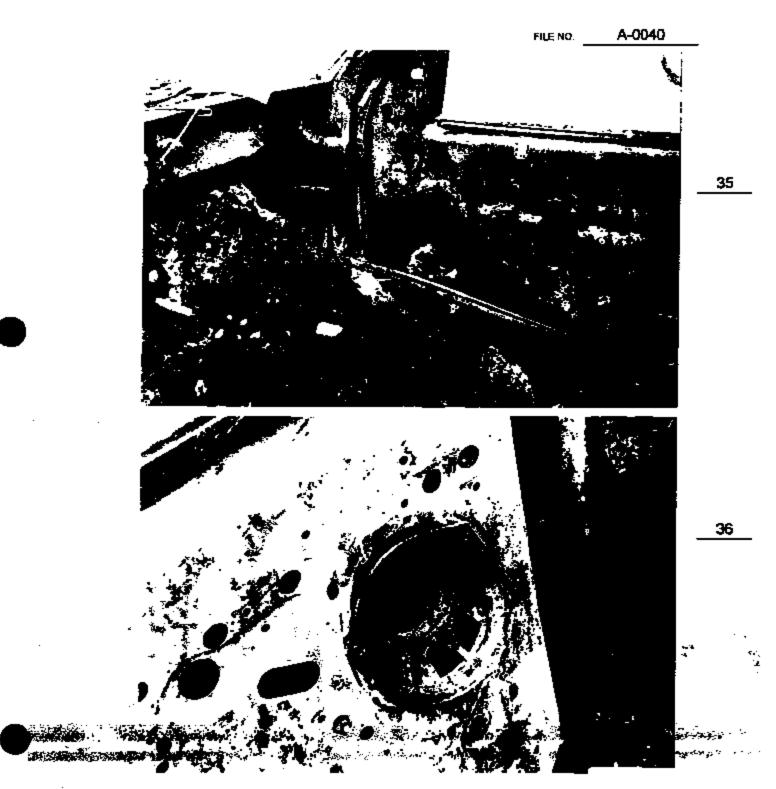
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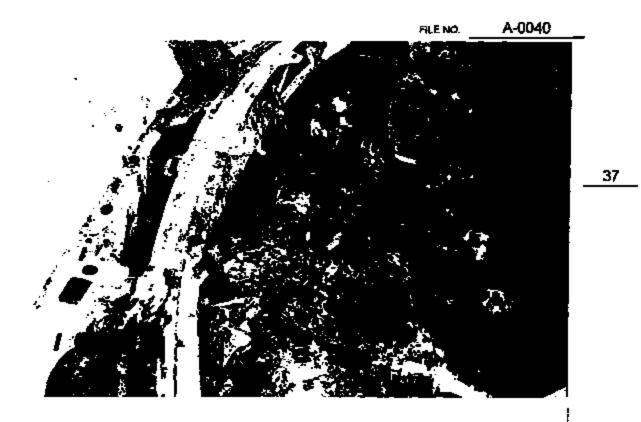


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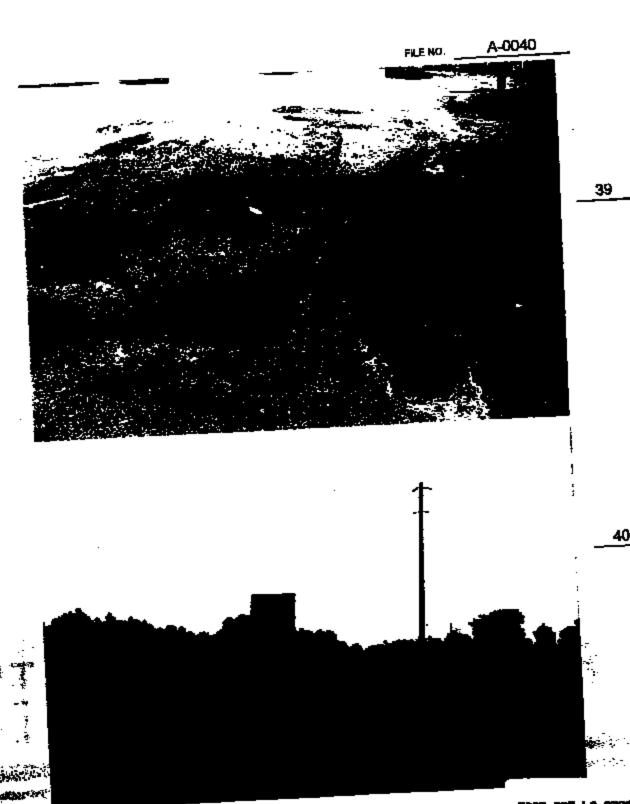
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EA05-005-LC-8727

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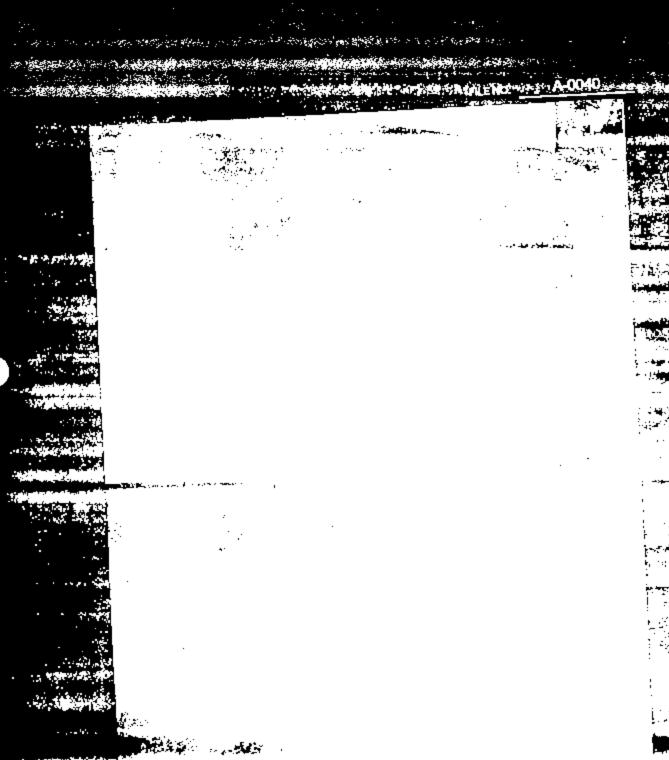
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FILE NO. A-0040 CALL

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Prospert Field Claim Giller 20. Haz 441-7021. Prospert, Minuts Gill 2441 800-854-8071

7ac 800-840-8823 816-866-683 MetLife Auto & Home

April 29, 2003

RECEIVED APR 2 9 2003

Notice of Claim

MetLifa

Warning! Your access to evidence may be limited unless

you respond immediately!

Location of Loss:

68 Plymouth Rd; Westbrook, CT 06498

Peril:

rire

Date of Loss:

4/16/03

Our Insured: Our Claim#:

WFA97936

Year Preduct:

1998 Ford Explorer; VIN# 1FMZU34X6W0

Ford Motor Co. Office of General Counsel Atta: Shawn Norton (313) 845-4089 $\frac{1}{2}$

Dear Shawn:

You are hereby put on notice that the above identified insurance carrier, on its own behalf and that of its insured, may bring a claim against your company for property damage arising out of a fire that occurred the address listed above.

Our preliminary investigation indicates that you, either alone or in conjunction with others, may be responsible for the loss inaument as the available evidence and preliminary investigation points to the 1998 Explorer as the origin of this fire.

Accepted by Mail-In Actor & Henry, a least of Makeyetting Property and Compile Symposium Company and He & Effects, Walledge, 31.

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Prospert Field Chim 600ce 20. Box 441-F021, Prospert, IRBnis 6922-6441 201-654-6011

Fee: \$60-310-8023 816-264-6623 MetLife Auto & Home

You are hereby given the opportunity to have a representative of your company examine the fire scene before restoration is begun or the scene is otherwise substantially altered. Due to our issured's need to restore the fire scene, as well as the health and safety concerns in regard to leaving the scene in its present state, there is only a very limited period of time that the fire scene can be left undisturbed for your examination. Accordingly, questions regarding this notice, this claim, or directions to the fire scene should be directed to the undersigned at (608) 835-1913.

You are strongly encouraged to acknowledge receipt of the Notice by return phone call as soon as possible if you wish to preserve your access to the fire scene or other evidence. However, your failure to acknowledge receipt of this Notice will not delay the time scheduled for restoration, cleanup or any other material changes in the fire scene.

Sincerely,

Mark D. Hagan Subrogation Adjuster

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IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS

Kansas City, Kansas)) 72 CY 0 6 7 0 2) Case No.:	
Plaintiff,) Chapter; 60	D1018
ν.)	
SHAWNEE MISSION FORD, INC. Serve Its Registered Agent: Richard G. Shull 11501 W. 63 rd Street Mission, Kansas 66203,)))	ر _م 22
and	}	Serve Louise Canada
FORD MOTOR COMPANY Serve Its Registered Agent: The Corporation Company, Inc. 515 S. Kansas Avenue Topeka, Kansas 66606,))))	REENED ISSUY OF KLEVENSON 1970 OF THE 2: 13 PARTISON OF THE RESIDENCE
Defendants.	}	in ==

PETITION

COMES NOW Plaintiff and for his cause of action against Defendants states as follows:

- That Plaintiff is a resident of Kansas City, Wyandotte County, Kansas.
- That Defendant Shawnee Mission Ford, Inc. is a Kansas Corporation active in good standing conducting business in Wyandotte and Johnson County, Kansas.
- That Johnson County is the proper venue for this litigation.
- That on or about November 4, 1998, Plaintiff purchased a 1998 Ford E-150 Mark
 III Van from Defendant Shawnee Mission Ford, Inc.
- That from the date of purchase of the van, Plaintiff had all repair and warranty
 work done by and through the agents, employees and servants of Shawnee Mission

CLERK OF DISTRICT COURT

ER05-805-LC-9751

Ford, Inc.

L NEGLIGENCE

COMES NOW Plaintiff and for his cause of action against Shawnee Mission Ford, Inc. and states as follows:

- That Defendant incorporates the allegations contained in Paragraph 1 through 5 as though fully set forth.
- 7. That Defendant Shawnee Mission Ford, Inc. was careless and negligent in the following respects to wit:
 - (a) Defendant through its agents, employees, and servants failed to repair Plaintiff's vehicle in a workman-like manner.
 - (b) Defendant through its agents, employees, and servants failed to diagnose and make necessary repairs to Plaintiff's vehicle; and
 - (c) Defendant through its agents, employees, and servants failed to properly inspect the work performed on Plaintiff's vehicle.
- That as a direct and proximate result of the Defendant Shawnee Mission Ford,
 Inc.'s negligence, Plaintiff's vehicle caught fire on or about October 12, 2000
 resulting in vehicle damage of \$21,992,37 and rental expense of \$1,000.00.
- 9. That in the event Plaintiff is unable to prove the specific acts alleged in Paragraphs
 1 through 8, Plaintiff then relies on the Doctrine of Res Ipsa Loquitar and alleges
 that if Shawnee Mission Ford had conducted its repairs in an ordinarily prudent
 manner, in the usual course of events the damage to Plaintiff's vehicle would not
 have occurred.

WHEREFORE, Plaintiff prays for judgment against Defendant Shawnee Mission Ford,

Inc. in the amount of \$22,992.37, for his costs herein incurred, and for such other and further relief as the Court deems just and proper.

IL BREACH OF CONTRACT

COMES NOW Plaintiff and for its cause of action against Defendant Shawnee Mission

Ford, Inc. and states as follows:

- 10. That Plaintiff incorporates the allegations contained in Paragraphs 1 through 9 as though fully set forth herein.
- That Plaintiff performed all obligations necessary to the contract with Shawnee
 Mission Ford, Inc..
- 12. That Defendant Shawnee Mission Ford, Inc. by and through its agents, employees, and servants failed to repair Plaintiff's vehicle in a workman-like manner.
- 13. That as a result of Defendant Shawnee Mission Ford, Inc.'s breach, Plaintiff was demaged as set forth above.

WHEREFORE, Plaintiff prays for judgment against Defendant Shawnee Mission Ford, Inc. in the amount of \$22,992.37, for his costs herein incurred, and for such other and further relief as the Court doesns just and proper.

III. BREACH OF IMPLIED WARRANTY

COMES NOW Plaintiff and for his cause of action against Defendant Ford Motor

Company and Shawnee Mission Ford, Inc., states as follows:

- 14. That Plaintiff incorporates the allegations contained in Paragraph 1 through 13 as though fully set forth herein.
- 15. That Defendants manufactured and sold the vehicle and knew or should have known that the vehicle was purchased to be used as a passenger vehicle.

- 16. That Plaintiff reasonably relied upon Defendant's judgment that the vehicle was fit for such purpose.
- 17. That within a reasonable time after Plaintiff knew or should have known that the vehicle was not fit for such purpose, Plaintiff returned the vehicle to Defendants for maintenance and repair.
- That the vehicle was in a defective condition at the time it was manufactured and sold to Plaintiff.
- 18. That as a direct and proximate result of the Mark III Van being unfit for its inteded use, Plaintiff was damaged as set forth above.

WHEREFORE, Plaintiff prays for judgment against Defendants Ford Motor Company and Shawnee Mission Ford, Inc. in the amount of \$22,992.37, for his costs herein incurred, and for such other and further relief as the Court deems just and proper.

IV. BREACH OF EXPRESS WARRANTY

COMES NOW Plaintiff and for his cause of action against Defendant Ford Motor Company and Shawnee Mission Ford, Inc., states as follows:

- 19. That Plaintiff incorporates the allegations contained in Paragraph 1 through 18 as though fully set forth herein.
- That there was a 36 month, 36,000.00 mile new car express warranty for the vehicle in question.
- That the vehicle was purchased on November 4, 1998 and had approximately
 35,000 miles at the time of loss on or about October 12, 2000.
- 22. That defendants breached the express warranty and as a result, Plaintiff was damaged as set forth more fully above.

WHEREFORE, Plaintiff prays for judgment against Defendants Ford Motor Company and Shawnee Mission Ford, Inc in the amount of \$22,992.37, for his costs herein incurred, and for such other and further relief as the Court deems just and proper.

GOULD, THOMPSON & BUCHER A PROFESSIONAL CORPORATION

KAREN R. RIESCHEL

MO BAR: #46021 KS BAR: #18597

1310 CARONDELET DRIVE

SUITE 400

KANSAS CITY, MO 64114

(816) 943-0010 FAX: (816) 943-0016

ATTORNEY FOR PLAINTIFF



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Warwick Field Claim Office 706 Quaker Lago P.O. Box 664 Waterick, Rhode bland 62287 (800) 634-9740

MetLife Auto & Home

December 2, 1999

Ford Motor Company Parklane Towers West Ste 400 Three Parklane Boulevard Dearborn, Michigan 48126-2568

CLAHA'S UNIT DEC 0 7 1999 OFFICE OF THE GENERAL COUNSEL

RE: Our Insured:

Our Claim #:

Date of Loss:

Total Amount of Loas: \$1115.72

04-19-99

American Express Property Cesualty info:

Claim #:

Insured:

Dear Jennifer Savage:

ollog Karan Brown called Karan Brown solesse being release being You had sent me a questionnaire concerning the above loss. I believe if you look into American Express Property Casualty subrogation claim, you will find any additional information you may need with regard to my claim.

Enclosed is the photo of the siding involved in the fire. If you should peed further assistance, please call me at the telephone number listed below.

Thank you for your time and attention to this matter.

Sincerely,

Karen J. Brown

Claims Adjuster

800-634-9740 Ext. 6112

Harry Brown

THEOTO #1 DATE: 4-30-99 | PHOTO #2 DATE: 4-30-99

PHOTO #3 DATE: { PHOTO #4 DATE:

FI STAND AUTO

PROPERTY.

Casualty

The American Expr Property County v. __anine 1408 Lorderd Avarue Gross No. Wiscoula 64304-3802

AMEX Assessment Company

Bit Property Committy Secureto. 38409

KUTO INS

May 18, 1999

MET P AND C ALBANY FIELD CLAIMS OFFICE ATTN EDEN EARLEY 290 WASHINGTON AVE PO BOX 12209 ALBANY NY 12212

RE: YOUR CLAIM NO.:

YOUR INSURED: OUR CLAIM NO.:

OUR INSURED: DATE OF LOSS:

04/19/99

Dear Ms. Earley:

I am in receipt of your subrogation notice dated May 11, 1999 regarding damages to your insureds dwelling. I have enclosed a copy of our fire investigation report indicating that our insured was not responsible for the damages incurred to her 1998 Ford Explorer. Due to the fact that our insured bears no negligence in regards to your damages we must respectfully deny you request for reimbursement.

I have enclosed a copy of our cause and origin investigation and subrogation letter to Ford Motor Company for your reference. If you should have any questions please feel free to contact me at 1,800,872,5246 extension 5186.

Sincerely,

David Madison

Senior Claims Representative AMEX Assurance Company

De Vadison

1.800.872.5246, Ext. 5186

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AND EXPLOSION ANNIASS - ANALYTICAL LABORATOR SANSTICATIVE ENGINEERING SURVICES

PETER VALLAS ASSOCIATES inc.

A Professional Corporation

Internet: http://www.patervelles.com E-meil: experts@potervalles.com

Corporate Headquarters 105 Main Street Heckenseck, NJ 07801 (201) 487-8801 Fac 201-487-1263

Date of Report: April 20, 1999

Total pages:

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Notion Regional Otton 106 Washington Arenue Eadloot, NY 19760 (607) 785-9250 Fac 907-786-6641 Mr. Dave Madison AMERCIAN EXPRESS INSURANCE COMPANY P.O. Box 19016 Greenbay, WI 54307-9018

Fax Number:

(920) 496-5508

Eastern Regional Office 100 MBP Plain Floori Opniousy, CT 988-11 (203) 351-5510 Far: 202-791-9200 ☐ VIA MAIL AND FACSIMILE (_____PAGES)

File:

991328

LOBS:

Re :

Lansing, New York 14

Pol/CF:

23406B

D/L: 4/19/99

189 North Main Street Warsow, NY, 14599 (716) 788-9980

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* Nothwiskish Regional Office

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Prepared by:

David Redsicker

Corporate Director of Investigations

Laboratory Facilities 85 Zabristics Street Heckenseck, NJ 07601 (201) 487-0268

PETER VALLAS ASSOCIATES Inc. reserves the right to amend and/or supplement this report in the event additional information, documentation or evidence becomes available.

Temesylvenia Averuse Pichaylvenia Averuse Philadelphia, PA 19130 (215) 864-2688

THIS REPORT FURNISHED AS PRIVILEGED AND CONFIDENTIAL TO ADDRESSEE. RELEASE TO ANY OTHER COMPANY, CONCERN OR INDIVIDUAL IS SOLELY THE RESPONSIBILITY OF ADDRESSEE.

BR00-885-LC-8759

PURPOSE OF THE ASSIGNMENT

In accordance with your request, this organization conducted an inspection of the insured's vehicle in reference to the origin and cause of the fire. The assignment also includes the issuance of a written report based on our analysis.

PRELIMINARY REMARKS

An inspection was conducted on Thursday, April 22, 1999. Present at the time of my inspection was the insured,

DESCRIPTION OF THE VERICLE

The vehicle is a 1998 Ford Explorer two door 4 X 4 sport utility vehicle, c<u>olor c</u>reen. The vehicle identification number is 1FMYU24B4#U

INSPECTION OBSERVATIONS

Overall exterior examination of the vehicle reveals extensive fire damage originating from the angine compartment and extending horizontally and vertically into the passenger compartment via the windshield and heater/air conditioning opening on the right side of the passenger compartment.

There were New York Registration plates on the rear and front, number

Inspection of the underside of the vehicle revealed no evidence of ... fire originating from or extending to this area with the exception of drop down fire damage under the engine compartment.

· · · Inspection of the vehicle passenger compartment revealed the most extensive fire damage was in the dashboard and windshield area with fire extension horizontally back through the passenger compartment to the rear storage area. The vehicle has a column automatic shift lever which was in park. The ignition is in the off and locked position.

Inspection of the engine compartment revealed extensive fire damage throughout with the most severe on the top and left side in the area of the throttle body.

Examination of the engine oil level revealed that it was in good condition. The brake fluid reservoir had melted due to heat and flame impingement. The battery in the left front corner was severely damaged by external beat and flame impingement. There is no evidence of electrical activity in the wiring harness or battery area.

The air feed horn assembly was melted and heavily damaged up to the right front corner of the engine compartment.

- MR EVEL MONTH AMAI VERS + AMAI VINCAL LARGEATORY + INVESTIGATIVE ENGINEERING SERVICES

The point of origin is on the left side of the engine block near the top in the area of the throttle body.

OTHER RELEVANT INFORMATION

Interviews with the insured, revealed that she purchased the vehicle new on April 27, 1998 from Newcomb Motors Ford, 1870 West Road, Cortland, New York. The vehicle had approximately 14 miles on it when it was purchased. The mileage on it at the time of the fire was approximately 14,000. The last service was December 1998 at Mcguire Ford, 504 Ithaca Road, Ithaca, New York. The mileage at the time was 10,985 miles. The service consisted of New York State Inspection, lube oil filter, rotated tires, and check of interior lights.

According to the insured, she had recently received a recall notice from Ford in reference to the cruise control. She had been advised that the replacement parts would not be available until May.

On the date of loss, she drove from the Community Center in Lansing, which is approximately 5 miles. She left at around 10 minutes to 9:00 and was home around 9:10. She pulled in the driveway and that the vehicle off and when she took the key out of the ignition, she noted smake; coming from the engine compartment. When she got out of the vehicle, she looked into the left front wheel well area and saw flames. She called 911 and waited for the fire department. She stated that she had not had any problems with the vehicle. There were no indications of recent problems just prior to the fire.

The wahicle is equipped with a security alarm system control which is activated with a remote keyless entry. The insured stated that the alarm was not set at the time of the fire occurrence.

CONCLUSION

Based on the on scene inspection, interviews and analysis to date, it is the opinion of this organization that the vehicle fire originates in the engine compartment. The point of origin is at the throttle body and fuel system.

CONCERTS AND RECOMMENDATIONS

No invasive analysis or testing was performed on the vehicle at this time. It is advised that Ford Motor Company Truck Division be put on notice to set up an appointment with this organization for further inspection of the vehicle in reference to the exact cause.

We recommend that the vehicle be retained, secured and protected regarding any further testing or inspection by other interested parties or specialized engineers associated with our firm, when

PETER VALLAS ASSOCIATES Inc.

Page 3 991328

needed. We also reserve the right to be present and observe any and all inspections or testing of the vehicle by any other concerned parties.

PETER VALLAS ASSOCIATES Inc. recommends that any interested parties reviewing this document be aware we may be retaining property/evidence relating to this loss. It is mandatory that we be notified of any potential interests. Lack of notification may result in the ultimate destruction of the property/evidence.

The vehicle has been secured and will be available for analysis when all parties concerned are available for the inspection at a mutually agreeable date and time.

We want to thank you for the opportunity to have been of service to you. If any additional information is required or follow-up is to be conducted, please contact us.

Respectfully submitted,

PETER VALLAS ASSOCIATES Inc.

/ma

PROTOGRAPHIC DOCUMENTATION AND/OR OTHER ATTACHMENTS

BRE AND EXPLOSION ANALYSIS & ANALYTICAL LABORATORY & INVESTIGATIVE ENGINEERING SERVICES

Property Casualty

ANTEL American Company
185 Property Country Internece C

MAY 13, 1999

JESSIB HOLLINGSWORTH FORD MOTOR CORP PARKLANE TOWERS WEST STE 400 3 PARKLANE BLVD DEARBORN MI 48126

RE:

OUR INSURED:

OUR CLAIM NO:

DATE OF LOSS:

VEHICLE:

4/19/99

1998 FORD EXPLORER

VIN#:

1FMYU24E4WU

Dear Jessie Hollingsworth:

On 4/19/99 our insured's 1998 Ford Explorer started on fire.

We had the vehicle inspected and it appears that the fire originated in the engine compartment. The point of origin is at the throttle body and fuel system.

We are hereby notifying you of our subrogation claim in the amount of \$24,493.75 with the salvage pending.

We have secured the vehicle and will make it available for inspection by your company.

Please call us with any questions and refer to our claim number when calling.

Sincerely yours,

Jodi Helf Senior Subrogation Representative AMEX Assurance Company 1.800.872.5246, ext. 5594

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The American Express Property Consulty companies 1400 Londonti Aspens Green Bay, Wissangin 54304-3522 AMEX Assurance Company
BS Property Consulty features: Company

JUNE 9, 1999

EDWARD DRABCZYK
FORD MOTOR COMPANY
PARKLANE TOWERS WEST STE 400
3 PARKLANE BLVD
DEARBORN MI 48126-2568

RE:

OUR INSURED: OUR CLAIM NO: DATE OF LOSS:



4/19/99

Dear Mr. Drabczyk:

We are in receipt of your letter of May 27, 1999 and your request for further information. Below are the answers/information which you requested.

- 4/19/99 973 Ridge Road, Lansing, New York
- 2. Our insured drove from the Community Center in Lansing which is approximately 5 miles. She was back home around 9:10pm. She pulled into her driveway and shut the vehicle off & when she took the key out of the ignition, she noted smoke coming from the engine compartment. She got out of the vehicle and saw flames in the left front wheel well area. She then called the fire department. She did not have any problems with the vehicle.
- 3. We have requested the fire department report but have not received it.
- 4. No injuries
- 1998 Ford Explorer 2dr 4x4; vin #1FMYU24E4WU
- Approximately 14,000
- 7-9. Photos attached
- 10. See expert report
- 11. See expert report
- 12. No
- 13. Peter Vallas Associates, c/o Rick's Service Center in Owego New York
- 14. Attached is the total loss information on the vehicle
- The service consisted of New York State Inspection, lube, oil changes, rotation of tires and check on interior lights, last service was in December of 1998 at Moguire Ford in Ithaca, New York.
- 16. None

The American Express
Property Country companies
1400 Leathant Avanue
Gran Ray Wissonsia Schiel 2007

Property Casualty

> page 2 Claim #234068

- The vehicle will be made available for inspection at a mutually agreeable date and time.
- 23. None
- The vehicle was purchased on April 27, 1998 from Newcomb Motors Ford, 3870 West Road, Cortland, New York. The vehicle had approximately 14 miles on it when purchased.

We will forward the fire department report to you when we receive.

If you need any further information, please feel free to contact this writer.

Sincerely yours,

Jodi Helf

Senior Subrogation Representative AMEX Assurance Company 1.800.872.5246, ext. 5594

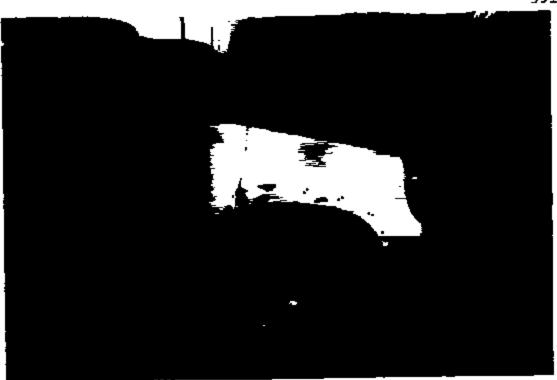
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 Overall view looking towards the front or east side of the structure. The vehicle on the right is the vehicle of fire origin.



 Overall view of the right side of the vehicle. Note the fire patterns in the engine compartment.



3. Close up view of the right fender.



4. Overall view of the rear of the vehicle.



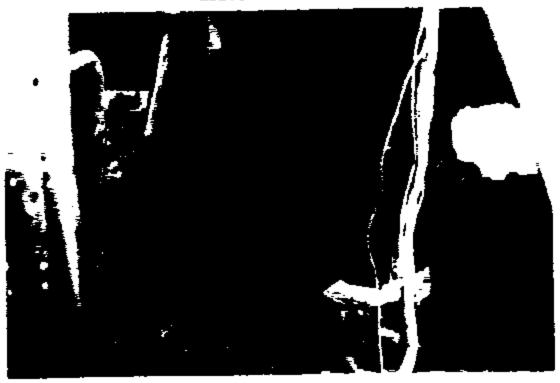
5. View into the vehicle from the rear.



6. Overall view of the left side of the vehicle.



 View into the front passenger seat area from the driver side.



8. View into the rear seat area from the left side of the vehicle.



9. View into the left rear seat area.



10. View into the front driver side area.



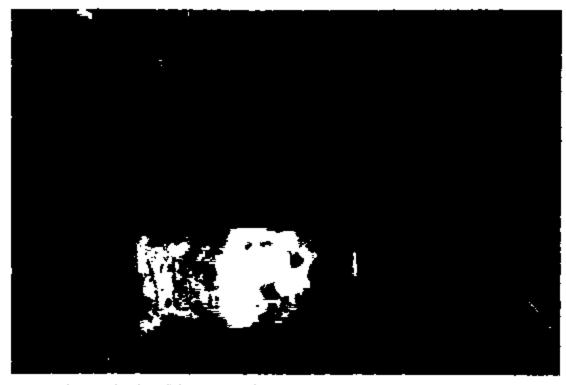
11. Close up view of the steering column. Arrow indicates the ignition which is in the lock position.



12. Overall view of the left side of the engine compartment.
Note the heavier fire damage.



13. Overall view from the front of the vehicle.



14. View of the license plates that were recovered from the vehicle.



15. Close up view of the vehicle identification number plate.



16. Overall view into the engine compartment.



17. View into the engine compartment from the right side.



18. View into the engine compartment from the left side.



19. View of the battery cables in the left front corner of the engine compartment.



20. View of the dipstick for the engine oil.



21. Close up view of the melting to the left rear of the engine where the throttle body was located as indicated by the arrow.



22. Close up view of the remains of the throttle body indicated by the arrow.



Property Danage Appraisers

Photo Report for Assignment Number 2020 (49-).

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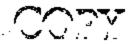
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	Difficurin Charge (runs, position) Data Hymnor Making Report St different from Officer in Charges 1/19/95 1/64_T_Mix 4/19/95 1/64							5						
Heat Lai	t Ba 1. 3		t 2%)		2 2 L		Noter-Cal		匸	_ 1	alterc_		Scotte:	Specials
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. M. ...

New York State Fire Reporting System Office of Fire Prevention and Control INCIDENT REPORT CODE LIST



TYPE OF SITUATION FOUND

- Overpressure rupture (No Combustion) Steam rupture; eir, ges rupture
- 30. Reacue: Lock-in; essrch; extrication of persons from vehicles, elevators, and the like
- 32. EMS, First Aid, Inhalator Call
- 40. Hazardous Condition. Standby: Spill, feak with no ignition; explosive. bomb removal: excessive heat; power line down; streing shorted electrical equipment; eircreft standby; chamical emergency
- 59. Service Call: Lock-out; water evacuation; smoke, odor removat animal rescue; assist police, ensuthorized burning. cover staign work; standby at station; anove-up
- Good Intent Call: Smoke scare; wrong location; controlled burning; vicinity alarm; steam, gas mistaken for smoke
- 71. False Call: Maticious, mischlevous
- Feise Call: System mattunction

= Cable feet, for gases

Multiple units

G = Gallon

P = Pound

= Ton

aniy

74. False Call: Unintentional activation

HAZARDOUS MATERIALS CLASS - to be obtained from DOT required label or placard or from shipping sepera or other documents.

- 110. Clase A explosives
- 120. Class B explosives 130. Class C explosives
- 150. Slauting aponts 210. Flammable gases
- 220. Norrilammable gases 220. Poison gases (Poison Chass A)
- 24C, Chiorina
- 250. Oxygen
- 310. Flammable liquide, I and II, flashpoint 100°F or less
- 330. Combustible liquids, heappoint 101°F or presin'

- 410. Fizamable solida
- Spontaneously
- combustible materials 430. Materials that ere dangerous when wet
- 610. Oxidizers
- 520. Organic peroxides 510. Polsons (Polson Class
- Ettologic (Infectious) 620. **substances**
- ** **Irribanta**
- 710. Radiosotive i material 729. Radiosotive ii material
- 730. Facioective il material 810. Corrective
- ta). Multiple classes
- P90. Other

Amount and Unit 01. Less than 1 02. 1 - 9

- 03. 10 49 64. 50 **89**
- 05. 100 499 08. 500 999
- 67. 1,000 4,899
- Q8, 5,000 9,999
- 49. 10,000 49,999 10. 50,000 29,995
- 11. 100,000 and up

AMOUNT

Example: 3000 gallons of gasolina

BLACEAGO (1000 BING & HYSTALIDA (100 PING	
G.AES	3.1.0
AUDUNT	10.7.G

IGNITION FACTOR— Fill in this section only for fires: "TYPE OF SITUATION FOUND" 11, 12, 13, 14, 15, 16, 17, or 19.

- 1 Incendity
- 11. Incendiary
- 12. Incendiary, during civil dieturbance
- 2 Suspicious 21. Suspicious 22. Suspicious, during civil distintance
- 3 Migues of Heat of Igaition Abundomed, discarded material, olganette, etc.
 Thewing
- 33. Falling asinep 34. Insdequate control of open fire
- 35. Cutting, welding too close to
- 36. Children with matches. lighter, etc.
- Unconscious, mental, physical impalement; drug, nicoholic stupor
- 39. Not classified above

- 4 Misses of Material ignited 41. Fuel apilled, released accidentally
- 42. Improper fueling technique 43. Flammable #quid used
- to ideale fire
- 44. Weehing part, cleaning, relimining, painting 45. Improper container
- Combustible too close to heat
- improper storage
- Children with meterial ign**Red**
- 49. Not classified above
- 5 Mechanical Fallura. Maliusa ilon
 - 51. Part fallure, lock, break
 - Automatio control failure
 - Manual control fallure Short elrouit, ground
 - **fault** Other efectrical failure
 - Lack of maintenance, worn out, failure to Cigan

- 57. Backfire
- SO. Not classified above
- 8 Design, Construction, Installation Delicionary
 - 81. Design deficiency, catalytic convertor
- fulkre 62. Construction deficiency
- 68. installed too close to
- eskilitsudmos Other hobilistion deficiency
- Property too close to Oncluded are exposure ires)
- 60. Nat cleastiled above
- Operational Deficiency 71. Golffsign, overturn,
- knockdown 72. Accidentally turned on. not lurned off
- Unattended
- 74. Overloaded
- 75. Spontaneous heating

- 78. Improper startup, shydown procedures 79. Not classified above
- 4 Makeral Condition
- 61. High wind
- 62. Earthquake
- 83. High water, including
- #oode \$4. Lightnikry \$6. Not classified above
- 9 Other Ignition Factor 91, Animal 92, Reidnoted from a
- previous fire 98. Not chistrist above

FIXED PROPERTY USE

1 Public Assembly Property 11. Fixed use, recreation: bowling elley, arcade,

awimming toolsty, pains FROM'S

12. Variable use, recreation: ballroom, gymnaalum, arena, stadium, convention center, halfs

12. Churches, funeral

partora 14. Clubs, lodges 15. Libraries, mussums, courbooms

16. Eating, drinking places

17. Passenger terminals 18. Theaters, studios

2 Educational Property 21. Norwesidental: nursery,

elementary, high school 22. Residential: boarding

school

23. Trade, business 24. Colleges, universities

3 Institutional Property

31. Care of aged 32. Care of young, day-oace Çenker

Care of sick, lajured 34. Care of physically restrained, jall

35. Care of physically handicapped

36. Gare of mentally hundicapped

4 Residential Property

41. One/two lamby dwelling 42. Aparlments, tenements, Tata

Recorning, boarding, todging houses

Hotels, motels, inns. lodges with sleeping accommodations

DormRories Home hotels, with

kitchens in unita

Offier: playhouse, tents

S Store, Office Property

61. Food, beverage sales 52. Yezille, clothing

Household goods, home repair supply

54. Specialty shops: book, newastand, drug, gift,

jewelry, florist, optical Recreation, habby, personal aervices;

parden, pet Bervices, business supplies, laurydries

Motor vehicle or boat sales, service, refueling (Includes retall, LP gas cylindera)

eneral Rem, department alore

Offices, banks, post office

I Basic Industry, Utility,

Communication Property Exergy production. nuolear plant

Laboratories

63, Communications, defense, computer facilities

Utility, energy

distribution systems Apriculture, raw

products only Forest preserves

Mining, quarrying of dahistam wat lalutan

Mineral products, aonorele, clay, gisso manufacture

7 Manefacturing Property

71. Food processing facilities

Severage, tobacco, seep, late

73. Textifes, rope, lloor covering

74. Footwear, leather, rubber

75. Wood, furniture, paper, Dyuguð

Chemical, plastic

petroleum, druga Motel, metal products, machinery, electrical appliance 78. Vehicle, boat, aircraft

accombly

79. Other manufacturing

Storage Property
 Agricultural products,
 barne, stables

Textile, clathing Processed food,

lobecco, beverage Pairoleum products

Wood, paper products Chamical or plastic

products Matal, metal products,

machinery, electrical appliance

Vehicle garage, sircraft hanger, rall and book alorage

88. General Hem, fire station

Special Property

91. Building under construction

Bridge, tannel, shellers aki lifta, talaphone booth

\$3. Outdoor, Including: public malibox, dump, cemetery

Water areas Railroad

Road, parking Aircrait, air fieki

Equipment operating areas: construction elter, oil fields

COMPLEX

- 11. Public Recreation Complex: included are 2008. amysement parks and general recreational
- perke 12. Sjadkym, Exhibition Hall Сольсюх: included are ballparks, racetracks, sports

gardene and amortes 14. Club Complex: included are poli clubs. tennis clubs and

country clobs Educational Complex: included are schools. collegee and univeralites

- 33. Medical Care Complex: included are hospitals, medical centers and mestal institutions
- 34. Prison Complex Business with Residential Complex: included are apartments Over stores

41. Dwelling Complex (One-and Two-Fernity)

Apertment Complex Hotal Complex: included are motels.

inns and lodges 47. Mobile House Park Complex

54. Shopping Complex: included are department skwaa, malla, diacount houses and shooping centers. Also included ere groups of business and commerical establishments which may contain sheeters and other pieces of

assembly 69. Office Complex: included are nonmilitary government office COMO[8284

81. Power Production Complex

Military Reservation. Defense Complex

65. Farm Complex

65. Indian Reservation Complex

Industrial Plant.

Manufecturing Complex Warehouse, Storage

Complex

Construction Complex: included are demolified operations

Campsite Complex

94. Water/cont Comptex. included are marines

Relirond Transport Complex Road Complex:

included are highways, streets and all public .. WAVE

97. Airport Complex

48. No Complex

AREA OF FIRE ORIGIN

& Means of Egress

- Q1. Hallway, comidor, mall 92. Exterior staleway
- 43. Interior stairway
- M. Escalator
- 05. Lobby, entrance way 09. Not classified above

- 1 Assembly Areas 11, Fixed seats (100 or more
 - persons) Without fixed scats (100 or more parsons)
 - 13. With or without fixed esata (less than 100 persons)

- 14. Living room, family room, lounge area
- Sales, showroom area 16. Library, art galleries, exhibit
- Swimming pool area
 Not classified above

2 Function Areas

- 21. Bedrooms, petient
- rocens, cells, lockups Wards, dormitories, barrecka
- Dining area, lunchroom, caleteria 24. Kitchen, sooking ures

- 25. Beihroom, locker room, cáca kroom
- 26. Laundry room
- 27. Office
- 28. Health clubs, massage partors, barber, besuty

3 Function Areas (continued)

- 31. Laboratory
- 12. Printing or photographic rdoni
- First aid, treatment room
- Operating room Electronic, computer, telephone room. telephore booth

- 36. Periormance, stade, area, indicor sports
- Projection room, stage Rght
- Process, manufacturing
- 39. Not classified above, **
- 4 Storage Am ft. Tank, bln. product
 - moon agenote (2. Close)
 - 43. Supply room
 - 44. Records slorage room, valuit

configured

AREA OF FIRE ORIGIN - continued

- Shipping, receiving, loading, mall room
- Tranh or rubbish container, compactor
- Garage, carport, vehicle atorage
- 49. Not classified above
- 5 Service Facilities
 - 51. Elevator, dumbwalter
- 52. Electrical, plumbing, ventilation shall
- Light shaft
- Laundry or mail charte
- 55. Duct
- Display window
- 57. Chimney, five, slovepipe
- Соптечог
- 58. Not classified above

- Service, Equipment Areas
 Machinery room
- Heating equipment, water healer area
- Switchgear area, Vanalonner vaud
- incinerator room arga
- Maintenance shop, workshop, paint shop, welding ahop
- Mi. Test cell
- 67. Encksgure with pressurized air
- Enclosure with enriched Oxygen atmosphere
- 69. Not classified above
- 7 Structural Areas, Non-Functional
 - Crawl space, cellar, substructure gree

- 72. Exterior haloony, open
- porch 73. Ploor and ceiling. assembly, concealed floor/celling space
- 74. Roof and seiling assembly, concealed roof/calling space
- 75. Wall assembly. concessed wall space
- Exterior wall surface
- 77. Exterior roof surface
- 78. Awning, evertieng 78. Not classified above
- 3 Transportation, Vehicle Aress
 - 81. Pessenger area
- 82. Trunk, load-carrying 25

- 83. Engine, running gear,
- erne leerte Fuel tank, fuel line
- Operating, control area. cab, cockpit
- Exterior exposed aurface
- 89. Not classified above
- 5 Other Areas of Origin 91. On or near referred right of way, embankment
 - On or near highway, public way, street
 - Terrace, patio, courtyard Lawn, fleid, open area.
 - vacami lot
 - 85. Wildland area, woods
 - 97. Multiple location 99. Not classified above

- EQUIPMENT (NVOLVED IN IGNITION (If any)
- 1 Heating Systems 16, Solar panel

 - 11. Central beating unit. furnece
 - Water heeter
- t3. Woodstove, wall furnaces, fixed local heating unit
- 14. Indoor fireplace 15. Portable heating unit
- 16. Chimney, our vent flue 17. Chimney, vent
- COMPACTOR
- Heat transfer system, duote, pipes 19. Not classified above
- 1 Cooking Equipment 21. Fixed, stationary surface
- unit shwe Fixed, sistionary oven Fixed, stationary food
- warming appliance Ocep for fryer Portable cooking. 25.
- warming unit Open fired grill
- 27. Grease hood, duct 28. Not classified above
- 3 Air Conditionis
- Air Conditioning, Refrigeration Equipment 31. Central air conditioning, rainigeration equipment
- Water cooling device.

- 33. Gold boxes, treezers,
- refrigerators Fixed, stationary local air conditioning unit
- 36. Portable air conditioning, rafrigeration unit, debumidifier
- 39. Not classified shove
- Electrical Distribution
 - Equipment 41. Fixed wiring, power tines, junction boxes
 - Transformer overcurrent or discorateot equipment
- 43. Meter, meter box Power switch gear,
- tuees, circuit breakers
- Switch, receptacle outlet Lighting fixture, lamphoider ballest, sign
- 47. Cord, plug 48. Lamp, Right bulb 49. Not classified shove
- 5 Appliances, Equipment 56, Dishwasher
 - Television, radio, sound or picture receiving? reproduction
 - 52. Clothes dryers
- Washing machine
- Floor care equipment. vacuum clauner

- 55. Separate motor,
- generator Hand tools, soldering Irona, drilla
- 57. Controlled heat appliance, etectric blankata, aleem Irons, heel tapea
- 58. Electric razors, can openere
- 69. Not classified above
- 6 Special Equipment 65. Electronic equipment, radar, X-raya, computer, inisphone, transmitter equipment 42. Vending mechine, drinking tournain
- 43. Office machines
- 64. Biomedical equipment, device
- Separate pump, compressor, serap pump internal combustion
- engine 67. Conveyor
- 68. Printing press
- 49. Nat playaifled above
- 7 Processing Equipment
- 71. Furnace, aven, tiln 72. Casting, molding,
- longing
 - 75. Heat treating, quench tank

- 74. Working, shaping machine, asve, grinders, canders, etc.
- 75. Coating muchine, sophelt saturating. rubber apreeding wechines
- 76. Painting, dipping, spraying
- Chemical process,
- **Halling** Weste recovery
- 79. Not classified above
- 3 Service, Maintenance Equipment
- #1. Incinerator
- Bearing, brake Reciffier, charger, battery
- Tarpot, tar ketile Arc, oli lamp, gas
- menties Elevator
- 67. Torches, bureen burners
- 89. Not classified above
- 9 Other Objects, Exposure
 - 95. Vehicle, exhaust systems, vehicle perts
- No equipment involved Other object, exposure fire not classified above

FORM OF HEAT OF IGNITION

- Heat from Fuel-Fired, Fuel-Powered Object
- The difference between subdivision 11 and subdivision 12 is whether a spark, ember or flame actually escaped from the equipment or whether it was simply everteeling of the outside surface of the equipment for its leternal heat) causing the ignition of nearby combestibles.
- 11. Spark, ember, flame esceping from pas inered equipment

- 12. Heat from gas fueled equipment, pilot lights, normal flames
- Spark, ember, flame escaping from liquid fueled equipment 14. Heat from liquid fueled equipment, pilot fights
- Spark, ember, flame escaping from solid
- fueled equipment Heat from eatid fueled equipment (
- 17. Spark, embar, flame eacuping from equipment; tuel not known

- 18. Heat from equipment; fuel not known
- 19. Not classified above
- ? Hual from Electrical Equipment Areleg. Overloaded
 - 21. Water caused short chant are Short circuit are from
 - enechanical damage Short excult are from defective, worm insutation
 - 24. Unspecified short circuit arc

- 25. Arc from faulty contact, loose connection, broken conductor
- Arc, shark from operating equipment or switch .
- Meet from overloaded equipment, wires, motors*
- Fluorescent light ballast Not classified above
- 2 Heat from Smoking Material
- 31. Cigaretta
- 12. Clour
- 33. Ploe 39. Not classified above

continued

FORM OF HEAT KINITION - continued

- t Heat from Open Floris,
 - 41. Cutting torch operation (separating matais)
 - 42. Welding forch operation (datalen gelake)
- Blow torches, plumbers' torches, Bunsen burners, soldering, paint atripping
- 44. Candle, taper 45. Match
- 46. Lighter (fieme type) 47. Cemplines, bookses,
- warring Races, rubbish lires
- 48. Backfire from Internal combustion engine
- Not classified above

- S Hest from Hot Object
 - 51. Heet, spark from friction, overheated tires
 - Moltan malal, hot longing and hot glass
 - Hot ember, ash
 - Electric lamp, light bulbs Rakingle, reignition Heat from property operating electrical
 - dnibwen 57. Heat from improperly operating electrical ednibuseus,
 - 59. Not classified above
- 6 Heat from Explosive Fireworks
 - 61. Explosives, bombs, nottinumma

- 6Z. Blasting agent
- 63. Pireworks, sparklers
- 64. Paper cap, perly popper 65. Model rocket, not
- amateur rocketry incendiary device, mototov cocktalis
- 69. Not clausified above
- 7 Haaf from Natural Source
- 7t. Sun's heat
- 72. Spontaneous ignition, chemical reaction
- 73. Lightning discharge
- 74. Static discharge
- 79. Not classified above
- omber, apark Conducted heat D. Not clessified above

4 Heat Spreading from Another Houtile Fire

Œ zoosure)

Radiated heat

11. Heat from direct theme,

convection currents

Heat from flying brand,

- 5 Other Form of Heat of ignitica
 - 97. Multiple forms of heat of lanition
- 99. Not classified above

TYPE OF MATERIAL IGNITED

- 5 Gas
- 11. Natural gas 12. LP-city gas (LP and air 되기
- 13. Manufectured oss
- 14. LP-gas
- 15. Annathetic cas
- 16. Acetylene
- 17. Specialty gas other than aceelheiid
- 19. Not classified above
- 2 Flammable, Combustible Liquid
- 21. Ethyl older, pentana and ethylens oxide (class IA)
- 22. Agatone, ethyl sicohol, JP-4 jet fuel and methyl ethyl ketone (cleas III)
- 23. Gascline
- 24. Butyl elochol, propys alochol styrese and
- turpentine (class IC) 25. Kerosene, krei oli F1, 2, 4 and 6 and discel fuel (clese ii)
- 26. No. 6 Just cil., cottonneed of end
- creceots of (class IIA) 27. Cooking oil, transformer and lubitcating oil (cleas
- 29. Not classified above

- 3 Votatile Solid, Chamical
- 31. Fet, grease (food) 32. Grease (nonfood),
- petroleum jellies
- Polish, parelfin, wax
- Greosote, pitch, adhesive, resin, tar,
- gelatin, rosin, asphalt
- Applied paint, varnish Combustible metal. megnasium, titanium and zirconium
- 17. Solid chemical. explosives
- Radioactive meterial
- 39. Not classified above
- 4 PlayNo
 - 41. Rigid Plastics: included are molded plastics such as appliance cases, floor tile, decorative kitchen krainates
 - 42. Rigid Foam Plastics: included are rigid thormal form inquistion for walls and
- refrigerators 43. Plexible Plestics: instuded is electrical wire insulation

- 44. Flexible Form Pleatics: included are maltreases, fumillure interior form and carpet
- pads 45. Film Plastics: included are poly-ethylene trash bags, photographic film, contact wallpaper 40. Please not classified
- above
- Natural Products
 St. Rubber

 - 52. Cork
 - 53 Contror 54. Grase, leaves, hay,
 - arista est
 - Grain, teathers, telt, kapok, hemp, jute, cotton, before orocessing
 - 58, Coef, coke, briquettes,
- Food, starch, excluding fail and grease
- 58. Tobacco
- 58. Not chassified above
- d Wood, Paper
 - 61. Growing wood, tree 62. Foliad but unsawn wood
- Finished tumber,
- Anished wood
- Wood shavings, sawdust excelsion

- M. Hardboard, plywood Fiberhoerd, wood pulp, press board
- Paper, untreated, unconted
- Cardooerd
- Not classified above

;

- 7 Febrio, Textile, Fur
 - 71. Man-made fabric, fiber, finished goods
 - 72. Cotton, réyon, cotton fabric
 - 73. Wool, wool mixture labric
 - 74. Fur, allk, other fabric
 - 75. Wig
 - 丙. Human hair
 - 79. Not classified above
- J Material Compounded With OH
 - 81. Lincleum
 - Oil cloth
 - Treated and/or coated
- paper, wax paper Waterproof canvas
- 65. Olly rags
- Asphalf-trusted material
- Not cleanified above

Other Type of Materiet Ignited 97. Multiple types of multiple East Ignited

- 99. Hot classified above

FORM OF MATERIAL IGNITED

- 1 Structural Component,
- 11. Exterior roof covering. aurisoe, finiah 12. Exterior sidewall.
- covering surface, finish, 48786 13. Ocors, porches and
- datiorma 14. Tile, corpet, rug, flooring and states
- Interior wall covering
 Ceiling covering surface
 Structural member,
- **Irreming** Thermal, scoustical insulation, within wall or
- cating 18. Not classified above

- 2 Furniture 21. Upholetered sofe, chair, vehicle seats
- 22. Nonupholstered chair. bench 23. Cabinutry, filing cebinets, planos, dressers, deska, tables
- and bookcases
- 24. Ironing board 25. Appliance housing or
- casing 29. Not classified above
- 3 Soft Goods, Wearing
 - Apparel 31. Mattress, pillow 32. Bedding, blankst, sheet, comforter, heating pad

- 33. Unna, towels, tablectoths
- Wearing apparet act on 34. u person
- 35. Wearing apparet on a регвоп
- Curtain, blind, drepary, **I**apastry
- 37. Febrica, yard goods 38. Luggage 39. Not classified above
- Adorament, Recrestional Material
- 41. Christmas tree 42. Decoration for special event
- Book
- 44. Magazine, newspaper. writing paper, files

- 45. Toy, game
- 40. Awriking, canopy 47. Tarpaulin, tent 49. Not cleasified shove: . . .
- 5 Sepplies, Slock 51. Box, carton, bug * 52. Basket, barrel

 - 53. Pallet, sled Rope, cord, twine, yen,
- Packing, wrapping **** material
- Bala storage Bulk storage
- Brooms, brushes, moga, cleaning cioths, cleaning
- supplies 59. Not classified above

continued

FORM OF MATERIAL IGNITED - continued

& Power Treasfer Equipment.

51. Electrical wins, cable insulation

12. Transformer Conveyor belt, drive belt, V-belt

84. Tire

65, Fuel

69. Not cleasified above

J General Form

71. Agricultural product 72. Fence, pole

73. Fertilizer

74. Foreste, brush and

graso 73. Creosote buildup, rubbish, trash, waste 76. Cooking materials

77. Sign

8 Special Form 81. Duet, fiber, lint, sawded

62. Pyrotectvilce, explosives

63. Alumized, vaporized llquld

84. Chips 85. Material stored on pallets

85. Accelerants

87. Rolled material

88. Adhesive

Other Form of Material
 Multiple form of material

ignited Not classified above

CONSTRUCTION TYPE (From SBCC - NYS)

1. Fire-resistine: walls, partitions, columns, flours, roof: noncombustible with sufficient fire resistance to withstand the effects of a fire and prevent its apread.

2. Noncombestible: walls, partitions, columns, floors, most noncombustible with less fire resistance than tire-resistance construction.

 Heavy timber: exterior walls of maconry or other noncombustible materials with fire-resistance rating of not tees than 2 hours; interior columns, beams and girdets of heavy timber, heavy solid or laminated; floors, roots of heavy plank or laminated wood.

4. Ordinary: exterior walks of masonry or other noncombustible materials with a the-resistance rating of not less than 2 hours; interior wood of smaller dimensions than those required for heavy Umber construction.

5. Frame; walls, partitions, floors, roof: wholly or parity of wood or other combustible material.

Additional Fire Department Information

This space may be used for special information collection pro-lects. Please contact the Office of Fire Prevention and Control's Fire Reporting Unit prior to using these epenes.

SF	CHRFMA >	Iss	ue List		10/21/99 —	11:14:53
	SD REGION: A CODE:		MARKET:	ISSUE STATUS	· —	
VI SA	n: LES REGION:	1FMYU24E4WT	SALES ZONE	CASE NUMBER: : _ ISSUE TYPE:		
A C	LAST HND/ P&A LAO	Customer Phone Numb Trmt Customer Name	er/	Reason/ Year Model		Stat/ Type
•	04/21/99	AFG (H)	(B)	LEGAL - INSURANCE 1998 EXPLORER	COMPANY :	9ETT C 02

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F7=Prev F6=Next F10=IssueDetail F11=Menu F12=Return
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Issue Status: C

1FMYU24E4WU

Year: 1998 MSD: 04/27/98

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Case: 1712991119

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Symptom:

Reason:

LEGAL - INSURANCE COMPANY SETTLEMENT

Dealer:

Issue Type: 02

INFORMATION

CLOSED

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MORSII Contact: N

A/C DATE Origin Description

04/21/99 CACI38 ADVISE CUST THAT YOUR INSURANCE COMPANY MAY SUBROGATE

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Year: 1998 Model: EXPLORER

Owner Status : ORIGINAL

Name:

WSD: 04/27/98 Hm Ph:

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Case: 1712991119

Day Ph:

Symptom Desc:

Reason Desc: LEGAL - INSURANCE COMPANY SETTLEMENT

Dealer:

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02

INFORMATION

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PHONE

Odometer Reading: 0

Analyat:

DHARRI61 DIANNE HARRIS

Document Number:

Action Date: 04/21/99 Action Data:

Action Time:

16:39:56 EST

Origin Desc: US CONCERN CASE BASE

Action Desc: ADVISE CUST THAT YOUR INSURANCE COMPANY MAY SUBROGATE

Comments:

CUSTOMER SAYS: VEHICLE CAUGHT ON FIRE ON 4-19-99. THE TIM E WAS BETWEEN 8:30 AND 9:00 IN THE EVENING. FIRE STARTED WH ILE CUST WAS STILL INSIDE VEHICLE AND WHILE VEHICLE WAS ON. ENTIRE INTERIOR HAS BEEN BURNT OUT. THE ONLY THING REMAINI NG ARE THE BACK END AND THE REAR TIRES. THE VINYL SIDING O N THE SIDE OF THE HOUSE MELTED. THE FIRE DEPARTMENT WAS CAL

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1FMYU24E4W

Year: 1998 Model: EXPLORER

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WSD: <u>04/27/98</u>

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Case: 1712991119

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Reason Desc: LEGAL - INSURANCE COMPANY SETTLEMENT

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16:39:56 EST

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Action Date: 04/21/99 Action Data: Action Time: 16:
Origin Desc: US CONCERN CASE BASE
Action Desc: ADVISE CUST THAT YOUR INSURANCE COMPANY MAY SUBROGATE

Comments:

N THE SIDE OF THE HOUSE MELTED. THE FIRE DEPARTMENT WAS CAL LED. A POLICE REPORT WAS FILED. CUST IN A STATE OF SHOCK AS A RESULT OF THE FIRE. DOES NOT HAVE A VEHICLE TO DRIVE. A N INSURANCE CLAIM WAS FILED. THE NAME OF THE INSURANCE COMP ANY IS AMEX. DOES NOT HAVE THE POLICY NUMBER. WANTS TO KNO W WHAT FORD WILL DO TO ASSIST HER. PER CUSTOMER, DEALER SAY

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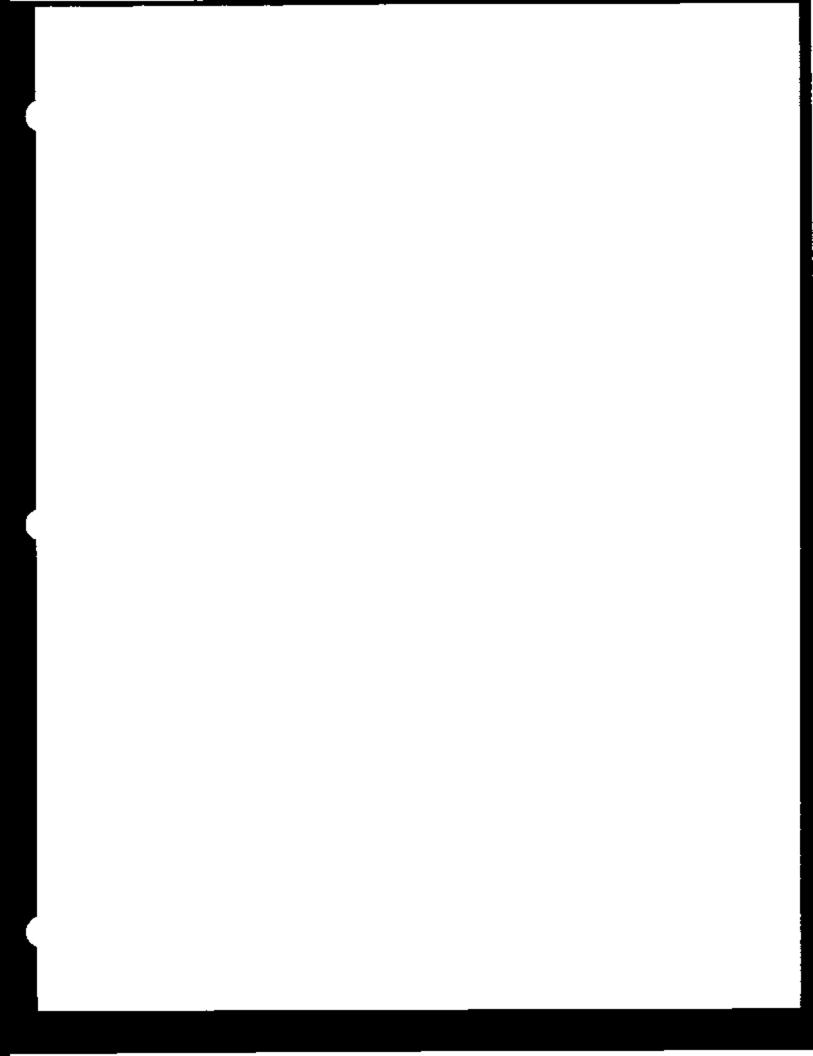
W WHAT FORD WILL DO TO ASSIST HER. PER CUSTOMER, DEALER SAY S: CAC ADVISED: - REFER TO INSURANCE COMPANY (INSURANC E CO. HAS THE RIGHT TO SUBROGATE FORD) INFERENCE CASE ID: 2

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NO MORE COMMENTS AVAILABLE



PLAINTIFFS' ORIGINAL PETITION

COME NOW Plaintiffs complaining of Ford Motor Company and for cause of action would show this Honorable Court as follow:

I. PARTIES

Plaintiffs live in Dallas County. The events that caused Plaintiffs' injuries all occurred in Dallas County, Texas. Ford Motor Company was at all times pertinent hereto engaged in business in Dallas County, Texas, had a principal place of business in Dallas County, Texas and owned property in Dallas County, Texas. Ford Motor Company can be served with process by service on its registered agent as follows:

CT Corp. System 350 N. St. Paul Street Dallas, TX 75201

IL BACKGROUND

Plaintiffs owed a home at the property of the Dallas, Dallas County,

Texas where on August 13, 2002 a vehicle manufactured and sold by the

Defendant while sitting unoccupied with the engine turned off, caught fire and destroyed Plaintiffs' home and its contents. The fire also destroyed two of Plaintiffs' automobiles. The fire and resulting damages to Plaintiffs were caused by the negligence of Ford Motor Company. Further, Ford Motor Company is guilty of designing, manufacturing and selling a defective vehicle. Ford failed to warn the Plaintiffs or others similarly situated of the unreasonable dangerous product that Ford Motor Company had placed in the stream of commerce.

. IIL CLAIMS

Plaintiffs herein assert claims for their damages which were proximately caused by the negligence and the providing of a defective and unsafe product to the Plaintiffs. Ford is also guilty of breaches of warranty, both expressed and implied and failure to warn the Plaintiffs of the defective product. The damages exceed the jurisdictional minimum or this Court.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that Ford be cited to appear and that upon trial, Plaintiffs be awarded their damages along with costs of court and general relief.

Respectfully submitted,

GLAST, PHILLIPS & MURRAY, P.C.

Bv:

ødy Sheets

State Bar No. 18180500

13355 Noei Road 2200 One Galleria Tower Dallas, Texas 75240 (972) 419-8300 (972) 419-8329 (Fax) ATTORNEYS FOR PLAINTIFFS

JURY TRIAL DEMANDED

2200 RD23 AVENUE SCH72 2200 DALLAS, TEXAS 75201-6776

DIRECT NUMBER: (214) 740-8520 email: mpoweli@lockeliddell.com

October 25, 2002

Ms. Maria Quintero-Salvo Claims Analyst Ford Motor Company Office of the General Counsel Parklane Towers West, Suite 300 Three Parklane Boulevard Dearborn, Michigan 48126-2568

Re: (

Claimant

D/E: 08-12-02

Dear Ms. Quintero-Salvo:

I have written to you before about the fire at the second pour form letter dated September 26, 2002.

First, I want to say that the law firm of Locke Liddell & Sapp LLP, to whom your form letter was addressed, is not involved in this matter. The same are friends of my family, and I am helping them on a personal, pro bono basis. They have been financially devastated by the fire and seek a settlement with Ford for their personal losses. They did not have fire insurance on their home. If we cannot settle on a prompt basis, I will most likely turn their case over to a plaintiff's lawyer in Dallas.

I am enclosing a copy of a subrogation claim that the received from Allstate Insurance Company, which apparently insured their neighbor's house. I have advised Allstate Insurance Company that the Dallas Fire Department investigators determined that this fire started in the engine compartment of the Ford F150 pickup and then spread through the garage and into their house. The fire also damaged the neighbors' house, which was nearby the garage as I understand it, and that is the basis for the Allstate subrogation claim.

Another Allstate entity, Affstate County Mutual Insurance Company, insured two of the three vehicles, and Affstate County has paid the Trejos claim for the vehicles. I expect Allstate County to present a claim against Ford.

Ms. N October 25, 2002 Page 3

I have read your paragraph saying that if we do not submit all of the information, you "will assume that [we] are not interested in pursing a claim and will close [your] file." That would be a completely incorrect assumption. You also state that the vehicle will not be inspected by Ford until you have received everything and someone has made a determination that an inspection is warranted. You can take that position at your own risk. My advice is to have someone start looking at this right now, and you should contact Allstate to inspect the vehicle, as I have described above. The vehicle is available through Alistate for Ford to inspect. It would seem highly prudent for Ford Motor Company to take heed from the findings in the Dallas Fire Department's report and to take this claim very seriously.

Sincerely,

Michael V. Powell



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Travelers Property Casualty

PO Box 12647 Reading PA 19612-2647 610-371-7658 Fax 610-371-7468

1/27/98

ATTN: CLAIM DEPT.
Ford Motor Companies
Office of the General Council
3 Parklane Blvd., Suite 1400 W
Dearborn, MI 48126

405893

Re:

Subrogation Claim

Our Insured:

Our File No.:

Date of Loss: 09/29/97

Your Insured: Ford Motor Companies

Your File No.: Unknown

RECEIVED
CLAIMS UNIT

FEB 0 9 1998

OFFICE OF THE GENERAL COUNSEL

Dear Claim Dept.,

We represent the insurance company for the incident shows that your insured is liable for our insured's loss.

We have paid our insured \$16,933.50 for this loss. We are requesting reimbursement for that amount and our insureds deductible of \$1,000.00 for a total of \$17,933.50.

Enclosed is proof of the damages. We expect repayment within 30 days. We will forward the deductible amount to our insured.

We appreciate your prompt attention.

Sincerely,

Jen Persu 610-371-7660

Districts systematical vertical first NA 22553 745 Europeurs/WC Name of Japane Main Harbert I. Miles SEASTING A Phone No. Driver's Idoense) Social Security No. // // Date of Birth Cooupetrion and Address of Employer Bus. Three 465 Marital Status Mo. of Dependents <u>Wife a Hi</u> - traveling to mark-commutation I 395 11. Date of Fire 9-29-97 Pine 4:50 M V M Was Vehicle locked? Amount for which you are making claim \$ TotaliasS Were windows rolled up? Specific location where vahiole burned T 395 Q Law most the Cafer m & address of person who left auto at this location. Mr. R.C. Poor divisor Lake of Woods VA __Their Briver's License # 222-72- 8/39 When was fire discovered? Data 9-28-07 Fine 6: So Mt F Rt By whom Driver -- Page When was fire reported to fire dept? Date \$-29-97 Time C.SP NOT THE By whom Mike May Location of fire station State Source Touch Report Hunber NA Describe fire (Where, color of make, came) Black Shake- Blacked Fort Haz vakiale being driven? Has 1/10 Describe exactly what compared prior to noticing make or fire (electrical or mechanical multimotion) attended qual filedand Have you had similar problems prior to fike? Yes__ No 🗸 . If yes, describe, Were you carrying a container of flammable liquid in the vehicle at the time _No___. If yes, please answer the following, type of liquid_ of fire? Yes_ Jacount Size and type of opstainer Where was the container at time of fire? Did you small sucks or see fluxes first?

Nake of webicle 1996 Feet Year 1861 Model VAY <u>Body Twosh-36#Color(3/v/</u> Webdale Ident. (1F6453)FGTH Idoense Plate **State VA** Cartificate of Title (. If not, why No. of cylinders 2 H.P. or Cabin/in 7,3 Odemeter reading Has vehicle been desaged during the past three years? Yes Describe (location, type, ascust, date) Pertial Ware repairs completed? Yes__ _**__Xb**__ Nume and address of insurance company who paid damage claims, if any Many other claims in the last 3 years on this or any other auto? Yes 🗸 No _kmy other vehicles in your householdt Yes 🕢 No_ _____Nume of insurance obspacy or agent on other vehicles Hams Adenov - AETHA Your prior insurance company and agent, Any homeowners claims in past 6 nos. with litting 140 Other Company 140

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	Body FairGoodExcellent								
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	Ignition May 4 Trunk Key 4 Do you have other auto thaft								
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A PECIFESSIONAL CORPORATION

2300 BANKONE CENTEL 1717 MAIN STREET DALLAS, TX 75201-7315
214.462.3000 800.448.1207 214.462.3299 FAX www.comm.com

April 13, 2005

VIA CERTIFIED MAIL VIA E-MAIL RECEIVED APR 1 3 2005

Montague, Texa

James J. Boteler Direct Phone 214.462.363; Direct Pax 646.348.9741 Botaler@commons

Shawn Norton
Claims Analyst/Corporate Legal Assistant
Ford Motor Company
Parklane Towers West, Suite 300
Three Parklane Bouleyard
Dearborn, MI 48126-2568

Re:

Insured:

Claim:

DOL:

Location:

April 12, 2005; 8:30 a.m.

FORD MOTOR COMPANY RECEIVED CLAIMS UNIT

APR 1 4 2005

OFFICE OF THE GENERAL COUNSEL

Dear Shawn:

Please allow this letter to inform you that Parmers Insurance Exchange has retained the law firm of Cozen O'Connor to look into the origin and cause of the above-referenced fire loss and to handle subrogation recovery. As a result of payments made and/or to be made pursuant to an insurance policy between Parmers and the Tullys, Parmers is entitled to assert claims against third parties that are responsible for these damages. At this time, the loss to the Tullys' home and contents has been reserved at \$700,000. Three Ford automobiles were destroyed in this fire — a 2001 Ford Explorer, a Ford Excursion and a Ford F-350.

Our investigators, Mr. Rick Jones and Mr. Mark Goodson will be inspecting the scene on Thursday April 14, 2005. It is my understanding that Mr. Goodson is working with Larry Helton today on another loss in Oklahoma. Hopefully, Mr. Helton will be able to participate in this initial inspection.

From preliminary interviews and eye-witness accounts, the fire originated in front of the Tullys' garage where a 2001 Ford Explorer Sport Track was parked. It informed me that he had driven the Explorer that morning to take his two older children to the bus stop. He then sat in the truck from 7:00-7:30 a.m. with the engine running listening to a radio show. At 7:30 he went into his home. He and his wife were in the back of their home playing with their two

younger children when at 8:00 a.m. they heard a loud boom. His wife went outside and found that the garage was on fire. When the fire department arrived, the Ford Explorer was completely engulfed in flames. Only the front end of the Excursion and F-350 were on fire.

We have also learned that the Explorer was purchased from Larry Slack Ford in Bowie, Texas. The Explorer had approximately 38,000 miles on the odometer. There had been no major repairs to the Explorer. All work done on the Explorer was done by Larry Slack Ford. I do not have the VIN number at this time but will provide all pertinent information once I obtain it.

Please allow this letter to place Ford on notice of a potential claim for the damages caused by this fire. In addition, please allow this letter to provide Ford the opportunity to participate in the full investigation, inspection and preservation of evidence. The Explorer and fire scene remain undisturbed. No destructive examination has taken place or will take place until all interested parties have had an opportunity to inspect the scene as is. Please contact me or Rick Jones to schedule an inspection of the scene and evidence. Mr. Jones' number is 940/391-9940.

Thank you for your attention to this matter and I look forward to working with you as we strive to resolve this loss.

Sincerely,

COZEN O'CONNOR

By: James J. Boteler

IJВ

ce: Mark Goodson

DALLARINES61361 0999944000



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Technical Investigations Forensic Analysis Engineering Consultants

8838 Hawthorn Park Drive • Indianapolis, iN 45220-3909 • (317) 842-6076 • FAX (317) 842-6974 Illinois (773) 881-8825 • Ohio (937) 548-0600 • Wisconsin (414) 648-9331

March 11, 1999

Allstate Insurance Company 5300 Strawberry Farm Blvd. Columbus, Ohio 43230

Attn: Mr. Cary Meyers

Re: Your Insured:

Your Claim#

WTS Project # 99-95-0152

BACKGROUND OF THE INCIDENT:

On Friday, February 26, 1999 Wolf Technical Services, Inc., (WTS) was asked to investigate a reported vehicle fire. The incident occurred on February 23, 1999 at about 10:00 p.m. while the vehicle was being driven at the intersection of Narrows Road and State Road 60 in Dresden, Ohio. The vehicle is a 1998 Ford Ranger extended cab four wheel drive pickup, VIN: 1FTZR15U3W The vehicle hears Ohio registration AJE 1017.

A vehicle fire examination was conducted by Thomas J. Conklin, C.F.B.L of the WTS staff on March 2, 1999. This examination was conducted at Ohio Valley Salvage, 2932 RT 252 S.E., New Philadelphia, Ohio.

CONCLUSION:

It is our technical opinion, based upon our examination of the evidence available to us that the fire was electrical in nature and originated underneath the right side of the

dashboard. It is further our opinion that the fire was caused by a failure or fault in the power distribution box.

DISCUSSION:

Exterior exam

Exterior examination showed that the vehicle appeared to be in excellent condition and well maintained. The fire was contained to the passenger compartment. Heat damage was observed at the front of the bed. All four tires were inflated and not damaged by the fire. Examination revealed an area of blistered paint and discolored metal at the right corner of the front cowl adjacent to where the blower motor mounts. (Photos 1 - 8)

Engine compariment exam

Examination of the engine compartment showed that all components were in place at the time of the fire. The engine compartment wiring harness revealed no evidence of a failure or fault that may have caused this fire. Examination of the fuel system revealed no evidence of failure or leakage that may have caused or contributed to this fire. Heat damage was found at the right side of the fire wall in the area of the blower motor. The plastic housing around the blower motor was melted, as was the plastic fan. Examination of the motor and wiring revealed no evidence of overheating or failure. (Photos 9 - 12)

Interior exam

Interior examination showed that the interior of the vehicle was severely damaged during the fire. The right front corner of the compartment sustained a greater degree of heat damage. Closer examination revealed evidence of arcing on the firewall at the opening for the heater fan. This is directly beneath the hot spot noted on the exterior of the cowl. The interior wiring revealed that a "Power Distribution Box" was subjected to extreme heat. The housing was melted away and evidence of arcing was observed on the unit. The evidence suggests that this unit is mounted in the area where the arcing on the firewall took place. (See enclosed diagram) The interior wiring harness revealed no other evidence of a failure or fault that may have caused or contributed to this fire. (Photos 13 - 22)

Research

Research of recall databases showed that this vehicle is not the subject of any recalls related to this problem.

Respectfully submitted,

Thomas J. Conklin, C.F.E.L.

For the laboratory,

James Casassa, P.E.

TJC/sw



Technical Investigations Forencic Analysis Engineering Consultants

6836 Hawthorn Park Drive • Indianapolia, IN 48220-3909 • (317) 842-8075 • FAX (317) 842-8974 Binole (773) 881-8828 • Ohio (937) 548-0600 • Wieconein (414) 646-9331

March 11, 1999

Allstate Insurance Company 5300 Strawberry Farm Blvd. Columbus, Ohio 43230

Attn: Mr. Gary Meyers

Re: Your Insured:

Your Claim #

WTS Project # 99-95-0152

Neither the Corporation, its consultants, contractors, officers, directors nor any of the corporate staff involved in this investigation have any financial or related interest with respect to any of the persons or organizations indicated in this report. Our letters and reports are for the exclusive use of the client to whom they are addressed. The client further agrees that Wolf Technical Services, Inc., its consultants, contractors, officers, directors and staff shall be held harmless from any claims, suits or other proceedings, losses, costs or damages, including reasonable attorneys fees arising out of any negligent, willful or wanton use of the letters, reports, and other work product submitted in this case. Our letters and reports apply to the samples tested and are not necessarily indicative of the qualities of apparently identical or similar products. The conclusions and results reached in this investigation are based in part upon data supplied to us, and we are not responsible for the authenticity or accuracy of such data.



Technical Investigations Forensic Analysis Engineering Consultants

6836 Hawithorn Park Drive • Indianapolis, IN 48220-3809 • (317) 842-6075 • FAX (317) 842-6974 Histola (773) 881-6826 • Ohio (937) 548-0600 • Wilconsin (414) 646-9331

PHOTOGRAPHIC REVIEW



Technical Investigations Forensic Analysis Engineering Consultants

8836 Hawthorn Park Orive - Indianapolis, IN 46220-3909 • (317) 842-6075 = FAX (317) 842-6974 Illinois (773) 881-8826 • Ohio (937) 548-0600 • Wisconsin (414) 648-9331

EXHIBIT

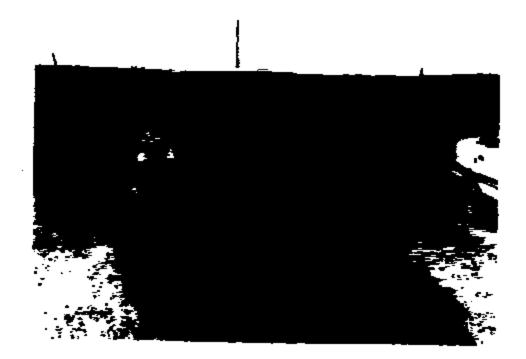


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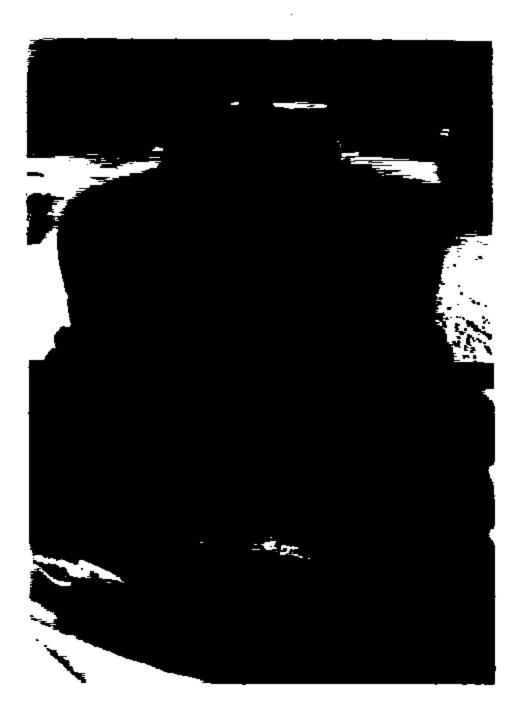


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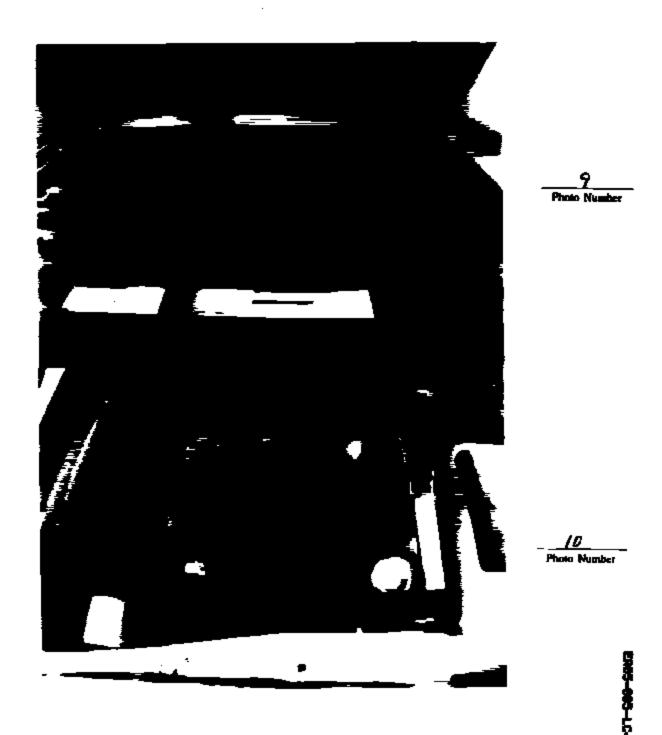
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Photo Number

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365-06-LC-601



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C188-01-088-1C-8813



Photo Number



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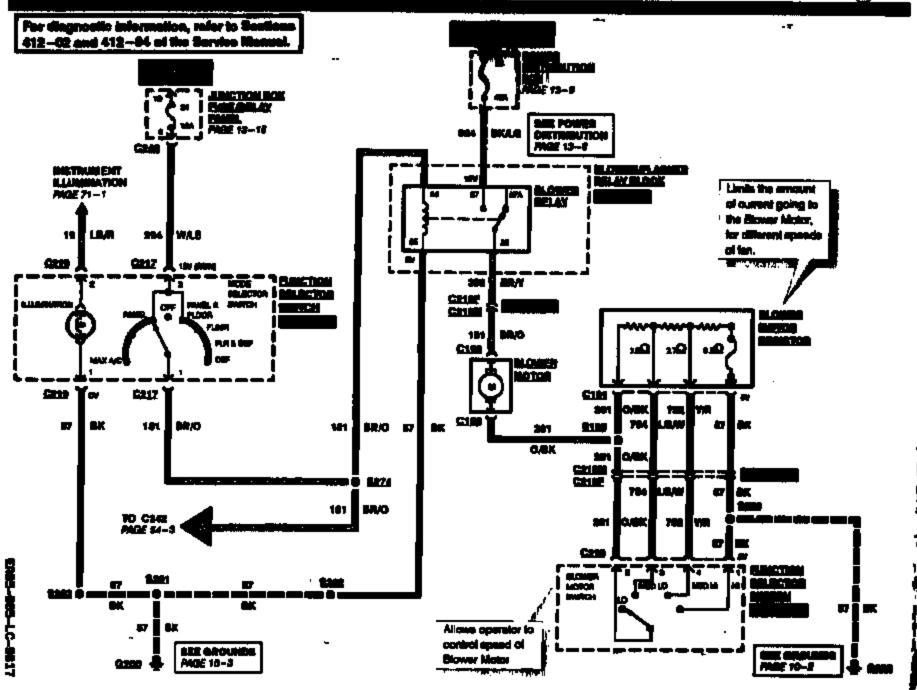
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<u>20</u> Photo Mander



Photo Number

22_ Phns: Number 54- AIR CONDITIONER/HEAR



IN THE MUSKINGHUM COURT OF COMMON PLEAS

MUSKINGUM COUNTY, OHIO

Plaintiff

CASE NO. CHADOO ONTIU

VS.

JUDGE: JUDGE FLEEGLE

COMPLAINT

Ford Motor Company c/o C.T. Corporation System, Inc. 1300 East 9th Street Cleveland, Ohio 44114

and

1 Ricart Automotive c/o Statutory Agent: Ricart Ford, Inc. 4255 South Hamilton Road Columbus, Ohio 43227

Defendants

COUNT 1

- On February 23, 1999, and at all times material herein, Plaintiff Allstate Insurance Company was the insurer, assignee, and subrogee of Untied who was the owner of a 1998 Ford Ranger.
- The aforementioned vehicle was manufactured by the Defendant Ford Motor Company.
- On February 23, 1999 at in Dresden, Ohio, the aforementioned vehicle ignited and burned and caused damage to Untied's vehicle in the amount of \$20,271.41.

- Plaintiff Allstate Insurance Company was required to and did pay to its insured the sum of \$20,221,41, and became subrogated to said amount.
 - 5. Plaintiff Untied sustained a \$50.00 deductible loss.
- 6. The aforementioned fire and resulting damages were the direct and proximate result of the aforementioned motor vehicle being defective at the time it left the hands of the Defendants.
- When the aforementioned motor vehicle left the control of its manufacturer,
 Ford Motor Company, the foreseeable risks associated with its designs exceeded the benefits associated with said design.
- 8. The aforementioned design was more dangerous than an ordinary consumer would expect when used in an intended or reasonably foreseeable manner.
- 9. The aforementioned fire and resulting damages were the direct and proximate result of a manufacturing defect which resulted in the Untied's automobile leaving the control of its manufacturer, Ford Motor Company, in a condition which deviated in a material way from the design specifications, formula, or performance standards of the manufacturer, Ford Motor Company, or from otherwise identical units manufactured to the same design specifications, formula, or performance standards.
- 10. The aforementioned fire and resulting damages were the direct and proximate result of the Defendant's failure to warn until Until of the potential hazards and dangers associated with the operation of the vehicle which it manufactured.
- 11. The aforementioned fire and resulting damages were the direct and proximate result of the negligence of the Defendants Ford Motor Corporation and #1 Ricart Automotive.
- 12. The 1998 Ford Ranger was still within the express warranty provided by Ford Motor Company and #1 Ricart Automotive at the time of sale to Allstate Insurance Company's insured Company United. Plaintiff is not in possession of a copy of the warranty at this time but expects to obtain it through discovery.
- 13. The aforementioned fire and resulting damages were the direct and proximate result of the breach of express or implied warranties given to Detrick United by the Defendant.
- 14. Based on the breach of express warranty, Plaintiffs are entitled to recover attorney fees and costs of litigating this matter.

COUNT II

15. Plaintiffs reiterate and reallege Paragraphs 1 through 14 as if fully rewritten and restated herein.

- 16. Plaintiff insured, Derrick United, is a "consumer" as that term is defined in the Ohio Revised Code §1345.01.
- Defendant #1 Ricart Automotive is a "supplier" as that term is defined in the Ohio Revised Code §1345.01.
- 18. The aforementioned sale of the automobile is a "consumer transaction" as that term is defined in the Ohio Revised Code §1345.01.
- 19. The subject of this consumer transaction failed to conform to the particular standard, quality, grade, style, prescription, or model represented to Plaintiff's insured.
- Defendant #I Ricart Automotive has violated the Ohio Consumer Sales Practices Act, Ohio Revised Code §1345.01, et seq.
- 21. As a direct result of the Defendants' violation of the Ohio Consumer Sales Practices Act, Plaintiffs have been damaged in an amount of at least \$20,374.91, all of which shall be more fully determined at a trial upon the merits of this matter.
- 22. As a direct result of the Defendants' violation of the Ohio Consumer Sales Practices Act, Plaintiffs are entitled to treble damages, plus reasonable attorney fees and costs associated with the bringing of this action.

Wherefore, Plaintiff Alistate Insurance Company demands judgment against the Defendants, jointly and severally in the amount of at least \$20,324.91, and Plaintiff Derrick Untied demands Judgment in the amount of \$150.00 plus cost and attorney fees and for such other relief as this Court deems just and equitable.

UHLINGER & KEIS Attorneys for Plaintiffs 75 Public Square #800 Cleveland, Ohio 44113 216-241-4100

Cullen J. Uhlinger (0001808) David J. Chemosky (0047531) Trial Counsel

SFCHRPMA ==>	Issue List		11/14/00 14:29:01
FCSD REGION: P&A CODE: VIN: SALES REGION:	MARKET: SALES ZONE	ISSUE STAT CASE NUMBE : _ ISSUE TYPE	R:
A LAST HND/ Customer Pho C P&A LAO Trut Custome	-	Reason/ Year Model	Stat/ Type
03/16/99 09/04/98 02185	(H)	LEGAL - INSURANCE 1998 RANGER DEALER GENERATED 1998 RANGER	02
Fl=Help F2=AddAction F7=Prev F8=Next MO MORE RECORDS AVAILABLE	F10=IssueDetail		F12=Return OGDB191

432510 S Buy

The second secon SFCHIDMA 11/14/00 14:29:1 Issue Detail `==> `____

1FTZR15U3W Year: 1998 Model: RANGER
: ORIGINAL WSD: 07/05/98 Mileage: 11900

Owner Status: ORIGINAL Name: Hm Ph: . Case: 1316452398 Day Ph: Trmt:

Symptom:

Reason: LEGAL - INSURANCE COMPANY SETTLEMENT

Dealer:

Issue Type: 02 INFORMATION CAN Court: Legal Issue Type: Issue Status: C CLOSED CAN Award: MORSII Contact: N

A/C DATE Origin Description

03/16/99 CACI38 ADVISE CUST THAT YOUR INSURANCE COMPANY MAY SUBROGATE

F1=Help F2=AddAction F4=ActionDetail F6=DealerInfo F7=Prev F8=Next F9=ViewMORSII F11=Menu F12=Return

NO MORE RECORDS AVAILABLE OGDB191 SFCHADMA

Action Detail

11/14/00 14:29:23

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1FTZR15U3WT

Year: 1998 Model: RANGER

Owner Status - ORIGINAL

WSD: 07/05/98 Hm Ph:

Trmt:

Name:

Case: 1316452398

Day Ph:

Symptom Desc:

Reason Desc: LEGAL - INSURANCE COMPANY SETTLEMENT

Dealer:

Issue Type:

INFORMATION 02

Issue Status:

C CLOSED

Comm Type: PH PHONE
Analyst: SFENTON SHARON FENTON

Odometer Reading: 11900 MI

Action Date: 03/16/99 Action Data:

Document Number:

20:13:39 EST

Origin Desc: US CONCERN CASE BASE

Action Time:

Action Desc: ADVISE CUST THAT YOUR INSURANCE COMPANY MAY SUBROGATE

Comments:

CUSTOMER SAYS: THE INSURANCE CO IS CALLING ON BEHALF OF TH E CUST. FIRE--NO INJURIES---2/23/99. CUST WAS DRIVING THE V EH. SMOKE STARTED TO ENTER THE PASSENGER COMPARTMENT. THE CU ST FULLED OVER ONTO THE SIDE OF THE ROAD. THE VEH BURST INTO

FLAMES. A PASSERBY WITH A CELL PHONE CALLED THE FIRE DEPART MENT. THE FIRE DEPT CAME AND A REPORT WAS FILED #99-088 IN T

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

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

MORE COMMENTS AVAILABLE

QGDB191

==> VIN:

1FTZR15U3W

Year: 1998

Owner Status: ORIGINAL

Model: RANGER

WSD: <u>07/05/98</u> Hm Ph:

Tret:

Name:

Case: 1316452398

Day Ph:

Symptom Desc:

Reason Desc: LEGAL - INSURANCE COMPANY SETTLEMENT

Dealer:

Issue Type: 02 Comm Type;

INFORMATION

Issue Status:

C CLOSED

PH

PHONE

Odometer Reading: 11900

Analyst:

SPENTON

SHARON FENTON

Document Number:

20:13:39 EST

Action Date: 03/16/99 Action Data: Origin Desc: US CONCERN CASE BASE

Action Time:

Action Desc: Comments:

ADVISE CUST THAT YOUR INSURANCE COMPANY MAY SUBROGATE MENT. THE FIRE DEPT CAME AND A REPORT WAS FILED #99-088 IN T

HE COUNTY OF MUSKINGUM. THE INSURANCE CO PAID THE CLAIM. THE VEH WAS NOT REPAIRABLE . THE PIRE WAS INVESTIGATED BY WOOLP TECHNICAL SERVICES INCORP. THEY STATED THAT THE FIRE WAS BL ECTRICAL AND COMING FROM THE RIGHT SIDE OF THE DASHBOARD. TH E VEH IS STILL IN THE INSURANCE CO POCESSION. THE INSURANCE

F2=AddAction F4=FrevAction F5=NextAction F6=ActionData

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

MORE COMMENTS AVAILABLE

OGDB191

SFCHADMA Action Detail 11/14/00 14:29:21

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VIN: 1FTZR15U3WT Year: 1998 Model: RANGER

Owner Status: OPICINAL WSD: 07/05/98

Name: Hm Ph: Trmt: Case: 1316452398 Day Ph:

Symptom Desc:

Reason Desc: LEGAL - INSURANCE COMPANY SETTLEMENT

Dealer:

Issue Type: 02 INFORMATION Issue Status: C CLOSED Comm Type: PH PHONE Odometer Reading: 11900 MI

Analyst: SFENTON SHARON FENTON Document Number:

Action Date: 03/16/99 Action Data: Action Time: 20:13:39 EST

Origin Desc: US CONCERN CASE HASE

Action Desc: ADVISE CUST THAT YOUR INSURANCE COMPANY MAY SUBROGATE

Comments: E VEH IS STILL IN THE INSURANCE CO POCESSION. THE INSURANCE

CO IS ALLEGING THAT FORD IS RESPONSIBLE FOR THE FIRE IN THE VEH. THE VEH IS AT OHIO VALLEY SALVAGE 2932 STATE ROOTE 259, SE NEW PHILIPELPHIA, OHIO STOCK01-55325 330-339-1995 IN SURANC CO WOULD LIKE SOMEONE FROM FORD TO LOOK AT THE VEH.

PER CUSTOMER, DEALER SAYS: NONE CAC ADVISED: - REFER

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

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

*MORE COMMENTS AVAILABLE OGDS191

SFCHADMA Action Detail 11/14/00 14:29:29

==> 1FT2R15U3W. Year: 1998 Model: RANGER

WSD: <u>07/05/08</u> Owner Status: ORIGINAL

Name: Hm Ph: Trmt: Case: 1316452398 Day Ph:

Symptom Desc: Reason Desc: LEGAL - INSURANCE COMPANY SETTLEMENT

Dealer:

Issue Type: 02 INFORMATION Issue Status: C CLOSED Comm Type: PH PHÔNE Odometer Reading: 11900 MI

Analyst: SFENTON SHARON FENTON Document Number:

Action Date: 03/16/99 Action Data: Action Time: 20:13:39 EST

Origin Desc: US CONCERN CASE BASE Action Desc: ADVISE CUST THAT YOUR INSURANCE COMPANY MAY SUBROGATE

Comments: PER CUSTOMER, DEALER SAYS: NONE CAC ADVISED: - REFER TO INSURANCE COMPANY (INSURANCE CO. HAS THE RIGHT TO SUBROGA TE FORD) -CAC PROVIDED THE INSURANCE CO WITH THE ADDRESS FO

R CONSUMERS AFFAIR TO SUBROGATE ON THE CUST BEHALF. INFERENC E CASE ID: 22

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData P9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP

NO MORE COMMENTS AVAILABLE OGDB191