

942.1(1)

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, and telephone) Kevin E. Cholakian (S.B. # 103423) Tinguin Larsen (S.B. #2090603) Cholakian & Associates 5 Thomas Mellon Circle, #105 San Francisco, CA 94134 TELEPHONE: (415) 467-8200 FAX: (415) 467-8206</p> <p>CMAIL ADDRESS (if any):</p>		<p>FOR COURT USE ONLY</p> <p>ENDORSED FILED SAN MATEO COUNTY</p> <p>SEP 17 2002</p> <p>Clk of the Superior Court By <u>J. J. LANE</u> DEPUTY CLERK</p>
<p>NAME OF COURT: Superior Court of California County of San Mateo COURT ADDRESS: 400 County Center, Second Floor MAILING ADDRESS: CITY AND ZIP CODE: Redwood City, CA 94063 DIVISION: Limited Civil Division</p> <p>PLAINTIFF: State Farm Mutual Automobile Insurance Company</p> <p>DEFENDANT: Ford Motor Company</p> <p><input checked="" type="checkbox"/> DOES 1 TO 20</p> <p>COMPLAINT — Personal Injury, Property Damage, Wrongful Death <input checked="" type="checkbox"/> AMENDED (Number): One (1)</p> <p>Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input checked="" type="checkbox"/> OTHER (specify): Subrogation <input checked="" type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Personal Injury <input checked="" type="checkbox"/> Other Damages (specify): State Farm is pursuing monies paid to their insured.</p> <p>Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded: <input type="checkbox"/> does not exceed \$10,000 <input checked="" type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited</p>		
<p>1. PLAINTIFF (name): State Farm Mutual Automobile Insurance Company</p> <p>alleges cause of action against DEFENDANT (name): Ford Motor Company</p> <p>2. This pleading, including attachments and exhibits, consists of the following number of pages: <u>5</u></p> <p>3. Each plaintiff named above is a competent adult</p> <p>a. <input checked="" type="checkbox"/> except plaintiff (name): State Farm Mutual Automobile Insurance Company</p> <p>(1) <input checked="" type="checkbox"/> a corporation qualified to do business in California (2) <input type="checkbox"/> an unincorporated entity (describe): (3) <input type="checkbox"/> a public entity (describe): (4) <input type="checkbox"/> a minor <input type="checkbox"/> an adult (a) <input type="checkbox"/> for whom a guardian or conservator of the estate or a guardian ad litem has been appointed (b) <input type="checkbox"/> other (specify): (c) <input type="checkbox"/> other (specify):</p> <p>b. <input type="checkbox"/> except plaintiff (name):</p> <p>(1) <input type="checkbox"/> a corporation qualified to do business in California (2) <input type="checkbox"/> an unincorporated entity (describe): (3) <input type="checkbox"/> a public entity (describe): (4) <input type="checkbox"/> a minor <input type="checkbox"/> an adult (a) <input type="checkbox"/> for whom a guardian or conservator of the estate or a guardian ad litem has been appointed (b) <input type="checkbox"/> other (specify): (c) <input type="checkbox"/> other (specify):</p> <p><input type="checkbox"/> Information about additional plaintiffs who are not competent adults is shown in Complaint — Attachment 3.</p>		<p>CASE NUMBER:</p> <p>CLJ 425674</p>

SHORT TITLE XXXXXXXXXXXX v.
 Ford Motor Company

CASE NUMBER

4. ☐ Plaintiff (name):

is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

- a. ☒ except defendant (name): Ford Motor Company

- (1) ☐ a business organization, form unknown
 (2) ☒ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):

c. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):

h. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):

d. ☐ except defendant (name):

- (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):
 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):

☐ Information about additional defendants who are not natural persons is contained in Complaint — Attachment 5.

6. The true names and capacities of defendants used as Does are unknown to plaintiff.

7. ☐ Defendants who are joined pursuant to Code of Civil Procedure section 352 are (names):

8. This court is the proper court because

- a. ☒ at least one defendant now resides in its jurisdictional area.
 b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
 c. ☐ injury to person or damage to personal property occurred in its jurisdictional area.
 d. ☐ other (specify):

9. ☐ Plaintiff is required to comply with a claims statute, and

- a. ☐ plaintiff has complied with applicable claims statute, or
 b. ☐ plaintiff is excused from complying because (specify):

SHORT TITLE: State
Ford Motor Company

V. COUNTERPART

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
b. ☒ General Negligence
c. ☐ Intentional Tort
d. ☒ Products Liability
e. ☐ Premises Liability
f. ☐ Other (specify):

11. Plaintiff has suffered

- a. ☐ wage loss
b. ☐ loss of use of property
c. ☐ hospital and medical expenses
d. ☐ general damage
e. ☒ property damage
f. ☐ loss of earning capacity
g. ☒ other damage (specify): Plaintiff issued an automobile insurance policy to

the owner of a 1996 Ford F150 ("vehicle"). The vehicle suffered an engine compartment fire due to a leak in the fuel injector or the fuel rail on the right side of the engine. has paid its insured a total of \$16,262.70 for claims resulting from the vehicle fire.

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Complaint — Attachment 12.
b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. PLAINTIFF PRAYS for judgment for costs of suit for such relief as is fair, just, and equitable; and for

- a. (1) ☐ compensatory damages
(2) ☐ punitive damages
b. The amount of damages is (you must check (1) in cases for personal injury or wrongful death):
(1) ☐ according to proof
(2) ☒ in the amount of \$ 16,262.70

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: August 28, 2002

Tingwin Larsen

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE:

v. Ford Motor Company

CASE NUMBER:

FILE#

CAUSE OF ACTION - General Negligence

Page 4

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

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

GN-1. Plaintiff (name):

alleges that defendant (name): Ford Motor Company

☒ Does 1 to 20

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): 03/14/02

at (place): Calle Central #2 La Meza, Baja California, Mexico.

(description of reasons for liability):

Defendant had a duty to exercise reasonable care to design, assemble, manufacture, inspect, test, distribute, and sell a vehicle free from defects and safe for use under foreseeable usage. Defendant breached said duty by failing to exercise reasonable care in the design, assembly, manufacturing, inspection, testing, distribution, and sale of Plaintiff's insured's 1998 Ford F150, which was not free from defects and not safe when used under foreseeable conditions. As a direct and proximate cause of said breach, Plaintiff's insured's vehicle caught fire, resulting in a total loss. As a result of said negligence, Plaintiff has incurred damages as referenced above.

SHORT TITLE: **Ford Motor Company**

CASE NUMBER:

Second CAUSE OF ACTION - Products Liability

Page 5

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

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

Plaintiff (name):

Prod.L-1. On or about (date): 03/14/02 plaintiff was injured by the following product
A 1998 Ford F-150 Pick Up Truck VIN# 1FTRX718W8

Prod.L-2. Each of the defendants knew the product would be purchased and used without inspection for defects. The product was defective when it left the control of each defendant. The product at the time of injury was being

- ☒ used in the manner intended by the defendants.
☐ used in a manner that was reasonably foreseeable by defendants as involving a substantial danger not readily apparent. Adequate warnings of the danger were not given.

Prod.L-3. Plaintiff was a

- ☐ purchaser of the product. ☐ user of the product.
☐ bystander in the use of the product. ☒ other (specify): Subrogee of the user of the product.

PLAINTIFF'S INJURY WAS THE LEGAL (PROXIMATE) RESULT OF THE FOLLOWING:

Prod.L-4. ☒ Count One-Strict Liability of the following defendants who

- a. ☒ manufactured or assembled the product (name): Ford Motor Company

☒ Does 1 to 20

- b. ☒ designed and manufactured component parts supplied to the manufacturer (name): Ford Motor Company

☒ Does 1 to 20

- c. ☒ sold the product to the public (name):

☒ Does 1 to 20

Prod.L-5. ☒ Count Two-Negligence of the following defendants who owed a duty to plaintiff (name): Ford Motor Company

☒ Does 1 to 20

Prod.L-6. ☒ Count Three-Breach of warranty by the following defendants (name): Ford Motor Company

☒ Does 1 to 20

- a. ☒ who breached an implied warranty
b. ☒ who breached an express warranty which was

☒ written ☐ oral

Prod.L-7. ☒ The defendants who are liable to plaintiff for other reasons and the reasons for the liability are
☐ listed in Attachment-Prod.L-7 ☒ as follows: The defendant manufactured, designed, sold, and/or warranted the vehicle and its parts. A failure of the vehicle or its parts caused the malfunction, resulting in damage to the plaintiff.

SFCIRFMA

Issue List

10/03/02 08:05:02

FCSD REGION: _____ MARKET: _____ ISSUE STATUS: _____
P&A CODE: _____
VIN: 1FTRX17L8w[REDACTED] CASE NUMBER: _____
SALES REGION: _____ SALES ZONE: _____ ISSUE TYPE: _____

A	LAST HND/	Customer Phone Number/	Reason/	Stat/
C	P&A	Trmt Customer Name	Year Model	Type
-	04/02/02	[REDACTED]	LEGAL - ALLEGED - NON-SERIOUS	C
	01469	[REDACTED]	1998 F-SERIES	07

F1=Help F2=AddAction F5=CustomerList F6=DealerInfo
F7=Prev F8=Next F10=IssueDetail F11=Menu F12=Return
NO MORE RECORDS AVAILABLE OGDB427

VIN: 1FTRX17L8W [REDACTED] Year: 1998 Model: F-SERIES
Owner Status: ORIGINAL WSD: 08/11/98 Mileage: 1
Name: [REDACTED] Hm Ph: [REDACTED]
Trmt: [REDACTED] Case: 1450430912 Day Ph: [REDACTED]
Symptom: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason: LEGAL - ALLEGED - NON-SERIOUS INJURY
Dealer: PERRY FORD
Issue Type: 07 LEGAL CAN Court: Legal Issue Type:
Issue Status: C CLOSED CAN Award: MORSII Contact: N

A/C DATE Origin Description

04/01/02 CACI38 INJURY; ADVISE CUST INFORMATION WILL BE FORWARDED TO CONSUME
04/02/02 CALGL MAKE OUTBOUND CALL TO CUSTOMER
04/02/02 CALGL FINAL CASE DISPOSITION

F1=Help F2=AddAction F4=ActionDetail F6=DealerInfo F12=Return
F7=Prev F8=Next F9=ViewMORSII F11=Menu OGDB427
NO MORE RECORDS AVAILABLE

SFCHADMA

Action Detail

10/03/02 08:05:35

VIN: 1FTRX17L8WK Year: 1998 Model: F-SERIES
Owner Status: ORIGINAL WSD: 08/11/98
Name: Hm Ph:
Trwt: Day Ph:
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ALLEGED - NON-SERIOUS INJURY
Dealer: PERRY FORD
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 1 MI
Analyst: PMARTINE PAULA VOGRINCIO-MART Document Number:
Action Date: 04/01/02 Action Data: Action Time: 12:29:29 EST
Origin Desc: US CONCERN CASE BASE
Action Desc: INJURY; ADVISE CUST INFORMATION WILL BE FORWARDED TO CONSUME
Comments: CUSTOMER SAYS: ==VEHICLE CAUGHT ON FIRE UNDER THE HOOD ON
MARCH 2002 == IT CAUSED A HOLE IN THE ENGINE ==INSURANC
E COMPANY STATED THAT IS A MANUFACTURER DEFECT ==INSURANCE
PAID FOR THE VEHICLE \$14,000 AND THE DIFFERENCE OF OUSTANDIN
G CREDIT WILL BE COVERED ALSO BY THEN ==CUSTOMER HAD PAID F
OR VEHICLE \$19,000 DOLLARS SO FAR ==BELIEVES THAT FORD SHO
F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
MORE COMMENTS AVAILABLE

OGD6427

SFCHADNA

Action Detail

10/03/02 08:05:38

VIN: 1FTRX17L8WK Year: 1998 Model: F-SERIES
Owner Status: ORIGINAL WSD: 08/11/98
Name: Hm Ph: [REDACTED]
Trmt: Case: 1450430912 Day Ph: [REDACTED]
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ALLEGED - NON-SERIOUS INJURY
Dealer: PERRY FORD
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 1 MI
Analyst: PMARTINE PAULA VOGRINCIO-MART Document Number:
Action Date: 04/01/02 Action Data: Action Time: 12:29:29 EST
Origin Desc: US CONCERN CASE BASE
Action Desc: INJURY; ADVISE CUST INFORMATION WILL BE FORWARDED TO CONSUME
Comments: OR VEHICLE \$19,000 DOLLARS SO FAR ==BELIEVES THAT FORD SHO
ULD COMPENSATES HIM FOR THE DIFFERENCE AND COLLATERAL DAMAGE
S ==HAD NO VEHICLE RIGHT NOW ==LOST AROUND \$5000 DOLLARS
==HIS GARAGE IS DAMAGED ==HIS NEIGHBOUR WAS SLIGHTLY BUR
NT IN THE HANDS AND FACE ==NEIGHBOURS WERE SO AFRAID AND H
E IS AFRAID THAT WILL SUIT HIM FOR THIS PER CUSTOMER, DEAL
F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
MORE COMMENTS AVAILABLE

OGDB427

SFCHADMA

Action Detail

10/03/02 08:05:39

==>

VIN: 1FTRX17L8W Year: 1998 Model: F-SERIES
Owner Status: ORIGINAL WSD: 08/11/98
Name: Hm Ph: [REDACTED]
Trmt: Case: 1450430912 Day Ph: [REDACTED]
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ALLEGED - NON-SERIOUS INJURY
Dealer: PERRY FORD
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 1 MI
Analyst: PMARTINE PAULA VOGRINCIO-MART Document Number:
Action Date: 04/01/02 Action Data: Action Time: 12:29:29 EST
Origin Desc: US CONCERN CASE BASE
Action Desc: INJURY; ADVISE CUST INFORMATION WILL BE FORWARDED TO CONSUME
Comments: E IS AFRAID THAT WILL SUIT HIM FOR THIS PER CUSTOMER, DEAL
ER SAYS: NONE: CAC ADVISED: - THIS INFORMATION WILL BE F
ORWARDED TO OUR CONSUMER AFFAIRS OFFICE. SOMEBODY WILL CONT
ACT IN TWO BUSINESS DAYS. INFERENCE CASE ID: 5341

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
NO MORE COMMENTS AVAILABLE

OGDB427

SFCHADMA

Action Detail

10/03/02 08:05:42

VIN: IFTRX17L8WK [REDACTED] Year: 1998 Model: F-SERIES
Owner Status: ORIGINAL WSD: 08/11/98
Name: [REDACTED] Hm Ph: [REDACTED]
Trmt: [REDACTED] Case: 1450430912 Day Ph: [REDACTED]
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ALLEGED - NON-SERIOUS INJURY
Dealer: PERRY FORD
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 1 MI
Analyst: 9245LG LEAH GALE Document Number:
Action Date: 04/02/02 Action Data: Y Action Time: 17:36:01 EST
Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Action Desc: MAKE OUTBOUND CALL TO CUSTOMER
Comments: LPA SPOKE WITH CUSTOMER'S GRANDDAUGHTER(HEIDI) WHO ADVISED
THAT SHE DOES NOT BELIEVE THAT THERE WILL BE A PERSONAL INJURY
CLAIM. LPA ADVISED THAT MATTER SHOULD CONTINUE THROUGH IN
SURANCE COMPANY AND EXPLAINED SUBROGATION PROCESS.

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
NO MORE COMMENTS AVAILABLE

OQDB427

SFCHADMA

Action Detail

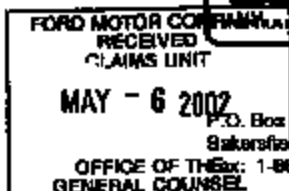
10/03/02 08:05:45

VIN: 1FTRX17L8Wk Year: 1998 Model: F-SERIES
Owner Status: ORIGINAL WSD: 08/11/98
Name: Hm Ph:
Trmt: Case: 1450430912 Day Ph:
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD
Reason Desc: LEGAL - ALLEGED - NON-SERIOUS INJURY
Dealer: PERRY FORD
Issue Type: 07 LEGAL Issue Status: C CLOSED
Comm Type: PH PHONE Odometer Reading: 1 MI
Analyst: 924SLG LEAH GALE Document Number:
Action Date: 04/02/02 Action Data: N Action Time: 17:36:50 EST
Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Action Desc: FINAL CASE DISPOSITION
Comments: LPA SPOKE WITH CUSTOMER'S GRANDDAUGHTER(HEIDI) WHO ADVISED
THAT SHE DOES NOT BELIEVE THAT THERE WILL BE A PERSONAL INJURY
CLAIM. LPA ADVISED THAT MATTER SHOULD CONTINUE THROUGH IN
SURANCE COMPANY AND EXPLAINED SUBROGATION PROCESS.

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
NO MORE COMMENTS AVAILABLE

OGDB427

State Farm Insurance Companies®



May 1, 2002

P.O. Box 25002
Sakramento, CA 95830-5002
Ex: 1-888-883-1004

OFFICE OF THE
GENERAL COUNSEL

CERTIFIED MAIL - RETURN RECEIPT REQUESTED AND REGULAR MAIL

Ford Motor Company
Park Lane Towers W Ste 400
3 Park Ln Blvd
Dearborn MI 48126-2568

RE: Claim Number: [REDACTED]
Our Insured: [REDACTED]
Date of Loss: March 14, 2002
Make/Model/Year: 1998 Ford F150 Pickup
VIN Number: 1FTRX17L8WK [REDACTED]

Dear Sirs:

The identified 1998 Ford F150 pickup is insured by [REDACTED]. This vehicle experienced a fire in the engine compartment.

State Farm® would like to give you an opportunity to inspect the vehicle and give you advance notice of our subrogation claim. Please contact me or anyone on team one to set a time for your inspection.

Sincerely,

Pat Campos
Claim Specialist, Team 3H
State Farm Mutual Automobile Insurance Company
(619) 278-4178

PC/GC:058/0501004

- 3/14/02
- 198 F-150
- VIN

1. INDORSE MAILING CIRCLES, VIOL
SAN FRANCISCO, CA 94134

TELEPHONE NO. (415) 467-8200

FAX NO. (415) 467-8206

2. MAIL ADDRESS (Optional)

ATTORNEY FOR PLAINTIFFS

NAME OF COURT Superior Court of California County of Contra Costa

STREET ADDRESS 640 YGNACIO VALLEY ROAD

CITY AND ZIP CODE

WALNUT CREEK, CA 94596

BRANCH NAME WALNUT CREEK COURTHOUSE, Limited Civil Division

PLAINTIFF

DEPENDANT: Ford Motor Company

☒ DOES 1 TO 20

COMPLAINT — Personal Injury, Property Damage, Wrongful Death

☒ AMENDED (Number) Case (1)

Type (check all that apply):

☐ MOTOR VEHICLE

☒ Property Damage

☐ Personal Injury

☒ OTHER (specify) Subrogation

☐ Wrongful Death

☒ Other Damages (specify) State Farm is

pursuing monies paid to their insured.

Jurisdiction (check all that apply):

☐ ACTION IS A LIMITED CIVIL CASE

Amount demanded

☐ does not exceed \$10,000

☒ exceeds \$10,000, but does not exceed \$25,000

☐ ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)

☐ ACTION IS RECLASSIFIED by this amended complaint

☐ from limited to unlimited

☐ from unlimited to limited

CASE NUMBER

WS02-1331

1. PLAINTIFF (name):

alleges cause of action against DEFENDANT (name): Ford Motor Company

2. This pleading, including attachments and exhibits, consists of the following number of pages: 1

3. Each plaintiff named above is a competent adult

a. ☒ except plaintiff (name): State Farm Mutual Automobile Insurance Company

(1) ☒ a corporation qualified to do business in California

(2) ☐ an unincorporated entity (describe):

(3) ☐ a public entity (describe):

(4) ☐ a minor ☐ an adult

(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed

(b) ☐ other (specify):

(c) ☐ other (specify):

b. ☐ except plaintiff (name):

(1) ☐ a corporation qualified to do business in California

(2) ☐ an unincorporated entity (describe):

(3) ☐ a public entity (describe):

(4) ☐ a minor ☐ an adult

(a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed

(b) ☐ other (specify):

(c) ☐ other (specify):

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

Form Approved for Optional Use
by the County of California
(Rev. 1/01) (Form 100-1, 2002)

COMPLAINT — Personal Injury, Property
Damage, Wrongful Death

Legal
Section
LA 1218

Without Civil Procedure, § 405.12
Page 1 of 1

4. ☐ Plaintiff (name):

is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

a. ☒ except defendant (name): Ford Motor Company.(1) ☐ a business organization, form unknown(2) ☒ a corporation(3) ☐ an unincorporated entity (describe):(4) ☐ a public entity (describe):(5) ☐ other (specify):c. ☐ except defendant (name):(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe):(4) ☐ a public entity (describe):(5) ☐ other (specify):b. ☐ except defendant (name):(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe):(4) ☐ a public entity (describe):(5) ☐ other (specify):d. ☐ except defendant (name):(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe):(4) ☐ a public entity (describe):(5) ☐ other (specify):☐ Information about additional defendants who are not natural persons is contained in Complaint — Attachment 5.

6. The true names and capacities of defendants sued as Does are unknown to plaintiff.

7. ☐ Defendants who are joined pursuant to Code of Civil Procedure section 383 are (name(s):

8. This court is the proper court because

a. ☒ at least one defendant now resides in its jurisdictional area.b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.c. ☐ injury to person or damage to personal property occurred in its jurisdictional area.d. ☐ other (specify):9. ☐ Plaintiff is required to comply with a choice statute, anda. ☐ plaintiff has complied with applicable choice statutes, orb. ☐ plaintiff is excused from complying because (specify):

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
 b. ☒ General Negligence
 c. ☐ Intentional Tort
 d. ☒ Products Liability
 e. ☐ Premises Liability
 f. ☐ Other (specify):

11. Plaintiff has suffered

- a. ☐ wage loss
 b. ☐ loss of use of property
 c. ☐ hospital and medical expenses
 d. ☐ general damage
 e. ☒ property damage
 f. ☐ loss of earning capacity
 g. ☒ other damage (specify):

Plaintiff issued an automobile insurance policy to [REDACTED] the owner of a 1998 Ford F150 ("vehicle"). The vehicle suffered an engine compartment fire due to a leak in the fuel injector or the fuel rail on the right side of the engine. State Farm Mutual Automobile Insurance Company has paid its insured a total of \$16,262.70 for claims resulting from the vehicle fire.

12. ☐ The damages claimed for wrongful death and the relationship of plaintiff to the decedent are

- a. ☐ listed in Complaint — Attachment 12.
 b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. PLAINTIFF PRAYS for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☐ compensatory damages
 (2) ☐ punitive damages
 b. The amount of damages is (you must check (1) in cases for personal injury or wrongful death):
 (1) ☐ according to proof
 (2) ☒ in the amount of: \$ 16,262.70

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: May 9, 2003

Timothy Larson

Plaintiff



Signature of Plaintiff (check one)

Second

CAUSE OF ACTION - Products Liability

Page 5

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

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

Plaintiff (name): State Farm Mutual Automobile Insurance Company

Prod1-1. On or about (date): 03/14/02 plaintiff was injured by the following product:
A 1998 Ford F-150 Pick Up Truck VIN# 1FTRX7181W

Prod1-2. Each of the defendants knew the product would be purchased and used without inspection for defects. The product was defective when it left the control of each defendant. The product at the time of injury was being

☒ used in the manner intended by the defendants.☐ used in a manner that was reasonably foreseeable by defendants as involving a substantial danger not readily apparent. Adequate warnings of the danger were not given.

Prod1-3. Plaintiff was a

☐ purchaser of the product.☐ user of the product.☐ bystander to the use of the product.☒ other (specify): Subrogee of the user of the product.

PLAINTIFF'S INJURY WAS THE LEGAL (PROXIMATE) RESULT OF THE FOLLOWING:

Prod1-4. ☒ Count One-Strict Liability of the following defendants whoa. ☒ manufactured or assembled the product (name): Ford Motor Company☒ Does 1 to 20b. ☒ designed and manufactured component parts supplied to the manufacturer (name):
Ford Motor Company☒ Does 1 to 20c. ☒ sold the product to the public (name):☒ Does 1 to 20Prod1-5. ☒ Count Two-Negligence of the following defendants who owed a duty to plaintiff (name):
Ford Motor Company☒ Does 1 to 20Prod1-6. ☒ Count Three-Breach of warranty by the following defendants (name): Ford Motor Company☒ Does 1 to 20a. ☒ who breached an implied warrantyb. ☒ who breached an express warranty which was☒ written ☐ oralProd1-7. ☒ The defendants who are liable to plaintiff for other reasons and the reasons for the liability are☐ listed in Attachment-Prod1-7 ☒ as follows: The defendant manufactured,

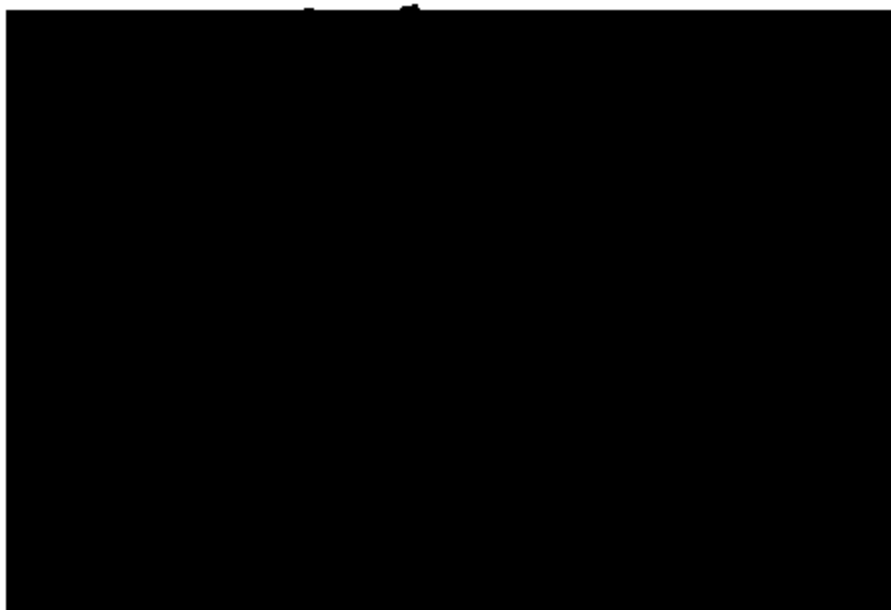
designed, sold, and/or warranted the vehicle and its parts. A failure of the vehicle or its parts caused the malfunction, resulting in damage to the plaintiff.

Form prepared by the
Judicial Council of California
Revised January 1, 1993
Rule 14.1, 1993
Optional Form

CAUSE OF ACTION - Products Liability

Legal
Solutions
& Pals

000-000-000



State Farm Insurance Companies®

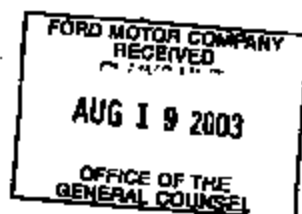


August 4, 2003

RECEIVED
AUG 18 2003

Auto Claim Central Subrogation
P.O. Box 22006
Tulsa, OK 74121-2095
Phone: 1-888-650-1817

CLAIMS DEPT
FORD MOTOR COMPANY
WEST TOWER
3 PARK LANE BLVD STE 400
DEARBORN MI 48288



RE: Claim Number: [REDACTED]
Our Insured: [REDACTED]
Date of Loss: May 1, 2003
Vehicle: 1997 Ford Extended Cab Pickup
VIN Number: 1FTDX1760VH [REDACTED]

Dear Sir/Madam:

This State Farm® insured's 1997 Ford extended cab pickup was involved in a fire. We have settled the claim with our insured in the amount of \$11,964.19, which includes our insured's deductible.

Our investigation revealed the cause of the loss was due to an electrical malfunction at the main battery fuse connection located on the firewall of the right side of the engine compartment.

Enclosed is the documentation to support State Farm's claim. The vehicle is located at Copart and is being held for your inspection. You may contact me at 888-650-1817, extension 5449 to make arrangements to inspect the vehicle.

Please consider this letter as our demand to Ford Motor Company for reimbursement of \$11,964.19.

Sincerely,

Ronda James

Ronda James, Team 6
Claim Representative
888-650-1817, Ext. 7788
State Farm Mutual Automobile Insurance Company

103/0804010

Enclosure

5/1/03
- 197 F-150
- VIN
- \$11,964.19

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

MAR 26 2004

PATRICIA PRESLEY, COURT CLERK

By _____
Plenty

Plaintiffs,

-vs-

Case No.

2004- 2523

FORD MOTOR COMPANY,

Defendant.

PETITION

1. Plaintiff [REDACTED] is an insurance company registered with the State of Oklahoma; Plaintiff [REDACTED] resides in Oklahoma City, Oklahoma; defendant is a corporation that manufactures and sells vehicles for resale throughout the United States of America; this cause of action arose in Oklahoma County, Oklahoma; therefore, this court has both subject matter and personal jurisdiction.

2. In 1997, defendant negligently manufactured a Ford 150 Lariat, VIN #1FTDX1760VE [REDACTED]. On May 1, 2003, while legally parked, with the engine off and the key out of the ignition, said motor vehicle erupted into flames and burned.

3. As a result, plaintiff McNeely suffered property damage in the total amount of \$11,964.19, for which plaintiff McNeely paid a deductible of \$100.00 and plaintiff State Farm Mutual Automobile Insurance Company, pursuant to a policy of insurance, paid the balance of \$11,864.19.

Wherefore, plaintiffs demand judgment against defendant(s) for the sum of \$11,964.19, plus interest and costs, including reasonable attorney fees.

Respectfully Submitted,

[Signature]
Thomas G. Ferguson, Jr. OBA #2878
Russell T. Bowler OBA #15731
WALKER, FERGUSON & FERGUSON
301 Northwest 63rd Street, SUITE 400
Oklahoma City, OK 73116
Telephone (405) 843-8855
Facsimile (405) 843-8914
Attorneys for Plaintiff(s)

SCOTT & ASSOCIATES

INVESTIGATIVE SERVICE, INC.



VEHICLE FIRE REPORT

Prepared For State Farm Insurance Company

Claim No. [REDACTED]

Insured. [REDACTED]

RECEIVED
JUL 14 2002
BROKEN ARROW

7200 S. Pennsylvania, Suite E,
Oklahoma City, OK 73159

405-681-4544
(FAX) 405-681-4591
(Mobil) 405-627-7161

VEHICLE INSPECTION

Insured: [REDACTED] S & A Case No.: 0306-094
Address: [REDACTED] Company: State Farm Insurance Company
Owasso, Oklahoma
Location At Time of Investigation: Coparts, 2408 W. 24, Tulsa, Oklahoma. Lot # [REDACTED] Policy No.: N/A
Claim No.: [REDACTED]
Location At Time of Fire Loss: Thompsons General Store [REDACTED] Oklahoma Date of Investigation: 5/18/03

DESCRIPTION OF VEHICLE

YEAR: 1995 COLOR (TOP): Green
MAKE: Ford COLOR (BOTTOM): Green
MODEL: 150 Lariat

LICENSE PLATES:

STATE: OK NUMBER: [REDACTED] EXPIRATION: 5/03
VEHICLE IDENTIFICATION NUMBER (VIN): [REDACTED]

AGENCIES INVOLVED

FIRE DEPARTMENT: Owasso Oklahoma Fire Department DATE OF LOSS: May 1, 2003
INCIDENT REPORT: 03-0000165 TIME OF CALL: 11:43 AM
LAW ENFORCEMENT AGENCY: NA
OTHER AGENCIES INVOLVED: NA

REMARKS

The Owasso Oklahoma Fire Department received their initial notification of this fire loss on May 1, 2003 at 11:43 AM. The officer in charge of fire fighting operations was Captain David M Sole. I attempted to contact the firefighters, however they were off duty. I did obtain a copy of the fire incident report, which is attached for your review. This report list the cause of this fire as undetermined.

RECEIVED
JUL 14 2003
BROKEN ARROW

EXTERIOR

GLASS CONDITIONS

						POSITION		
	BROKEN	MELTED BY HEAT	CRACKED BY HEAT	MISSING	INTACT	UP	DOWN	UNKNOWN
WINDSHIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
REAR WINDOW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DRIVER'S WINDOW	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PSNGR FRT WINDOW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LEFT REAR WINDOW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RIGHT REAR WINDOW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

The windshield was broken out by the fire and heat moving into the area from the engine compartment. The driver side front window was up at the time of the loss and broken out. The remainder of the glass had a heavy carbon build up on the inside surface of the glass.

SUNROOF:

OPEN

☐

CLOSED

☐

MELTED

☐

N/A

☒

T-TOPS:

ON

☐

REMOVED

☐

MELTED

☐

N/A

☒

DOOR CYLINDERS (LOCKS)

LEFT FRONT
DOOR:

INTACT

☒

MELTED

☐

PUNCHED

☐

MISSING

☐

LOCKED

☐

UNLOCKED

☐

RIGHT FRONT
DOOR:

INTACT

☒

MELTED

☐

PUNCHED

☐

MISSING

☐

LOCKED

☐

UNLOCKED

☐

TIRES

	MANUFACTURER	SIZE	TREAD WEAR	NUMBER OF LUGS
LEFT FRONT	Yokohama Geolander HT	P255-70P16	Good	5
RIGHT FRONT	Yokohama Geolander HT	P255-70P16	Good	5
LEFT REAR	Yokohama Geolander HT	P255-70P16	Good	5
RIGHT REAR	Yokohama Geolander HT	P255-70P16	Good	5

REMARKS:

The right front tire received minimal heat damage and lost air pressure. The remainder of the tires were in good condition.

EXTERIOR DAMAGEFRONT BUMPER HOOD GRILL LEFT FENDER DRIVER'S DOOR REAR DRIVER'S DOOR LEFT QUARTER PANEL TRUNK LID REAR BUMPER ROOF RIGHT QUARTER PANEL REAR PASSENGER DOOR FRONT PASSENGER DOOR RIGHT FENDER **REMARKS:****VAN ONLY**REAR CARGO DOORS SIDE CARGO DOORS **ENGINE COMPARTMENT**ENGINE ACCESSIBILITY: HOOD LATCH: ☒ WORKINGFORCED OPEN ☐ENGINE: ☒ INTACTPARTIALLY STRIPPED ☐BURNED ☒SIZE OF ENGINE BATTERY: ☐ INTACTMELTED ☒REMOVED ☐RADIATOR: ☒ INTACTMELTED ☐REMOVED ☐

RECEIVED
JUL 4 2003
MISSING
BROKEN AIRFLOW

ENGINE COMPARTMENT (CONT.)

OIL LEVEL: ☒ OK BELTS: ☒ Melted
RADIATOR: ☒ OK HOSES: ☒ Heat damage
TRANSMISSION LEVEL: ☒ OK AUTOMATIC TRANS. ☒ STANDARD TRANS. ☐
FRONT WHEEL DRIVE ☐ REAR WHEEL DRIVE ☒ FOUR WHEEL DRIVE ☐
ENGINE PARTS MISSING: ☐ N/A
BURGLAR ALARM SYSTEM: YES ☐ NO ☐ UNKNOWN ☒

REMARKS:

This engine compartment was determined to be the compartment of origin of this fire. The hood received severe fire and heat damage from the engine side of the hood with the rear two thirds being burned away.

UNDER VEHICLE

FUEL TANK: INTACT ☒ DAMAGED ☐ MISSING ☐
FUEL CAP: INTACT ☒ MELTED ☐ MISSING ☐
FILL PIPE: INTACT ☒ DAMAGED ☐ MISSING ☐
OIL PAN: INTACT ☒ MISSING ☐ LEAKAGE NOTICED YES ☐ NO ☒

TRUNK COMPARTMENT EXAMINATION

PICKUP ☒ VAN ☐ OTHER ☐

LOCKED ☐ OPEN ☐ FORCED ☐ TRUNK LOCK INTACT: YES ☐ NO ☐ MELTED ☐

IF FORCED, BY WHOM: ☐

TRUNK RELEASE BUTTON: YES ☐ NO ☐ UNKNOWN ☐

SPARE TIRE: INTACT ☒ MISSING ☐ MELTED ☐ UNKNOWN ☐

TIRE CHANGING EQUIPMENT: INTACT ☒ MISSING ☐ MELTED ☐

OTHER CONTENTS /
PERSONAL EFFECTS:

There was no contents in the bed of this vehicle at the time of the examination.

PASSENGER COMPARTMENT

DASHBOARD:	INTACT	<input checked="" type="checkbox"/>	BURNED	<input checked="" type="checkbox"/>	MISSING	<input type="checkbox"/>
RADIO:	INTACT	<input type="checkbox"/>	BURNED	<input checked="" type="checkbox"/>	MISSING	<input type="checkbox"/>
SPEAKERS:	INTACT	<input checked="" type="checkbox"/>	BURNED	<input checked="" type="checkbox"/>	MISSING	<input type="checkbox"/>
FIREWALL:	INTACT	<input type="checkbox"/>	BURNED	<input checked="" type="checkbox"/>	MELTED	<input type="checkbox"/>
IGNITION:	INTACT	<input checked="" type="checkbox"/>	IN DEBRIS	<input type="checkbox"/>	DESTROYED BY FIRE	<input type="checkbox"/>
	PUNCHED	<input type="checkbox"/>	POSITION:	ON <input type="checkbox"/>	OFF	<input checked="" type="checkbox"/>
STEERING COLUMN:	INTACT	<input checked="" type="checkbox"/>	LOCKED	<input type="checkbox"/>	BURNED	<input type="checkbox"/>
FRONT SEAT:						
BENCH	INTACT	<input type="checkbox"/>	BURNED	<input type="checkbox"/>	REMOVED	<input type="checkbox"/>
LEFT FRONT	INTACT	<input checked="" type="checkbox"/>	BURNED	<input type="checkbox"/>	REMOVED	<input type="checkbox"/>
RIGHT FRONT	INTACT	<input checked="" type="checkbox"/>	BURNED	<input type="checkbox"/>	REMOVED	<input type="checkbox"/>
REAR SEAT:	INTACT	<input checked="" type="checkbox"/>	BURNED	<input type="checkbox"/>	REMOVED	<input type="checkbox"/>
GLOVE BOX:	INTACT	<input checked="" type="checkbox"/>	BURNED	<input type="checkbox"/>	PERSONAL EFFECTS:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
IGNITION KEY:	IGNITION	<input type="checkbox"/>	AT SCENE	<input type="checkbox"/>	NONE FOUND	<input checked="" type="checkbox"/>

ODOMETER READING: 77401

OIL CHANGE STICKER: DATE DESTROYED YES ☒ NO ☐

PERSONAL EFFECTS IN PASSENGER COMPARTMENT

Umbrella and gloves

REMARKS:

The damage in this passenger compartment was caused by heat from the engine compartment through openings in the fire wall and through the fire damaged windshield.

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JUL 14 2004
BROKEN AREA

EVIDENCE COLLECTED:

Wiring from positive battery feed, under engine bay.

ORIGIN:

The compartment of origin of this fire loss was the engine compartment and the area of origin was the right (passenger) rear corner of this engine compartment. The point of origin was at the battery feed distribution wiring of the battery protection fuses.

CAUSE

After completing this fire scene examination it was determined the cause of this fire as an electrical malfunction at the main battery fuse connection located on the firewall on the right side of the engine compartment. It was determined the battery feed that feeds the cab relay board had shorted to the steel fuse bracket holder. The battery cable that shorted to the bracket was the one that splits off the starter solenoid and is protected by a 175 AMP fuse. This circuit then follows the windshield cowl and feeds the power relays and the rest of the vehicle cab electric needs.

When this battery feed wire came in contact with the steel fuse bracket holder it welded itself to the bracket causing overheating which then ignited nearby combustibles under the hood. The fire then spread up through the windshield cowl and up across the windshield cracking and breaking the windshield allowing the fire to enter the passenger compartment.

This cause can be documented by the area and point of origin being determined to be at the location of the faulting, by evidence of faulting/shorting wiring and by the elimination of other causes.

An inspection was made of the passenger compartment, the underneath side of the vehicle, the bed area and the exterior of this vehicle and no evidence was recovered to indicate any type malfunction in any of those areas caused the fire.

RECOMMENDATIONS

If after reading this report you have no further instructions, I recommend my portion of the investigation be closed.

Permanent records of this case are maintained in our office and may be reopened upon your request.

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JUL 14 2003
BROKEN ARROW

If you have any questions, comments or further instructions please do not
hesitate to contact me.

Thank you for the assignment.

B. W. Scott, do

B. W. Scott

Richard Manuel, do

Richard Manuel

RECEIVED
JUL 14 2003
BROKEN ARROW

PHOTO SHEET

1. Through 6. Exterior of risk.
7. 8. 9. Identification VIN [REDACTED] and tag [REDACTED]
10. Bed of truck.
11. Damage to hood of truck.
12. Through 16. Tires and spare on risk.
17. 18. Damage to windshield, location where fire entered passenger compartment.
19. Through 23. Underneath side of vehicle.
24. Through 32. Passenger compartment.
33. 48. Engine compartment - area and point of origin.
49. Oil dipstick.
50. Through 55. Evidence of faulted wiring.
56. 57. 58. Photographs of exact type vehicle unburned showing wiring and connections.

RECEIVED
JUL 14 2003
BROKEN ARROW



BP05-005-L01-0156

Tuesday, May 06, 2003



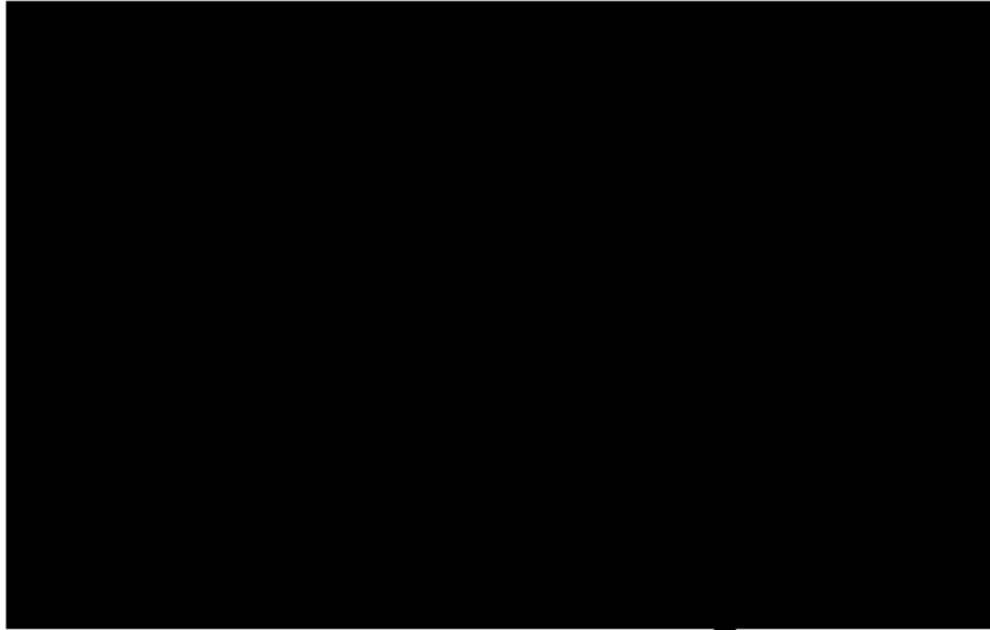
ENG-000-L01-8127

Tuesday, May 06, 2003



EP03-003-101-0153

uesday, May 06, 2003



J

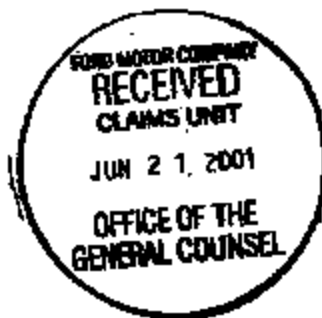
State Farm Insurance Companies



Rockford Service Center
7404 Cherryvale N. Boulevard
P.O. Box 8826
Rockford, IL 61128

June 19, 2001

Ford Motor Company
Park Lane Towers West, Suite 400
Three Park Lane Boulevard
Dearborn, MI 48126-2566



RE: Claim Number: [REDACTED]
Our Insured: [REDACTED]
Date of Loss: May 23, 2001
Make/Model/Year of Product: 1995 Ford F150 Pickup
Serial Number: 1FTEF15NXXS [REDACTED]

Dear Product Defect Department:

This State Farm® Insured vehicle was involved in a fire loss. We settled a claim with our insured for \$8,633.13. 14

Our investigation revealed that the cause of the loss was due to fuel leakage from the rear crossover line stop the engine.

Enclosed is the documentation of State Farm's claim. The evidence is being held for your inspection. You may contact me at (815) 332-8503 to make arrangements to inspect the vehicle.

Please consider this letter as our demand to Ford Motor Company for reimbursement of \$8,633.13.

Sincerely,

Pam Kraan
Claim Representative
State Farm Mutual Automobile Insurance Company
(815) 332-8503

PK/020/0619008
Enclosure

HOME OFFICE: BLOOMINGTON, ILLINOIS 61710-0001

- Esmond, IL
- 9XP
- photo
- oow

5/23 or 25/01
- 195 F-150
- VIN
- 81633
- 90,000.00

8005-005-1-01-0150

PROBE, INC.

7855 GROSS POINT RD G5

SKOKIE, IL 60077

TEL 847/674-9650

FAX 847/674-9653

E-MAIL probeinc@worldnet.att.net

Ms. Pam Kraan
Claim Specialist
State Farm Mutual Automobile
Insurance Company
PO Box 5526
Rockford, Illinois 61125

DOUG MOSER
Monroe Center, Illinois
(Fire in 1995 Ford F-150 pickup truck)
State Farm Claim #13-7345-693
Our Project No. 01-4429-FV
Date of Loss: May 25, 2001

June 18, 2001

Distribution: Copies 1 & 2 - Ms. Pam Kraan
(Copy 1 photographs)

Copy 3 - File

Copy 1 of 3 copies

1

ER95-005-LC1-0158

PROBE, INC.

7855 GROSS POINT RD G5

SKOKIE, IL 60077

TEL 847/674-9650

FAX 847/674-9653

E-MAIL probeinc@worldnet.att.net

Ms. Pam Kraan
Claim Specialist
State Farm Mutual Automobile
Insurance Company
PO Box 5526
Rockford, Illinois 61125

RE: [REDACTED]
Monroe Center, Illinois

Dear Ms. Kraan:

On Friday, May 25, 2001 a fire occurred in a 1995 Ford F-150 pickup truck owned by [REDACTED] of [REDACTED] Monroe Center, Illinois while the vehicle was being driven along Illinois Route 64 near the intersection with Esmond Road near Esmond, Illinois. [REDACTED] had been driving approximately fifteen minutes when the fire occurred; just prior to the fire he noticed that the fuel gauge was falling; he switched fuel tanks, and shortly thereafter the fire occurred. On May 29, 2001 you requested that we investigate this occurrence and determine, if possible, the origin and cause of the fire. This report describes our observations and findings in as brief a manner as possible.

Our field investigation was conducted by John K. Maurus of Probe, Inc. on June 1, 2001 when the vehicle was examined on the outdoor secure lot of Greater Rockford Auto Auctions, 5937 Sandy Hollow Road, Rockford, Illinois. The vehicle was identified by means of its Greater Rockford Auto Auctions stock

#A13466. Our investigative work consisted of examining, diagraming, and photographing the subject burned vehicle, and examining the engine compartment in a similar unburned vehicle for comparison purposes. To facilitate further understanding of this report, a schematic plan view of the vehicle and twenty-four of the photographs taken in the course of the investigation are appended as Exhibits A and B, respectively.

The subject vehicle was a 1995 Ford F-150 pickup truck with a red exterior. The Vehicle Identification Number (VIN) reportedly was

1FTEF15NXSI [REDACTED] A breakdown of the VIN was as follows:

1-Nation of origin: USA
F-Make: Ford
T-Vehicle Type: Truck
E-GVWR & Brake Type: 6001-7000 Hydraulic
F }
1 } Model Code (Series): F-150 Regular Cab
5 }
N-Engine: 5.0L V-8 EFI
X-Check Digit
S-Model Year: 1995
L-Assembly Plant: Michigan Truck, Wayne, MI
A }
1 }
3 } Sequential Production Number
4 }
6 }
6 }

The metal VIN plate along the lower left edge of the windshield was destroyed by the fire; no attempt was made to locate a hidden VIN number. An odometer reading could not be obtained due to the extent of damage in the dashboard area. There were no license plates on the vehicle at the time of this investigation.

The vehicle was equipped with a steel body and frame, gasoline-fired fuel-injected 5.0 liter V8 engine, automatic transmission, rear drive, 4X2 wheel/drive configuration, power brakes, power steering, air conditioning, battery in the right front of the engine compartment, dual fuel tanks with filters equipped for use with unleaded gasoline along the left side, single exhaust equipped with a catalytic converter and terminating along the right side at the rear, steel wheels with a 5-bolt pattern, front disc and rear drum brakes, unidentifiable tires, and a radio/stereo unit in the dashboard.

The fuel system consisted of braided metal feed and return lines leading into the rear of the engine compartment. The feed line was connected to a regulator and then to the rear of the left fuel rail atop the engine. The left fuel rail fed four injectors along the left cylinder bank; the right fuel rail fed four injectors along the right cylinder bank. The left and right fuel rails were connected at the front and rear by crossover lines utilizing serrated steel fittings.

The fuel return began at the forward end of the right fuel rail, and then led rearward parallel to the right fuel rail via a metal rail to the rear of the engine, where it was connected to the braided steel return line leading back to the fuel tank.

Apart from the fire damages, to be described below, the following conditions were observed:

1. All parts and components were present on the vehicle. There was no evidence of stripping or parts substitution.
2. Miscellaneous damaged contents were observed in the cab and rear bed area.
3. There was no evidence of prior collision damage.
4. The engine oil level was checked and found to be slightly in excess of one quart low. Some of the oil from the crankcase probably volatilized from the heat of the fire surrounding the engine.

On the exterior of the vehicle there were heat signatures on virtually all metal surfaces except for a small area along the leading edge of the engine hood, where the original red paint finish still remained. The heaviest overall damages on the bodywork occurred at the rear of the engine compartment. On the engine hood, the heaviest damages occurred above the center rear of the engine compartment. The damages decreased in intensity toward the rear of the vehicle. The interior of the rear bed was also heavily damaged, along with

miscellaneous contents items in the bed. It also appeared that molten aluminum which had dripped down onto the roadway at the time of the fire had been placed in the rear bed. All of the tires, including the spare, were destroyed by the fire, and the only remaining segments were the tire pads which were in contact with the ground. Some of the pad segments were observed in the cab, and remaining tread on the pads indicated that the tires had been in good condition. Noteworthy observations regarding the exterior damages consisted of the previously mentioned heavy damage at the center rear of the engine hood, and also heavy damages at the trailing edges of the left and right front fenders near the juncture with the forward edges of the left and right cab doors.

On the interior of the vehicle, heavy damages were observed both in the engine compartment and cab. The heaviest overall damages were in the upper rear center part of the engine compartment, and also along the center part of the firewall in the front part of the cab. The firewall sustained extremely heavy heat signatures. Virtually all combustible materials in the dashboard area of the cab were consumed. In the engine compartment, there were heavy heat signatures on steel surfaces of the engine, and aluminum components, including the intake manifold, were partially melted. The heaviest overall melt damage occurred along the right and rear sides of the aluminum intake manifold atop the engine.

The rubber crossover lines connecting the forward and rear ends of the fuel rails atop the engine were completely destroyed. The heaviest overall damages observed occurred around the location of the rear crossover line atop the engine. There were additional heavy melt damage patterns in the front of the engine compartment, where aluminum items were partially melted, including the radiator, alternator, AC compressor, and the throttle body.

Examination and evaluation of the flame and heat damage patterns described above, both on the exterior and interior of the vehicle, led to the conclusion that the fire originated in the upper rear center part of the engine compartment, as denoted by a cross in Exhibit A. The fire then spread throughout the engine compartment, rearward into the cab via openings in the firewall, the windshield, and the underside of the console, rearward into the bed, and along the underside of the vehicle.

The fire was caused by fuel leakage from the rear crossover line atop the engine. This conclusion was substantiated by the fire origin location, the heavy damages in and around the fire origin location, and the circumstances surrounding the loss, when [REDACTED] reportedly observed his fuel gauge dropping, which was an indication of fuel leakage.

Vapors from the leaking fuel in the engine compartment were probably

ignited by an alternator spark, the hot exhaust manifold, or the catalytic converter.

The proximate cause for the fire, i.e. the reason that the fuel leak occurred, could not be determined due to the extent of damage in and around the fire origin area, including complete destruction of the rear fuel crossover line. Reasonable possibilities included improper connections, defective materials, and physical damage to the crossover line. There was no way of determining the pre-fire physical condition of the fuel crossover line.

All other sources of natural and accidental activation energy and incendiaryism were eliminated from consideration as causative agents for the fire. These included fuel leakage from other locations, other types of fluid leakage, the exhaust system and catalytic converter, belt slippage, overheating of the engine and transmission, friction, spontaneous ignition, misuse of smoking materials, providential acts, and an intentionally set fire.

In summary, our conclusions regarding this occurrence may be stated, within a reasonable degree of fire investigation certainty, as follows:

1. On Friday, May 25, 2001 a fire occurred in a 1995 Ford F-150 pickup truck owned by [REDACTED] of [REDACTED] Center, Illinois while the vehicle was being driven along Illinois Route 84 near the intersection with Esmond Road in Esmond, Illinois. [REDACTED] had been driving approximately fifteen minutes when the fire occurred; just prior to the fire he noticed that the fuel

gauge was falling; he switched fuel tanks, and shortly thereafter the fire occurred.

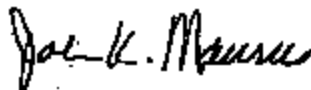
2. The fire originated in the upper rear center part of the engine compartment, as denoted by a cross in Exhibit A.
3. The fire was caused by fuel leakage from the rear crossover line atop the engine.
4. The proximate cause for the fire, i.e. the reason that the fuel leak occurred, could not be determined due to the extent of damage in and around the fire origin area, including complete destruction of the rear fuel crossover line. Reasonable possibilities included improper connections, defective materials, and physical damage to the crossover line.
5. All other sources of natural and accidental activation energy and incendiarism were eliminated from consideration as causative agents for the fire.

No physical evidence was removed from the vehicle by this investigator.

Should there be any questions regarding this investigation or the findings, or if we may be of further assistance, please feel free to contact us.

Respectfully submitted,

PROBE, INC.

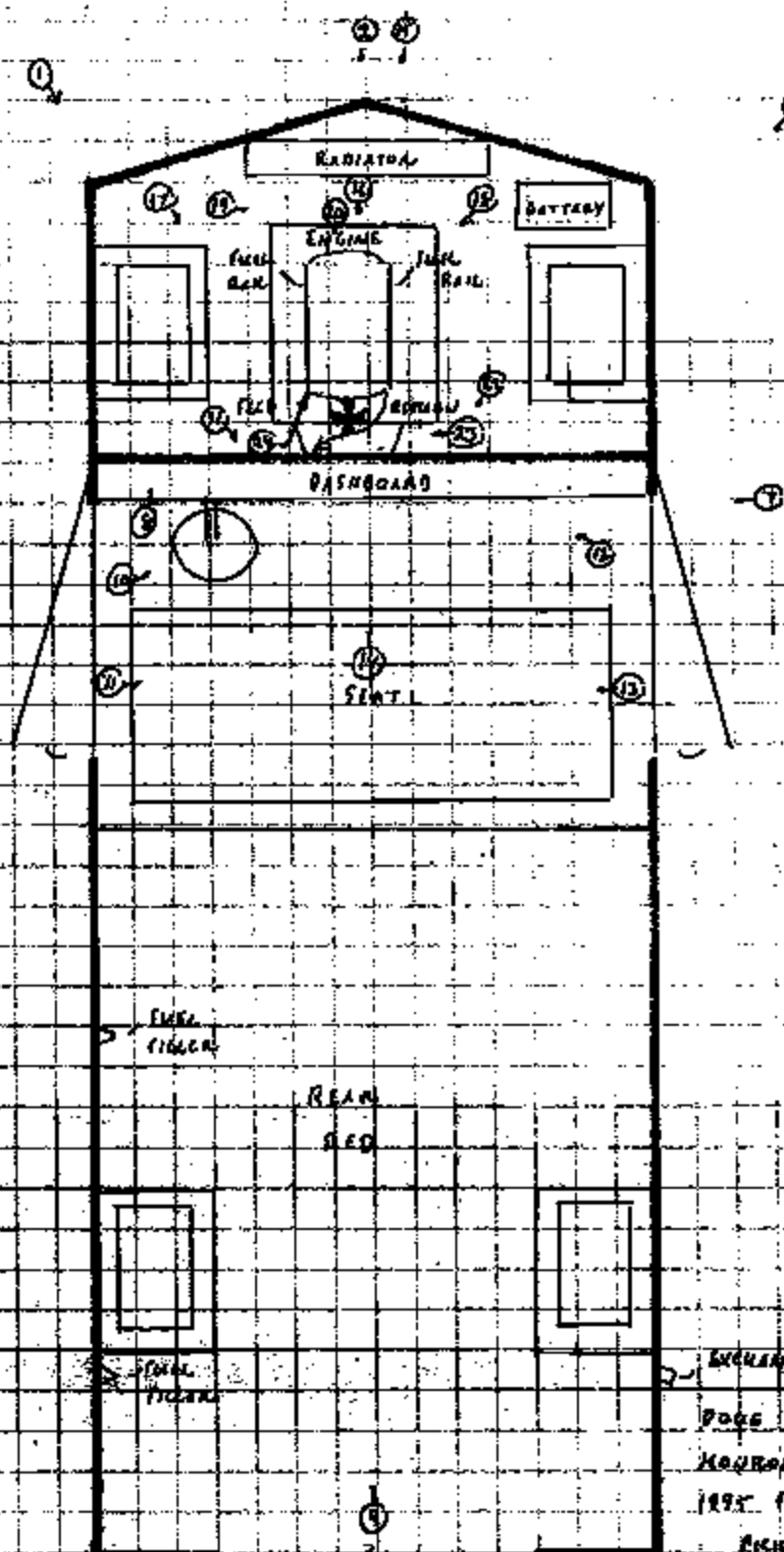


John K. Maurus, CFI
Director of Fire and Explosion Analysis

EXHIBIT A

SCHEMATIC PLAN VIEW OF 1995 FORD F-150 PICKUP TRUCK OWNED BY
[REDACTED] OF [REDACTED], MONROE CENTER, ILLINOIS.

- Not to scale.
- Cross-hatching denotes area of fire origin
- Circled numerals denote camera positions corresponding to photograph numbers in Exhibit B.



BR20-005-LC1-B176

EXCHANGE
PAGE MISSING
HONOLULU CENTER, JL
1995 FOR F-15A
RESIDENT, TARRANT
WV. INTERVIEWED 1/19/96
STATE FARM CLAIM #
12-7345-693
PLEASE PROTECT #01-44203
DATE OF LOSS 5/25/01

EXHIBIT B
PHOTOGRAPHS

The following photographs were taken by John K. Maurus of Probe, Inc. on June 1, 2001 in the course of examination of the vehicle.

Figure 1 – Exterior view of vehicle with camera facing from left front oblique.

Figure 2 – Exterior view of vehicle with camera facing from front.

Figure 3 – Exterior view of vehicle with camera facing from right front oblique.

Figure 4 – Exterior view of vehicle with camera facing from right rear oblique.

Figure 5 – Exterior view of vehicle with camera facing from left rear oblique.

Figure 6 – Exterior view of left side of engine compartment and cab with camera facing from left, showing heavy heat signature at juncture of rear edge of fender and forward edge of door.

Figure 7 – Exterior view of engine compartment and cab with camera facing from right, showing heavy heat signature at juncture of rear edge of fender and front edge of door.

Figure 8 – Exterior view of engine hood with camera facing forward, showing heaviest heat signature at rear center.

Figure 9 – View of interior of rear bed with camera facing forward.

Figure 10 – View of dashboard area in front of cab with camera facing from left.

Figure 11 – View of seat in cab with camera facing from left.

Figure 12 – View of dashboard area in front of cab with camera facing from right.

Figure 13 – View of seat in cab with camera facing from right.

Figure 14 – View of firewall in front center part of cab with camera facing forward, showing heavy heat signature, corresponding to the fire origin location in the engine compartment.

Figure 15 – Overall view of front end of vehicle with camera facing from front, showing grill area, engine compartment, and underside of engine hood.

Figure 16 – View of engine compartment with camera facing from front.

Figure 17 – View of engine compartment with camera facing from left front oblique.

Figure 18 – View of engine compartment with camera facing from right front oblique.

Figure 19 – View of front of engine compartment with camera facing from left, showing melted radiator, and location of battery.

Figure 20 – View of top of engine with camera facing from front. Please note that heavier damage occurred along the intake manifold at the right side (shown at left in photograph).

Figure 21 – View of upper rear center part of engine compartment with camera facing from left front oblique, showing fire origin location, fuel rails and lines, and heavy melt damage to rear of intake manifold.

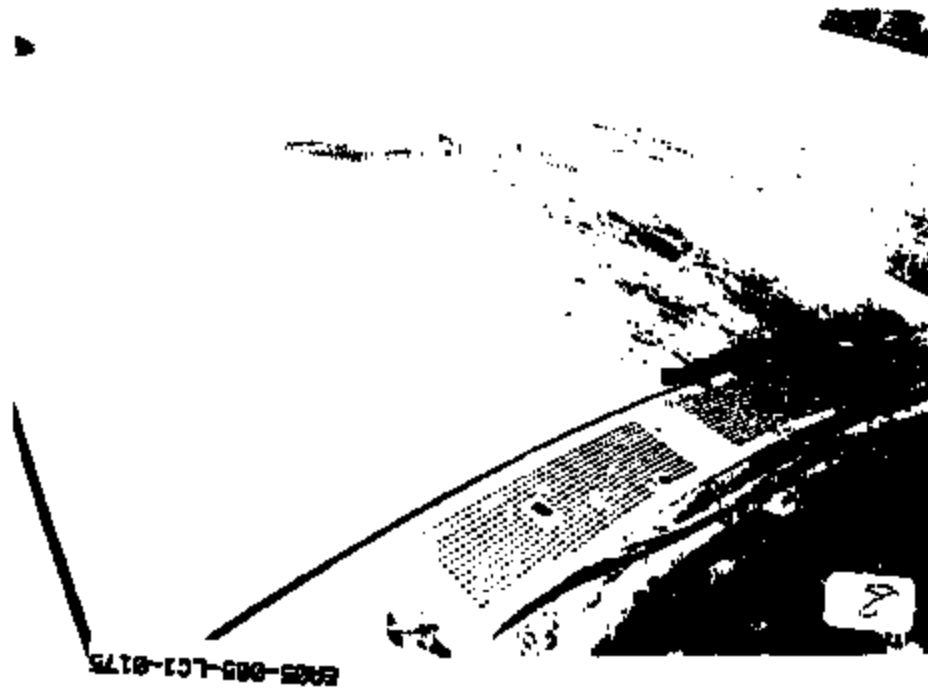
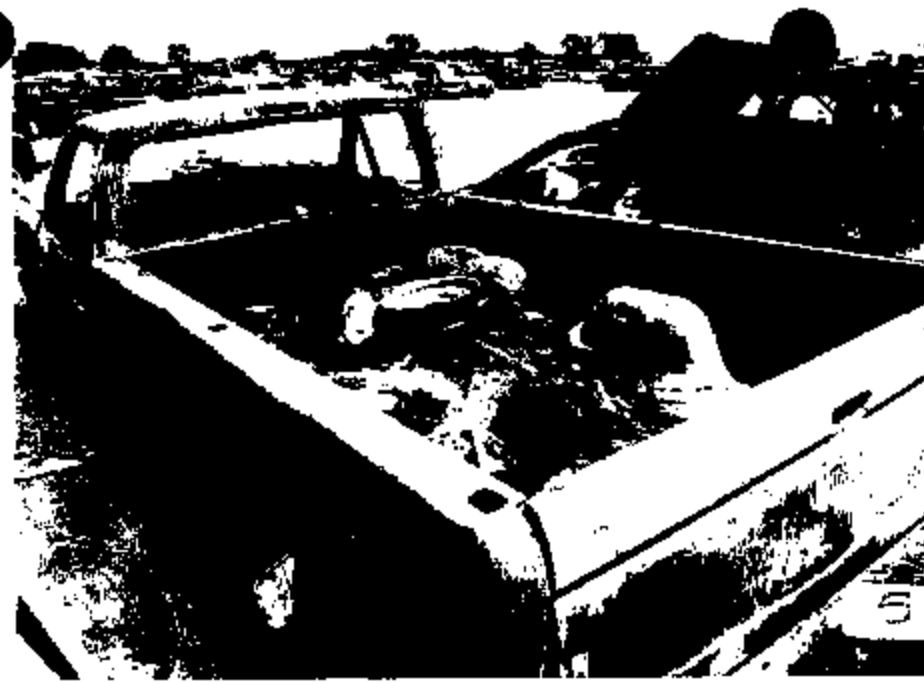
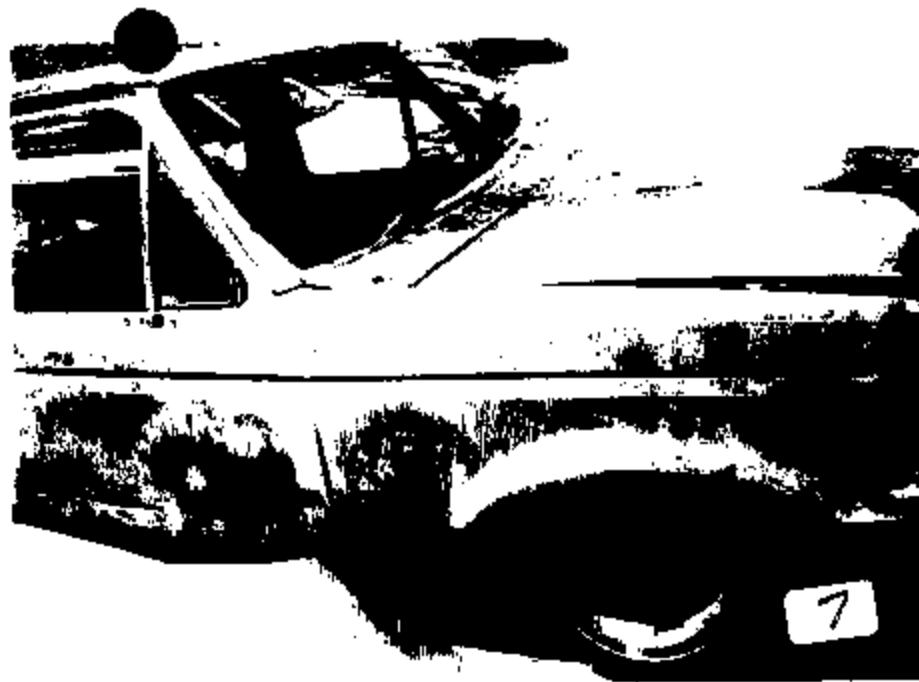
Figure 22 – View of upper rear center part of engine compartment with camera facing from right front oblique, showing fire origin location, fuel rails, and heavy melt damage to rear of intake manifold.

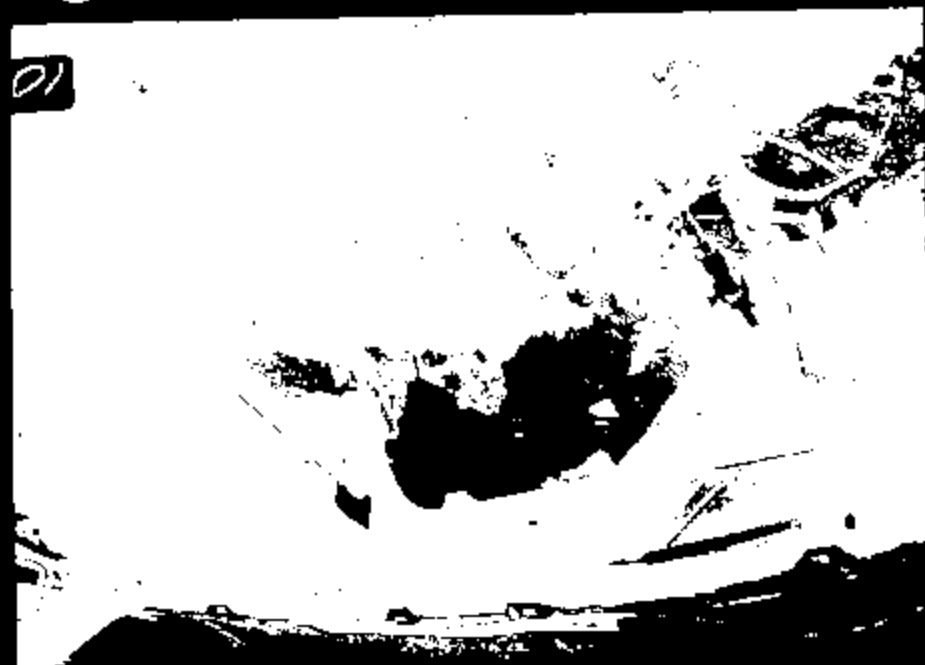
Figure 23 – Close-up view of fire origin location in upper rear center part of engine compartment with camera facing from right, showing serrated fitting at end of right fuel rail. This fitting connected to a crossover line leading to a serrated fitting at the end of the left fuel rail.

Figure 24 – Close-up view of fire origin area in upper rear center part of engine compartment, with camera facing from left, also showing fuel lines with braided hose for both feed and return.

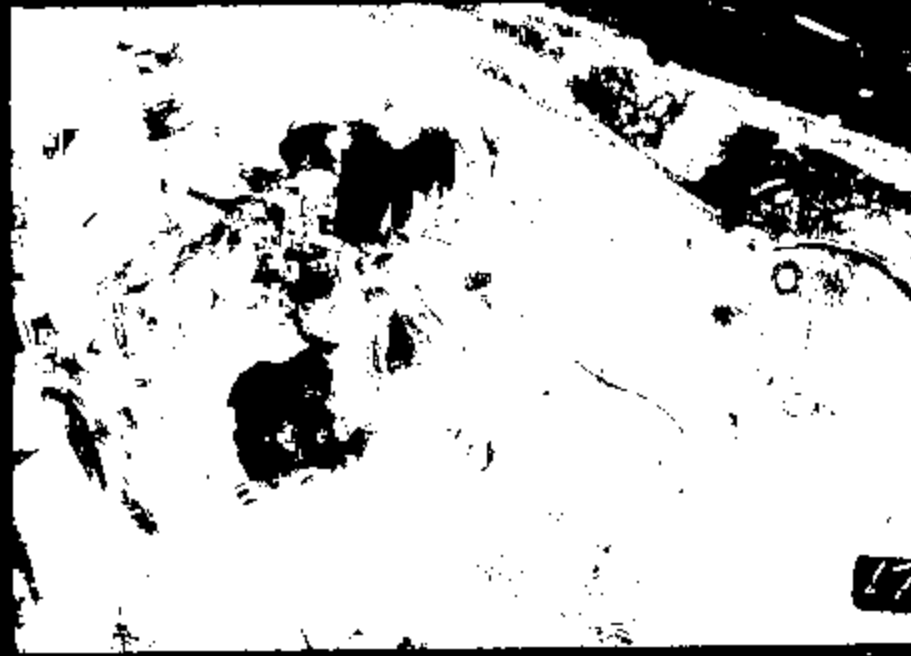


EROS-005-LC1-8174











EP85-005-LC1-8179

State of Illinois

10931053

Department of Professional Regulation

The person, firm or corporation whose name appears on this certificate has complied with the provisions of the Illinois Statute governing such regulations and is hereby authorized to engage in the activity as indicated below.

LICENSE NO.

115-000563

EXPIRES:

05/31/2002

CLASS A
PRIVATE DETECTIVE

SKOKIE, IL

Leonard A. Sherman
DIRECTOR

Issued under the authority of
The State of Illinois
Department of Professional Regulation

EA82-005-1C1-0100







FARMERS

National Document Center
P.O. Box 268992
Oklahoma City, OK 73126-8992
claimdocument@farmersinsurance.com
Fax: 877-217-1389

02/27/2004

Ford Motor Corporation
Office of the General Counsel
Parklane Towers West #400
3 Parklane Blvd.
Dearborn, MI 48126



Re: Our Insured: [REDACTED]
Our Claim #: [REDACTED]
Date of Loss: 12/17/2002
Your Insured: Ford Motor Corporation
Your Claim #: [REDACTED]
Total Amount Owed: \$4,952.52

To Whom It May Concern:

We have made payment to our insured for damages resulting from this accident. Our investigation has established that the above loss was caused by a tear or leak in the fuel line which was on recall on the 1997 Ford F150 pickups. By virtue of our subrogation rights this letter is to advise you that we expect payment from you for the amount of damages within 14 days of the receipt of this letter.

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

If you need additional support for our claim or require further information, please call me at 512-238-5720 with your FAX number so that the requested information can be sent to you.

Sincerely,
Tracy Barho

Tracy Barho
Subrogation Representative

512-238-5720

ENR-825-L01-0182

12/17/02
\$ 4952.52
- 197 F-150
- 80,810
- VIN

SMOKE SHADOW INVESTIGATIONS

Lawrence G. Schwarz, CFI
15166 Renair Place
Colorado Springs, CO 80921
SmokeShadow@aol.com

PRIVILEGED AND CONFIDENTIAL

Claim # [REDACTED]
SSI # 225

Prepared for
FARMERS INSURANCE
Mr. Andy Artzberger
Special Claims Representative

INSURED
[REDACTED]
Parker, CO [REDACTED]

SUBJECT
1997 Ford- Pickup B150

Claim [REDACTED]
SSI # 225

INITIATING STATEMENTS

On December 20th 2002 I, Lawrence Schwarz, of Smoke Shadow Investigations received an assignment from Mr. Andy Artzberger of Farmers Insurance to examine a 1997 Ford F150 that had caught fire. Mr. Artzberger advised me that the insured, [REDACTED] used the truck for deliveries and errands. On the day of the fire the vehicle had been driven for most of the morning when the driver pulled in to make a delivery. He turned off the truck and ran inside to drop off some equipment. After a few minutes he returned to the truck and started the engine. Immediately a flash of fire and smoke came from the engine compartment. Mr. Artzberger stated the truck is currently at Hometown Auto Services in Parker, Colorado. He advised me that Farmers Insurance is requesting an examination of the vehicle to determine the origin and cause of the fire.

STATEMENTS FROM THE INSURED

On the evening of the 20th of December I contacted the insured, [REDACTED] to find out any details regarding the maintenance history of the 97 Ford truck. [REDACTED] explained that he purchased the truck used from a Chevrolet dealership in August of 1999. The truck was immediately put into service as a shop truck for Pine Valley Electric. [REDACTED] reports that the truck has not had any troubles and he has maintained all the oil changes and preventive maintenance through Hometown Auto Services in Parker. He explained that on the day of the fire an employee, [REDACTED] was making a delivery when he shut off the truck to go inside the business. When he returned to the truck and started the engine he heard a whoosh sound followed by smoke coming out of the engine compartment. [REDACTED] opened the hood and put out a small fire with a hand-held extinguisher. Mr. Diederick reports the truck is currently parked at Hometown Auto Services in Parker.

After talking with Mr. Diederick I contacted [REDACTED] at Hometown Auto Services and made arrangements to examine the vehicle.

VEHICLE DESCRIPTION

On the afternoon of December 26th I arrived at Hometown Auto Services, [REDACTED] Road, Parker CO [REDACTED]. Upon my arrival I contacted [REDACTED] the owner of Hometown and requested keys to the insured vehicle. [REDACTED] provided the keys while he explained the information he had obtained describing a recall on the fuel system for this particular vehicle. Upon my request [REDACTED] provided me with the maintenance records for the vehicle and a data search for recall upgrades. The result of this inquiry shows that the insured vehicle had not been upgraded as recommended by the recall order.

The insured, 1997 Ford F150 was found locked and secured on the rear parking lot of Hometown Service center. The exterior of the vehicle appeared undamaged with a minimal amount of smoke staining visible on the defroster vent near the passenger side of the truck. The inspection of the interior passenger compartment revealed no evidence of flame damage or smoke odor.

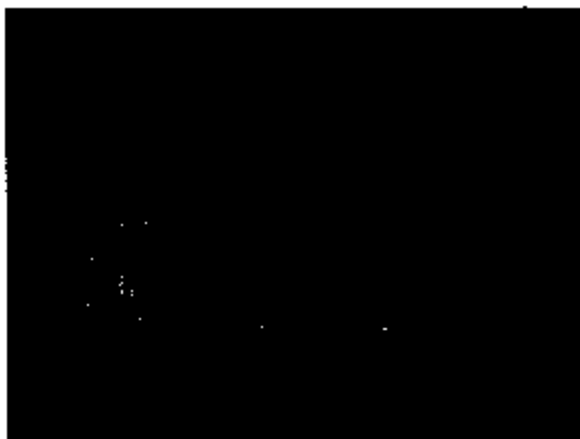
The inspection of the engine compartment revealed fire and heat damage at the connection of the neoprene fuel line and the steel fuel rail. The 1997 4.6L V8 engine had sustained flame damage

from the spray pattern of ignited fuel as the fuel line separated from the fuel rail. This separation provided a stream of pressurized gasoline to be ignited by an electrical spark which occurred during the normal firing process of the engine. A close inspection of the connection point for the neoprene line and the steel tube of the fuel rail revealed a tear or separation at the pressure fitting. The fire damage observed was confined to this immediate area. The concentration of the damage was conducive to a short duration fire which was extinguished immediately after the ignition of the fire.

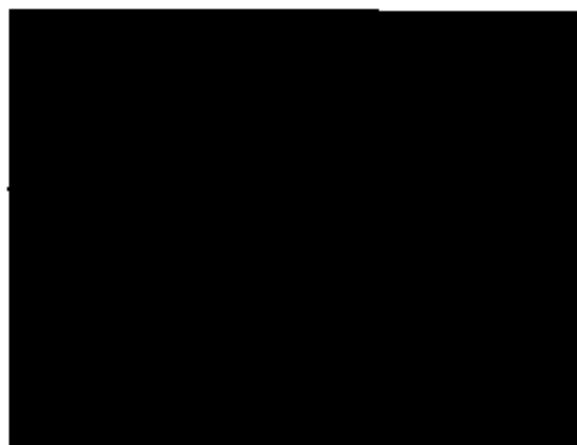
FIRE CAUSE DETERMINATION

Accidental / Fuel leak

Upon the completion of a systematic evaluation of the fire damage it was confirmed the fire originated as the result of a tear or leak in the fuel line. The specific location of the fuel leak was determined to be at the intake connection of the neoprene fuel line to the steel tube of the fuel rail. The damage observed at this location was consistent to the recall bulletin attained through NHTSA. Based on the specific location of the fire damage and the associated recall listing a preexistent condition of a failure at the crimped connection it is my opinion the fire was the direct result of a failure at the fuel line connection.



ERG-005-LC1-5188

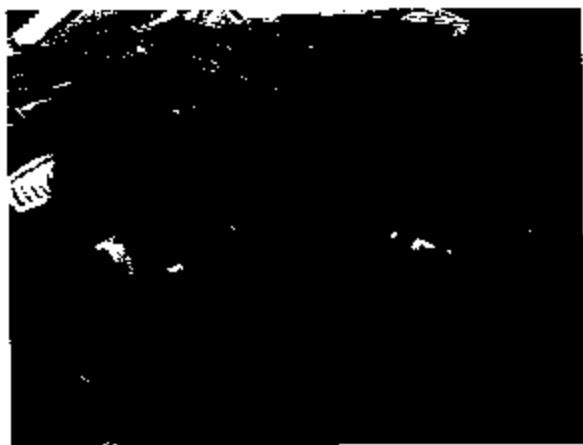


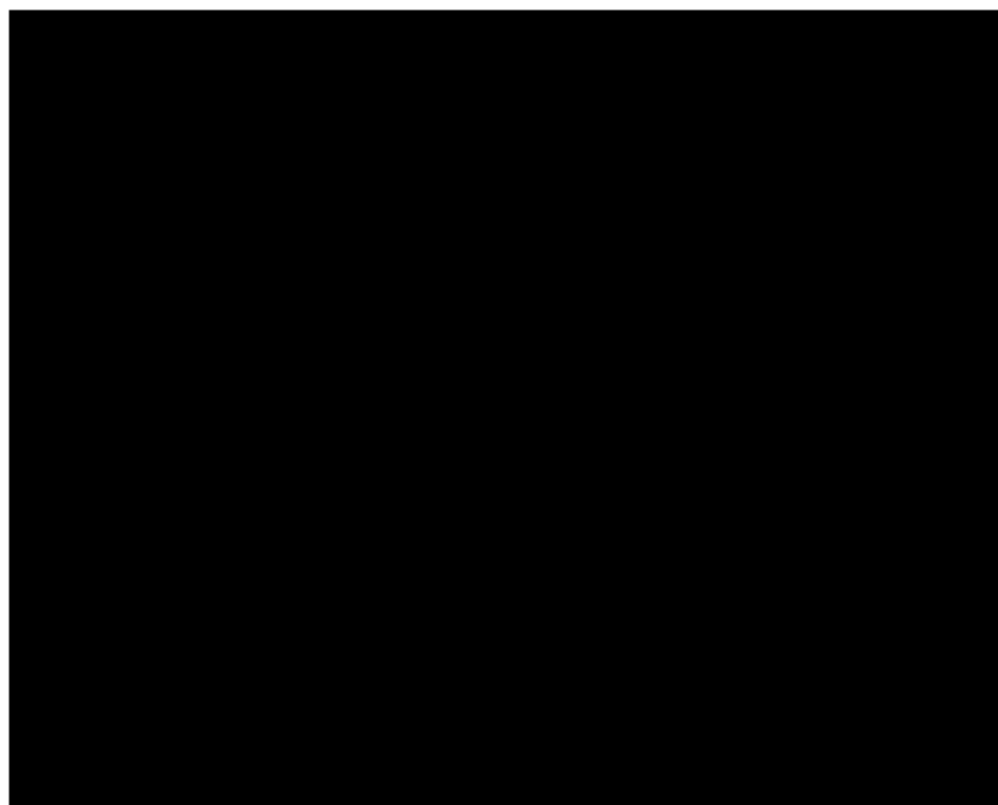
ERG5-005-LC1-0187



← Enter 1st Photo Here. Thereafter at moving insertion point (|)

2985-005-LC1-0188





IN THE COUNTY COURT OF THE
17TH JUDICIAL CIRCUIT IN AND
FOR BROWARD COUNTY, FLORIDA

Case No:

04015809

Plaintiff,

vs.

FORD MOTOR COMPANY

Defendant.

PROPERTY DAMAGE SUBROGATION COMPLAINT

GENERAL ALLEGATIONS

COMES NOW Plaintiff, ALLSTATE INSURANCE COMPANY as subrogee of

, and sues Defendant, FORD MOTOR COMPANY, and for grounds alleges as follows:

1. This is an action for an amount which does not exceed \$15,000.00 and as such is within the jurisdiction of this court.
2. Plaintiff is a corporation that is duly authorized to issue insurance policies in the State of Florida.
3. Upon information and belief, Defendant, FORD MOTOR COMPANY is a foreign corporation authorized to do and doing business in Broward County, Florida.
4. At all times material hereto, plaintiff insured under a policy of insurance which covered, among other things, damages to the insured's vehicle more particularly described as a 2002 Ford F150 pick-up.
5. At all times material hereto, Defendant, FORD MOTOR COMPANY, was in the business of designing, engineering, manufacturing, assembling, inspecting, testing, distributing and servicing

automobiles and more specifically, the 2002 pick up truck which belonged to the plaintiff's insured.

6. At the time of the purchase, Defendant, FORD MOTOR COMPANY, impliedly warranted that the product was free from defects, that it was of commercial quality and that it was reasonably fit for its specific purpose.

7. All written warranties are in the possession of the defendant.

8. On or about 10-27-2002, the above mentioned product, without warning to the plaintiff's insured, caught on fire while the Plaintiff's insured was operating said vehicle in a normal and reasonable manner, subsequently, the vehicle was extensively damaged.

9. The 2002 pick up truck was in an unreasonably dangerous condition in that it was subject to and did in fact malfunction while in normal use and without warning and notice to the plaintiff's insured. In that there was a defect in the crimped fitting between the metal pressure line on the steering gear box and the hose that extends to the power steering pump so that it failed and power steering fluid leaked on a hot catalytic converter.

10. Said product was manufactured, assembled and sold in this defective condition.

11. As a direct and proximate result of the defendant's breach of implied warranty, plaintiff's insured was damaged.

12. As a result of this incident, plaintiff was required to pay their insured the sum of \$15,685.99 (inclusive of a \$250.00 deductible) and is legally subrogated to their insured's rights to the extent of said payment.

13. Plaintiff and plaintiff's insured notified the defendant of the breach within a reasonable time after discovery of same and has otherwise complied with all conditions precedent to bringing a claim against the defendant.

14. Plaintiff is entitled to prejudgment interest on all liquidated damages from the date of the payment to or on behalf of its insured.

COUNT I-BREACH OF IMPLIED WARRANTIES

15. Plaintiff realleges paragraphs 1 through 14 and further alleges.

16. Defendant, FORD MOTOR COMPANY, designed, engineered, manufactured, labeled, assembled and distributed the product as mentioned above.

17. Defendant, FORD MOTOR COMPANY, warranted that the product was free from defects, that it was of merchantable quality and that it was reasonably fit for its specific purpose. Further Defendant, FORD MOTOR COMPANY, had full knowledge that consumers would rely upon the safety and reliability of the product.

18. Defendant, FORD MOTOR COMPANY, breached its implied warranty of merchantability in that the product was unsafe and unfit for its obvious and intended purpose as evidenced by its malfunction and that as a result of this unsafe and unfit condition the property of the insured was extensively damaged.

19. As a direct and proximate result of the breach of its implied warranties, plaintiff's insured's property was damaged.

20. All written warranties are in the possession of the Defendant, FORD MOTOR COMPANY.

21. Plaintiff is a direct beneficiary of the above warranties.

22. As a direct and proximate result of the Defendant's breach of the implied warranties, the plaintiff was damaged.

WHEREFORE plaintiff demands judgment against the Defendant, FORD MOTOR

COMPANY, in the amount of \$15,000.00 as well as court costs, interest and all other relief deemed just and proper.

**COUNT II-BREACH OF IMPLIED WARRANTY OF
FITNESS FOR A PARTICULAR PURPOSE**

23. Plaintiff realleges paragraphs 1 through 14 as if fully set forth herein.
24. Defendant, FORD MOTOR COMPANY, designed, engineered, manufactured, labeled, assembled and distributed the product as described above.
25. Defendant, FORD MOTOR COMPANY, impliedly warranted the product was of merchantable quality and reasonably fit for the specific purpose for which it was sold.
26. Plaintiff and plaintiff's insured relied on the defendant's warranties that the product was free from defects, was of commercial quality, and was reasonably fit for its specific purpose.
27. Plaintiff and plaintiff's insured are direct beneficiaries of the warranty.
28. Defendant, FORD MOTOR COMPANY, breached its implied warranty of fitness for a particular purpose in that the product was unsafe and unfit and it malfunctioned when in its normal use.
29. As a direct and proximate result of the defendant's breach of its implied warranty of fitness for a particular purpose, plaintiff and plaintiff's insured suffered damages as described above.

WHEREFORE plaintiff demands judgment against the Defendant, FORD MOTOR COMPANY for damages in the amount of \$15,000.00 as well as court costs interest and all other relief deemed just and proper.

COUNT III-STRICT LIABILITY IN TORT

30. Plaintiff realleges paragraph 1 through 14 as if fully set forth herein and would further

allege:

31. Defendant, FORD MOTOR COMPANY, is in the business of manufacturing or selling products, specifically, the product as described in this Complaint.

32. The product was placed on the market, and in plaintiff's insured's possession with knowledge by the Defendant, FORD MOTOR COMPANY, that it would be used without inspection for defects.

33. The product was defective and unreasonably dangerous in that without warning to the plaintiff's insured, the product malfunctioned and caused the damages described in this Complaint.

34. The defect described in this complaint caused the damages.

35. The plaintiff and the plaintiff's insured suffered the damages described in this complaint as a direct and proximate result from the defendant's actions described in this complaint.

WHEREFORE plaintiff demands judgment against the Defendant, FORD MOTOR COMPANY, in the amount of \$15,000.00 as well as court cost, interest and all other relief deemed just and proper.

COUNT IV-NEGLIGENCE

36. Plaintiff realleges paragraphs 1 through 14 and further alleges:

37. Defendant, FORD MOTOR COMPANY, negligently and carelessly designed, engineered, assembled, manufactured and distributed the above described product in violation of good and accepted engineering and industry practices. The Defendant, FORD MOTOR COMPANY, was further negligent by designing and manufacturing the above described product so that it was prone to damage when in its normal use.

38. Plaintiff's insured was a foreseeable plaintiff based on their dealings with the defendant.

WHEREFORE plaintiff demands judgment against the Defendant, FORD MOTOR COMPANY, in the amount of \$15,000.00 as well as court costs, interest and all other relief deemed just and proper.

COUNT V-NEGLIGENT FAILURE TO WARN

39. Plaintiff realleges paragraphs 1 through 14 as if fully set forth herein.

40. Defendant, FORD MOTOR COMPANY, negligently and carelessly designed, engineered, assembled, manufactured and distributed the above described product and failed to warn that the product would malfunction during the normal course of use.

41. Defendant knew or should have known of the defective and dangerous condition of the 2002 pick up truck and had a duty to issue a recall of said product.

42. As a direct and proximate result, the plaintiff was damaged as mentioned above.

WHEREFORE plaintiff demands judgment against the Defendant, FORD MOTOR COMPANY, in the amount of \$15,000.00 as well as court costs, interest and all other relief deemed just and proper.

UDINE & UDINE, P.A.
6209 West Commercial Boulevard
Ft. Lauderdale, FL 33309
(954) 724-8999

By 
Michael J. Udine, Esq.
Fla. Bar No: 0818800

ISSUE LIST

Last Handling Date/ Issue Status	Name/ Reason Desc	Vin/ Case No.	Model Year and Vehicle Line	Issue Type
2/28/2003 CLOSED	██████████ LEGAL - FIRE CLAIM	1FTRF17232N ██████████ 1353453192	2002 F-SERIES	07
1/17/2003 CLOSED	██████████ LEGAL - CUSTOMER UNHAPPY WITH DECISION	1FTRF17232N ██████████ 1353453192	2002 F-SERIES	02
12/11/2002 CLOSED	██████████ LEGAL - CUSTOMER UNHAPPY WITH DECISION	1FTRF17232N ██████████ 1353453192	2002 F-SERIES	02
11/30/2002 CLOSED	██████████ LEGAL - CUSTOMER WAITING FOR ACKNOWLEDGEMENT	1FTRF17232N ██████████ 1353453192	2002 F-SERIES	02
11/25/2002 CLOSED	██████████ REPRESENTATIVE - LEGAL SECTION	1FTRF17232N ██████████ 1353453192	2002 F-SERIES	02
11/18/2002 CLOSED	██████████ LEGAL - ALLEGED - NON-SERIOUS INJURY	1FTRF17232N ██████████ 1353453192	2002 F-SERIES	07

8005-000-101-0100

11/15/2004

All Action Details for Issue

Print

VIN: 1FTRF17232N [REDACTED] Year: 2002 Model: F-SERIES Case: 1353453192
Name: [REDACTED] Owner Status: Original WSD: 2002-01-09
Symptom Desc: STRG HANDLING FLUID CONCERNS 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: 04820 MAROONE FORD OF MARGATE Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION-FD
Odometer: 1 MI Comm Type: FAX
Analyst Name: LEICH, CHERIE Analyst: CLEICH
Action Date: 01/21/2003 Action Time: 09:15:29.056 Action Date: No

Comments: ***** PRODUCT LIABILITY ***** FAX RECEIVED 1-17-03 DEALER CONTACT: KIRK SHERIDAN CUSTOMER ALLEGES
VEHICLE CAUGHT ON FIRE. CUSTOMER REQUESTS CONTACT FROM FORD REPRESENTATIVE

Action: MAKE OUTBOUND CALL TO DEALER
Dealer: 04820 MAROONE FORD OF MARGATE Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Odometer: 1 MI Comm Type: PHONE
Analyst Name: CASSANDRA JONES Analyst: CJONES
Action Date: 01/22/2003 Action Time: 15:45:30.968 Action Date: Yes

Comments: LEFT MESSAGE FOR DLR TO RETURN CALL

Data Element Name

Data Value

CONTACT PERSON

VM FOR KIRK SHERIDAN

Action: UPDATE/ADDCO CASE
Dealer: 04820 MAROONE FORD OF MARGATE Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Odometer: 1 MI Comm Type: PHONE
Analyst Name: CASSANDRA JONES Analyst: CJONES
Action Date: 01/28/2003 Action Time: 15:09:59.958 Action Date: No

Comments: LEFT ANOTHER MESSAGE FOR DLR CONTACT. WILL AWAIT RESPONSE

Action: CREATE CLOSED INFO CONTACT

ESRS-003-LS1-0107

11/15/2004

Dealer: 04820 MAROONE FORD OF MARGATE

Odometer: 1 MI

Analyst Name: CASSANDRA JONES

Action Date: 01/28/2003

Comen Type: MAIL

Analyst: CJONES

Action Time: 18.03.25.057

Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION

Action Date: No

Comments SPOKE TO SM. HE STD THAT THE CUSTOMER CAME IN WANTING COMPENSATION FOR ITEMS NOT RECOVERED IN THE FIRE. LPA ADVISED SM OF THE PREVIOUS DECISION. CUST WOULD HAVE TO CONTINUE WORKING WITH INSURANCE CO FOR ASSITANCE. LPA FAXING LETTER TO DLR AND SENDING LETTER TO CUST.

Action: FINAL CASE DISPOSITION

Dealer: 04820 MAROONE FORD OF MARGATE

Odometer: 1 MI

Analyst Name: CASSANDRA JONES

Action Date: 02/26/2003

Comen Type: MAIL

Analyst: CJONES

Action Time: 13.15.47.889

Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION

Action Date: No

Comments NO COMMENTS AVAILABLE

ENC-000-LC1-0108

11/15/2004

All Action Details for Issue

Print

VIN: 1FTBE122220 [REDACTED] Year: 2002 Model: F-SERIES Case: 1359453192
Name: [REDACTED] Owner Status: Original WSD: 2002-01-09
Symptom Desc: FIRE/SMOKE SCORCHED/BURNT Primary Phone: [REDACTED]
Reason Desc: LEGAL - CUSTOMER UNHAPPY WITH DECISION Secondary Phone: [REDACTED]
Issue Type: 02 INFORMATION Issue Status: CLOSED

Action: CB-ADVISE CUSTOMER CA HAS MADE A DECISION; SUPPORT DECISION
Dealer: 04820 MAROONE FORD OF MARGATE Origin Desc: US CONCERN CASE BASE
Odometer: 16000 MI Comm Type: PHONE
Analyst Name: MARIANA ANESETTI Analyst: MANESETT
Action Date: 01/06/2003 Action Time: 13.29.29.403 Action Date: No

Caller Information if Different From Vehicle Owner:

First Name
LINDA

Middle Initial

Last Name
RYZNAR

Day Phone

Relationship
FAMILY

Comments CUSTOMER SAYS: -CUST SAYS THAT SHE IS AWAITING A RESPONSE FROM OUR LEGAL DEP IN RELATION TO THE VEH CATCHING ON FIRE.
PER CUSTOMER, DEALER SAYS: -NONE- GAC ADVISED: "THANK YOU FOR CONTACTING FORD MOTOR COMPANY IN RELATION TO THIS ISSUE. TO
ENSURE OUR RECORDS ARE COMPLETE, YOUR COMMENTS HAVE BEEN DOCUMENTED. HOWEVER, THE DECISION OF THE CONSUMER AFFAIRS OFFICE
IS FINAL (NOTE TO CSR: SUPPORT CONSUMER AFFAIRS DECISION.)" -ADVISED CUST OF THE FOLLOWING INFO..... CUST SHOULD CONTINUE TO
WORK WITH INSURANCE CO. INSURANCE COIS FULLY INVOLVED. LETTER OF CLOSING SENT. INFERENCE CASE ID: 1569

Action: DOCUMENT ADDITIONAL INFORMATION
Dealer: 04820 MAROONE FORD OF MARGATE Origin Desc: DEALER
Odometer: 16000 MI Comm Type: VISIT
Analyst Name: KIRK SHERIDAN Analyst: K-SHERID
Action Date: 01/17/2003 Action Time: 11.13.18.885 Action Date: No

Comments CUST CAME INTO DEALER ON 1/17/03 FOR INFO ON SON'S VEH. BURNED UP. WANTS TO SUBMITT REPORT FROM FIRE
INVESTIGATOR: RICHARD METZGER... WILL FILL OUT REQ FOR CONSUMER AFFAIRS FORM AND FAX CUST'S INFO AND REPORT. KS

0005-005-LO1-0169

11/15/2004

All Action Details for Issue

Print

VIN: 1FTRF17232	Year: 2002	Model: F-SERIES	Case: 1353453182
Name: [REDACTED]	Owner Status: Original	WSD: 2002-01-09	
Symptom Desc:		Primary Phone: [REDACTED]	
Reason Desc: LEGAL - CUSTOMER UNHAPPY WITH DECISION		Secondary Phone: [REDACTED]	
Issue Type: 02 INFORMATION	Issue Status: CLOSED		

Action: CB-ADVISE CUSTOMER CA HAS MADE A DECISION; SUPPORT DECISION
 Dealer: 04820 MAROONE FORD OF MARGATE
 Odometer: 18000 MI
 Analyst Name: MCKINLAY CLAUDEL
 Action Date: 12/11/2002

Comen Type: PHONE
 Analyst: CUCKINLA
 Action Time: 10.30.14.334

Origin Desc: US CONCERN CASE BASE

Action Date: No

Caller Information If Different From Vehicle Owner:

First Name

Middle Initial

Last Name

Day Phone

Relationship
PARENT

Comments CUSTOMER SAYS: =CUST STATES VEH CAUGHT FIRE DUE TO DEFECT PER OPINION OF A FIRE MARSHALL =BASED ON FIRE MARSHALL'S OBSERVATION WAS DUE TO LEAKING POWER STEERING FLUID AS THEY FOUND EVIDENCE FROM THE POWER STEERING PUMP AREA =THEY NEVER NOTICED ANY LEAK PRIOR TO THIS HAPPENING =MUST HAVE BEEN AN INTERNAL LEAK =CALLING ON BEHALF OF HER SON =VEH WAS A TOTAL LOSS =THEY STILL HAVE TO PAY \$3,000 ON THIS VEH =THIS OCCURED OCT 27TH AT ABOUT 3:30 =STATES THAT SHE RECEIVED A LETTER BY FORD THAT READS SHE HAS TO GO THROUGH HER INSURANCE COMPANY =ALLSTATE ADVISED CUST THEY WOULD NOT BEABLE TO FILE SUIT AGAINST FORD ON HER OR HER SON'S BEHALF =MENTIONED THAT ALLSTATE WORKS WITH FORD ANYWAY =CUST IS REQUESTING FORD COVER LOSS AND PAY FOR THE \$3,000 THAT IS LEFT TO PAY =ALSO SON LOST CD'S/CELL PHONE/DIGITAL CAMERA AND OTHER PROPERTY BECAUSE OF FIRE =WILL GO THROUGH HER LAWYER IF SHE HAS TO AND CONSULT WITH THE NEWS PAPERS =NOT HAPPY THAT FORD CRC IS UNABLE TO DO ANYTHING ABOUT THIS PER CUSTOMER, DEALER SAYS: MAROONE FORD OF MARGATE =OLRSHIP WON'T GIVE CUST ANY PHONE NUMBERS TO CALL OR OFFER ANY HELP CAC ADVISED: "THANK YOU FOR CONTACTING FORD MOTOR COMPANY IN RELATION TO THIS ISSUE. TO ENSURE OUR RECORDS ARE COMPLETE, YOUR COMMENTS HAVE BEEN DOCUMENTED. HOWEVER, THE DECISION OF THE CONSUMER AFFAIRS OFFICE IS FINAL. (NOTE TO CSR: SUPPORT CONSUMER AFFAIRS DECISION.)" =EXPLAINED TO CUST THAT UNFORTUNATELY WE ARE UNABLE TO CHANGE THE DECISION AND THAT IT IS NOT FORD'S INTENTION FOR HER AND HER SON TO HAVE HAD THIS HAPPEN =LET HER KNOW THAT THERE WAS NO FSA/CSP ON VEH FOR THIS INFERENCE CASE ID: 1569

E995-002-L71-0200

11/15/2004

All Action Details for Issue

Print

VIN: 1FTHF17232N [REDACTED] Year: 2002 Model: F-SERIES Case: 1353463192
 Name: [REDACTED] Owner Status: Original WSD: 2002-01-09
 Symptom Desc: [REDACTED] Primary Phone: [REDACTED]
 Reason Desc: LEGAL - CUSTOMER WAITING FOR ACKNOWLEDGEMENT Secondary Phone: [REDACTED]
 Issue Type: 02 INFORMATION Issue Status: CLOSED

Action: CB-IT MAY TAKE 7 DAYS FOR CONSUMER AFFAIRS TO BEGIN INVESTIGATION
 Dealer: 04820 MAROONE FORD OF MARGATE Origin Desc: US CONCERN CASE BASE
 Odometer: 16000 MI Comm Type: PHONE
 Analyst Name: ANITHA PILLAI Analyst: APILLAI
 Action Date: 11/21/2002 Action Time: 15.40.29.990 Action Data: No

Caller Information (If Different From Vehicle Owner):

First Name
LINDA

Middle Initial

Last Name
RYZNAR

Day Phone

Relationship
FAMILY

Comments CUSTOMER SAYS: = CUST CALLING BACK BECAUSE THEY HAVE NOT HEARD FROM THE LEGAL DEPT YET PER CUSTOMER, DEALER SAYS: =
 NONE CAC ADVISED. THANK YOU FOR CONTACTING US IN RELATION TO YOUR ONGOING CASE. CONSUMER AFFAIRS INVESTIGATIONS MAY TAKE UP TO
 7 DAYS TO INITIATE. LET ME ASSURE YOU THAT THIS TYPE OF SITUATION IS A HIGH PRIORITY FOR FORD MOTOR COMPANY. I HAVE VERIFIED YOUR
 CONTACT INFORMATION TO ENSURE WE CAN CONTACT YOU WHEN FURTHER INFORMATION IS AVAILABLE OR REQUIRED.

***** = ADVISED THE CUST THAT THE LETTER HAS BEEN SENT TO THE CUST ON 18TH OF
 NOVEMBER INFERENCE CASE ID: 1572

Action: UNABLE TO CONTACT CUSTOMER 3 TIMES
 Dealer: 04820 MAROONE FORD OF MARGATE Origin Desc: DEALER
 Odometer: 16000 MI Comm Type: INTERNET
 Analyst Name: KIRK SHERIDAN Analyst: K-SHERIDAN
 Action Date: 11/21/2002 Action Time: 16.20.14.887 Action Data: No

Comments AS PER PREV STATED, I AM CLOSING CASE. CUST WAITING FOR LEGAL DEPT.

Action: CB-ADVISE CUST WE WILL NOTIFY THE DEPT SOMEBODY WILL BE IN TOUCH
 Dealer: 04820 MAROONE FORD OF MARGATE Origin Desc: US CONCERN CASE BASE
 Odometer: 16000 MI Comm Type: PHONE
 Analyst Name: KAREN GREEN Analyst: KGREEN

EPM-005-101-0201

11/15/2004

Action Date: 11/27/2002

Action Time: 11.09.32.677

Action Data: No

Caller Information If Different From Vehicle Owner:

First Name
LINDA

Middle Initial

Last Name
RYNAR

Day Phone

Relationship
PARENT

Comments CUSTOMER SAYS: SONS VEHICLE WAS INVOLVED IN A FIRE (SEE HISTORICAL ISSUES SUMMARY) CUST HAS NOT RECEIVED NOTIFICATION FROM FORD AS THE CRC ADVISED THAT SHE WOULD. THE INSURANCE COMPANY HAS MADE AN OFFER WHICH THE CUST HAS NOT ACCEPTED AS THERE IS A \$5000 DIFFERENCE NOT TO MENTION THAT THE INSURANCE COMPANY IS NOT PAYING FOR THE TOOLS THAT WERE LOST IN THE FIRE. CUST WOULD LIKE TO GET A RESPONSE FROM FORD WITH REGARDS TO WHAT IS GOING TO BE DONE ABOUT THIS SITUATION. PER CUSTOMER, DEALER SAYS: NONE CAC ADVISED: THANK YOU FOR PROVIDING US WITH THIS INFORMATION IN RELATION TO YOUR CASE. I WILL FORWARD THIS TO OUR CONSUMER AFFAIRS DEPARTMENT, AND I HAVE REQUESTED THAT THEY CONTACT YOU WITHIN TWO BUSINESS DAYS. INFERENCE CASE ID: 1571

Action: UNABLE TO CONTACT CUSTOMER 3 TIMES
Dealer: 04820 MAROONE FORD OF MARGATE
Odometer: 16000 MI
Analyst Name: KIRK SHERIDAN
Action Date: 11/27/2002

Comm Type: INTERNET
Analyst: K-SHERID
Action Time: 14.12.47.673

Origin Desc: DEALER

Action Data: No

Comments AS PER PREV STATED. INFO BEEN PASSED ON. CLOSE CASE.

Action: CB-ADVISE CUST WE WILL NOTIFY THE DEPT SOMEBODY WILL BE IN TOUCH
Dealer: 04820 MAROONE FORD OF MARGATE
Odometer: 16000 MI
Analyst Name: AUDREY YEUN
Action Date: 11/28/2002

Comm Type: PHONE
Analyst: AYUEN
Action Time: 13.35.35.908

Origin Desc: US CONCERN CASE BASE

Action Data: No

Comments CUSTOMER SAYS: -STATES THAT THE VEH CAUGHT ON FIRE -VEH IS TOTALLED -UTILITY TRAILER, TOOLS AND LAWN MOVER WERE ON THE VEH AND THEY WERE TOTALLED AS WELL -THIS OCCURED ON OCT 27/2002 -THERE WAS A POLICE AND FIRE REPORT FILLED OUT -VEH WAS TESTED BY A FIRE INSPECTOR FROM HIS INSURANCE COMPANY AND IT WAS DETERMINED THAT THERE WAS A FAULTY POWER STEERING LINE THAT DRIPPED ON THE CATALYTIC CONVERTER -STATES THAT THE INSURANCE COMPANY IS ONLY COVERING THE COST OF THE VEH -SEEKING FURTHER ASSISTANCE PER CUSTOMER, DEALER SAYS: CAC ADVISED: THANK YOU FOR PROVIDING US WITH THIS INFORMATION IN RELATION TO YOUR CASE. I WILL FORWARD THIS TO OUR CONSUMER AFFAIRS DEPARTMENT, AND I HAVE REQUESTED THAT THEY CONTACT YOU WITHIN TWO BUSINESS DAYS. INFERENCE CASE ID: 1571

Action: UNABLE TO CONTACT CUSTOMER 3 TIMES
Dealer: 04820 MAROONE FORD OF MARGATE
Odometer: 16000 MI

Comm Type: INTERNET

Origin Desc: DEALER

PAGE 005-1-01-0202

1/15/2004

Analyst Name: KIFK SHERIDAN
Action Date: 11/30/2002

Analyst: K-SHER1
Action Time: 07.58.02.351

Action Date: No

Comments AS PER PREV STATED, I AM CLOSING CASE,CUST WAITING FOR LEGAL DEPTCONSUMER AFFAIRS DEPT.

6323-137-248-2408

11/15/2004

All Action Details for Issue

Print

VIN: 1E0E17232A	Year: 2002	Model: F-SERIES	Case: 1353453192
Name: [REDACTED]	Owner Status: Original	WSD: 2002-01-09	
Symptom Desc:		Primary Phone: [REDACTED]	
Reason Desc: REDIRECTED CALL - LEGAL SECTION		Secondary Phone: [REDACTED]	
Issue Type: 02 INFORMATION	Issue Status: CLOSED		

Action: CONSUMER AFFAIRS; ADDRESS AVAILABLE IN PHRASEOLOGY	Origin Desc: US CONCERN CASE BASE
Dealer: 04820 MAROONE FORD OF MARGATE	
Odometer: 18000 MI	Comin Type: PHONE
Analyst Name: MOHAMED EBRAHIM	Analyst: MEBRAHIM
Action Date: 11/25/2002	Action Time: 15.00.28.432
	Action Data: No

Caller Information if Different From Vehicle Owner:

First Name
MILLIE

Middle Initial

Last Name
HENNINGSONDay Phone
9548788162Relationship
OTHER

Comments CUSTOMER SAYS: CUST IS CALLING FROM INSURANCE FOR THIS VEH WHICH HAS BURNED TO THE GROUND. CUST SAID THERE WAS MANUFACTURE'S DEFECT AND WOULD LIKE TO KNOW HOW CAN THEY SUBROGATE FORD. CUST SAID THEY HAVE ALREADY SETTLED THIS CLAIM WITH CUST AND WANTS ADDRESS FOR FORD. CUST SAID THE CLIENT LOST ABOUT \$4000 DUE TO THE VEH BEING OVERPRICED AND THE INSURANCE CO SETTLED ONLY THE VALUE OF THE VEH. PER CUSTOMER, DEALER SAYS: ALL STATE INSURANCE MARGATE, FLORIDA. CLAIM # [REDACTED] CAC ADVISED: - PLEASE SEND A DEMAND LETTER TO FORD MOTOR COMPANY, CONSUMER AFFAIRS P.O. BOX 8248, MD-3NE-B DEARBORN, MICHIGAN 48126
INFERENCE CASE ID: 5339

All Action Details for Issue

Print

VIN: 1FTRF17232N [REDACTED] Year: 2002 Model: F-SERIES Case: 1353453182
Name: [REDACTED] Owner Status: Original WSD: 2002-01-09
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD Primary Phone: [REDACTED]
Reason Desc: LEGAL - ALLEGED - NON-SERIOUS INJURY Secondary Phone: [REDACTED]
Issue Type: 07 LEGAL Issue Status: CLOSED

Action: INJURY; ADVISE CUST INFORMATION WILL BE FORWARDED TO CONSUMER AFF
Dealer: 04820 MAROONE FORD OF MARGATE Origin Desc: US CONCERN CASE BASE
Odometer: 16000 MI Comm Type: PHONE
Analyst Name: SHELLEY DENNIS Analyst: SDENNIS
Action Date: 11/15/2002 Action Time: 09:48:51.630 Action Data: No

Caller Information if Different From Vehicle Owner:

First Name	Middle Initial	Last Name	Day Phone	Relationship
LINDA		RYZNAR	9542270785	SPOUSE

Comments: CUSTOMER SAYS: - CUST STATES VEH WAS TOTALLED/BURNED, NOT REPAIRABLE, ON OCT.27/02, EBSR83 ALLIGATOR 175, BROWARD COUNTY, 4:45PM - DOES NOT KNOW WHERE FIRE ORIGINATED FROM; UNDER HOOD - POLICE AND ON-LOOKERS SAID IT WAS ELECTRICALLY RELATED - FIRE REPORT CASE#021048878-10 AND POLICE REPORT WAS FILED; DOES NOT HAVE IT YET - CLAIM HAS BEEN FILED WITH INSURANCE; ALMOST READY TO SETTLE \$18,058 OWED BY CUST, \$13,458 PAYING TO CUST - TOOL SET IN VEH, CHAINSAW, WEEDWACKER, LAWNMOWER, CELLPHONE, CDS - CALLER WOULD SAY IT IS A DEFECT; SON LOVED EVERYTHING ABOUT TRUCK - CALLER STATES SON DID NOT NOTICE ANYTHING, SAW BLACK SMOKE UNDERNEATH VEH GETTING BACK IN VEH AFTER GETTING OUT TO CHECK LAWNMOWER ON BACK OF TRUCK, THOUGHT GRASS WAS ON FIRE, PUT IN 1ST GEAR AND HEARD A POPPING NOISE AND RAN AWAY FROM VEH - SOMEONE FROM TRUCK STOP HAD CALLED POLICE THAT A SILVER TRUCK WAS ON FIRE - VEH TAKEN TO WHERE ALLSTATE AUTHORIZED TO BE TAKEN; ALLSTATE 800-288-1893 EXT 2152 MILLIE PER CUSTOMER, DEALER SAYS: MAROONE FORD OF MARGATE 5401 WEST COPANS ROAD/ROYAL PALM BLVD. MARGATE, FL 33083 TEL: (954) 970-0590 CAC ADVISED: - THIS INFORMATION WILL BE FORWARDED TO OUR CONSUMER AFFAIRS GROUP; SOMEBODY WILL CONTACT IN TWO BUSINESS DAYS. INFERENCE CASE ID: 5341

Action: AS PER TEAM LEADER
Dealer: 04820 MAROONE FORD OF MARGATE Origin Desc: MANUAL - PHONE CSR
Odometer: 16000 MI Comm Type: PHONE
Analyst Name: CHARMAINE EDWARDS Analyst: CEDWARDS
Action Date: 11/15/2002 Action Time: 15:50:54.307 Action Data: Yes

Caller Information if Different From Vehicle Owner:

11/15/2004

First Name
LINDA

Middle Initial

Last Name
RYZNAR

Day Phone

Relationship
PARENT

Comments: CUSTOMER SAYS: -TRANSFER CALL FROM PAT INQ-- -- CAR CAUGHT FIRE -WAS SPEAKING TO SOMEONE THERE THIS MORNING -VEH WAS INVOLVED IN A ACCIDENT -DID NOT PROVIDE THE POLICE FILE # -CALLING TO GIVE THE POLICE # 021048876-10 -ALL STATE TOLD US TO GO TO MULLINAX AND SPEAK TO THE SSM -I THOUGHT THAT THEY WLD WANT TO LOOK AT THE VEH -THE FIRE AND POLICE DEPT DID CONFIRM THAT THIS IS A ELECTRICAL CONCERN -MY SON WILL LOSE \$5000 ON THIS -MY SON LOST ALOT OF TOOLS CHAIN SAW, LAWN MOWER AND SO ON -ALL THE CDS WERE DAMAGED -CELL PHONE WAS ALSO LOST IN THE PROCESS PER CUSTOMER, DEALER SAYS: BODYSHOP MANAGER SAID THAT FORD WILL NOT DO ANYTHING AND POINTED TO THE ALLSTATE INSURANCE WHICH IS ACROSS THE STREET CAG ADVISED: -APOLOGIZED AND ADVISED CUST THAT THE POLICE FILE WLD CERTAINLY BE ADDED TO THE FILE -APOLOGIZED TO CUST FOR HIS INCONVENIENCE ---- -CUST REQUEST A C/B AFTER 2:00 P.M. -AS SHE IS AT WORK DURING THE DAY

Data Element Name

Data Value

TEAM LEADER NAME

LEO

Action: SEND ACKNOWLEDGEMENT LETTER TO CUSTOMER

Dealer: 04820 MAROONE FORD OF MARGATE

Odometer: 18000 MI

Analyst Name: CASSANDRA JONES

Action Date: 11/18/2002

Comm Type: PHONE

Analyst: CJONES

Action Time: 15.19.51.739

Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION

Action Data: Yes

Comments: CUST SHOULD CONTINUE TO WORK WITH INSURANCE CO. INSURANCE CO'S FULLY INVOLVED. LETTER OF CLOSING SENT.

Data Element Name

Data Value

CERTIFIED LETTER #

USMAIL

Action: FINAL CASE DISPOSITION

Dealer: 04820 MAROONE FORD OF MARGATE

Odometer: 18000 MI

Analyst Name: CASSANDRA JONES

Action Date: 11/18/2002

Comm Type: PHONE

Analyst: CJONES

Action Time: 15.20.08.351

Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION

Action Data: No

Comments: LETTER OF CLOSING SENT.

ENOS-BBS-1-C1-0268

11/15/2004

FLORIDA HIGHWAY PATROL

FOUO-005-LC1-B207

VEHICLE PROPERTY REPORT									
FLORIDA HIGHWAY PATROL									
VEHICLE FIRE									
Report Date		Report Time		Report Location		Report City		Report State	
10/27/02		10:00		FLORIDA		TALLAHASSEE		FLORIDA	
Vehicle Make		Vehicle Model		Vehicle Year		Vehicle Color		Vehicle Type	
FORD		F150		2002		WHITE		TRUCK	
VIN		1F1712Z32N		1002		N/A		METAL	
Owner Name		Owner Address		Owner City		Owner State		Owner Zip	
L. E. T. B. F. 17232N		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Insurer Name		Insurer Address		Insurer City		Insurer State		Insurer Zip	
ALLSTATE INSURANCE COMPANY		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Policy Number		Policy Description		Policy Amount		Policy Type		Policy Status	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Reported By		Reported Date		Reported Time		Reported Location		Reported City	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Investigator		Investigator Address		Investigator City		Investigator State		Investigator Zip	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Vehicle Description		Vehicle Condition		Vehicle Damage		Vehicle Status		Vehicle Notes	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Vehicle Make		Vehicle Model		Vehicle Year		Vehicle Color		Vehicle Type	
FORD		F150		2002		WHITE		TRUCK	
VIN		1F1712Z32N		1002		N/A		METAL	
Owner Name		Owner Address		Owner City		Owner State		Owner Zip	
L. E. T. B. F. 17232N		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Insurer Name		Insurer Address		Insurer City		Insurer State		Insurer Zip	
ALLSTATE INSURANCE COMPANY		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Policy Number		Policy Description		Policy Amount		Policy Type		Policy Status	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Reported By		Reported Date		Reported Time		Reported Location		Reported City	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Investigator		Investigator Address		Investigator City		Investigator State		Investigator Zip	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Vehicle Description		Vehicle Condition		Vehicle Damage		Vehicle Status		Vehicle Notes	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Vehicle Make		Vehicle Model		Vehicle Year		Vehicle Color		Vehicle Type	
FORD		F150		2002		WHITE		TRUCK	
VIN		1F1712Z32N		1002		N/A		METAL	
Owner Name		Owner Address		Owner City		Owner State		Owner Zip	
L. E. T. B. F. 17232N		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Insurer Name		Insurer Address		Insurer City		Insurer State		Insurer Zip	
ALLSTATE INSURANCE COMPANY		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Policy Number		Policy Description		Policy Amount		Policy Type		Policy Status	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Reported By		Reported Date		Reported Time		Reported Location		Reported City	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Investigator		Investigator Address		Investigator City		Investigator State		Investigator Zip	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Vehicle Description		Vehicle Condition		Vehicle Damage		Vehicle Status		Vehicle Notes	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Vehicle Make		Vehicle Model		Vehicle Year		Vehicle Color		Vehicle Type	
FORD		F150		2002		WHITE		TRUCK	
VIN		1F1712Z32N		1002		N/A		METAL	
Owner Name		Owner Address		Owner City		Owner State		Owner Zip	
L. E. T. B. F. 17232N		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Insurer Name		Insurer Address		Insurer City		Insurer State		Insurer Zip	
ALLSTATE INSURANCE COMPANY		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Policy Number		Policy Description		Policy Amount		Policy Type		Policy Status	
[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]		[REDACTED]	
Reported By		Reported Date		Reported Time</					



Allstate.
You're in good hands.

RECEIVED
AUG 01 2003

Certified mail: 7001 0320 0005 0854 7884

July 30, 2003

Ford Motor Company
3 Parklane Blvd, Ste 300
Dearborn MI 48126



RE: Claim #: [REDACTED]
Our Insured: [REDACTED]
Loss Date: 10/27/02
Amt. of Claim: \$14500.09

To Whom It May Concern:

The above noted subrogation claim has been identified as a product liability loss.

Complete description of the incident: Leak of power steering fluid from defective
power steering system caused vehicle fire.
Our statement of defect: Strict Liability
Location of evidence: Copert, W Palm Beach FL, lot# 8469352, phone: 561-798-5158
Manufacturer: Ford
Model: F150
Year: 2002
VIN: 1FTRF17232N [REDACTED]

The following information is attached:

Police Report
Settlement Drafts
Total Loss Valuation

If you require information not listed above, please advise promptly. If a tender is made to another manufacturer, please advise of the name and address of the manufacturer or distributor, as well as the contact person. Otherwise, please acknowledge receipt of this claim and your position regarding payment of our damages within 30 days.

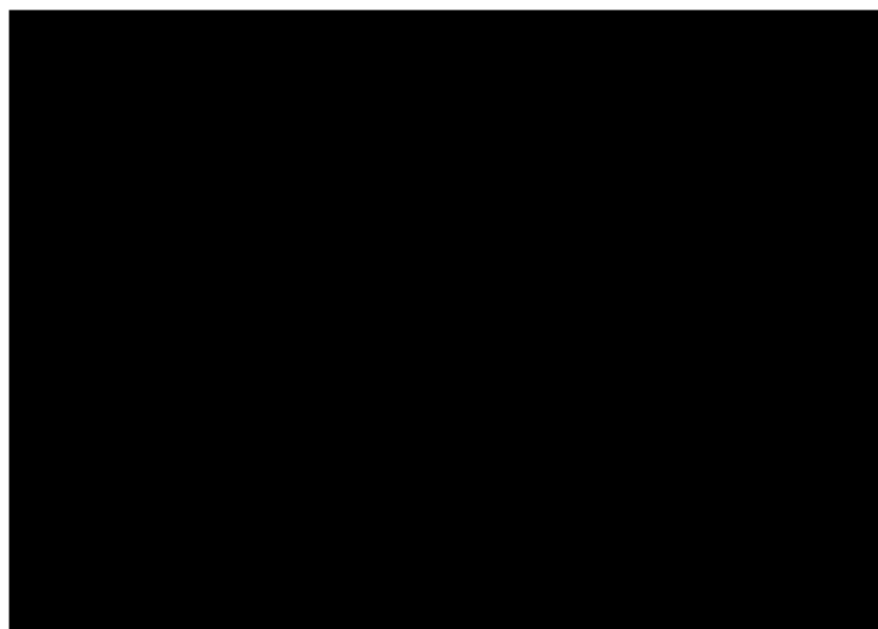
Sincerely,

Lori A. Coolidge
Lori A. Coolidge, AIC
Allstate National Auto Litigation Center

Roanoke National Subrogation Claims Center
3800 Electric Road, Suite 301, PO Box 21168, Roanoke, VA 24016
Phone: 1-800-775-2815 or (540) 986-2800 Fax: (540) 986-2840 or (540) 778-8803
Hours: 8:00 AM - 4:30 PM EST Monday - Friday

EA05-005-LC1-0210

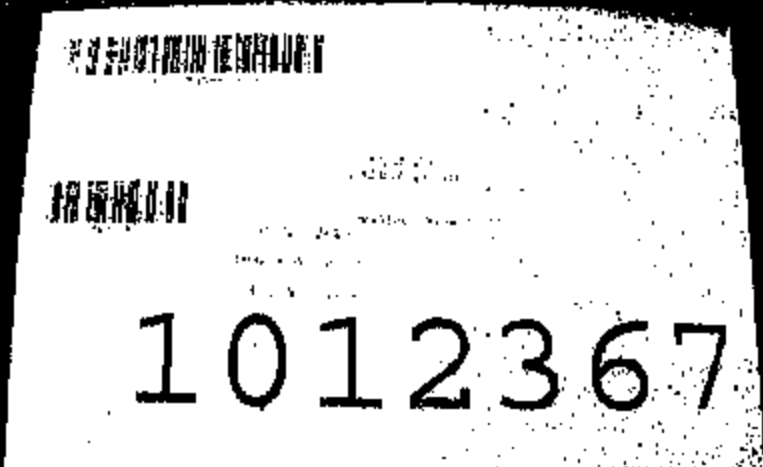
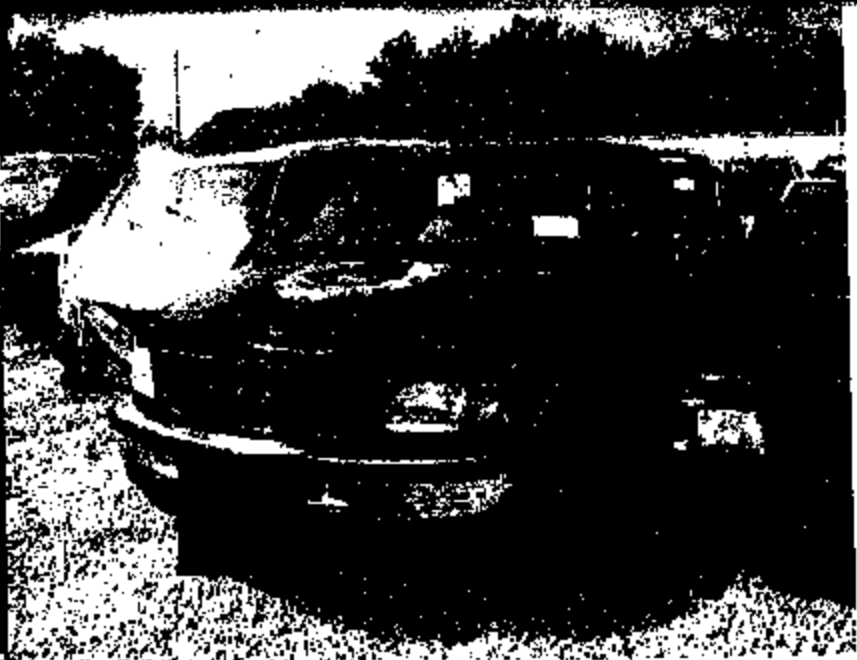
10/27/02
- '02 F-150
- VIN
- 218,000 (2)
- \$14,750.09



JAN 25 2001 10:42 AM FR

TO 13138454089

P.02



ENC-005-LCI-0211

JAN 25 2001 10:43 AM FR

TO 13108454089

P.03



DNB-005-LCI-0212

JAN 25 2001 10:43 AM FR

TO 13138454089

P.04

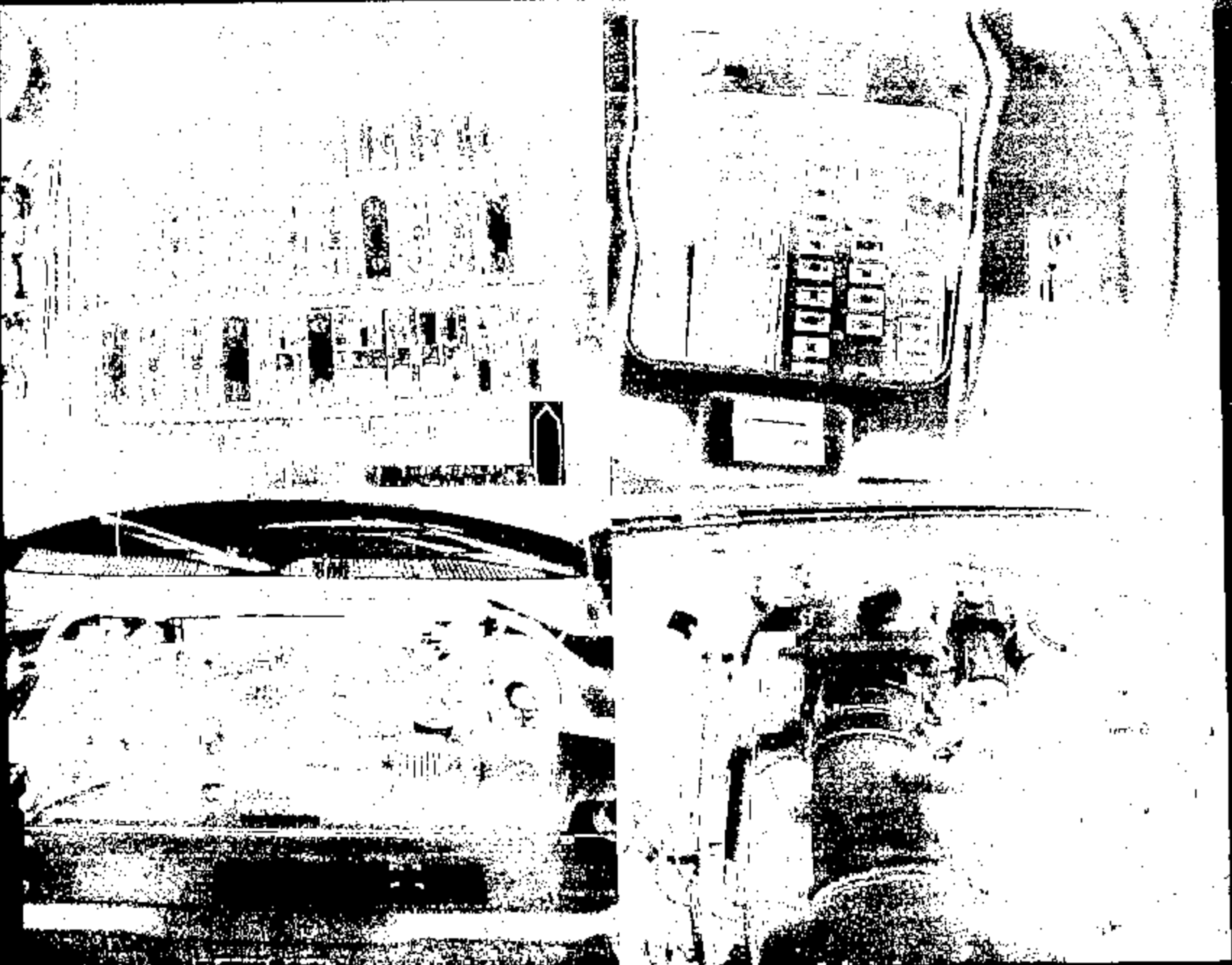


ESOC-808-LC1-8213

JAN 25 2001 10:44 AM FR

TO 13138454865

P.05

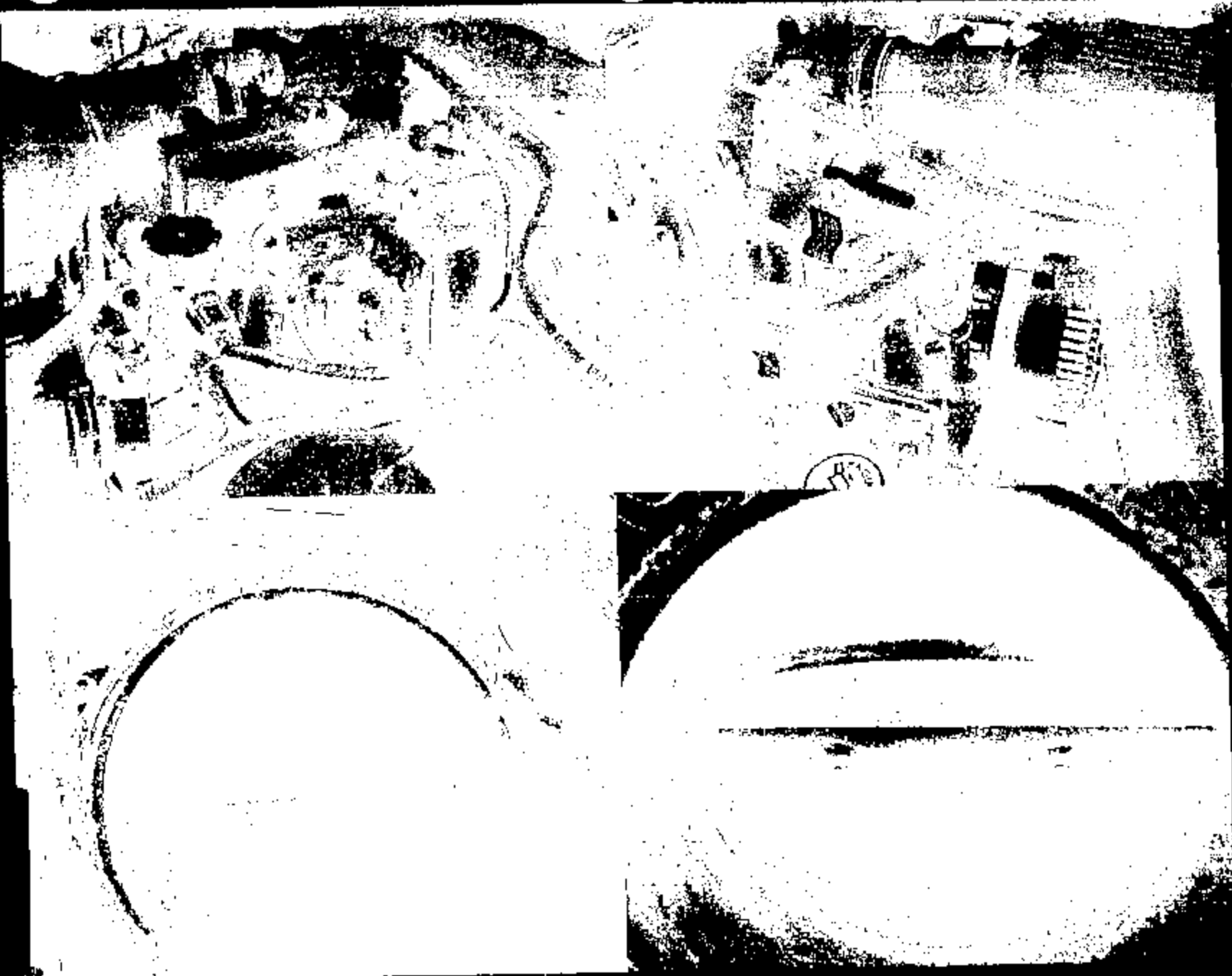


ENC-005-LCI-0014

JAN 25 2001 18:45 AM FR

TO 10138454089

P.06



DNAC-580-1-01-0216

JAN 25 2001 10:45 AM FR

TO 13138454089

P.07

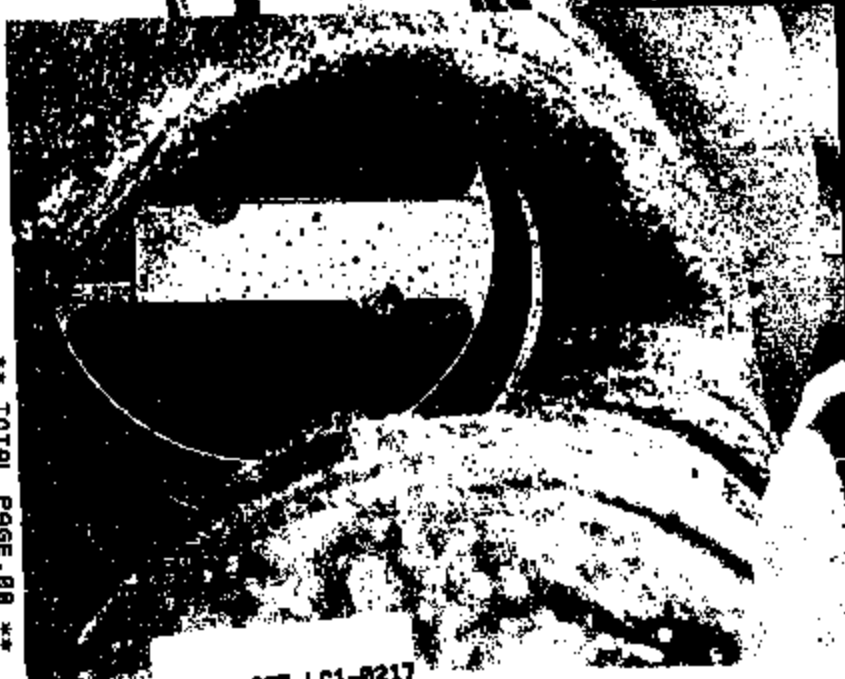


EDMS-002-101-0216

JAN 25 2001 10:45 AM FR

TO 13138454089

P.08



ER00-005-LC1-8217

** TOTAL PAGE.08 **



Prudential Property and Casualty Insurance Company
and Affiliated Companies
P.O. Box 887
Horseshoe, PA 18044

Deldra Gregory Litigation Representative
Central Subrogation
(800) 247-8276 ext. 7283

January 25, 2001

Shawn Norton
Ford of America

FAX 313 845 4089

Claim Number: [REDACTED]
Date of Loss: 07/18/00
Insured: [REDACTED]
Your File Number: Unknown

Dear S. Norton:

I attached the information you requested:

1. The date of loss is July 19, 2000
2. The place of loss was Highway 3 Hampton GA
3. I am awaiting a copy of the fire report
4. Pictures are attached
5. The defective part is with our expert (please contact me to arrange mutual inspection)
6. The vehicle is a total loss \$16,422

You can contact me at the above telephone number between the hours of 7:30 a.m. and 3:30 p.m. I look forward to working with you.

If you have any questions, please call me.

Sincerely,

Deldra Gregory
Litigation Representative

*Ford Motor Corp
Rear Lane Town is
the 350
3 Ballan Bldg
Deaton
m/18726*



Prudential Property and Casualty Insurance Company
and Affiliated Companies
P.O. Box 987
Haddon, PA 19044

Dakota Gregory Litigation Representative
Control Subrogation
(800) 247-8278 ext. 7203

October 3, 2000

Ford of America

Fax: 313 845 4089

Claim Number: [REDACTED]
Date of Loss: 07/19/00
Insured: [REDACTED]
Claimant: Ford
Your File Number: Unknown

Dear Shawn Norton:

Consider this letter as a formal notice of subrogation. The total amount of our subrogation is \$ pending. I enclosed our supporting documents for your review.

Our investigation reveals that a 1998 Ford F-150, Triton V-8 extended cab truck caught on fire on July 19, 2000 due to an electrical failure within the throttle position sensor. The vin is 1ftdx1768wns [REDACTED] and the mileage is 118028. We have retained the vehicle for your inspection. Please call me to make arrangement for your inspection.

Please note my correct address above. You can contact me at the above telephone number between the hours of 7:30 a.m. and 3:30 p.m.

If you have any questions, please call me.

Sincerely,

Dakota Gregory
Litigation Representative

A Division of
Prudential Insurance Company of America

EP00-0001-L01-0219

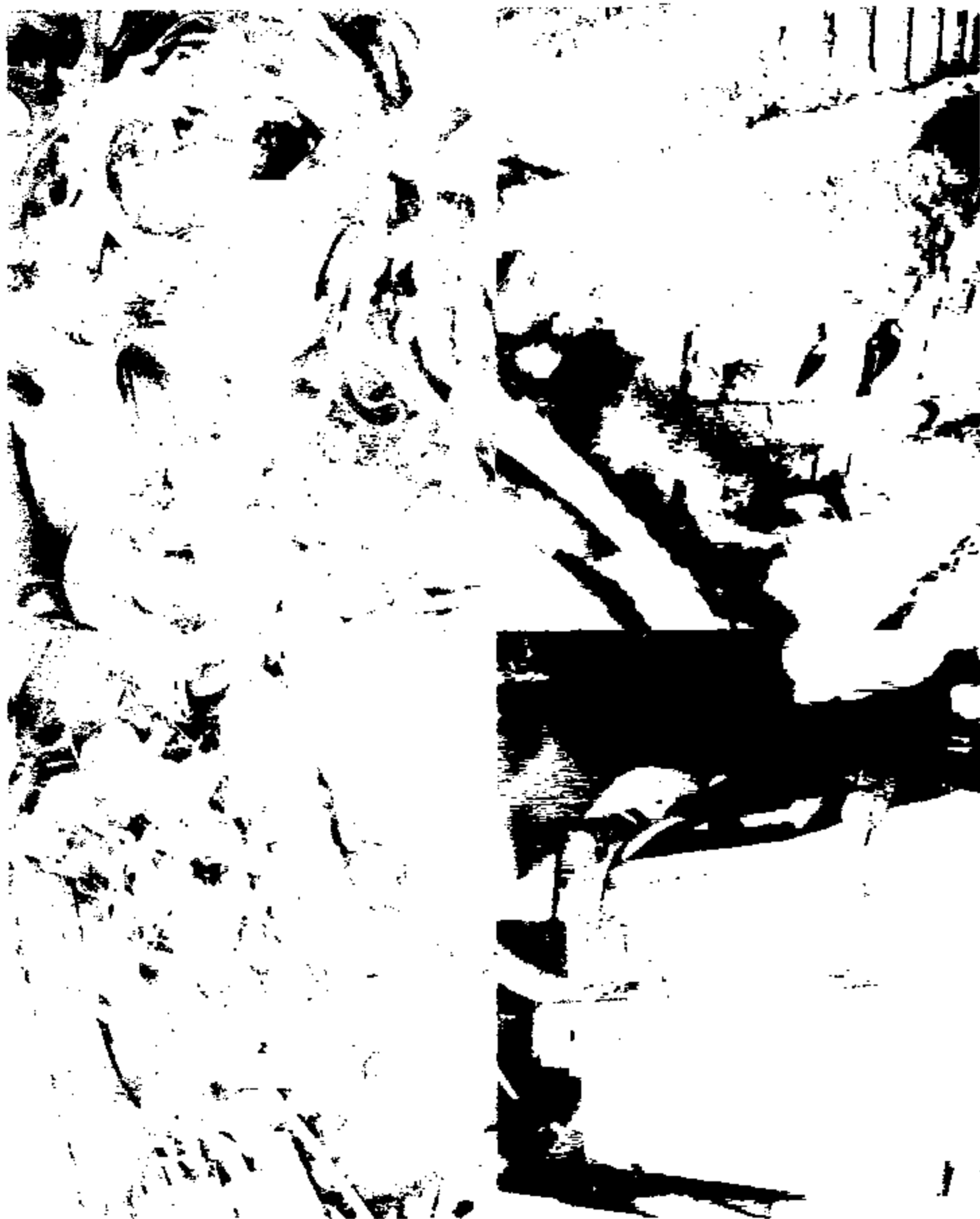


1. This loss occurred in a 1998 Ford F-150. The vehicle was examined at SADISCO-South in Forest Park.

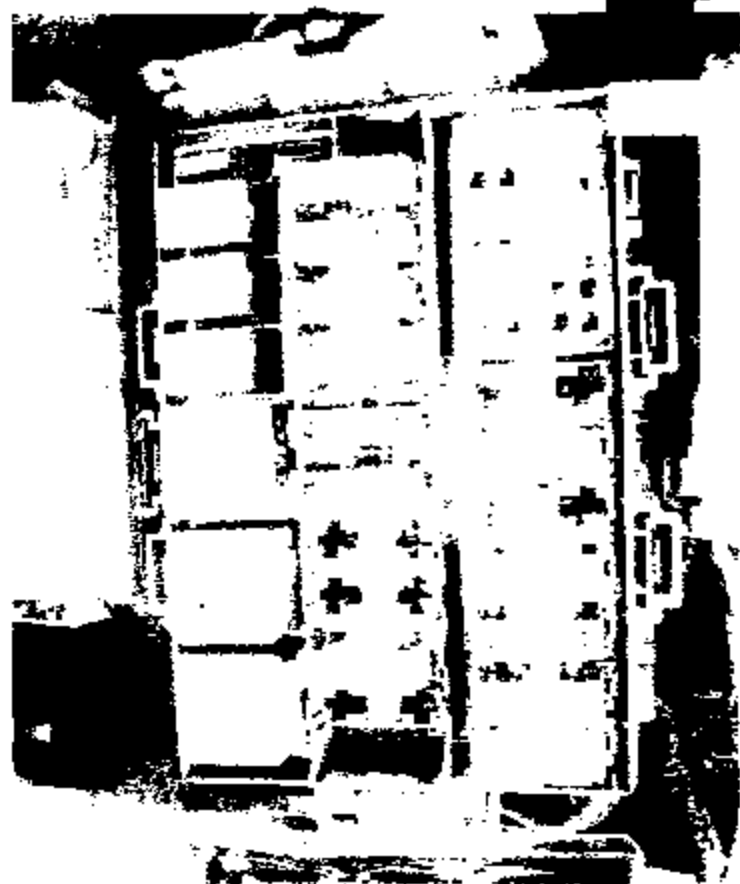


ERG-805-LC1-8221





EA05-885-LC1-8223



ER05-085-LC1-0224



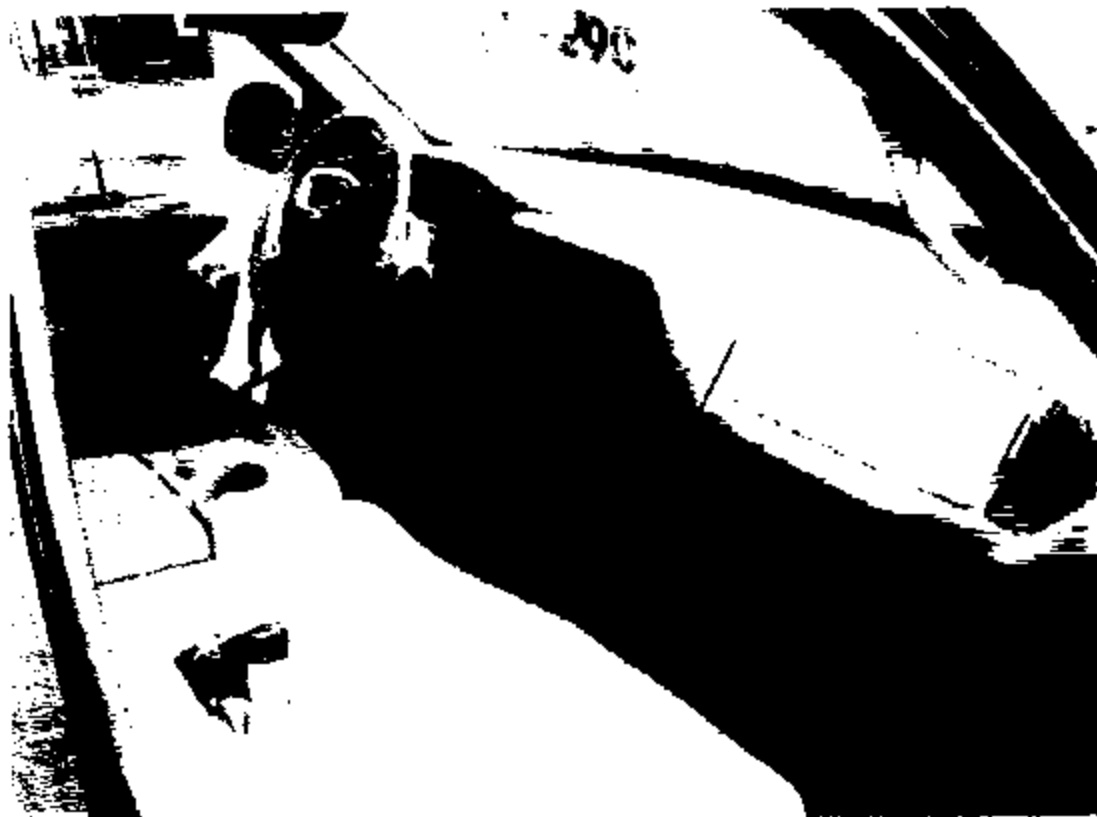
ED05-085-LC1-0228



EA05-005-LC1-0228

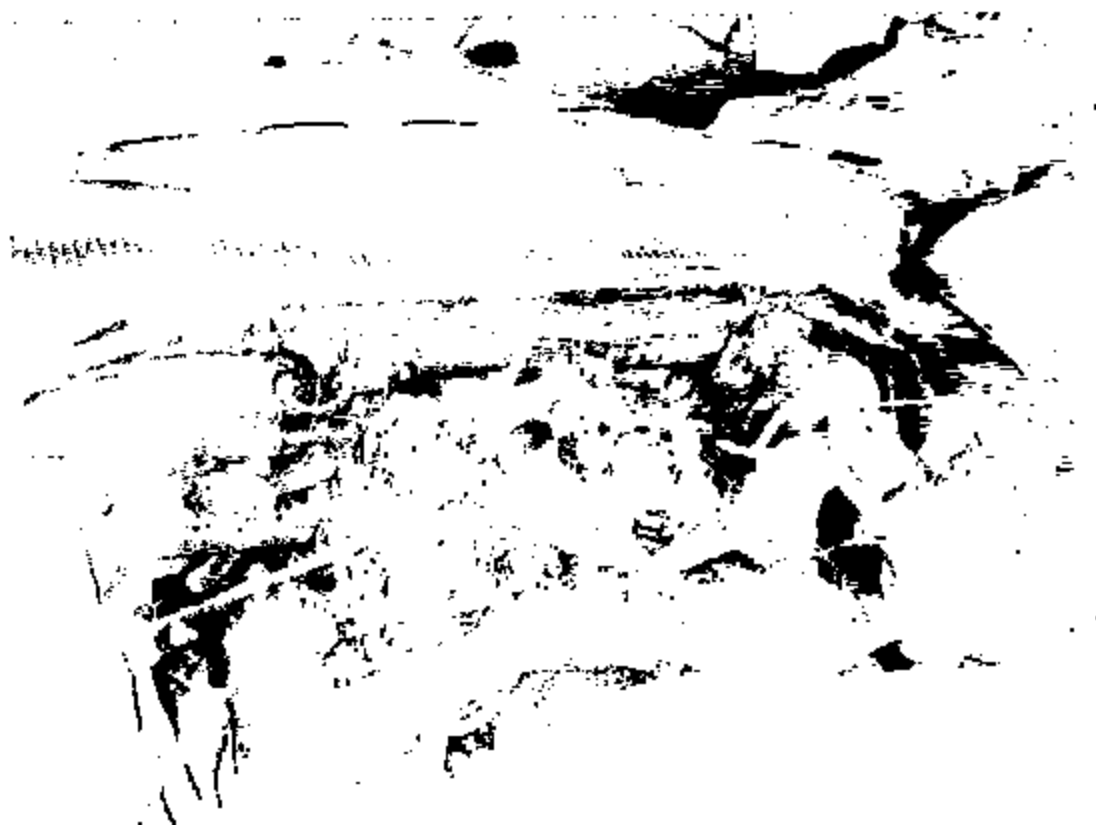


2. The fire was confined to the engine compartment though it burned through the hood.

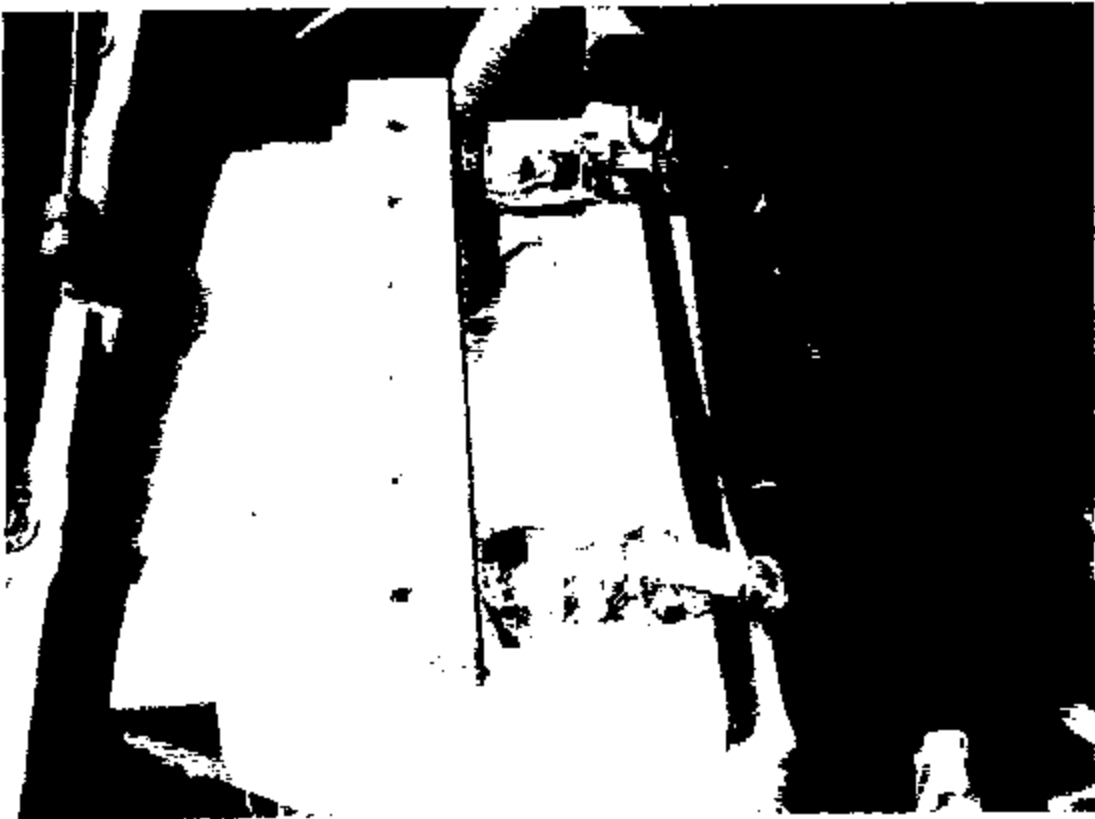


3. There was no visible fire damage within the passenger compartment.

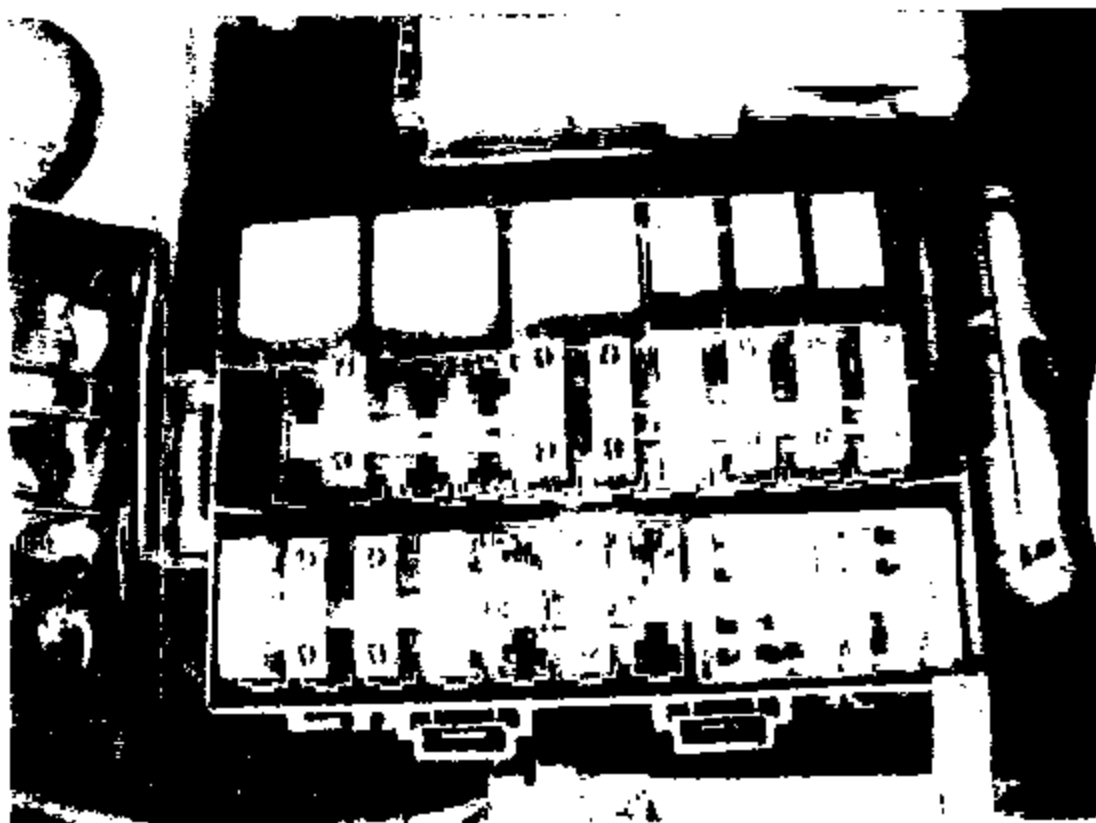
4. The odometer indicated there were 118028 miles on the vehicle.



5. An examination of the engine compartment revealed damages centered over the top of the engine.



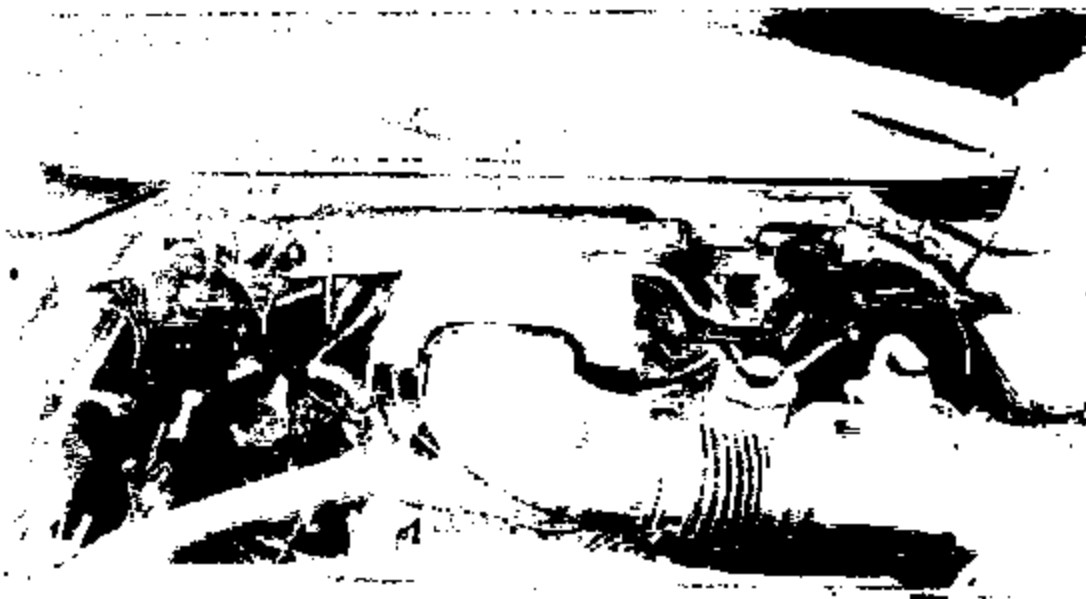
6. The battery was undamaged by the fire and was still connected to battery cables.



7. An examination of two fuse blocks revealed this twenty-amp fuse to be blown as well as a fifteen-amp fuse in another block. The identity of the affected circuits could not be determined with the literature available.



8. The windings on the alternator were undamaged as illustrated by the pink color at the red arrow. This fact along with burn patterns eliminated the alternator as a source of ignition.



9. This photo illustrates the engine compartment of an undamaged Ford F-150 truck.



16. Adjacent to the throttle body and within the area of greatest damage, two sets of wire run from below the engine to sensors mounted on the throttle body.



11. The wires on the left attach to the TPS and had the insulation burned off of the conductors from the TPS downward. The wire set to the right had insulation still clinging to the conductors. This is consistent with the wires on the left being subjected to internal heating and a possible ignition source.

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

PLAINTIFF: [REDACTED]

(Our File #234-6791)

2004A

VS

DEFENDANT: Ford Motor Company

COMPLAINT FOR TORT OF NEGLIGENCE (PRODUCT LIABILITY)

STATEMENT OF FACTS

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

1. Defendant Ford Motor Company (hereinafter referred to as "Defendant") is a foreign profit business corporation registered to do business in the State of Georgia. Said Defendant may be served with process through its registered agent in the State of Georgia to-wit: Corporation Process Company, 180 Cherokee Street, N.E., Marietta, Cobb County, Georgia 30060.
2. Defendant designed, tested, manufactured, assembled, inspected, marketed, distributed and warranted a 1999 Ford F150 pickup Truck, V.I.N.: 2FTRX08LOX [REDACTED] (hereinafter "said product") prior May 29, 2003.
3. [REDACTED] (hereinafter "Plaintiff's Insured") purchased said product in the stream of interstate commerce prior May 29, 2003.
4. Thereafter, Plaintiff's Insured used said product for its intended purpose without abuse and without modification.
5. On or about May 29, 2003, said product caught fire and was a total loss due to the failure of the transmission cooling line (hereinafter "defective part").
6. As a result of the casualty described in the previous paragraph, property owned by Plaintiff's Insured was damaged in the amount of \$18,956.65 (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 \$18,956.65 (salvage is undetermined) for damages caused by the

COBB COUNTY, GA
FILED IN OFFICE
04-JUN-11 AM 11:33
CLERK OF COURT

defective part.

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

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

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

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

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

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

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

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

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

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


17. Defendant's defective product failed as a result of the negligence of Defendant described in this Count so that Defendant's negligence was the proximate cause of the incident and resulting

Plaintiff's complaint.

II. PRAYER FOR RELIEF AND DAMAGES

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of \$18,956.65 (salvage is undetermined); plus 3% pre-judgment interest, one-third attorney fees in the event of default, costs and 3% post-judgment interest; and that a writ of fieri facias issue commanding all Sheriffs within the State of Georgia and their lawful deputies to execute said writ by levy and seizure of Defendant's goods and lands.

June 17, 2004



Ronald W. Parnell
Attorney for Plaintiff
State Bar Number 564450

Our File #234-6791
Post Office Drawer 81085
Conyers, Georgia 30013
(770) 929-8585 Answer Service

Gordon County Fire Dept.

A FDID: <u>04481</u> State: <u>GA</u> Incident Date: <u>05/29/2003</u> Station: <u>08</u> Incident Number: <u>0001000</u> Exposure: <u>000</u>						<input type="checkbox"/> Delete <input type="checkbox"/> Change <input type="checkbox"/> No Activity		NFIRS-1 Basic						
B Location <input type="checkbox"/> Address on Wildland Form <input type="checkbox"/> Census Tract <u> </u>														
<input type="checkbox"/> Street Address <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>														
<input type="checkbox"/> Intersection <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>														
<input type="checkbox"/> In front of <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>														
<input type="checkbox"/> Rear of <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>														
<input type="checkbox"/> Adjacent to <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>														
<input checked="" type="checkbox"/> Directions <u> </u> <u> </u> <u> </u> <u> </u> <u> </u>														
Cross Street or Directions, as applicable														
C Incident Type <u>131</u> Passenger vehicle fire					E1 Dates & Times					E2 Shifts / Alarms				
D Aid Given or Received					Mon. <u>05/29/03</u> Day <u>14:37</u>					C <u>0</u> S <u>00</u>				
1 <input type="checkbox"/> Received <u> </u> Their FDID					Alarm <u> </u>					Shift <u> </u> Alarm <u> </u> Dist. <u> </u>				
2 <input type="checkbox"/> Automatic Rec'd <u> </u>					Arrival <input checked="" type="checkbox"/> Arrival <u>05/29/03</u> <u>14:34</u>					E3 Special Studies				
3 <input type="checkbox"/> Given <u> </u> Their State					Control <input checked="" type="checkbox"/> Control <u>05/29/03</u> <u>14:39</u>					<u> </u> <u> </u>				
4 <input type="checkbox"/> Automatic Given <u> </u>					Last Unit <input checked="" type="checkbox"/> Last Unit <u>05/29/03</u> <u>15:54</u>					ID# <u> </u> Value <u> </u>				
5 <input type="checkbox"/> Other Aid Given <u>0000000</u> Their Incident					Clear <input checked="" type="checkbox"/> Clear									
N <input checked="" type="checkbox"/> None														
F Actions Taken					G1 Resources					G2 Dollar Loss & Values				
<u>11</u> Extinguish					Apparatus <u>2</u> Personnel <u>3</u>					LOSSES: <u>NONE</u>				
Primary Action Taken (1) <u> </u>					Suppression <u> </u>					Property <u>0</u> <input checked="" type="checkbox"/>				
<u> </u>					EMS <u>0</u> <u>0</u>					Contents <u>0</u> <input checked="" type="checkbox"/>				
Additional Action Taken (2) <u> </u>					Other <u>0</u> <u>0</u>					PRE-INCIDENT VALUE:				
<u> </u>					<input type="checkbox"/> Check if counts include mutual aid resources					Property <u>0</u> <input checked="" type="checkbox"/>				
Additional Action Taken (3) <u> </u>										Contents <u>0</u> <input checked="" type="checkbox"/>				
Completed Modules					H1 Casualties					H3 Hazmat Release				
<input checked="" type="checkbox"/> Fire-2					<input checked="" type="checkbox"/> None					N <input checked="" type="checkbox"/> None				
<input type="checkbox"/> Structure-3					Deaths <u>0</u> Inj. <u>0</u>					1 <input type="checkbox"/> Natural Gas				
<input type="checkbox"/> Civ. Casualty-4					Fire Service <u>0</u> <u>0</u>					2 <input type="checkbox"/> Propane Gas				
<input type="checkbox"/> Fire Casualty-5					Civilian <u>0</u> <u>0</u>					3 <input type="checkbox"/> Gasoline				
<input type="checkbox"/> EMS-6					H2 Detector					4 <input type="checkbox"/> Kerosene				
<input type="checkbox"/> Hazmat-7					Alerted Occupants					5 <input type="checkbox"/> Diesel Fuel/Oil				
<input type="checkbox"/> Wildland-8					1 <input type="checkbox"/> Yes					6 <input type="checkbox"/> Household Solvents				
<input checked="" type="checkbox"/> Apparatus-9					2 <input checked="" type="checkbox"/> No					7 <input type="checkbox"/> Motor Oil				
<input type="checkbox"/> Personnel-10					U <input type="checkbox"/> Unknown					8 <input type="checkbox"/> Paint				
<input type="checkbox"/> Anson-11										9 <input type="checkbox"/> Other				
I Mixed Use Property														
MN <input checked="" type="checkbox"/> Not Mixed														
10 <input type="checkbox"/> Assembly Use														
20 <input type="checkbox"/> Education Use														
30 <input type="checkbox"/> Medical Use														
40 <input type="checkbox"/> Residential Use														
51 <input type="checkbox"/> Flow of Storage														
53 <input type="checkbox"/> Enclosed Mail														
55 <input type="checkbox"/> Business & Retail														
59 <input type="checkbox"/> Office Use														
60 <input type="checkbox"/> Industrial Use														
63 <input type="checkbox"/> Military Use														
65 <input type="checkbox"/> Farm Use														
68 <input type="checkbox"/> Other Mixed Use														
1st Company to Arrive <u>08</u>					Print Test 1 <u> </u>					J Property Use <u>001</u>				
Print Test 2 <u> </u>										Highway or divided highway				

Gordon County Dept

05/29/2003

0001000

0

K1 Person / Entity Involved

Check if
same
address as
incident

Business name (if applicable) Phone

Prefix First Name MI Last Name Suffix

Number Prefix Street or Highway Street Type Suffix

Post Office Box Apt./Suite/Room City

State Zip

K2 Owner

Check if
same
address as
incident

Same as Person Involved Business name (if applicable) Phone

Prefix First Name MI Last Name Suffix

Number Prefix Street or Highway Street Type Suffix

Post Office Box Apt./Suite/Room City

State Zip

L Remarks

DISPATCHED TO A VEHICLE FIRE. RESPONDING UNITS ARRIVED ON SCENE FINDING A PICKUP TRUCK COMPLETELY INVOLVED. FD-32 ESTABLISHED FIRE COMMAND. THE FIRE WAS EXTINGUISHED W/ APPX. 600 GALLONS OF WATER. FD-32 ASKED E-911 TO DISPATCH TOWNSENDS WRECKER SERVICE AT THE REQUEST OF THE OWNER. R-6 REMAINED ON SCENE UNTIL THE WRECKER ARRIVED. FD-32 TERMINATED COMMAND.*** THE VIN # AND TAGS COULD NOT BE OBTAINED DUE TO THE FIRE DAMAGE***

M Authorization

2285

Officer in charge ID

x William H. Falls

William H. Falls

Lt.

Position or Rank

Suppression

Assignment

05/29/2003

Date

2284

Member Making Report

x William H. Falls

William H. Falls

Lt.

Position or Rank

Suppression

Assignment

05/29/2003

Date

Gordon County Fire Dept.

A 06401 FDID GA State 05/29/2003 Incident Date 06 Station 0001000 Incident Number 000 Exposure		<input type="checkbox"/> Delete <input type="checkbox"/> Change <input type="checkbox"/> No Activity		NFIRS-2 Fire
B Property Details B1 <input type="checkbox"/> 0 <input checked="" type="checkbox"/> Not Residential No. of residential units in building of origin B2 <input type="checkbox"/> 0 <input checked="" type="checkbox"/> Bldg not involved No. of buildings involved B3 <input type="checkbox"/> 0 <input checked="" type="checkbox"/> None Acres burned (outside fire) <input type="checkbox"/> Less than one acre		C On-Site Materials or Products <input checked="" type="checkbox"/> None On-site materials (1) On-site materials (2) On-site materials (3)		
D Ignition D1 <input checked="" type="checkbox"/> 03 Area of origin Engine area, running gear, whe D2 <input checked="" type="checkbox"/> UU Heat Source Undetermined D3 <input checked="" type="checkbox"/> UU Item first ignited Undetermined D4 <input checked="" type="checkbox"/> UU Type of material first ignited Undetermined <input type="checkbox"/> Confined to item		E1 Cause of Ignition <input type="checkbox"/> Exposure Report 1 <input type="checkbox"/> Intentional 2 <input checked="" type="checkbox"/> Unintentional 3 <input type="checkbox"/> Failure of equipment 4 <input type="checkbox"/> Act of nature 5 <input type="checkbox"/> Cause under investigation U <input type="checkbox"/> Undetermined after invest. E2 Factors Contributing <input checked="" type="checkbox"/> None MM None Factor contributing to ignition (1) Factor contributing to ignition (2)		
F1 Equipment Involved in Ignition <input checked="" type="checkbox"/> None MM None Equipment involved Brand Model Serial # Year		F2 Equipment Power Equipment Power Source F3 Equipment Portability 1 <input type="checkbox"/> Portable 2 <input type="checkbox"/> Stationary Portable equipment normally can be moved by one person, is designated to be used in multiple locations.		
G Fire Suppression Factors <input checked="" type="checkbox"/> None MM None Fire suppression factor (1) Fire suppression factor (2) Fire suppression factor (3)		H1 Mobile Property Involved <input type="checkbox"/> None 1 <input type="checkbox"/> Not involved in ign, burned 2 <input type="checkbox"/> Involved in ign, did not burn 3 <input checked="" type="checkbox"/> Involved in ignition and burned H2 Mobile Property Type & Make 11 Passenger car. Mobile property type FO Ford Mobile property make F-150 EXTENDED CAB PICK UP Mobile property model 1999 Year License Plate Number State VIN Number		
Local Use <input type="checkbox"/> Pre-Fire Plan Available Some of the information presented in this report may be based upon reports from other agencies: <input type="checkbox"/> Aeron report attached <input type="checkbox"/> Police report attached <input type="checkbox"/> Coroner report attached <input type="checkbox"/> Other reports attached				



Allstate.
You're in good hands.

Certified mail#: 7001 2510 0005 8799 7391

May 19, 2004

Ford Motor Co
Parklane Towers West #300
3 Parklane Blvd
Dearborn MI 48126



RE: Claim #: [REDACTED]
Our Insured: [REDACTED]
Loss Date: 5/29/2003
Amt. of Claim: \$18956.65

The above noted subrogation claim has been identified as a product liability loss.

Complete description of the incident: defective transmission cooling line caused vehicle fire.

Our statement of defect: Strict Liability

Location of evidence: Vehicle: Verastar North, lot# 2304414, phone: 770-975-1107
Parts: ATS, file# K42465, phone: 770-423-1400

Manufacturer: Ford

Model: F150

Year: 1999

VIN: 2FTRX08L0X [REDACTED]

The following information is attached:

Settlement Draft and Total Loss Valuation

Title

Fire Dept Report

Please contact the above to conduct an inspection of the vehicle and defective parts. If a tender is made to another manufacturer, please advise of the name and address of the manufacturer or distributor, as well as the contact person. Please acknowledge receipt of this claim and your position regarding payment of our damages within 30 days.

Sincerely,

Lori A. Coolidge

Lori A. Coolidge, AIC
Allstate National Auto Litigation Center

EMD-RB-LC1-0244

Roanoke National Subrogation Claims Center
3800 Electric Road, Suite 301, PO Box 21168, Roanoke, VA 24018
Phone: 1-800-776-2615 or (540) 989-2800 Fax: (540) 989-2840 or (540) 776-9803
Hours: 8:00 AM - 4:30 PM EST Monday - Friday

5/29/03
\$18,956.65
TAA F150
VIN
71,000
Fairmount, GA



RICHARD SCHWARTZ INVESTIGATIONS INC.

Agency License No. AS400012

RMS INVESTIGATIVE ENGINEERING INC. License No. EBN000012

4800 S.W. 64TH AVENUE, SUITE 105G • DAVIS, FLORIDA 33314

MAILING ADDRESS: P.O. Box 551376 • DAVIS, FLORIDA 33355

Mr. John Soto
STATE FARM INSURANCE COMPANY
7355 Southwest 117th Avenue
Miami, Florida 33183

RE: Insured: [REDACTED]
1999 F-150 Pickup Truck
Claim No: [REDACTED]
D.O.L.: 12-31-02
Our File No: 02-2261

FIRE INVESTIGATION REPORT

Date of Report: July 16, 2002

Lead Investigator: Richard M. Schwartz, CFEl, CFEII
Florida Licensed Investigator #C8600879

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954.327.8909/LOCAL • 1.800.FIRE.103/TOLL FREE • 954.327.8986/FAX
WEBSITE: [HTTP://WWW.RSIFIRE.COM](http://www.rsifire.com) • E-MAIL: RSIFIRE@RSIFIRE.COM

FRIS-005-101-0201

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- I. Origin and Cause Report
- II. Photographic Documentation

I. Origin and Cause Report



RICHARD SCHWARTZ INVESTIGATIONS INC.

RMS INVESTIGATIVE ENGINEERING INC. License No. 12000012
4800 S.W. 64TH AVENUE, SUITE 105G • DAVIE, FLORIDA 33314
MAILING ADDRESS: P.O. BOX 551376 • DAVIE, FLORIDA 33355

Agency License No. 12000012

Mr. John Soto
STATE FARM INSURANCE COMPANY
7355 Southwest 117th Avenue
Miami, Florida 33183

RE: Insured: [REDACTED]
Claim No: [REDACTED] 1999 F-150 Pickup Truck
D.O.L.: [REDACTED]
Our File No: 12-31-02
02-2261

July 16, 2002

Dear Mr. Soto:

PURPOSE OF THE ASSIGNMENT

We received the assignment to inspect the 1999 Ford pickup truck to determine the origin and cause for the fire occurrence. The assignment included instructions to limit our inspection to a non-destructive and non-invasive examination.

The following are the results of our investigation.

PRELIMINARY REMARKS

An inspection of the vehicle was conducted at Adessa Salvage Yard in Opa-Locka, Florida on June 25th 2002. After checking in at the office we were shown to the vehicle by an Adessa employee. The vehicle was located in the "Z" Lane.

The following are the results of our inspection.

Insured: [REDACTED]
Our File: 02-2261

DESCRIPTION OF THE VEHICLE

The vehicle is described as a 1999, F-150 extended cab pickup truck that was black in color. The vehicle was further identified through a vehicle identification number 2FTZX0726XC [REDACTED]. The vehicle was not equipped with a license tag at the time of our inspection.

The following are the results of our inspection.

INSPECTION OBSERVATIONS

Inspection of the exterior of the vehicle revealed that it was equipped with front and rear metal bumpers. The rear bumper was a step style bumper. A receiver hitch was in place on the center rear of the bumper. The vehicle was also equipped with a radio antenna on the right front quarter panel.

The fuel filler neck is located on the left side panel of the pickup bed just in front of the rear axle. Examinations of the fuel filler neck revealed that it was intact and the plastic cap was undamaged from the fire occurrence. Continued examinations from the exterior of the truck revealed that it was equipped with a plastic bed liner and metal pipe style running boards. The truck is also equipped with left and right side view mirrors.

Examinations of the vehicles tires revealed the following:

Front Left: Goodyear Wrangler AP steel belted radial tire, size P255/70R16. This tire was burned and deflated.

Front Right: Goodyear Wrangler AP P255/70R16, this tire was undamaged from the fire occurrence.

Rear Left: Good year Wrangler AP P255/70R16, this tire was undamaged from the fire occurrence.

Rear Right: Goodyear Wrangler AP P255/70R16, this tire was undamaged from the fire occurrence.

Overall examinations made of the exterior of the vehicle, revealed heavy fire damage originating in the engine compartment with some communication into the passenger compartment.

Insured: [REDACTED]
Our File: 02-2261

INSPECTION OF THE INTERIOR

Inspection of the interior of the passenger compartment revealed that it was equipped with two front bucket seats and a rear folding bench seat. The vehicle is also equipped with left and right side air bags. The vehicle is equipped with an automatic transmission that uses a column mounted shift lever.

Inspection of the dashboard area revealed that it was a partial electronic and analog style dash. The dashboard was burned during the fire occurrence with heaviest damage noted to have occurred to the top, forward edge of the dash (immediately adjacent to the engine compartment/passenger compartment bulk head wall).

Continued examinations of the interior of the passenger compartment revealed that the vehicle was equipped with power windows, power door locks, factory air conditioning, tilt steering wheel, cruise control and an AM/FM CD radio unit that was equipped with a detachable face. The vehicle was also equipped with carpet and padding.

Overall examinations made of the passenger compartment revealed evidence of fire damage caused from lateral communication through the bulk head wall from the engine compartment.

ENGINE COMPARTMENT

Examinations of the engine compartment revealed the vehicle was equipped with a V-8, fuel injected engine. Examinations of the engine compartment revealed the transmission fluid and engine oil were full. The power steering fluid reservoir and brake fluid reservoir were consumed during the fire occurrence.

Examinations made of the vehicle's storage battery revealed that it was located on the passenger side of the engine compartment above the fender well. Examinations of the battery revealed a greater degree of heat-induced damage to the driver's side of the battery. Damage was extensive to the battery and consumed a majority of the battery casing as well as melting of the battery post, which resulted in the separation of the battery cables from the battery.

Overall examinations made of the engine compartment revealed the transmission, air conditioning compressor, power steering pump, and alternator were present as well as the partial remains of the vehicle's radiator and AC condenser coil. The vehicle's fan belt was consumed and not available for our inspection.

Insured: [REDACTED]
Our File: 02-2261

Overall examinations made of the interior of the engine compartment revealed heavy burn damage and heat damage noted to the driver's side center area of the engine. Damage in this area resulted in heavy melting and flowing of the air induction chamber as well as partial consumption of the valve cover on the driver's side of the engine. The fuel lines were still connected to the fuel well.

Damage was extensive on the driver's side of the engine and resulted in the complete consumption of the combustible and flexible portions of the fuel lines as well as the melting of the fuel pressure regulator in this area.

OTHER RELEVANT INFORMATION

Information provided to this firm at the time of our assignment included a copy of the National Highway Traffic Safety Administration recall number 98V194000 which covers a review of this recall reveals that it covers an o-ring malfunction with the fuel pressure regulator.

CONCLUSION

Based upon our inspection and investigation to date it is the opinion of this firm that the fire occurrence is the result of a fuel and/or fuel vapor leak that occurred on the driver's side of the engine.

Based upon our review of the recall information provided by your office we would recommend placing Ford Motor Company on notice as well as the Ford Dealership.

A complete copy of the repair history for the vehicle should be obtained as well as a follow-up recorded statement from the insured/last driver of the vehicle. The purpose for this follow-up statement would be to document clearly the last time the vehicle was used and when it was parked as to determine and clarify, what the time of discovery of the fire was. As soon as this information is obtained it should be forwarded to our office for our follow-up review and comment.

In addition Ford Motor Company and the dealership who sold the vehicle should be invited to participate in a follow-up joint inspection of the vehicle in an attempt to locate the remains of the fuel pressure regulator and document it's condition. If it is able to be located within the melted metal remains.

Insured: [REDACTED]
Our File: 02-2261

In the interim the remains of the vehicle should be preserved to allow follow-up examinations by this firm and other interested parties.

RICHARD SCHWARTZ INVESTIGATIONS INC., reserves the right to amend and modify the findings listed in this report, based upon the discovery of additional information. Should any additional information be discovered, it should be forwarded to our office for our review and comment.

PLEASE FORWARD THIS STATEMENT TO:

NAME:



CSO:

CSU-133

ROB, CASSETTE TAPE(S) WILL FOLLOW VIA
MAIL. THANKS AND HAVE A NICE DAY.

STATEMENT
CLAIM NUMBER
OPERATOR

:
:
:
:



TEHB

INTRODUCTION: THIS IS JOHN SOTO, CLAIM REPRESENTATIVE WITH STATE FARM INSURANCE®. THE TIME IS APPROXIMATELY 10 MINUTES TO 1:00 IN THE AFTERNOON. THE DATE IS MARCH 6TH, 2002. I'M SPEAKING OVER THE PHONE TO [REDACTED] REGARDING CLAIM [REDACTED] IN VICTOR 882-352.

Q. [REDACTED] can I ask you to state your name and spell your last name for me please?

A. [REDACTED] like Victor [REDACTED] like Boy [REDACTED]

Q. Are you aware that this conversation is being recorded?
A. Yes I am.

Q. Is it being recorded with your full consent?
A. Yes.

Q. Is there any reason you'd be unable to answer the questions I'm about to ask you truthfully?
A. No.

Q. If I ask a question you do not understand please stop me and I'll either rephrase the question for you or repeat it if necessary. The purpose of the conversation is to provide further information to State Farm® regarding the claim that was reported for a date of loss of December 31st, 2001. Okay. You're our named insured under a policy for a '99 Ford F150. Correct?
A. Yes.

Q. Okay. And was that your vehicle?
A. Yes.

Q. Okay. Are you the one who normally drove it?
A. Yes.

Q. Okay. Was it leased or was it being financed?
A. It was leased.

Q. Okay. And was the lease already up or it still had more time on it?
A. Um it was up in May of this year, year 2002.

Q. Okay. And you had leased it originally I guess in '99 or so?
A. Yes.

Q. You leased it new? Correct?
A. Brand new.

Q. Okay. Where did you get the vehicle from? Where did you take out the lease?
A. Um it was from, what's it called, I forgot the name of the, of the dealership.

[REDACTED]
May 10, 2002

- Q. Where is it at?
A. It's on Northwest 57th Avenue right next to the Palmetto.
- Q. Sunset Ford what used to be...
A. Sunset Ford.
- Q. Okay. I think it's Maroon now.
A. Right.
- Q. They're no longer...
A. They changed the name on it.
- Q. They change every couple of months I think.
A. Right, right.
- Q. Okay. And so you're the one who normally drove the vehicle?
A. That's correct.
- Q. Okay. Did you make any changes to the vehicle after you purchased it?
A. No.
- Q. Did you add a radio to it?
A. No.
- Q. Did you add an alarm?
A. No I had a factory alarm.
- Q. Okay. So pretty much as it was when you purchased it that's the way you left it?
A. That's correct.
- Q. Okay. Did you notice anything strange about the vehicle when you owned it?
A. Well when I, when I got it um um let's say a year into the car a lot of times um when I turned on the car the digital dash would take awhile to turn on. That's the only thing that I found strange about the car.
- Q. And when you say awhile, how long would you say it would take?
A. Oh it would take usually like um 10 to 20 seconds for it to turn on. Like it wouldn't turn on with the car. It would kind of like kick on a few seconds after.
- Q. Anything else that you noticed unusual?
A. Um nope.
- Q. Did you ever get any notices in the mail regarding any recalls on the vehicle?
A. Um not that I recall, no.
- Q. Where did you normally take it for servicing?
A. Um I would take it for service to this place called Auto Tech 'cause it was conveniently by my job.

May 10, 2002

- Q. Apart from routine maintenance, were there any major repairs that needed to be done?
A. No.
- Q. Had the car ever been involved in any accidents?
A. Nope.
- Q. Any body work done to the car or anything like that?
A. N- nope.
- Q. Did you ever take it into a Ford dealership at all?
A. Um nope.
- Q. And what happened on December 31st?
A. On December 31st um I was at my sister's boyfriend's house and someone came knockin' on the door in the middle of the day th- the truck was pretty much on fire.
- Q. And when you went out what did you find?
A. The truck was on fire and um there was pretty much nothing I could do except to turn it off. I called the fire department and they came as soon as possible and they tried to turn it off but th- th- pretty much from the time they got there it was pretty much gone and it was a total loss.
- Q. When, when you went out there had the fire engulfed the truck completely or was it burning mainly on one spar- spot?
A. It was burning mainly in the hood area.
- Q. The engine?
A. Yeah the engine. It was pretty much engulfed.
- Q. Did anybody there notice how the fire had started?
A. Um nope. Just some neighbors came out and they started, you know, knockin' on the door when they saw the car on fire.
- Q. Had you been driving it a lot that day?
A. Um nope. Normally, like I usually drive it.
- Q. How much would you say you normally drive it?
A. Um I'm fairly close to my job so maybe like five miles a day.
- Q. That's it?
A. Yeah.
- Q. That's pretty good.
A. Yeah. I mean my job is literally like a block down the street.
- Q. Okay. And had you been regularly servicing the vehicle? Was it...
A. Yeah. Basically what I was doing is just the normal oil changes. That's about it.
- Q. And you had done some oil changes to it?

May 10, 2002

- A. Right.
- Q. Okay. Was it set for another oil change or...
A. It was set for an oil change in the 1st of April.
- Q. And all those oil changes were also done at Auto Tech?
A. Yes.
- Q. Okay. Were you injured at all when the vehicle burned?
A. No.
- Q. Okay. So no one was inside the vehicle?
A. That's correct.
- Q. Did you lose any personal items in the vehicle?
A. No. Huh uh.
- Q. Okay. That concludes the recorded statement. Is there anything you'd like to add at this point?
A. Um nope, that's pretty much it.
- Q. Okay. Did you understand all the questions that I asked you?
A. Yes I did.
- Q. Did you answer them honestly to the best of your ability?
A. Yes.
- Q. Okay. You were aware this conversation was being recorded?
A. Yes I was.
- Q. And it was recorded with your full consent?
A. Yes.
- Q. Okay. Thank you ver-...

TEHBA/982352.513

May 10, 2002

Agency OR#		OFFENSE INCIDENT REPORT		Agency Report Number		Original X Supplement / Current	
FL0000000		2001-108756					
Reported: Day		Date		Time (m)		Time Dispatched (m)	
Monday		12/31/2001		17:21:00			
Time Arrived (m)		Time Completed (m)					
1 Off. # Victims		# Offenders		# Props. Est.		# Veh. Status	
1 0		0		1		0	
Incident Location		11923 SW 15 ST 17A		Pembroke Pines		33027-	
Method of Operation		Description of Incident		Automatic Indicator		AREA 3/ZONE 1	
Location Type		02 APARTMENT CONDO		Occupancy			
Offense Type		Description		Automatic Complete		NCR/ACR Code	
6 OTHER		VEHICLE FIRE WITH DAMAGE		Committed		00	
Statute Violation Number:		Weapon Code: NOT APPLICABLE		Period Entry		N/A	
Offense Indicator		V. Code #		V. Type		Weapon Code: NOT APPLICABLE	
W WITNESS							
Address (Street, Apartment Number)		City		State		Zip	
		MIAMI		FL		33128-	
Other Contact Info (Time Available, Interpreter)		Juvenile No		Name (Last, First Middle)		Sex	
Race		Sex		DOB		Age	
BLACK		F FEMALE		41		Race Type	
Occupation		Employer/School		Address		DOB	
06 MILITARY/POLICE		CITY OF MIAMI		400 NW 2 AVE		06N	
Driver's License (State and Number)		Other ID (Type and Number)		Scars Marks Tattoos (Location and Description)		FOC/NOC	
Height		Weight		Eye Color		Hair Color	
Complexion		Build		Facial Hair		Teeth	
Special Features		Investigation/Referral/Referral		Speech/Voice		Religiosity	
						U UNKN/74N	
Offense Indicator		Involved Person Type		Juvenile		Name (Last, First Middle)	
Address (Street, Apartment Number)		City		State		Zip	
Maiden Name		Nicknames/Screenname		Place of Birth		Residence Phone	
Race		Sex		DOB		Age	
Occupation		Employer/School		Address		DOB	
Driver's License (State and Number)		Other ID (Number and State)		Scars Marks Tattoos (Location and Description)		FOC/NOC	
Height		Weight		Eye Color		Hair Color	
Complexion		Build		Facial Hair		Teeth	
Special Features		Investigation/Referral/Referral		Speech/Voice		Religiosity	
Incident Type		Foot Play?		Miming Before?		Fingertips?	
Date Last Seen		Time Last Seen		Location Last Seen (Address, City, St.)		MCIC Form?	
Accompanied By		Medication Required/Type		DISPOSITION (Fines, Probation, etc.)			
Medical/Physical Condition		Property Owned		Recovery Information			
Type		Description		Status		County	
Activity 1		Activity 2		Activity 3		Street Value	

Related To:		OTHER		Damage Code 9 OTHER		Type 2 TRUCK/VAN	
Veh. #	Year	Make	Model	Style	VIN/Title Number		
1	1999	FORD	F150	PICKUP TRUCK	SPT22872802		
Tag No./Don. #	Plate State	Plate Year	Reg. State	Reg. Year	Decal Number	Tag Type	
	FL	2002			28061021		
Condition	Insurance Company	Loss History		Estimated Value			
	STATE FARM			\$14000			
Color	Description (Make, Model, Year, Color, Damage, Interior Color, Etc.)						
BLACK	EXTENSIVE RUST, CRACKS, DAMAGE						
Vessel Name	Length	Hull Material	Propulsion	Seal Type			
Recovery Loc.	Recovery Code						
Recovery Address/Geographic Indicator				Date Recovered		Value Recovered	
						\$	
Method of Theft		Original Reporting Agency					
N/A							
Report Number		Held		Reason/Authority			
Components Stripped							
Towed By							
Storage Location				FOQND00 Y Y118			
Person Code	Item #	Damage Code	Type	Status			
Casualty	Name	Brand	Model	Serial			
Serial Number		Owner Applied Number					
Description (Size, Color, Caliber, Barrel Length, Etc.)							
Value \$	Value Recovered		Date Recovered		PCPN26		
Related To:	Status		Type				
MasterCard Issuer	Account Number		Document/Serial Number				
Printed Name	Payable To		Face Signature				
Endorsement	Other Name(s)		Serial/Property Received				
ID. Type	ID. No.	Document Date		Amount \$			
Physical Evidence:		Evidence Inventory Number:					
Title:							
<p>THE UNDERSIGNED MADE CONTACT WITH WITNESS BROOKINS WHO ADVISED THAT AS SHE WAS WATCHING TV, SHE SAW SMOKE ARISING FROM THE PARKING LOT AREA. WHEN SHE WENT OUTSIDE, SHE OBSERVED SMOKE AND A FLICKERING RED LIGHT COMING FROM UNDERNEATH THE VEHICLE'S HOOD. THE WITNESS IMMEDIATELY NOTIFIED WITNESS MARIA VALBUENA AND THE PEMBROKE PINES FIRE DEPARTMENT, WHO ARRIVED ON SCENE AND SUCCESSFULLY EXTINGUISHED THE FIRE.</p> <p>THE VEHICLE WAS DETERMINED TO BE A TOTAL LOSS AS A RESULT OF A FIRE DUE TO MECHANICAL FAILURE IN THE ENGINE COMPARTMENT. NO FOUL PLAY WAS OBSERVED.</p> <p>THE UNDERSIGNED ADVISED WITNESS M. VALBUENA TO CONTACT THE INSURANCE COMPANY. PEDRO VALBUENA, THE VEHICLE LESSEE, WAS ALSO NOTIFIED.</p>							
Report Contains							
Related Report Number(s)							
Reporting Officer / ID							
Reporting Officer / ID				Unit		Date	
WALSH, MICHAEL, P / 6833				CHARLIE 32		12/31/2001	
Officer Reviewing (If Applicable) ID. Number							
Officer Reviewing (If Applicable)		Routed To		Referred To		Assigned To	
CORT, JAMES		0342				By	
						Date	
Case Status	Clearance Type	Date Cleared		Number Arrested			
INACTIVE				0			

Incident Offense Report
Additional Victim/Witness

Agency Report Number 2801-109753

VICTIM/WITNESS

Offense Indicator	Offense Code #	V. Type	Arrest No.	Arrest Date (MM/DD/YYYY)	Arrest Time
C REPORTING PERSON					
Address (Street, Apartment Number)		City	State	Zip	Business Phone
		PEMBROKE PINES	FL		
Other Contact Info (If Not Available, Interpret)		Synopsis of Involvement		Business Phone	
		WITNESS			
Occupation	Employer/School	Sex Type	Race Status	Extent of Injury	Injury Type
10 UNKNOWN OR NOT STATED			Address		City
Driver's License (State and Number)	Other ID (Type and Number)	State Motor Vehicle (Location and Description)		PCR/DOC	
FL					
Height	Weight	Eye Color	Hair Color	Hair Length	Hair Style
Complexion	Build	Facial Hair	Teeth	Speech/Voice	Smoking
					U UNKNOWN
Special Identifiers					

Incident Offense Report
Other Persons Involved

Report Number 2001-105755

Others	Offense Indicator	Involved Type	Juvenile	Name (Last, First Middle)		State	
	OTHER			VT INC AS TSTSE WORLD OMNITY			
	Address (Street, Apartment Number)			City	State	Zip	Residence Phone
	Maiden Name			Nicknames/Street Name	Place of Birth	Business Phone	
	Race	Sex	DOB	Age	Clothing	Pen Type	Pen Stamp
	Occupation			Employer/School	Address		
	Driver's License (State and Number)			Other ID (Number and State)	Scars Marks Tattoos (Location and Description)		
	Height	Weight	Eye Color	Hair Color	Hair Length	Hair Style	
	Complexion	Build	Facial Hair	Teeth	Speech/Voice	Ethnicity	
	Special Identifiers						

Others	Offense Indicator	Involved Type	Juvenile	Name (Last, First Middle)		State	
	OTHER		No	VALBUENA, PEDRO Y			
	Address (Street, Apartment Number)			City	State	Zip	Residence Phone
	UK			MIAMI	FL		305/477-3105
	Maiden Name			Nicknames/Street Name	Place of Birth	Business Phone	
	Race	Sex	DOB	Age	Clothing	Pen Type	Pen Stamp
	W WHITE	M MALE	01/11/1970	31			
	Occupation			Employer/School	Address		
	10 UNKNOWN OR NOT STATED				SSN		
	Driver's License (State and Number)			Other ID (Number and State)	Scars Marks Tattoos (Location and Description)		
Height	Weight	Eye Color	Hair Color	Hair Length	Hair Style		
Complexion	Build	Facial Hair	Teeth	Speech/Voice	Ethnicity		
Special Identifiers							



Photograph #1: View of the right side of the truck



Photograph #2: View of the front of the truck



Photograph #3: View of the left side of the truck



Photograph #4: View of the rear of the truck



Photograph #5: View of the passenger compartment area through the front windshield



Photograph #6: View of the dashboard area from the right side or passenger side of the vehicle



Photograph #7: View of the front seating area



Photograph #8: View of the drivers pod area



Photograph #11: View of the passenger side of the engine compartment



Photograph #12: View of the vehicle's storage battery



Photograph #13: View of the driver's side of the engine compartment taken from the passenger side



Photograph #14: View of the area of origin



Photograph #15: View indicating the amount of heat damage to the air induction chamber



Photograph #16: Another view of the air induction chamber



Photograph #17: View of the fire damage to the power steering line



Photograph #18: View of the top of the engine taken from the passenger side



Photograph #19: View of the burn damage to the inside of the front driver's side tire



Photograph #20: View of the driver's side of the engine compartment



EA05-585-LC1-0271



E985-885-LC1-8272



1905-005-LC1-0273



ER05-005-LC1-0274



1.17.2002



0005-005-LC1-0278



ER05-005-LC1-0277

IN THE CIRCUIT COURT IN AND FOR
BROWARD COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION
CASE NO.

STATE FARM FIRE AND CASUALTY COMPANY,
as subrogee of [REDACTED]
Plaintiff,

vs.

FORD MOTOR COMPANY, A Foreign Corporation,
Defendant.

COMPLAINT

0302675

Plaintiff sues the Defendant, and alleges:

1. This is an action for damages within the jurisdictional limits of this Court.
2. That Defendant Ford Motor Company, is a foreign corporation in the business of manufacturing motor vehicles and duly authorized to do business within the State of Florida.
3. That the defendant knows that the motor vehicles it manufactures will be placed on the market and will be used by purchasers without inspection for defects.
4. That the defendant placed a 1999 F-150 Pick-Up Truck, VIN 2FTZX0726X0 [REDACTED] on the market that was purchased by Plaintiff's subrogor without inspection for defects.
5. The automobile was defective because of a malfunction with the fuel pressure regulator causing fuel and/or fuel vapor leak in the engine. As a result, the engine caught fire and there was heavy burn damage and heat damage to the driver's side center area of the engine. Therefore, the automobile was determined to be a total loss.
6. That on or about December 31, 2001, at the private location of [REDACTED] Apt. [REDACTED] Lasdena Place Condominiums, the subject vehicle was parked and unoccupied.
7. At the above date and location, a resident of the Condominiums saw smoke rising from the parking lot area of the condominium. When the resident went outside she observed smoke and a flickering red light coming from underneath the subject vehicle's hood. The fire department was immediately contacted and extinguished the fire.
8. The Plaintiff's subrogor's vehicle was determined to be a total loss due to heavy fire damage to the engine of the Ford 150 Pick-up truck.
9. As a result of the defective fuel pressure regulator and fuel leak that occurred in the engine, Plaintiff subrogor's vehicle was damaged and depreciated in value and the value of its use was lost.
10. By reason of the incident alleged, STATE FARM FIRE & CASUALTY COMPANY became liable under a policy of collision insurance issued to its subrogor to pay and at diverse times did pay to or for the benefit of its insured, the losses resulting in a sum of \$17,850.00. Plaintiff's insured has an uncompensated deductible in the amount of \$1,000.00, which STATE FARM FIRE & CASUALTY COMPANY claims as trustee of its insured.

11. By reason of the above payments and the above trust, Plaintiff, STATE FARM FIRE AND CASUALTY COMPANY, became subrogated to the rights of its insured against the Defendant.

WHEREFORE, Plaintiff demands Judgment in the sum of \$17,850.00 together with Court costs interest if applicable, appropriate loss of use and diminution in value, and any further costs the Court

COUNT II- INDEMNIFICATION

12. That Plaintiff reaffirms and realleges paragraphs 1-9 as if more fully set forth herein.

13. That the incident and damages occurred through no fault of the Plaintiff's subrogor, but as a result of a defective fuel pressure regulator of the 1999 F-150 Pick-up Truck, manufactured by the defendant.

14. As a result of the faulty fuel pressure regulator, the 1999 F-150 Pickup Truck was a total loss.

15. Plaintiff was only vicariously, constructively, derivatively or technically liable for the damages to the 1999 F-150 Pickup Truck.

16. By reason of the incident alleged, STATE FARM FIRE AND CASUALTY COMPANY bears a policy of property damage insurance issued to its subrogor to pay and at diverse times did under that policy resulting in a sum of \$17,850.00, which STATE FARM FIRE AND CASUALTY COMPANY claims the Defendant is insured.

17. By reason of the above payments and the above trust, Plaintiff, STATE FARM FIRE AND CASUALTY COMPANY, became subrogated to the rights of its insured against the Defendant.

18. As a result, the defendant owes Plaintiff the amounts expended in settling the property damage claim.

19. The defendant has failed and refused to indemnify the Plaintiff for the property damage claim.

WHEREFORE, Plaintiff demands Judgment in the sum of \$17,850.00 together with Court costs interest if applicable, appropriate loss of use and diminution in value, and any further costs the Court may award.

LAW OFFICES OF ODALYS NODARSE-BUSCEMI
Attorney for Plaintiff
2676 SW 137TH Avenue
Miami, FL 33175
Telephone: (305) 241-2429

BY: 
ODALYS NODARSE-BUSCEMI



03/27/01 TUE 16:05 FAX 251 420 5387

BATON FIRE & RESCUE

0002

RA795	TX	03	25	2001	3	01-0001865	000	0268	00
RA795	TX	03	25	2001	3	01-0001865	000	0268	00

B Location <input checked="" type="checkbox"/> Street address <input type="checkbox"/> Intersection <input type="checkbox"/> In front of <input type="checkbox"/> Rear of <input type="checkbox"/> Adjacent to <input type="checkbox"/> Directions		Check this box to indicate that the address for this incident is provided on the Mailed Fire Notice as shown in "Alternative Address Identification" for only one address type. Address: <u>DAYTON</u> Apt./Suite/Room: <u>100</u> City: <u>DAYTON</u> State: <u>OH</u> Zip: <u>45401</u>	
---	--	--	--

C Incident Type * 221 Passenger vehicle fire Incident type		E1 Date & Time Check boxes if alarm was not received Alarm: <u>03</u> <u>25</u> <u>2001</u> <u>21:12:00</u> Arrival: <u>03</u> <u>25</u> <u>2001</u> <u>21:13:00</u> Last Unit: <u>03</u> <u>25</u> <u>2001</u> <u>21:13:00</u> Cleared: <u>03</u> <u>25</u> <u>2001</u> <u>21:13:00</u>		E2 Shift & Alarm Local Alarm: <u>01</u> <u>030</u> Shift or Alarm: <u>01</u> <u>030</u>	
---	--	--	--	--	--

D Aid Given or Received 1 <input type="checkbox"/> Manual aid received 2 <input type="checkbox"/> Automatic aid received 3 <input type="checkbox"/> Manual aid given 4 <input type="checkbox"/> Automatic aid given 5 <input type="checkbox"/> Other aid given 6 <input checked="" type="checkbox"/> None		E3 Special Studies Local Studies: <u>01</u> <u>030</u> Special Study: <u>01</u> <u>030</u>	
--	--	---	--

F Actions Taken * 11 <input checked="" type="checkbox"/> Extinguish 12 <input type="checkbox"/> Assist 13 <input type="checkbox"/> Assist		G1 Resources & Apparatus Check this box and ship this version if an apparatus or personnel were not used. Apparatus: <u>0002</u> <u>0004</u> Personnel: <u>0002</u> <u>0004</u> Other: <u>0002</u> <u>0004</u>		G2 Estimated Dollar Losses & Values LOSS: <u>0002</u> <u>0004</u> Property: <u>0002</u> <u>0004</u> Contents: <u>0002</u> <u>0004</u> Other: <u>0002</u> <u>0004</u>	
---	--	---	--	---	--

Completed Modules <input checked="" type="checkbox"/> Fire-3 <input type="checkbox"/> Fire-4 <input type="checkbox"/> Fire-5 <input type="checkbox"/> Fire-6 <input type="checkbox"/> Fire-7 <input type="checkbox"/> Fire-8 <input type="checkbox"/> Fire-9 <input type="checkbox"/> Fire-10 <input type="checkbox"/> Fire-11		H1 Casualties Deaths: <u>00</u> Injuries: <u>00</u> Property: <u>00</u> Other: <u>00</u>		H2 Hazardous Materials Release 1 <input type="checkbox"/> None 2 <input type="checkbox"/> Natural Gas 3 <input type="checkbox"/> Propane Gas 4 <input type="checkbox"/> Gasoline 5 <input type="checkbox"/> Kerosene 6 <input type="checkbox"/> Diesel Fuel/Oil 7 <input type="checkbox"/> Household solvents 8 <input type="checkbox"/> Other		I Mixed Use Property 1 <input type="checkbox"/> Not Mixed 2 <input type="checkbox"/> Assembly use 3 <input type="checkbox"/> Education use 4 <input type="checkbox"/> Medical use 5 <input type="checkbox"/> Residential use 6 <input type="checkbox"/> Law of stores 7 <input type="checkbox"/> Enclosed mall 8 <input type="checkbox"/> Post. & Residential 9 <input type="checkbox"/> Office use 10 <input type="checkbox"/> Industrial use 11 <input type="checkbox"/> Military use 12 <input type="checkbox"/> Farm use 13 <input type="checkbox"/> Other mixed use	
--	--	---	--	---	--	--	--

J Property Use & Structures 101 Church, place of worship 102 Restaurant or cafeteria 103 Bar/Tavern or nightclub 104 Elementary school or kindergarten 105 High school or junior high 106 College, adult education 107 Care facility for the aged 108 Hospital 109 Outside 110 Flagpole or park 111 Camp or orchard 112 Forest (timberland) 113 Outdoor storage area 114 Dump or sanitary landfill 115 Open land or field		141 Clinic, clinic type infirmary 142 Doctor/dentist office 143 Prison or jail, not juvenile 144 1-or 2-family dwelling 145 Multi-family dwelling 146 Rooming/boarded house 147 Commercial hotel or motel 148 Residential, group and dorm 149 Dormitory/barracks 150 Food and beverage sales 151 Vacant lot 152 Graded/care for plot of land 153 Lake, river, stream 154 Railroad right of way 155 Other street 156 Highway/divided highway 157 Residential street/driveway		158 Household goods, sales, repair 159 Motor vehicle/boat sales/repair 160 Gas or service station 161 Business office 162 Electric generating plant 163 Laboratory/science lab 164 Manufacturing plant 165 Livestock/poultry storage (barn) 166 Non-residential parking garage 167 Warehouse 168 Construction site 169 Industrial plant yard 170 Other	
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E925-005-LC1-8288

05/27/01 TUE 18:09 FAX 261 JTV 5507

DAYTOWN FIRE & RESCUE

1-21-01 0:00 0.0 0.0

0005

A	KA705	PK	3	25	2001	3	01-0801365	000	<input type="checkbox"/> Release	SP123 - 10
	Unit	Radio	Engine	Truck	Station	Station	Resident Address	Resource	<input type="checkbox"/> Change	Personnel

B Apparatus or Resource	Date and Times				Sent	Number of People	Use	Actions Taken
Use codes listed below	Check if item at scene (date)				<input checked="" type="checkbox"/>		Check off box for each apparatus to indicate its status at the incident.	List of actions taken with apparatus and rank personnel.
	Month	Day	Year	Hours/Min				

1	ID 34	Dispatch <input checked="" type="checkbox"/>	3	25	2001	21:12	Sent <input checked="" type="checkbox"/>	1	<input checked="" type="checkbox"/> Suppression		
	Type 11	Arrival <input checked="" type="checkbox"/>	3	25	2001	21:13			<input type="checkbox"/> EMS		
		Clear <input checked="" type="checkbox"/>	3	25	2001	21:39			<input type="checkbox"/> Other		

Personnel ID	Name	Rank or Grade	Attend <input checked="" type="checkbox"/>	Action Taken	Action Taken	Action Taken	Action Taken
88	DOMASK, RICHARD	FF	X				
931	ROGERS, TIM	LT	X				
961	SPEACER, FREDRICK	DR	X				

2	ID 6	Dispatch <input checked="" type="checkbox"/>	3	25	2001	21:12	Sent <input checked="" type="checkbox"/>	1	<input checked="" type="checkbox"/> Suppression		
	Type 00	Arrival <input checked="" type="checkbox"/>	3	25	2001	21:13			<input type="checkbox"/> EMS		
		Clear <input checked="" type="checkbox"/>	3	25	2001	21:39			<input type="checkbox"/> Other		

Personnel ID	Name	Rank or Grade	Attend <input checked="" type="checkbox"/>	Action Taken	Action Taken	Action Taken	Action Taken
22	CLEPPER, CECIL	BC	X				

3	ID	Dispatch <input type="checkbox"/>					Sent <input type="checkbox"/>		<input type="checkbox"/> Suppression		
	Type	Arrival <input type="checkbox"/>							<input type="checkbox"/> EMS		
		Clear <input type="checkbox"/>							<input type="checkbox"/> Other		

Personnel ID	Name	Rank or Grade	Attend <input checked="" type="checkbox"/>	Action Taken	Action Taken	Action Taken	Action Taken
			<input type="checkbox"/>				
			<input type="checkbox"/>				
			<input type="checkbox"/>				
			<input type="checkbox"/>				
			<input type="checkbox"/>				
			<input type="checkbox"/>				

MFRS-10 Revision 11/17/98

E905-005-LC1-0201

03/27/01 TUE 18:08 FAX 281 420 5307

BAYTOWN FIRE & RESCUE

03/27

K1 Person/Entity Involved

Local Option

Personnel name (if applicable)

Area Code

Phone Number

☐ Check this box if
your address is
different from
your ship the above
address
above.

Mr., Ms., Mrs., First Name MI Last Name Building
 Number Apt./Suite/Room Street Type Suite
 Post Office Box Apt./Suite/Room City
 State Zip Code

☐ More people involved? Check this box and attach Supplemental Forms (SFERS-13) as necessary

K2 Owner

☐ Does no person involved?
Then check this box and ship
the cost of this station.

Personnel name (if applicable)

Area Code

Phone Number

☐ Check this box if
your address is
different from
your ship the above
address
above.

Mr., Ms., Mrs., First Name MI Last Name Building
 Number Apt./Suite/Room Street Type Suite
 Post Office Box Apt./Suite/Room City
 State Zip Code

L Remarks

Local Option

Called for auto fire. Battalion 1 reported truck on fire. Used 100'-1 3/4" line to
 extinguish. Owner [REDACTED] The Woodlands, TX, Phone # [REDACTED]
 states that vehicle has been parked for three hours. States he has had no mechanical
 problems with vehicle. Unable to determine cause. Owner states he had just paid off
 vehicle loan and put insurance back to "Liability Only" about 30 days ago.

03/25/2001 21:27:08 ROGERS

I Authorization

931

Officer in Charge ID

ROGERS, TIM J

Signature

LT

Position or rank

[REDACTED]

Assignment

03

Month

25

Day

2001

Year

04/01/00 at 04:00 PM

FARMERS
9770 W. LITTLE YORK
HOUSTON, TX 77040
(713)62-4043 FAX: (713)62-0535

PHOTOS

Insured:

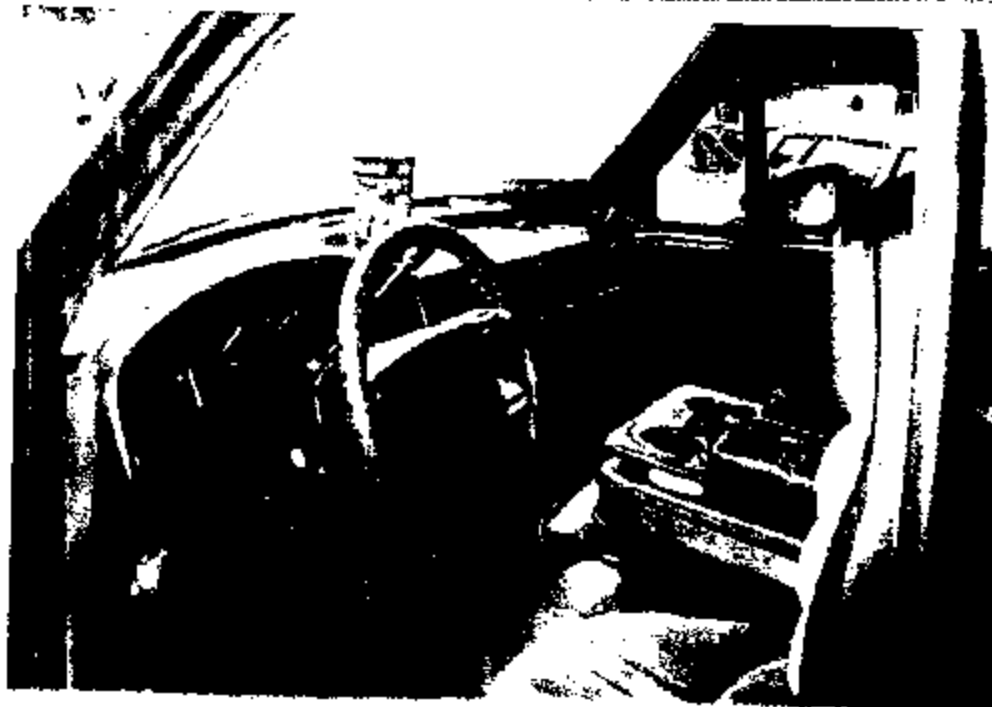
Vehicle:

Vehicle:

Primary:

Claim #:

Policy #:



0005-000-101-0203

01/04/2014 at 04:08 PM

FARMERS
9770 W. LITTLE YORK
HOUSTON, TX 77040
(713)462-8045 FAX: (713)462-0333

PHOTOS

Insured:

Vehicle Owner:

Claim #:

Policy #:

Vehicle: 19

Primary Insured:



0000-000-101-0000

04/01/2001 10:04:08 PM

FARMERS
9770 W. LITTLE YORK
HOUSTON, TX 77040
(713)462-8045 FAX: (713)462-0535

PHOTOS

Insurance # [REDACTED]
Vehicle Owner [REDACTED]
Vehicle [REDACTED]
Primary [REDACTED]

Claim # [REDACTED]

Policy # [REDACTED]



EP01-205-L01-0225



FARMERS

Austin Subrogation COE
P O BOX 149293
Austin, TX 78714
Fax (512) 238-7060
janine.lorio@farmersinsurance.com

July 20, 2001

Ford Motor Company
Attn: Consumer Affairs
16800 Executive Plaza Dr.
MD # 3NE-B
Dearborn, MI 48126-4207

Dear Consumer Affairs:

Our Insured: [REDACTED]
Our SALN #: [REDACTED]
Date of Loss: 03-25-01
Amount of Claim: \$10,794.95 (includes insured's deductible) -less Salvage Pending

*\$10,794.95
- 3/25/01
- EXPT*

This letter is to advise you that the above captioned loss has been re-assigned to me for handling.

Our investigation has established that the above loss was caused by the negligence of your insured. We have made payment to our insured for the damage. By virtue of our subrogation rights this letter is to advise you that we are seeking reimbursement from you for the amount of \$10,794.95 (includes insured's deductible) -less Salvage Pending. Our insured's vehicle was rendered a total loss. We are forwarding support for disposition of salvage.

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

Our name should appear on any check made payable to our insured in settlement of his or her damage. If you have already made a settlement with our insured, please advise us immediately. If you have any questions, please contact me at my direct line. (512) 238-5738.

Sincerely,

MID CENTURY INSURANCE COMPANY OF TEXAS

L. Janine Lorio

L. Janine Lorio
Subrogation Claims Representative



0000-000-401-0200

Farmers Insurance Exchange

Mid Century Insurance Company

Truck Insurance Exchange

Farmers New World Life Insurance Company

Fire Insurance Exchange

Farmers Group, Inc.

PRODUCED BY FORD

Forensic Analysis, Inc.

**PRELIMINARY
REPORT OF FINDINGS**

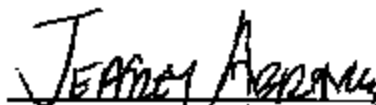
CLAIM NO: [REDACTED]

INSURED: [REDACTED]

Prepared for:

MID CENTURY INSURANCE COMPANY
P. O. BOX 1627
SPRING, TEXAS 77380

ATTN: MR. CHARLIE CHAPPELL



Jeffrey R. Abrams, CFI, CFEI, ASE
President

April 16, 2001

EA85-085-LC1-8287

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L INTRODUCTION

On March 25, 2001, a fire occurred involving 1996 Ford vehicle. On March 27, 2001, Forensic Analysts, Inc. was retained by Mr. Charlie Chappell of Mid Century Insurance Company to inspect the vehicle and evaluate the damage.

On March 28, 2001, Jeffrey Abrams, CR, CFB, ASE, of Forensic Analysts, Inc. inspected and photographed the Ford F150 vehicle at 3531 McKinney, Baytown, Texas.

Samples of both engine oil and automatic transmission fluid were collected during this inspection should an engine oil analysis be desired to help determine pre-fire condition of the engine and/or transmission. All samples are being stored at the offices of Forensic Analysts, Inc., pending further instructions from Mid Century Insurance Company.

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

II. CONCLUSION

Forensic Analysts, Inc., inspected and photographed the 1996 Ford vehicle.

Based on our observations and the findings as noted in this report, it is our opinion that this 1996 Ford F150 engine compartment fire was the result of an electrical short of the wire routed to the left rear engine compartment alarm siren. It is further our opinion that the installer of this alarm siren improperly routed the siren wiring through un-grommetted holes in the firewall and the repair facility should be held fully accountable for this.

II. CONCLUSION

Forensic Analysis, Inc., inspected and photographed the 1996 Ford vehicle.

Based on our observations and the findings as noted in this report, it is our opinion that this 1996 Ford F150 engine compartment fire was the result of an electrical short of the wire routed to the left rear engine compartment alarm siren. It is further our opinion that the installer of this alarm siren improperly routed the siren wiring through un-grommetted holes in the firewall and the repair facility should be held fully accountable for this.

III. DISCUSSION

FORD VEHICLE IDENTIFICATION

The vehicle was identified as a blue, two-door, 1996 Ford F150 XLT, extended cab pickup. The vehicle was bearing Texas license plate No. [REDACTED] and the Vehicle Identification No. 1FTEX15N1T[REDACTED]. The Texas Department of Public Safety inspection sticker H04647536 expires in October of 2001. The vehicle registration sticker No. [REDACTED] expires in September of 2001. At the time of our inspection the odometer could not be read as it was electronic and all power had been disconnected.

FORD VEHICLE INSPECTION

Our inspection of the vehicle exterior revealed a fire that was primarily contained to the engine compartment area. Specifically:

1. The vehicle truck bed was unburned, and both rear wheel and tire assemblies were unburned as well.
2. The rear portion of the vehicle cab, or the extended cab portion of the vehicle cab, along with the right side door panel was unburned.
3. The left side door panel, although unburned, was covered with a thick layer of soot on the front five inch (5") section.

4. The right front fender was mildly burned, and only a portion of the painted surface immediately behind the top portion right front head lamp assembly was consumed.
5. The left front fender experienced significantly more intense burn, consuming approximately fifty percent (50%) of the painted surface.
6. The right front tire was still fully inflated at the time of our inspection, however, the left front tire was severely burned, generating a deflated tire.
7. The vehicle front grille was primarily intact, although, it had fallen to floor level immediately in front of the truck. It was severely burned, but only partially consumed, in an approximately twelve inch (12") section in the very middle.
8. Both front head lamp assemblies were severely burned and partially consumed.
9. The vehicle hood was severely burned, and contained a white hot spot immediately above the left rear corner of the engine compartment.

Our inspection of the vehicle interior revealed few effects of a vehicle fire, with the exception of:

1. A mildly deformed, top portion, right side of the vehicle dash, and

2. A mildly burned and partially consumed flooring material at the top portion of the carpeting, adhering to the firewall on the left side.

Our inspection of the engine compartment revealed that this vehicle was equipped with a V-8, multi-port, fuel injected engine. The burn within the engine compartment was as follows:

1. The right third of the engine compartment contained few areas that were consumed. All of the components were only badly burned. Even the easily and readily consumed heater hoses were only severely burned on the top. Additionally, the high tension wires routed to the right side of the engine were relatively unburned, indicative of a fire that was very mild in the right third of the engine compartment.
2. As we moved toward the center third of the engine compartment, we observed a fully intact radiator, however, the radiator cooling fan shroud was primarily consumed.
3. The burn intensified immediately above the engine, severely burning all of the spark plug wires that were routed to the centrally located distributor cap.
4. As we moved closer to the left side of the engine, we observed partial consumption of the high tension wires routed across the left side valve cover to the distributor cap.

5. The power steering hoses that were in the open air environment in front of the engine compartment, immediately to the left of the power steering pump, were consumed. Please note, however, that the easily consumed plastic composite power steering pump reservoir was still primarily intact, indicative of a fire that did not originate surrounding the power steering pump.
6. The lower radiator hose, immediately in front of the consumed power steering hoses, was relatively unburned at the time of our inspection, indicative of a fire that was primarily upper level, within the left third of the engine compartment.
7. The air intake plumbing, that was routed from the left front corner of the engine compartment to the air intake manifold in the front center third, was severely burned and had fallen down to immediately above the frame rail. In fact, the right half of the air filter housing appeared to be primarily consumed. This air intake plumbing is in the open air environment and is readily consumed.
8. As previously stated, the air intake plumbing had fallen to immediately above the frame rail, and the unconsumed remains of the combustible plastic composite materials was observed on the front half of the left third of the engine compartment.
9. The oil filter immediately behind the power steering pump was relatively unburned, indicative of an upper level burn within the left third of the engine compartment.

10. The high tension wires, that were routed on the left side of the left side valve cover, were relatively unburned, again, indicative of a fire that was contained at and above the top of the valve cover.
11. The left side inner fender well mounted power distribution center had fallen down above the missing (consumed) inner fender well. This power distribution center was severely burned, but primarily intact, at the time of our inspection. The uniformity of burn around the power distribution center is consistent with a fire that did not originate within this center.
12. All of the wires that were routed to the left third of the engine compartment at, and immediately surrounding the master cylinder, were severely burned. These wires still contained primarily intact insulation in the area below the bottom of the brake power booster. Only the wires that were in the open air environment in the left third of the engine compartment were void of insulation.
13. The burn experienced by the firewall was relatively uniform across the right side two-thirds, however, there was a clean burn at and immediately above the brake power booster. This clean burn in the top four inches to eight inches (4"-8") of the firewall was most intense in the very left rear corner of the engine compartment.
14. This intensely burned left rear corner of the engine compartment was immediately neighboring a severely burned mount, that was likely the mount for the aftermarket alarm siren, that was still bolted to the firewall immediately to the left of the brake power booster.

15. The aluminum brake master cylinder was relatively unburned, although the brake master cylinder reservoir was consumed in this fire. That would account for the hot spot on the hood immediately above it.

A closer inspection of the wires that were routed to the left rear fire wall mounted aftermarket alarm siren, revealed:

1. These wires were void of insulation along its entire run within the engine compartment, up to and including, the hole that was observed in the firewall.
2. These wires were routed immediately above the burned, but still intact wiring harness runs in the left rear corner of the engine compartment, consistent with an over-current within the wires that were routed to this alarm siren.
3. Continuing to trace this alarm siren wiring through the firewall, we observed that these wires were, indeed, routed into the wiring on the underside of the vehicle dash on the left side of the steering column, and were part of the aftermarket alarm siren.
4. The wires that were routed through a hole in the fire wall were not insulated from the metal of the fire wall. In fact, the hole that was drilled in this firewall still contained sharp edges – edges sharp enough to compromise wiring insulation after a significant period of time. The only way this wire can burn in the fashion observed and consume the left rear mounted alarm siren, and not consume the wiring on the wiring harness runs in the left rear corner of the engine

compartment, is for the fire to be the result of an over-current situation of the wiring routed to the alarm siren.

April 10, 2001

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865-005-LC1-0298

IV. BASIS OF REPORT

This report is based upon the following:

1. Inspection of the 1996 Ford vehicle.
2. Information and observations as noted in this report.