[redacted]

Document Name: Session1

804367-001-005
UPI 788011
b/12

OTRNO CITY OF MIAMI FIRE-RESCUE
Alarm: 48384 FIRE INCIDENT REPORT (IRS)
Date Received: 08/03/04
Time Received: 06:40 MPDS Reported:
Dispatched: 06:40 Found: F200 VEHICLE FIRE
Arrived: 06:45 Action Taken: 04 Extngshmnt/FD w/Handline(s)
Secured: 07:24
Address Reported: 830.NW.23.CT;
Corrected: 830.NW.23.CT;
Found: 830 NW 23 CT
Remarks:

Structure Loss: Present Injured Dead
Content Loss: Occupants:
Firefighters:
Hoses Used
Aerial Ladders Used For Feet 3/4 -1 lines at Feet
Ground Ladders Used For Feet 1 1/2 lines at Feet
Water Volume to Control 150 Gal 1 3/4 lines 1 at 200 Feet
Total Water Used 200 Gal 2 1/2 lines at Feet
3 Plus lines at Feet
Number of Properties: 1 Classifying Officer: PACE, JAMES F
Number of Unit Reports: 1 Report Cleared By: MARTI, NORBERTO
Number of Casualty Reports:

MIAMI FIRE DEPT
NOV - 5 2004
FORENSIC

Date: 11/4/2004 Time: 2:48:53 PM

ER05-005-LC-3523

Document Name: Session1

OEQUO CITY OF MIAMI FIRE-RESCUE TRANS REPORT
Alarm: 48384 Date: 08/03/04 Property Class: 961 AUTOMOBILE
Address 000830 NW 23 CT Occupants
Structure Loss: Present:
Content Loss: Injured:
Ign Equipment: VEHICLE(INCLUDES ALL VEH FIRES Dead:
Form of Heat: HEAT FROM GAS FUELED EQUIPMENT
Type of Matl: CHEM,METAL,PLASTIC,PAINT-INSUF Owner: JOSE ALBRISA
Form of Matl: FUEL Addr: 830 NW 23 CT
Act or Omission: ACT OR OMISSION;(INSUF INFO) Phone: MIAMI FL
Area of Origin: TRANSP EQUIP-ENG AREA,RUN GEAR
Spread: Oper:
Type Constr: METAL (FERROUS) Addr:
Ext Flame Dam: CONFINED TO OBJECT OF ORIGIN Phone:
Ext Other Dam:
Obstacle: Dis by SAME
Alarm System: Addr:
Detect System: NO DETECTORS PRESENT Phone:
Sprinkler Sys:
Standpipe Sys: L-I-C:
Priv Fire Brig: Addr:
Phone:
Year made: 97 Make: FORD Model: F150
License tag: V21HVI Year: 4 State/Country: FL

Document Name: Session1

REPO CITY OF MIAMI FIRE-RESCUE PART AND EQUIP
Alarm 48384 Date 08/03/04 Pd Equip Used:
Comp Disp Arr Xport Hosp 09 Remarks
E7 06:40 06:45 07:24
Personnel Present Injured: Dead:
[redacted]

Aerial Lad Used for feet 3/4-1 lines at feet
Ground Lad Used for feet 1 1/2 lines at feet
Water Vol to Control 150 gal 1 3/4 lines 1 at 200 feet
Total Water Used 200 gal 2 1/2 lines at feet
Narrative: 3 Pls lines at feet
Conditions encountered:
CAR FIRE

Operations:
VEHICLE FIRE / FULLY INVOLVED/ OWNER OTS/ ADVISED THAT HE PARKED VEHICLE IN THE PM/ FIRE IN ENGINE COMPARTMENT/ EXTINGUISHED. MPD OTS FOR F/UP REPORT

Interscience, Inc.

7705 Ann Ballard Road
Tampa, FL 33634-2334
(813) 885-4774
Fax (813) 889-9157

Our Project No: L1269-02
Insured: Unknown
Claim No: 804367
Date of Loss: Unknown
Date of Notification: November 3, 2004
Date of Inspection: November 15, 2004

Report
Prepared For:

United Automobile Insurance Company
3909 NE 163rd Street
North Miami Beach, FL 33160

Attn: Mr. Juan Delgado

Report
Prepared By:

Sean P. Clince, BSME

Interscience, Inc.

7705 Ann Ballard Road
Tampa, FL 33634-2334
(813) 885-4774
Fax (813) 889-9157

November 19, 2004

United Automobile Insurance Company
3909 NE 163rd Street
North Miami Beach, FL 33160

Attn: Mr. Juan Delgado

Re: Our Project No: L1269-02
Insured: Unknown
Claim No: 804367
Date of Loss: Unknown
Date of Notification: November 3, 2004
Date of Inspection: November 15, 2004

Dear Mr. Delgado:

As requested, Interscience, Inc. has conducted an examination of the insured vehicle in connection with the subject fire loss, and submits its findings in this report.

BACKGROUND

It was reported that the subject vehicle had been parked in the driveway of the insured's residence at the time of the loss. A neighbor alerted the insured of the subject fire. Other neighbors attempted to extinguish the fire. The fire department was contacted and the fire was subsequently extinguished.

The incident was reported to United Automobile Insurance Company and Interscience, Inc. was subsequently requested to conduct an investigation into the subject fire. The vehicle was transported to Co-Part located in Opa Locka, Florida.

OBSERVATIONS/DISCUSSION

On November 15, 2004, Interscience, Inc. visited the Co-Part Auto Salvage, at 12850 NW 27th Ave., Opa Locka, Florida. The purpose of this visit was to conduct an origin and cause investigation of the subject vehicle fire.

The subject vehicle was a white 1997, Ford F-150 bearing vehicle identification number (VIN) 1FTDX1767VN[redacted] The odometer reading could not be determined at the time of the inspection as the odometer was damaged by the fire.

A visual examination of the interior and exterior of the subject vehicle revealed that the windshield of the vehicle had sustained fire damage as a result of radiant heat from the engine compartment. The hood of the engine compartment had been consumed. This was caused by the subject fire which had melted the metal of the vehicle's hood. The interior of the vehicle had evidence of fire and smoke damage. There was also isolated fire damage to the interior side of the firewall below the dashboard on the driver's side. This was caused by heat transfer from the engine compartment. Inspection of the passenger compartment did not reveal any fire causing malfunction.

The area of fire origin was determined to be located within the engine compartment of the vehicle. The engine compartment of the vehicle was systematically and thoroughly inspected and photo documented.

Evidence remaining indicated that the cause of the fire was most probably electrical in nature. Since the vehicle had been parked for a period of time the possibility of this being a fuel related fire was eliminated. The fire pattern in the engine compartment and the front portion of the vehicle indicated that the fire had originated on the driver's side of the engine compartment. Located in this area was a cruise control deactivation switch. This switch was located on the brake master cylinder on the driver's side of the engine compartment. The deactivation switch and master cylinder were destroyed by the intense heat of the fire and were not available for an examination.

Failures of cruise control deactivation switches have been observed by Interscience, Inc. personnel in the past. Research also revealed that there had been a number of complaints filed with the National Highway Traffic Safety Administration (NHTSA) about a similar failure in the Ford F-150 and Ford Expedition.

CONCLUSIONS

It is the conclusion of Interscience, Inc. that the subject fire originated within the engine compartment of the vehicle. Due to the extensive fire damage present, a specific

point of origin could not be identified.

The point of origin was most likely within a cruise control deactivation switch located in the engine compartment on the driver's side. This type of failure has been observed by Interscience, Inc. personnel in the past. Research also revealed that there had been a number of complaints filed with the National Highway Traffic Safety Administration about similar failures in the past. No other fire-causing malfunction was identified.

Interscience, Inc. operates as an independent contractor. The opinions expressed are based upon information available at the time this report was drafted and draw upon the background, training and experience of the personnel involved in the investigation. The evaluation is subject to modification, amendment, and revision without prejudice, as further information may be revealed by continuing discovery.

In accordance with the ASTM standards, Interscience, Inc. will retain all records related to this assignment for seven years.

Respectfully submitted,

INTERSCIENCE, INC.

Sean P Clince klc

Sean P. Clince, BSME

Reviewed by,

Gene Bullington

Gene Bullington

SPC:klc

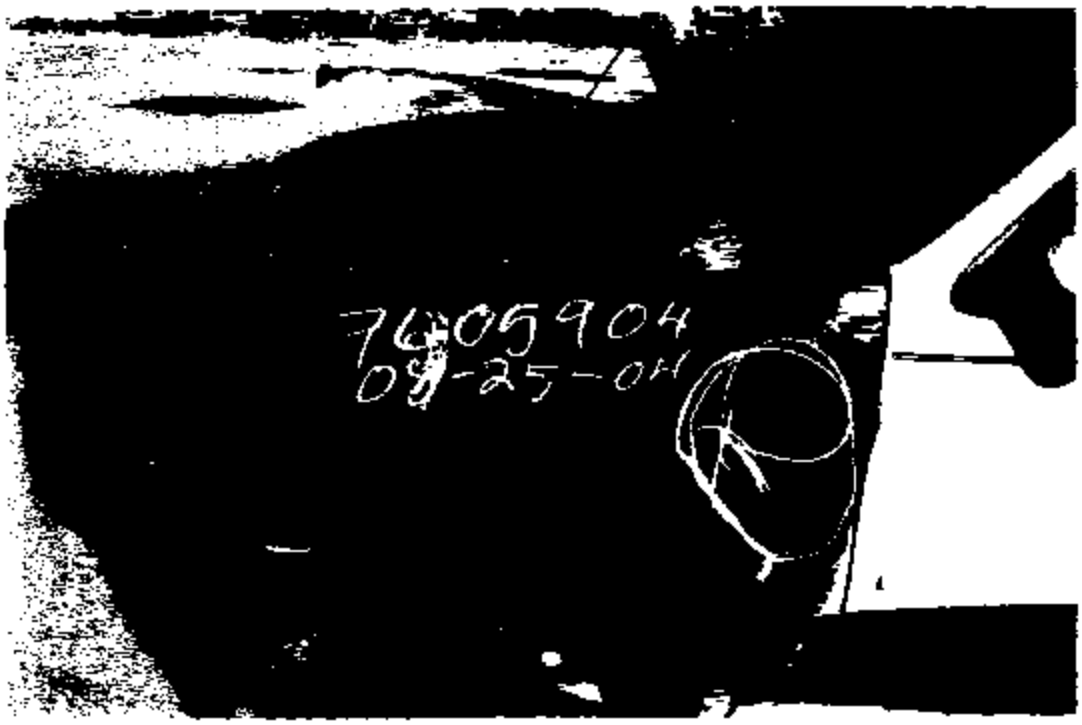
Signed in the absence of
to avoid delay in mailing

PHOTO INDEX- L1269-02

1-12. Exterior views of the subject vehicle.

E2269-0001-L-C-3032

3.



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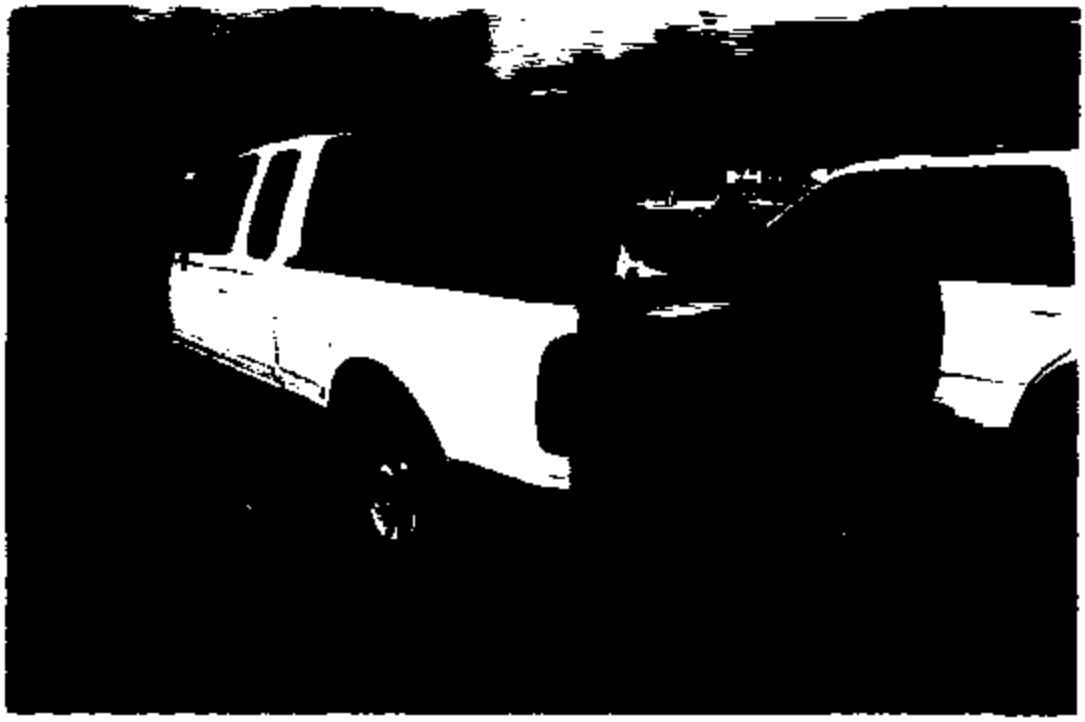

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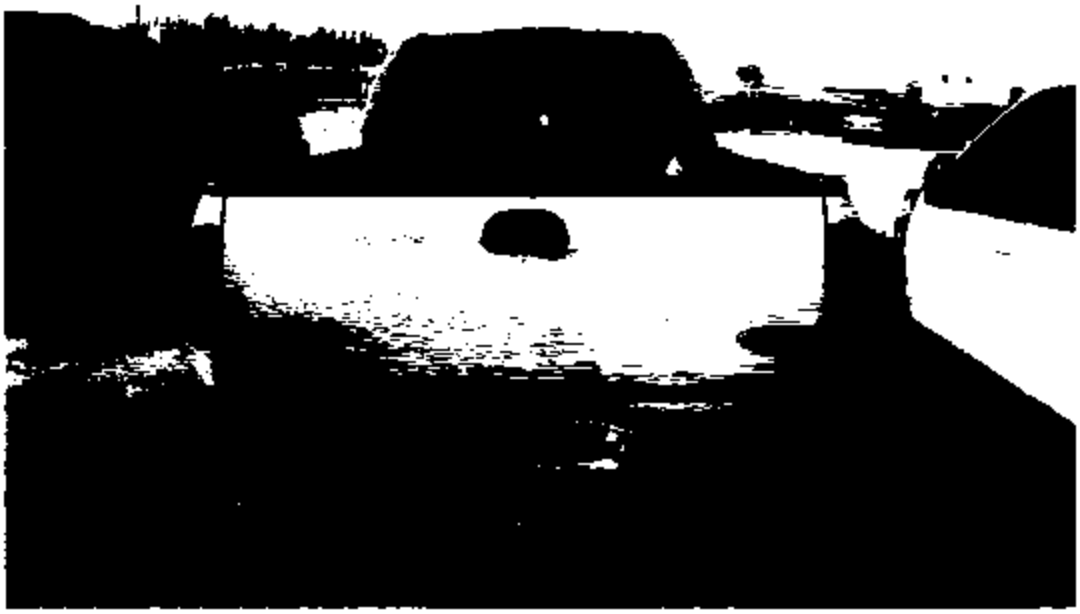

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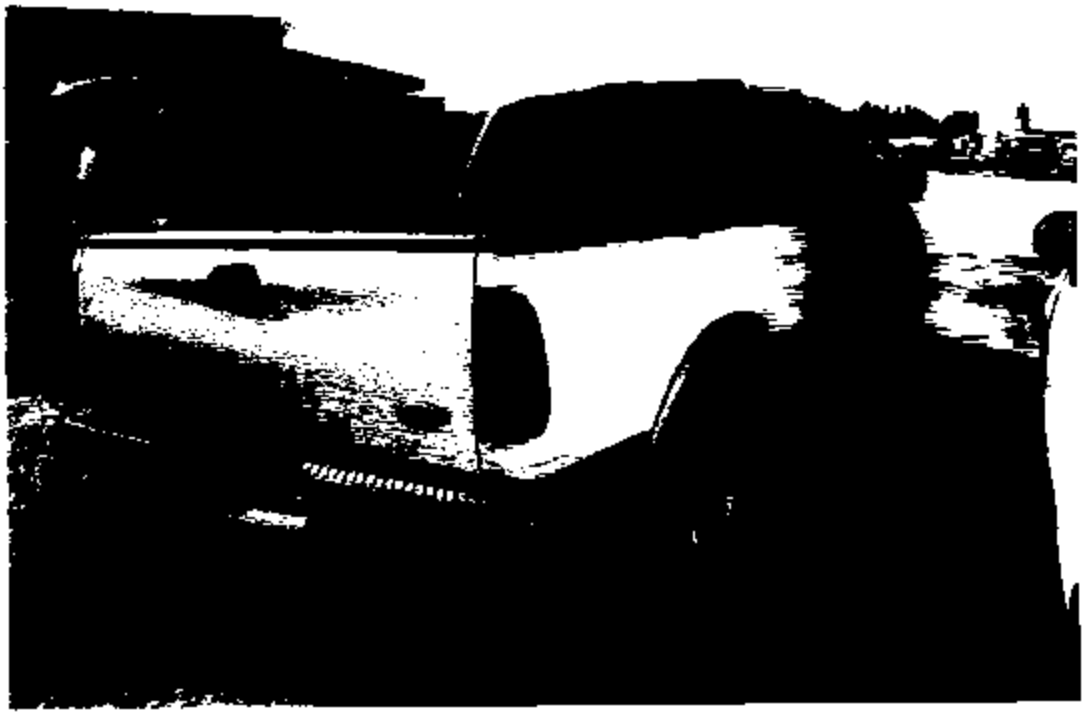
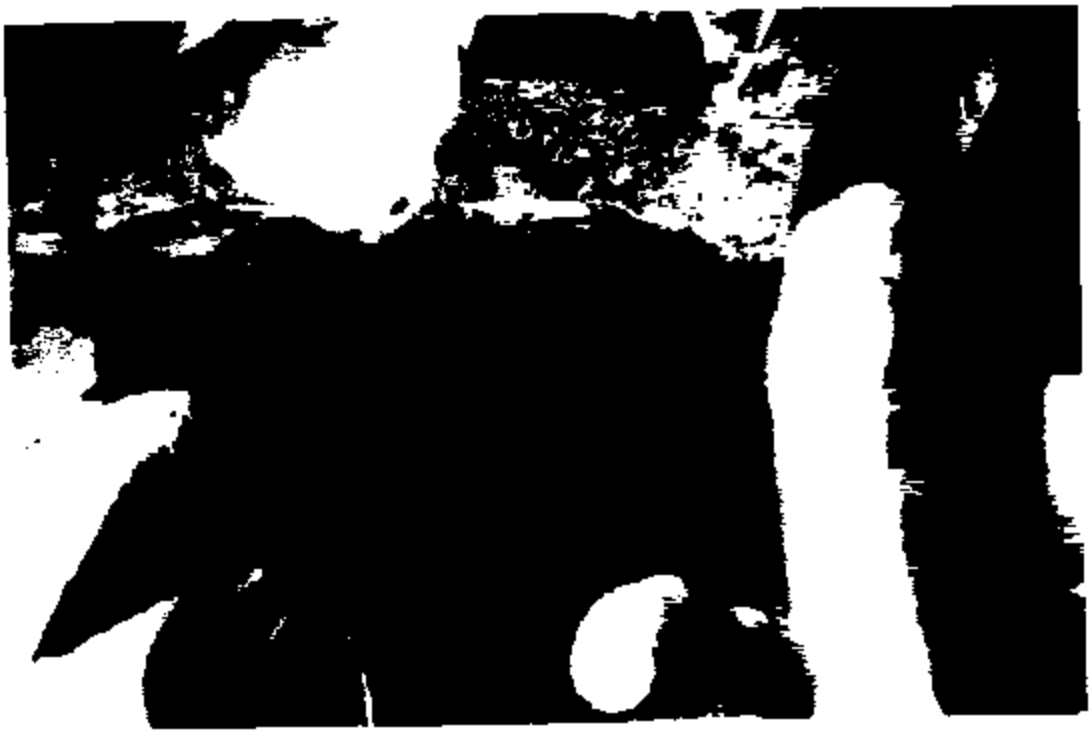


10.

11.

12.

13. A view of the subject vehicle odometer.



14-22. Interior views of the subject vehicle.

15.

16.

ER05-005-LC-3540

17.

18.

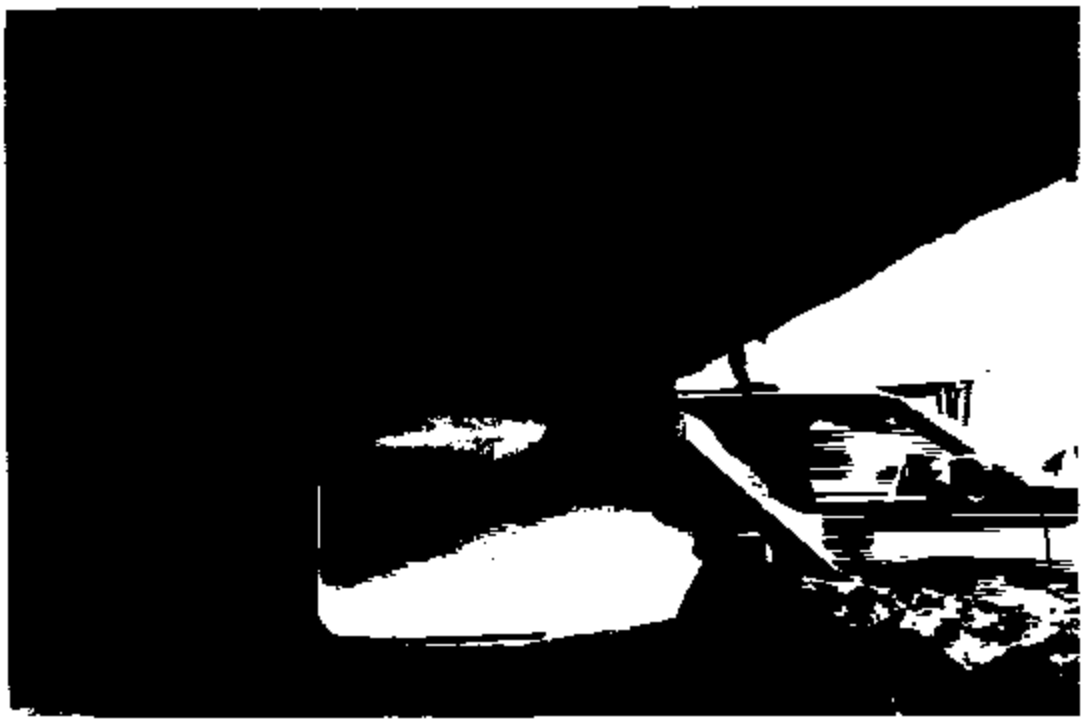
19.

EN85-885-LC-3542

20.

E985-085-LC-3543

21.



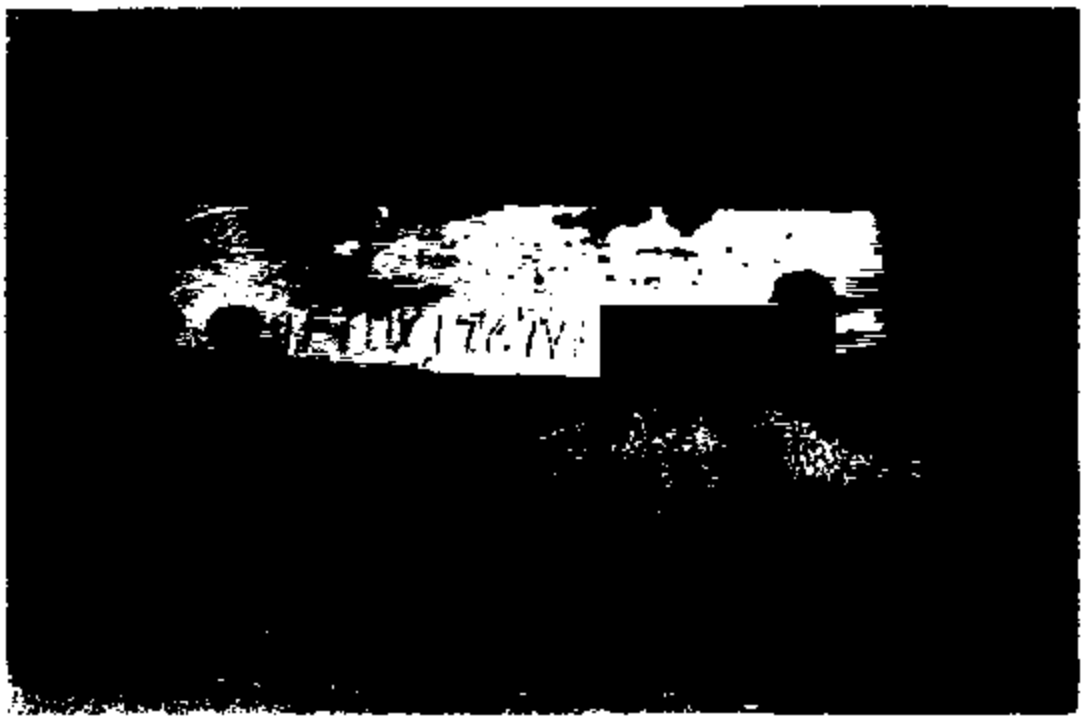
22.

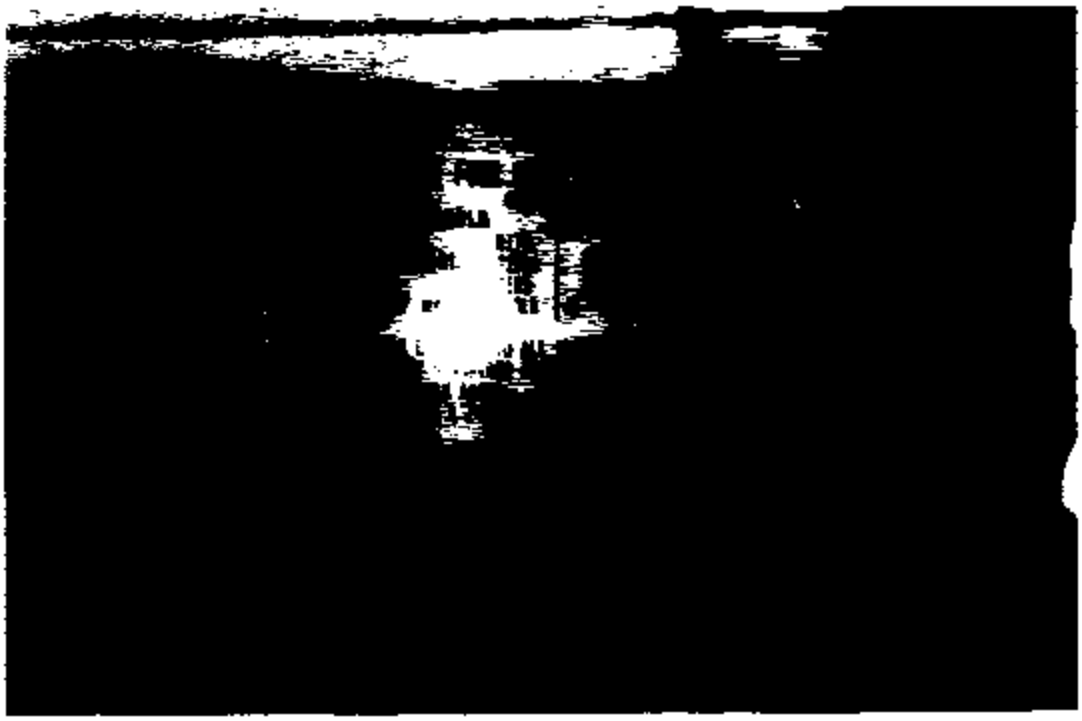
23-26. Views of the wheel wells of the subject vehicle.

25.

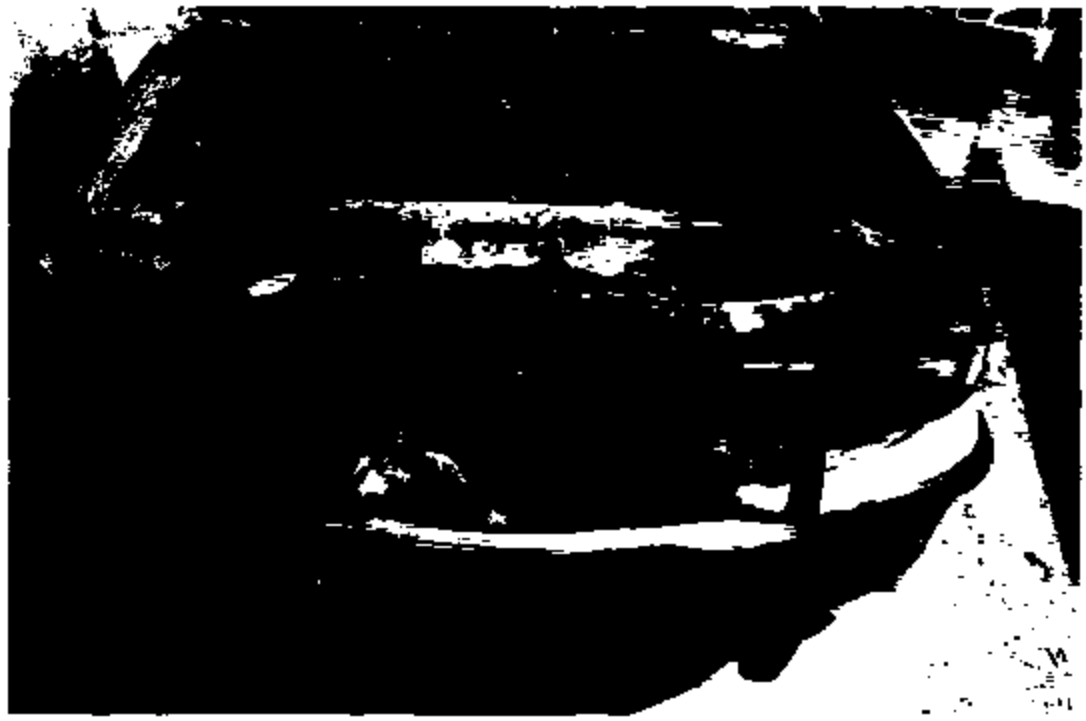
26.

27-28. Views of the subject vehicle VIN.





9-50. Views of the engine compartment.



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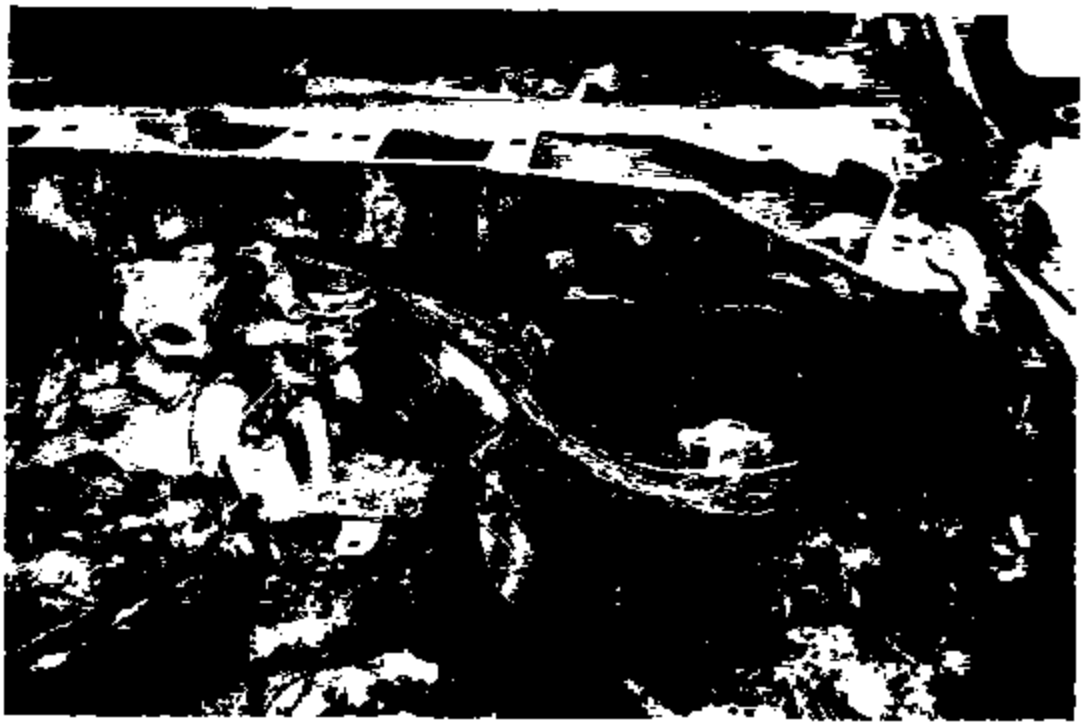
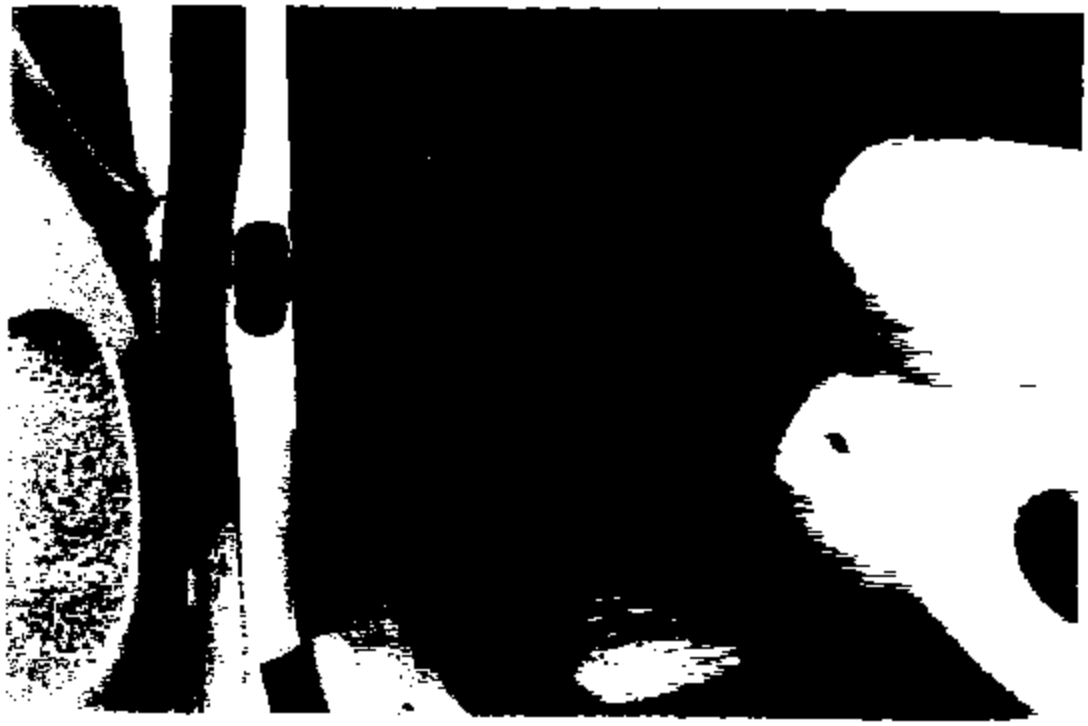


49.

50.

51-54. Views of the areas below the dashboard.



53.

54.

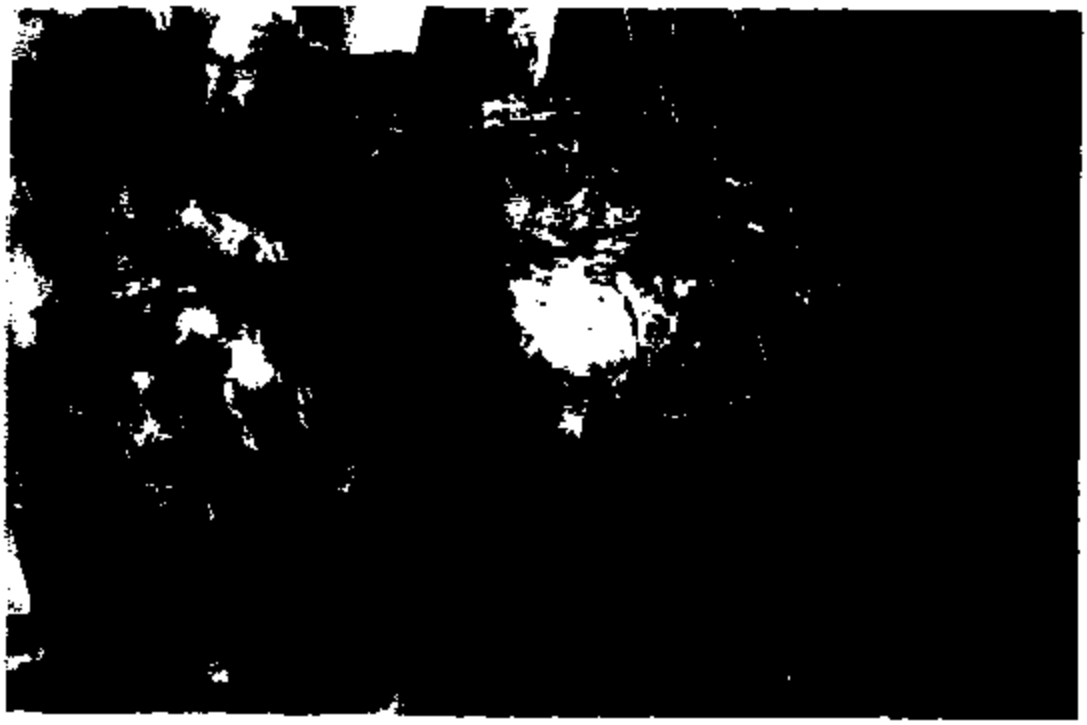
55-58. Views of the remains of the hood of the subject vehicle.

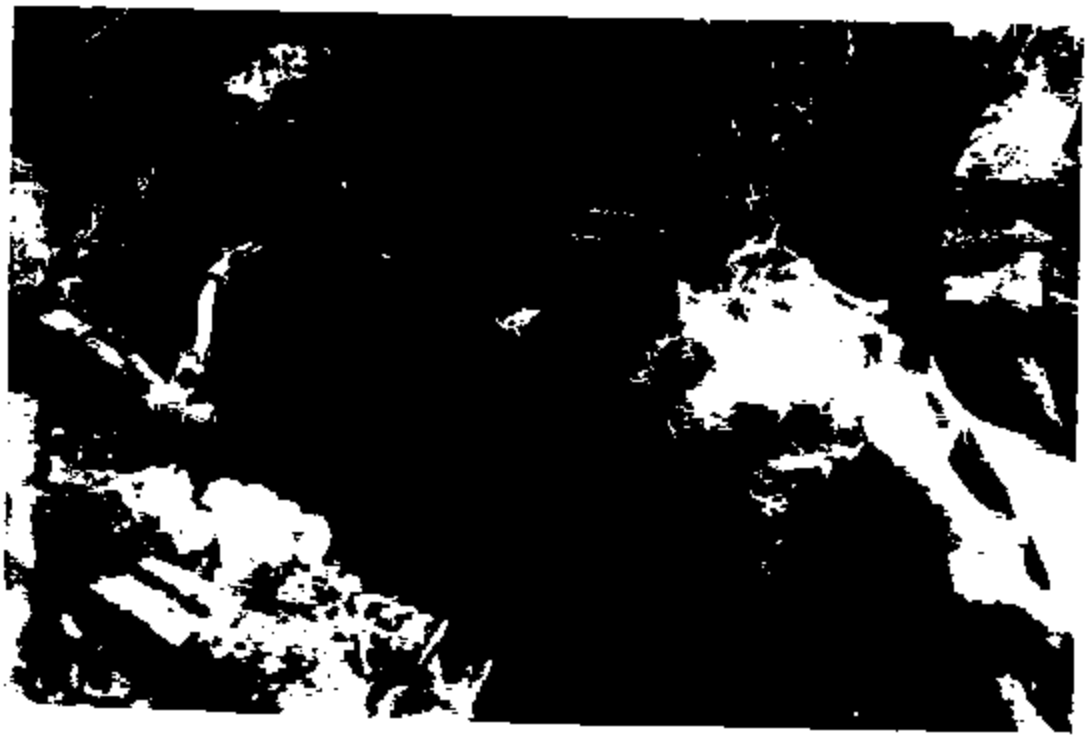
57.

58.

59-60. Views of the lower portion of the windshield area.

61-70. Views of the engine compartment.

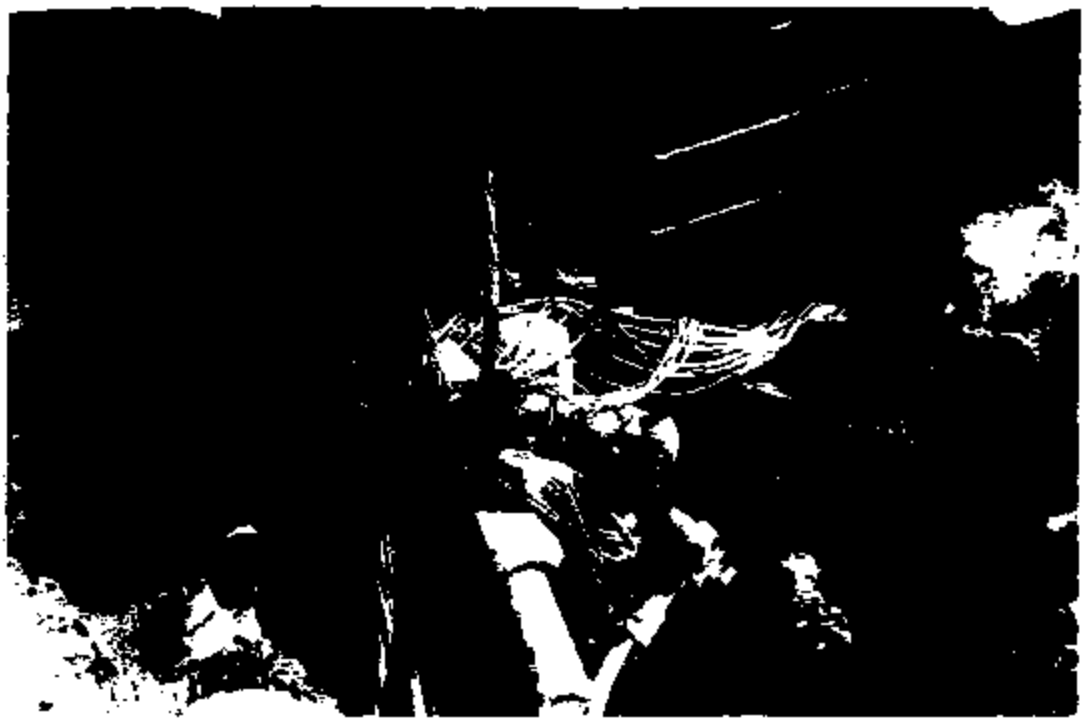




63.

64.

65.



66.

67.

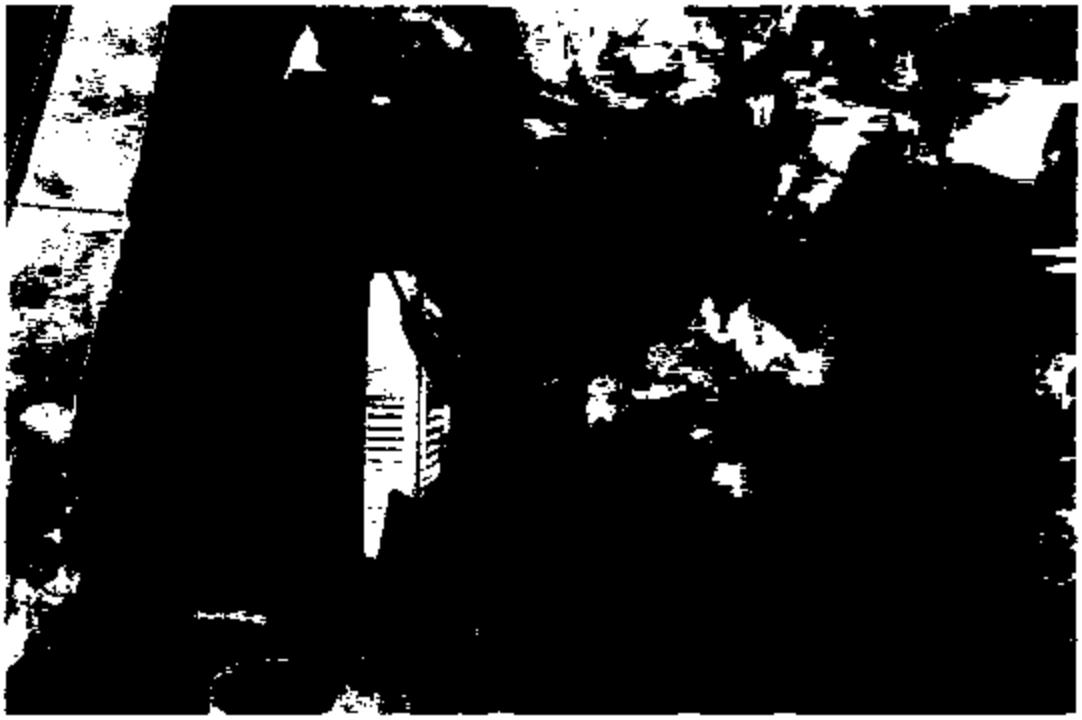
68.

EMPC-SPO-LC-3987

69.

70.

71-74. Views of the remains of an accessory belt located on the passenger side of the engine compartment.



73.

74.

75-81. Views of the remains of the brake master cylinder.

77.

78.

79.

80.

81.

ERDS-885-LC-3574

UNITED AUTOMOBILE INSURANCE COMPANY
P.O. BOX 600580 • NORTH MIAMI, FL 33160
305-940-7299 • 954-462-6803

RECEIVED JAN - 7 2005

JANUARY 03,2005

FORD MOTOR COMPANY OFFICE OF THE GENERAL COUNSEL
MR. SHAWN L. NORTON
PARKLANE TOWERS WEST, SUITE #300
THREE PARKLANE BLVD.
DEARBORN, MICHIGAN 48126-2568

FORD MOTOR COMPANY RECEIVED
JAN 07 2005
OFFICE OF THE GENERAL COUNSEL

Re: Our Insured: [redacted]
Claim No.:
Policy No:
Date Of Loss: 08/03/04
Vehicle: 1997 FORD F-150
VIN: 1FTDX1767VN[redacted]
Your Claim/File No: UNKNOWN
Company Payment: $5,295.00 (pending salvage proceeds)
Insured's Deductible: $500.00

Dear Mr. Shawn L. Norton:

Our above insured's vehicle was properly parked with the engine turned off when vehicle came on fire. The insured parked vehicle in front of his residence at 8:00 pm 08/02/04 and on 08/03/04 5:00 am was awaken by neighbors to advise his vehicle was on fire. The fire engulfed the engine and subsequently the fire spread to the house. The Miami Fire Department was called to extinguish the fire and inspect the incident. The Fire Department's investigator determined that the fire started in the engine compartment due to a short circuit that ignited the fuel.

Our investigation establishes the point of origin for the fire was the cruise control deactivation switch located in the engine compartment on the driver's side. This type of failure has been observed and researched by Interscience, Inc. and has been revealed that there had been a number of complaints filed with the National Highway Traffic Safety Administration about similar cases in the past. I will submit four more cases similar to this one to Ford Motor Company. Therefore, under our right of subrogation, we request reimbursement for both the company payment and deductible amount shown above. Enclosed are our supporting documents for your review.

8/3/04
97 F-150
VIN
$5,795

We have diaried our files for (15) fifteen days. Your prompt attention to this matter will be appreciated.

WSD 7/24/96
ESP - NO
DCC + BOW - 4YRS (exp 7/24/00)
- Miami, FL
- 150,000 (M)

UNITED AUTOMOBILE INSURANCE COMPANY
P.O. BOX 600580 • NORTH MIAMI, FL 33160
305-940-7299 • 954-462-6803

Sincerely,

Jose Lopez
Subrogation Department
(305) 940-7299, ext. 2214
Enclosure: Supporting Documents

OC1/15 DAYS

[redacted]

RECEIVED MAY 1 2 2005

Allstate.
You're in good hands.

Allstate Insurance Company
16700 East Hardy, Suite A
Houston, TX 77032

FORD MOTOR COMPANY
RECEIVED
MAY 1 7 2005
OFFICE OF THE
GENERAL COUNSEL

New

05/12/05

Ford Motor Company
General Counsel's Office
3 Parklane Blvd
Dearborn, Michigan 48126

RE:	**Our Claim Number:**	[redacted]
	Our Insured:	
	Vehicle:	1997 Ford Pickup F150
	VIN #:	1ftex1714vn[redacted]
	Date of Loss:	04/08/05
	Loss Location:	Conroe, Texas
	Amount of Loss:	6850.00

Dear Ms. Norton,

Please accept this letter as notice to your company of a claim for subrogation. Our policyholder sustained fire damage to the above referenced vehicle. The damages are possibly linked to the brake deactivation switch.
Forensic Analysts, Inc. has completed the initial inspection. Please contact Jeff Abrams at 281-558-9396 to make arrangements for a joint inspection. The vehicle is located at Bayou City Auction Pool in Houston , Texas.

If any further information is needed, I can be reached at 281-618-5324.

Sincerely,

Diane C Gonzales
Staff Claim Service Adjuster
Allstate Insurance Claim Service Organization

ER05-005-LC-3577

G52-2

[redacted]

IN THE DISTRICT COURT OF FORD COUNTY, KANSAS

G

[redacted] Plaintiff

vs. Case Number: 04C123

FORD MOTOR COMPANY AND SKAGGS MOTORS, INC.

Defendants

PETITION
Pursuant to Chapter 60

COMES NOW the plaintiff by and through his attorney, Todd B. Butler of Butler & Associates, P.A., and for his cause of action against the Defendants, states and alleges as follows:

1. Plaintiff is a resident of Kansas and may be served by serving his counsel for the purposes of these proceedings.
2. Defendant, Ford Motor Company, may be served by serving its Resident Agent, Peter J. Sherry, by Certified Mail Service at One American Road, Dearborn, MI 48126.
3. Defendant, Skaggs Motors, Inc., may be served by serving its Resident Agent, H.M. Skaggs, by Personal/Residential Service at 200 Military St, Dodge City, KS 67801.
4. On or about Mar 1, 2003, the plaintiff purchased from the defendant, Skaggs Motors, Inc., a 2001 Ford F-150, VIN 1FTRX17W41N[redacted]
5. Defendant, Ford Motor Company, was the manufacture of plaintiff's vehicle.

6. On or about March 7, 2003, the plaintiff's above-described vehicle caught fire while parked at the plaintiff's residence at 1208 12th Ave, Dodge City, KS.
7. That pursuant to K.S.A. 60-308 (b) (1), (2), (5), and (7), jurisdiction is proper in this court.
8. That the fire started in the engine compartment as a result of a faulty fuel regulator.
9. That the vehicle damages and reasonable rental car expenses are in the amount of $20,592.32.
10. That the defendants did so carelessly, negligently and recklessly manufacture, design, construct, make, install, assemble, sell, distribute, retail and/or otherwise place or cause to be placed into the stream of commerce the 2001 Ford F-1500, which defendants knew, or in the exercise of reasonable care diligence should have known, was dangerous and defective, and which defendants further knew and/or in the exercise of reasonable diligence should have known, lacked adequate warnings which defendants negligently and carelessly failed and refused to provide to plaintiff, and further, defendants knew that such acts, conduct and/or omissions would, and in fact did, cause harm, damages and injuries to the plaintiff, as a result of such a defective and dangerous condition.
11. That the defendants knew that such products would be used and in fact were used, in a manner intended by the defendants, without inspection for defects, and further, that as a result of the dangerous and defective conditions of the products, as described herein above, defects known by the defendants to have

existed or which in fact existed when they left the control of the defendants, plaintiff was caused to suffer damages as alleged herein.

12. That the defendants did implicitly and expressly warrant that such products as herein described would be merchantable and would serve the purpose intended and was safe and fit for their intended uses and purposes. As a direct result of the defective conditions of such products, the plaintiff sustained damages, and as a direct result of such damages, the defendants breached such implied and express warranties resulting in the damages herein alleged.

13. That the defendants were negligent in the design and manufacturing of the 2001 Ford F-150, and as a result of the negligent design and manufacturing, plaintiff suffered damages in the amount of $20,592.32.

14. That demand has been made upon the defendants to pay this amount, but the defendants have failed and refused to do so.

WHEREFORE, plaintiff prays for money judgment against the defendants in the amount of $20,592.32, costs of this action, interest at the statutory rate after the date of judgment, and for such other relief as the court may deem just and equitable.

Butler & Associates, P.A.

Todd B. Butler 12711
Gary L. Fanning, Jr. 16669
3706 S. Topeka Blvd. Suite 300
Topeka, Kansas 66609
(785) 267-6444 Office
(785) 267-7341 Fax
butlerlaw@inlandnet.net
Attorneys for Plaintiff

A. FDID: F0101 ★ | State: KS ★ | Incident: MM 03 DD [illegible] YYYY 2003 ★ | Station: 1 | Incident Number: 03-00000[illegible] | Exposure: 000 ★ | ☐ Delete ☐ Change ☐ No Activity | NFIRS -1 Basic

B Location★

☐ Check this box to indicate that the address for this incident is provided as the Wildland Fire Module in Section E "Alternative Location Specification". For use only for Wildland fires.

Census Tract: 0140 - 00

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

[redacted] | Street Type | Suffix

Apt./Suite/Room | Dodge City (City) | KS (State) | 67801 (Zip Code) -

Cross street or directions, as applicable

C Incident Type ★

131 Passenger vehicle fire (Incident Type)

D Aid Given or Received★

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

Their FDID | Their State | Their Incident Number

E1 Date & Times — Midnight is 0000

Check boxes if dates are the same as Alarm Date.

	Month	Day	Year	Hr Min Sec
Alarm ★ (Alarm always required)	03	07	2003	21:58:00
☒ Arrival ★ (ARRIVAL required, unless cancelled or did not arrive)	03	07	2003	22:01:00
☐ Controlled (CONTROLLED Optional. Except for wildland fires)				
☒ Last Unit Cleared (LAST UNIT CLEARED, required except for wildland fires)	03	07	2003	22:44:00

E2 Shift & Alarms (Local Option)

Shift or Platoon: A | Alarms: | District: 1

E3 Special Studies (Local Option)

Special Study ID | Special Study Value

F Actions Taken ★

11 Extinguish (Primary Action Taken [1])

Additional Action Taken [2]

Additional Action Taken [3]

G1 Resources ★

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

	Apparatus	Personnel
Suppression	0002	0004
EMS		
Other		

☐ Check box if response counts include aid received resources.

G2 Estimated Dollar Losses & Values

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

				None
Property $	015	000		☐
Contents $	001	000		☐

PRE-INCIDENT VALUE: Optional

Property $	018	000	☐
Contents $	001	000	☐

Completed Modules

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

H1★ Casualties ☒ None

	Deaths	Injuries
Fire Service		
Civilians		

H2 Detector (Required for Confined Fires.)

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

H3 Hazardous Materials Release

N ☐ None
1 ☐ Natural Gas: slow leak, no evacuation or market outlook
2 ☐ Propane gas: <21 lb. tank (as in home BBQ grill)
3 ☐ Gasoline: vehicle fuel tank or portable container
4 ☐ Kerosene: fuel burning equipment or portable storage
5 ☐ Diesel fuel/fuel oil: vehicle fuel tank or portable
6 ☐ Household solvents: home/office spill, cleanup only
7 ☐ Motor oil: from engine or portable container
8 ☐ Paint: from paint store totaling < 50 gallons
0 ☐ Other: specify further evidence required on spill > 50gal.. Please complete the Hazmat form

I Mixed Use Property

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

J Property Use★ — Structures

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

Outside

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

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

Property Use: 000

Property Use, Other

NFIRS-1 Revision 03/11/99

EMS-006-LC-3581

K1 Person/Entity Involved
Local Option

Business Name (if applicable) | Area Code - Phone Number

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

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

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

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

State | Zip Code

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

K2 Owner
Local Option

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

Business Name (if Applicable) | Area Code - Phone Number

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

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

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

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

State: KS | Zip Code: [redacted]

L Remarks
Local Option

A shift responded to a vehicle fire at 1208 twelfth.Upon arrival the vehicle was engulfed in flames from the engine compartment.After extinguishment and investigation cause of the fire was undetermined but did not appear to be suspicious.There was no one home at this address so the owner has not yet been notified.
03/07/2003 23:02:43 Cliff Bell

L Authorization

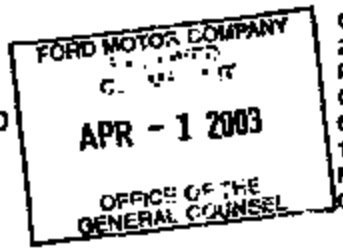
Officer in charge ID	Signature	Position or rank	Assignment	Month	Day	Year
2125	SPENCER, KEN D	CAP		03	07	2003

Member making report ID	Signature	Position or rank	Assignment	Month	Day	Year
558	BELL JR, CLIFF L	ENG		03	07	2003

☐ Check box if same as Officer in charge.

State Farm Insurance Companies®

March 25, 2003



Claim Office
2804 Pearly Jane Street
P.O. Box 1748
Garden City, KS 67846-1748
620-276-5500
1-800-728-5805
Fax: 620-276-5555
Office Hours: Mon-Fri 8:00-5:00

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

FORD MOTOR COMPANY
PARK LANE TOWERS WEST STE 400
3 PARK LANE BLVD
DEARBORN MI 48126-2568

RE: Claim Number: [redacted]
Our Insured:
Date of Loss: March 7, 2003
Make, Model and
Year of Product: 2001 Ford F-150 XLT Extended Cab
VIN: 1FTRX17W41N[redacted]

Dear Sir/Madam:

The identified vehicle is insured by State Farm Fire and Casualty Company. This vehicle experienced a fire.

State Farm® would like to give you an opportunity to inspect the vehicle and give you advance notice of our potential subrogation claim.

A cause and origin inspector will be inspecting the identified vehicle at Wichita Insurance Pool 270 W 53rd Street North, Wichita, KS 67204 on April 1, 2003. You are invited to observe his inspection on this date.

If you have questions regarding this claim, please call me at the number below.

Sincerely,

Amy Zweygardt

Amy Zweygardt
Claim Representative
620-276-5502
State Farm Fire and Casualty Company

13/0321004N

3/7/03
- 01 F-150
- VIN

State Farm Insurance Companies®

Claim Office
2604 Pearly Jane Street
P.O. Box 1748
Garden City, KS 67846-1748
620-276-5500
1-800-726-5505
Fax: 620-276-5555
Office Hours: Mon-Fri 8:00-5:00

April 25, 2003

SHAWN NORTON
FORD MOTOR COMPANY
PARKLANE TOWERS WEST STE 300
3 PARKLANE BLVD
DEARBORN MI 48126-2568

RECEIVED MAY 5 2003

RE: Our Claim Number: [redacted]
Our Insured:
Date of Loss: March 7, 2003

Dear Mr. Norton:

This letter is in response to your April 9th letter. The following are answers to your questions as requested:

1. The date of the loss was March 7, 2003, at [redacted] residence. His address is [redacted] in Dodge City, Kansas [redacted]

2. The owner [redacted] parked the 1997 Ford F-150 in his driveway at 8:00 p.m. on March 7, 2003. He left his residence in another vehicle and returned home at 10:00 p.m., on the same evening. [redacted] did not notice the damage until the next morning when he went to take the pickup to work. Neighbors noticed the fire and called the fire department. The fire was extinguished while the owner was away from his home.

3. Enclosed is a copy of the fire report from the Dodge City Fire Department.

6. The mileage was unreadable upon inspection of the vehicle.

7. Original photos were not obtained as digital photos were taken. These digital photos are included in the expert's report.

10. It appears that a gasoline leak in the fuel pressure regulator was the origin of the fire.

11. Enclosed is a copy of our expert's report as requested. The report was completed by Technical Forensic Services in Liberty, Missouri.

29,074 on purchase at - 3/10/99 — Dodge City, KS — '97 F-150

14. Due to the damage to the vehicle, it was determined to be a total loss. Enclosed is the worksheet and a copy of the draft to pay for the total loss.

15. The insured has no service history on this vehicle as it was bought on Saturday, March 1, 2003.

16. No aftermarket additions or modifications were made to the vehicle.

21. The engine was not running at the time the fire started.

22. The keys were not in the ignition at the time the fire started.

25. The vehicle was purchased on March 1, 2003, from Skaggs Motors, Inc., 200 Military Avenue, Dodge City, Kansas 67801. Their phone number is 620-227-3171. At the time of the purchase the mileage read 29,079 miles.

If you need any other additional information, please contact us.

This claim will now be handled by our Subrogation Department. Their phone number is 888-650-1917. Please contact them for further correspondence.

Sincerely,

Amy Zweygardt

Amy Zweygardt
Claim Representative
620-276-5502
State Farm Mutual Automobile Insurance Company

14/0425010

Enclosure

COPY

IN THE CIRCUIT COURT OF MARSHALL COUNTY, MISSISSIPPI

[redacted] PLAINTIFF

VS. CIVIL ACTION NO. M2003-034

FORD MOTOR COMPANY DEFENDANT

COMPLAINT

COMES NOW the Plaintiff [redacted] by and through counsel in the above styled matter, and files this his Complaint against the Defendant, Ford Motor Company, and would respectfully show unto the Court the following:

I.

That the Plaintiff [redacted] is a resident citizen of Marshall County, Mississippi.

II.

That the Defendant, Ford Motor Company, is a corporation organized and existing under the laws of the State of Delaware, which is authorized to conduct business within the State of Mississippi, and which can be served with process of this Court through its registered agent for service of process, C. T. Corporation System, 631 Lakeland East Drive, Flowood, Mississippi 39232-8815.

III.

That jurisdiction and venue are proper with this Court.

IV.

That this Complaint and cause of action is based upon the theory of product liability, whereby the Defendant produced, marketed, and sold a motor vehicle which had been defectively designed and/or manufactured.

FILED

JAN 28 2003

LUCY CARPENTER
Circuit Clerk, Marshall Co., MS
BY _____ D.C

V.

That on or about August 4, 1999, the Plaintiff, [redacted] at that time seventeen [redacted] years of age, did purchase from Belk Ford–Mercury–Toyota, Inc. in Oxford, Mississippi, a 1997 Ford F-150 Extended Cab XL pickup truck, VIN 1FTDX1766VN[redacted] which had been designed and manufactured by the Defendant, Ford Motor Company.

VI.

That, less than five (5) months thereafter, on or about January 24, 2000, the aforementioned motor vehicle of the Plaintiff did, for no apparent reason, catch fire and burn, resulting in a total loss.

VII.

That in November of 2000, the Plaintiff did receive a recall notification from Ford Motor Company, indicating that his vehicle, and others similar, did contain a design and/or manufacturing defect whereby the fuel line assembly was negligently and improperly positioned with relation to the engine and components, and that this condition could lead to a potential fire if repairs were not made accordingly.

VIII.

That, at the time of the receipt by Plaintiff of the aforementioned notification, his vehicle had already burned and was rendered a total loss.

IX.

That, upon information and belief, the vehicle of the Plaintiff was caused to catch fire and burn when the fuel line assembly began to leak as a result of the design and/or manufacturing defects of the Defendant.

X.

That as a result of the negligence of the Defendant, in defectively designing and/or manufacturing the Plaintiff's vehicle, the Plaintiff has been caused to sustain actual and

consequential damages, including, but not limited to, the reasonable value of his vehicle, plus all other incidental expenses.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff [redacted] hereby seeks and demands judgment against the Defendant, Ford Motor Company, in the amount of Fifteen Thousand Dollars ($15,000.00), plus pre-judgment and post-judgment interest, and all costs of court. The Plaintiff requests any such further or general relief as this Court may deem proper in the premises.

Respectfully submitted, this the 24th day of January, 2003.

[redacted] **Plaintiff**

By: _____

Christopher G. Evans (Miss. Bar No. 10121)
EVANS & BAILEY, PLLC
117 North Broadway Street
Post Office Box 7326
Tupelo, Mississippi 38802-7326
(662) 844-6040 / Telephone
(662) 844-8333 / Facsimile

COUNSEL FOR THE PLAINTIFF

ISSUE LIST

Last Handling Date/ Issue Status	Name/ Reason Desc	Vin/ Case No.	Model Year and Vehicle Line	Issue Type
11/13/2002	[redacted]	1FTDX1766V[redacted]	1997 F-SERIES	02
CLOSED	MISC INQUIRY - CHANGE OF ADDRESS	1418170280		
3/30/2000	[redacted]	1FTDX1766V[redacted]	1997 F-SERIES	07
CLOSED	LEGAL - OTHER ATTORNEY DEMAND	1418170280		
2/7/2000	[redacted]	1FTDX1766VNA56774	1997 F-SERIES	02
CLOSED	PROD/COMP DUR/PERF - VEHICLE QUALITY	1418170280		
2/3/2000	[redacted]	1FTDX1766V[redacted]	1997 F-SERIES	02
CLOSED	PROD/COMP DUR/PERF - VEHICLE QUALITY	1418170280		
1/31/2000	[redacted]	1FTDX1766V[redacted]	997 F-SERIES	07
CLOSED	LEGAL - FIRE&PERSONAL/PROPERTY DAMAGE CLAIM	1418170280		

All Action Details for Issue

Print

VIN: 1FTDX1766V[redacted] Year: 1997 Model: F-SERIES Case: 1418170280
Name: [redacted] Owner Status: Subsequent WSD: 1996-06-11
Symptom Desc: Primary Phone [redacted]
Reason Desc: MISC INQUIRY - CHANGE OF ADDRESS Secondary Phone [redacted]
Issue Type: 02 INFORMATION Issue Status: CLOSED

Action: UPDATE CUSTOMER ADDRESS OR PHONE NUMBER
Dealer: 06000 COUNTRY FORD INC Origin Desc: MANUAL - PHONE CSR
Odometer: Comm Type: PHONE
Analyst Name: MATT CROSBY Analyst: MCROSBY1
Action Date: 11/13/2002 Action Time: 10.49.37.189 Action Data: No

Caller Information If Different From Vehicle Owner:

First Name	Middle Initial	Last Name	Day Phone	Relationship

Comments CUSTOMER SAYS: -UPDATE INFO PER CUSTOMER, DEALER SAYS: -NONE CAC ADVISED: (NOTE TO CSR - THIS MAC IS TO BE USED FOR UPDATING CUSTOMER INFOMATION ONLY. DO NOT USE FOR DOCUMENTING ANY OTHER ISSUES.)

EMS-005-LC-3598

[redacted] 02/26/2003

All Action Details for Issue

Print

VIN: 1FTDX1785V[redacted] Year: 1997 Model: F-SERIES Case: 1418170280
Name: [redacted] Owner Status: Subsequent WSD: 1996-05-11
Symptom Desc: FIRE/SMOKE SCORCHED/BURNT Primary Phone: [redacted]
Reason Desc: LEGAL - OTHER ATTORNEY DEMAND Secondary Phone: [redacted]
Issue Type: 07 LEGAL Issue Status: CLOSED

Action: OPEN LEGAL CONTACT - ATTORNEY DEMAND
Dealer: 06000 COUNTRY FORD INC Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Odometer: 1 MI Comm Type: MAIL
Analyst Name: SHAWN COX Analyst: SCOX15
Action Date: 03/29/2000 Action Time: 16.06.42.802 Action Data: Yes

Comments **********ATTORNEY DEMAND LETTER********** REC'03/29/00 ATTORNEY ALLEGES DEFECTIVE VEHICLE. CUSTOMER STATES THAT THE VEHICLE CAUGHT FIRE. ***NO RESOLUTION STATED.***

Data Element Name	Data Value
NAME OF LAW FIRM	PRIEST, WISE & RUSSELL ATTORNEY'S AT LAW
ATTORNEY NAME	S. BO RUSSELL& RUSSELL ATTORNEY'S AT LAW
ATTORNEY PHONE NUMBER	6018424658ELL& RUSSELL ATTORNEY'S AT LAW

Action: MAKE OUTBOUND CALL TO ATTORNEY
Dealer: 06000 COUNTRY FORD INC Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Odometer: 1 MI Comm Type: MAIL
Analyst Name: LOURDES FONSECA Analyst: 9626LF
Action Date: 03/30/2000 Action Time: 14.17.48.726 Action Data: Yes

Comments LPA CALLED ATTY'S OFFICE AND INFORMED WE HAVE RECEIVED THEIRLETTER AND WILL RESEARCH AND RECONTACT WITH A DECISION.

Data Element Name	Data Value
CONTACT PERSON	VOICE MAILELL& RUSSELL ATTORNEY'S AT LAW

Action: FINAL CASE DISPOSITION
Dealer: 06000 COUNTRY FORD INC Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Odometer: 1 MI Comm Type: MAIL
Analyst Name: LOURDES FONSECA Analyst: 9626LF
Action Date: 03/30/2000 Action Time: 15.30.38.700 Action Data: No

Comments LPA HAD PREVIOUSLY DENIED CLAIM AS VEHICLE IS BEYOND THE WARRANTY. LPA FAXED LETTER TO THE ATTY DENYING THE CLAIM. NO FURTHER ACTION.

E005-005-LC-3591

All Action Details for Issue

Print

VIN: 1FTDX1766V[redacted] Year: 1997 Model: F-SERIES Case: 1418170280
Name: [redacted] Owner Status: Subsequent WSD: 1998-06-11
Symptom Desc: Primary Phone: [redacted]
Reason Desc: PROD/COMP DUR/PERF - VEHICLE QUALITY Secondary Phone: [redacted]
Issue Type: 02 INFORMATION Issue Status: CLOSED

Action: SUPPORT DEALER'S/REGION'S DECISION
Dealer: 05814 BELK FORD-MERCURY INC Origin Desc: US CONCERN CASE BASE
Odometer: 104000 MI Comm Type: PHONE
Analyst Name: ANTHONY THOMPSON Analyst: ATHOMP22
Action Date: 02/07/2000 Action Time: 11.43.07.384 Action Data: No

Comments: CUSTOMER SAYS: CUST SAYS THE VEH CAUGHT ON FIRE ON MONDAY JAN 24/99. — THE FIRE ORGINATED IN THE ENGINE UNDER THE HOOD. VEH WAS NOT ON WHEN FIRE OCCURRED. FIRE CAME OUT ON THE DRIVERSIDE. THE ENGINE EXPLODED. —VEH PART ON THE STREET (HENRY DON ST, MEMPHIS TENNESSE SHELBY COUNTER. CUST WAS HAVING DINNER AT A FRIEND'S HOUSE. —VEH IS AT 181 CEMETARY RD POTTS CAMP MISSISSSIPPI (HOUSE ADDRESS) —SHELBY COUNTY FIRE DEPARTMENT PUT OUT THE FIRE, SAYS FIRE STARTED IN THE ENGINE. REPORT # UNKNOWN —VEH IS TOTALLED. - RECEIVED LETTER FROM CONSUMER AFFAIRS STATING IT IS A MATTER WITH THE INSURANCE CO. - CUST FEELS IT IS A DEFECT PER CUSTOMER. DEALER SAYS: NONE CAC ADVISED: - INFORMATION DOCUMENTED - FORD SUPPORTS DLR/REGION DECISION INFERENCE CASE ID: 1615

All Action Details for Issue

Print

VIN: 1FTDX1766V[redacted] Year: 1997 Model: F-SERIES Case: 1418170280
Name: [redacted] Owner Status: Subsequent WSD: 1996-06-11
Symptom Desc: ENGINE GENERAL CONCERN MECH FAILURE Primary Phone: [redacted]
Reason Desc: PROD/COMP DUR/PERF - VEHICLE QUALITY Secondary Phone: [redacted]
Issue Type: 02 INFORMATION Issue Status: CLOSED

Action: C8-SUPPORT DEALERSHIP'S/REGION'S POSITION
Dealer: 05814 BELK FORD-MERCURY INC Origin Desc: US CONCERN CASE BASE
Odometer: 104000 MI Comm Type: PHONE
Analyst Name: ANGELO POLIUS Analyst: APOLIUS
Action Date: 02/03/2000 Action Time: 17.37.38.790 Action Date: No

Comments CUSTOMER SAYS: --CUST IS CALLING TO FIND OUT IF THERE ARE ANY RECALLS ON VEH --CUST CALLED IN PREVIOUSLY, REGARDING SAME ISSUE ,PLS REFER TO CUST HISTORY --CUST DCLAIMS VEH CAUGHT ON FIRE ,NO ONE WAS IN THE VEH AT THE TIME -VEH IS TOTALLED PER CUSTOMER, DEALER SAYS: --NONE CAC ADVISED: - INFORMATION DOCUMENTED - FORD SUPPORTS DLR/REGION DECISION --INFORMED CUST OF 98S14,98S62 AND 98R01 --PLS BE PATIENT ,AS THIS ISSUE IS NOW IN THE HANDS OF THE CONSUMER AFFAIRS DEPT ,AND THEY SHOULD BE CONTACTING YOU INFERENCE CASE ID: 1539

All Action Details for Issue

Print

VIN: 1FTDX1766V[redacted] Year: 1997 Model: F-SERIES Case: 1418170280
Name: [redacted] Owner Status: Subsequent WSD: 1996-06-11
Symptom Desc: FIRE/SMOKE VISIBLE FLAME UNDERHOOD Primary Phone: [redacted]
Reason Desc: LEGAL - FIRE&PERSONAL/PROPERTY DAMAGE CLAIM Secondary Phone: [redacted]
Issue Type: 07 LEGAL Issue Status: CLOSED

Action: ADVISE CUSTOMER INFORMATION FORWARDED TO CONSUMER AFFAIRS DEPT
Dealer: 05814 BELK FORD-MERCURY INC Origin Desc: US CONCERN CASE BASE
Odometer: 104000 MI Comm Type: PHONE
Analyst Name: LEAH MOTIRAM Analyst: LMOTIRAM
Action Date: 01/28/2000 Action Time: 11.34.37.623 Action Data: Yes

Comments CUSTOMER SAYS: CUST SAYS THE VEH CAUGHT ON FIRE ON MONDAY JAN 24/99. — THE FIRE ORIGINATED IN THE ENGINE UNDER THE HOOD. VEH WAS NOT ON WHEN FIRE OCCURRED. FIRE CAME OUT ON THE DRIVERSIDE. THE ENGINE EXPLODED. —VEH PART ON THE STREET (HENRY DON ST, MEMPHIS TENNESSE SHELBY COUNTER. CUST WAS HAVING DINNER AT A FRIEND'S HOUSE. —VEH IS AT 161 CEMETARY RD POTTS CAMP MISSISSSIPPI (HOUSE ADDRESS) —SHELBY COUNTY FIRE DEPARTMENT PUT OUT THE FIRE, SAYS FIRE STARTED IN THE ENGINE. REPORT # UNKNOWN —VEH IS TOTALLED. PER CUSTOMER, DEALER SAYS: MUNNS BELK FORD IN OXFORD MISSISSIPPI CAC ADVISED: -OTHER OPEN RECALLS AND ONP 96S14 WHEEL LUGNUT, 98R01 PCV FREEZING; 99S62 SEAT BELT. - THIS INFORMATION HAS BEEN FORWARDED TO THE CONSUMER AFFAIRS DEPARTMENT FOR REVIEW - A REPRESENTATIVE FROM CONSUMER AFFAIRS WILL FOLLOW UP ON YOUR CLAIM - NO TIME FRAME AVAILABLE - IF YOU HAVE NOT ALREADY CONTACTED YOUR INSURANCE CARRIER TO REPORT THE CONCERN, PLEASE DO SO INFERENCE CASE ID: 81

Data Element Name	Data Value
ONP #	98R01

Action: MAKE OUTBOUND CALL TO DEALER
Dealer: 05814 BELK FORD-MERCURY INC Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Odometer: 104000 MI Comm Type: PHONE
Analyst Name: LOURDES FONSECA Analyst: 9626LF
Action Date: 01/28/2000 Action Time: 16.48.03.836 Action Data: Yes

Comments LPA SPOKE WITH CUSTOMER'S GRANDMOTHER, SHE WAS THE ONE THAT MADE THE PHONE CALL TO THE CAC. LPA INFORMED WE WOULD RESEARCH AND RECONTACT.

Data Element Name	Data Value
CONTACT PERSON	MRS. MUNNS

Action: REFER TO INSURANCE CARRIER- BEYOND WARRANTY
Dealer: 05814 BELK FORD-MERCURY INC Origin Desc: CONSUMER AFFAIRS - LITIGATION PREVENTION
Odometer: 104000 MI Comm Type: PHONE
Analyst Name: LOURDES FONSECA Analyst: 9626LF
Action Date: 01/31/2000 Action Time: 09.24.04.606 Action Data: No

Comments VEHICLE BEYOND WARRANTY, NO RECALLS W/POTENTIAL FOR A FIRE AT THIS TIME. LPA MAILED A LETTER TO THE CUSTOMER REFERRING HIM TO HIS INSURANCE COMPANY.

INVESTIGATIVE RESOURCES
&
CONSULTANTS IN SECURITY, INC.
P.O. BOX 4555 Johnson City, TN 37602-4555 423/477-8808

IRCS Case # FA 006-02
SFIC Claim # [redacted]

MR. PHILLIP LONG
State Farm Insurance Company

RECEIVED
FEB 14 2002
TRI-CITIES CLAIMS OFFICE

CONFIDENTIAL

FIRE / MECHANICAL ORIGIN AND CAUSE REPORT

IRCS Case # FA 006-02
SFIC Claim # [redacted]
Client/Company: Mr. Phillip Long / State Farm Insurance Company
Directive: Determine origin and cause of fire
Owner/Insured: [redacted]
Subject of Report: 1995 Ford F-150 pickup truck
Location of Inspection: [redacted] Mosheim, TN
Date of Loss: January 24, 2002
Date of Assignment: January 25, 2002
Date of Inspection: January 26, 2002
Report prepared by: R.G. Young, Jr., L.P.I., C.A.T.
J.M. Collida, L.P.I., C.F.E.I.

CONSTRUCTION / DESCRIPTION: The subject vehicle was a 1995 Ford F-150 pickup truck; VIN # 1FTEX14H4SK[redacted] V-8 gasoline engine; automatic transmission; 4-wheel drive; bucket seats; power steering; power windows; alum/mag alloy wheels; power locks; air conditioning; cruise control (OEM); air bag; trailer hitch; step bumper; running boards; and auxiliary fuel tank. The RVTC Wide Climber 32x11.50/R15LT tires on the rear had tire tread depths of: LR - 10/32 and RR - 4/32. The two front tires were destroyed by the fire.

INSPECTION: On January 26, 2002, the IRCS investigative team traveled to 7782 Blue Springs Parkway, Mosheim, TN. Upon arrival, we were met by [redacted] They answered our questions and remained with us throughout our investigation [redacted] stated he had purchased the subject truck from a local bank after it had been repossessed. He did not know the circumstances of the repossession nor the previous owner's name.

An initial "walk-around" revealed that the subject truck, parked in the right side of the garage, had been destroyed by fire. Extensive damage had also occurred to the garage and a 1991 Pontiac Grand Prix SE.

The Pontiac had been removed to the outside of the garage, just in front of the left entrance to the garage. The Pontiac had <u>not</u> suffered the same amount of fire damage as the truck (subject vehicle). [redacted] stated the Pontiac had been parked in the garage all day and was not driven on the day of the fire. Based on the much lesser degree of fire damage, the Pontiac was ruled out of the area of the fire's origin and ruled out as the cause of the fire. (See photos showing damage to Pontiac in Photo Index).

The examination of the garage revealed that the most severe fire damage had occurred to the right side (facing garage) where the 1995 Ford F-150 pickup truck had been parked. The only items stored in the garage were bicycles, lawn chairs, and a portable light. There were no ignitable liquids nor items using ignitable liquids in the garage. Electrical wiring, in metal conduit, and receptacle boxes had been installed; however, there was no electrical power to the garage. Based on the aforementioned findings, the garage's components were ruled out as the cause of the fire.

The 1995 Ford F-150 pickup truck was examined. A "walk-around" of the vehicle revealed that paint remained on the rocker panels. The front tires had burned away, with severe damage to the wheels. The rear tires had not become involved in the fire. The burn patterns and area of the most severe fire damage indicated the front end of the truck was the area of the fire's origin.

The interior of the subject truck was carefully examined. The melted, front windshield glass was laying across and on top of the fire debris. The condition of the windshield glass indicated the windshield's molding and insulation had failed, due to heat, and caused the windshield glass to fall inward. The burn patterns to the aluminum molding, around the front windshield, indicated the fire originated in the engine compartment and traveled toward the passenger compartment.

The fire debris in the passenger compartment was layered, examined, and removed. The debris was checked for the presence of any ignitable liquid(s) - none was present.

Remains of personal items were recovered from the debris, to include a Carhartt jacket and a pair of binoculars.

The remains of rubber mats were present on both sides of the front floorboard. This indicates the fire did not originate at floorboard level in the passenger compartment.

After debris examination and careful removal, the dash wiring harness was examined. Minor shorting was found. The minor shorting and fragmentation was due to "fall-down" and live wires coming into contact with grounds, by other circuits or body grounds. All electrical wiring in the passenger compartment was examined and ruled out as the cause of the fire.

Having found no evidence of an electrical, accidental, or "set" cause in the interior, the investigation proceeded to the engine compartment.

The fuel lines and fuel rail were still connected. No sign(s) of leakage or seepage was found. The emission system, the starter and related wiring, the coolant system, and the power steering system were all examined and ruled out as the cause and/or origin of the fire.

The electrical system, which includes the engine compartment wiring harness, the charging system, and the battery were each examined. The battery had suffered only "melt-down" damage as a result of the fire, therefore was ruled out as the cause of the fire.

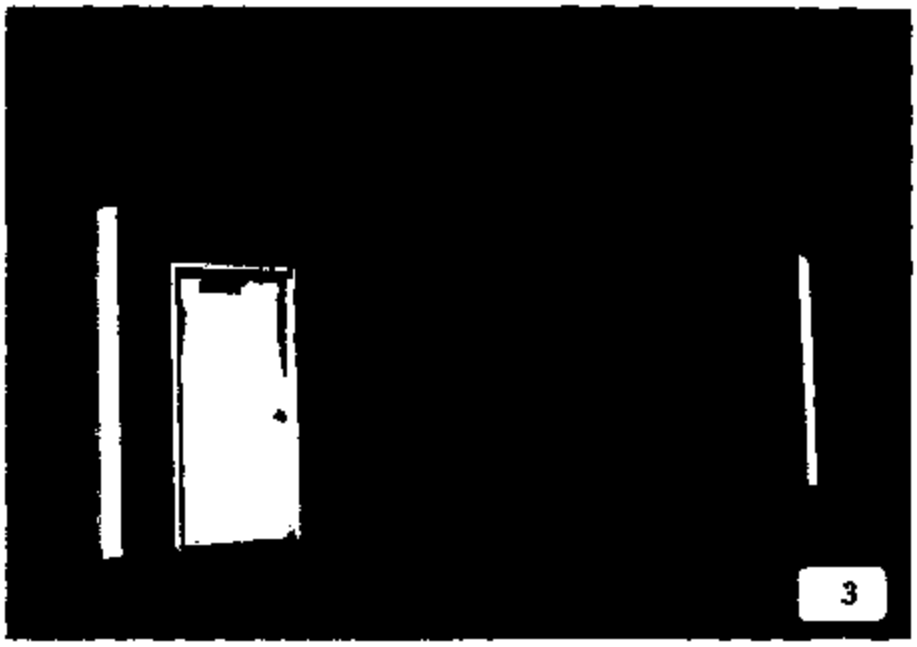
The engine wiring harness had suffered some fragmentation due to "fall-down" and some minor shorting. However, after a thorough examination, the electrical wiring was ruled out as the cause of the fire.

The alternator was carefully examined. The feeder circuit was loose at the rectifier connector battery bolt. The alternator presented evidence of high resistance and overheating of the feeder circuit connector. Some of the diodes had separated and contributed to the high resistance found in the alternator. The burn patterns and fire damage to the plenum chamber and other components in the engine compartment indicated the alternator was at the point of the fire's origin.

CONCLUSION: After a thorough examination of the subject vehicle, it was concluded that the fire originated in the engine compartment. The cause of the fire was the shorting of the alternator due to the loose connection. The fire then spread, through the normal factory openings in the firewall, to the passenger compartment.

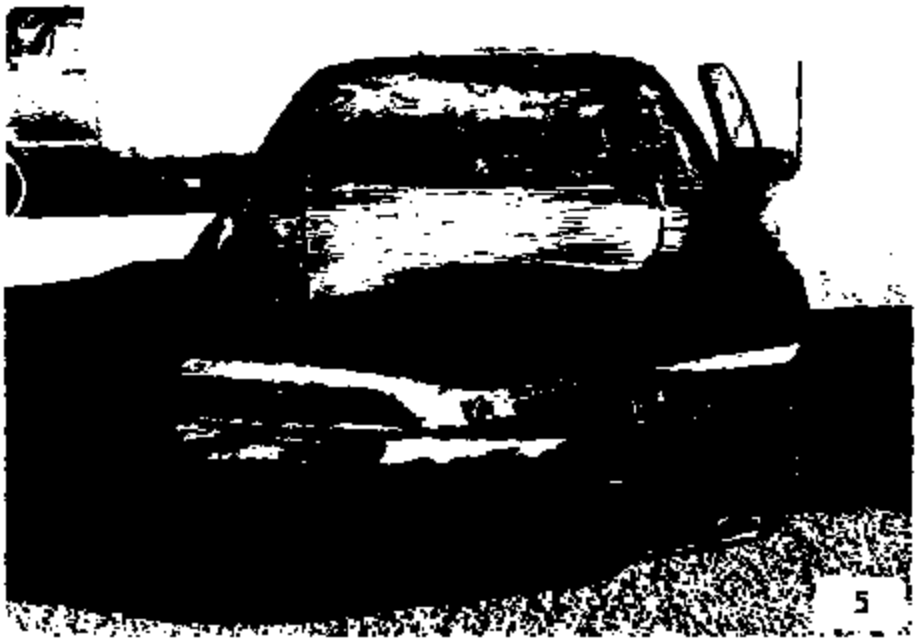
PHOTO INDEX
FA 006-02

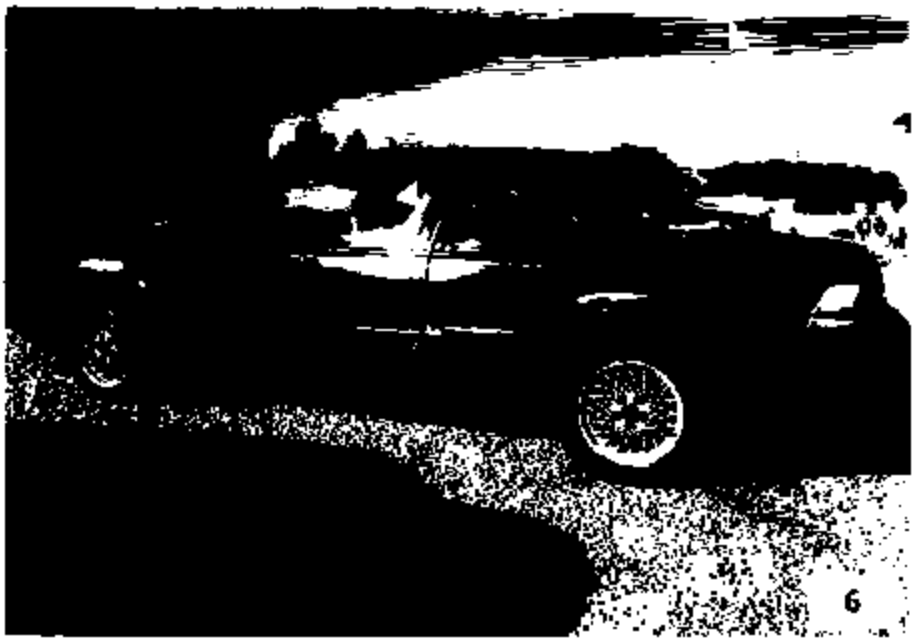
Photos 1-4 Exterior views of [redacted] garage [redacted] Mosheim, TN showing subject 1995 Ford F-150 pickup truck still in place as at the time of the fire (1) and that most severe fire damage to garage is at truck's location (1-2).


3


4

Photos 5-10 Views of 1991 Pontiac Grand Prix which was parked in left side of garage - out of the fire's origin.





7

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9

Photos 11-14 Interior views of garage showing fixed electrical wiring had been installed (12-13), but NO electrical power to garge (14).

12

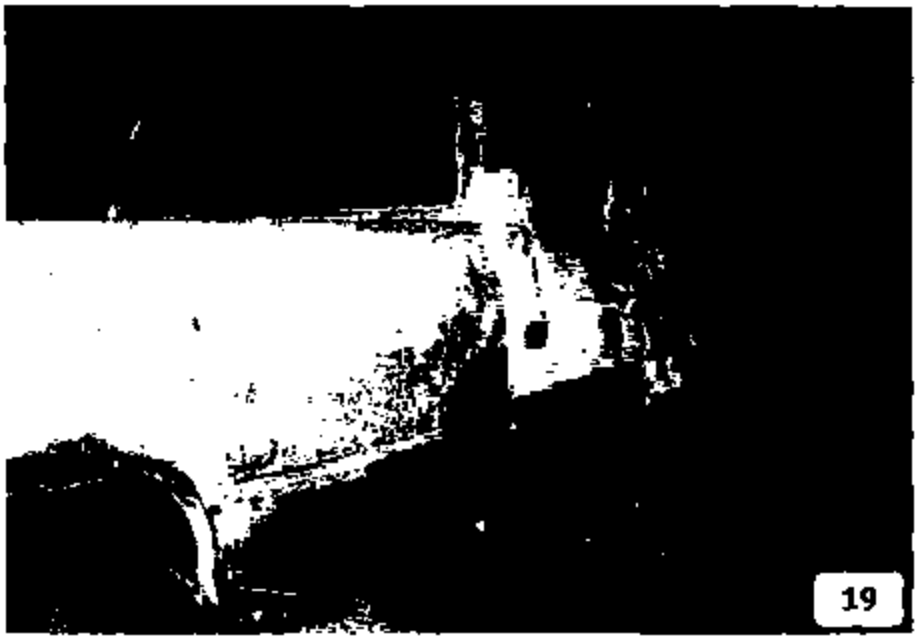
13

14

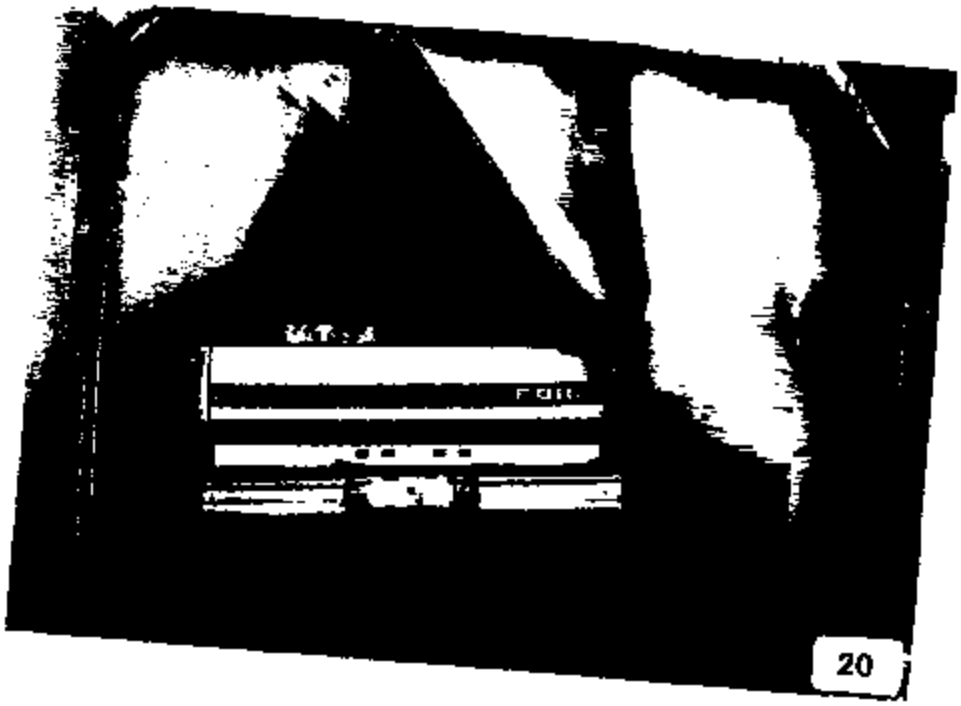
Photos 15-20 Exterior views of subject 1995 Ford F-150 pickup truck showing most severe fire damage was to front end (15).

17

18

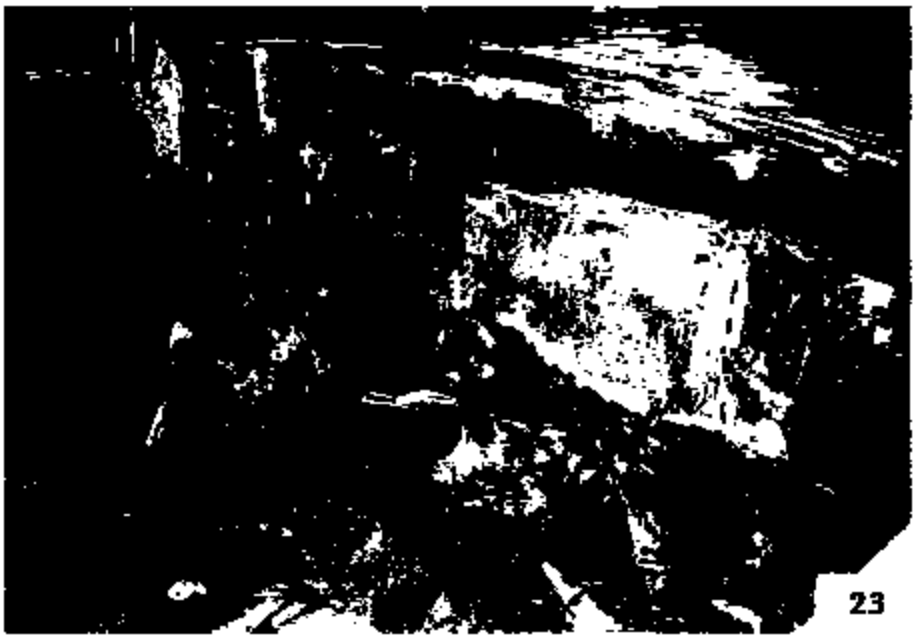


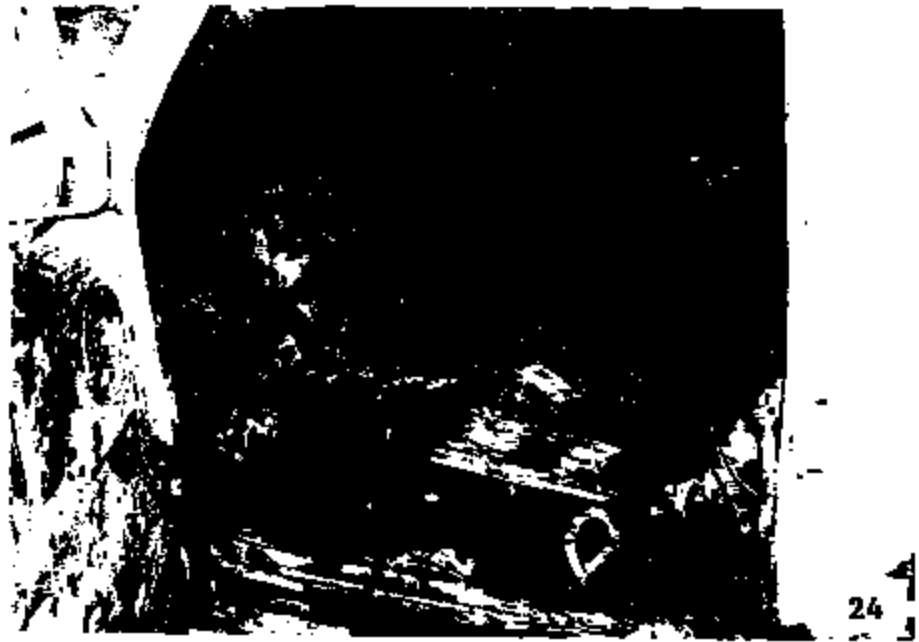
19



Photos 21-22 Views of front wheels showing damage. NOTE: rear tires and wheels were in good condition.

Photos 23-29 Interior views prior to (23-25) and after (26-29) debris removal. NOTE: floor mats remained on both sides (28-29) indicating fire's origin was not at floorboard level.





24

25

26


27


28


29

Photos 30-31 Views of engine compartment.

Photo 32 View of battery - ruled out as cause of fire.

32

Photo 33 View of starter - ruled out as cause of fire.

33

Photo 34 View of fuel lines showing same still connected to fuel rails.

Photos 35-36 Views of plenum showing good condition of left (driver) side (35) and severely fire damaged right (passenger) side (36) which indicated fire's origin was on right side in engine compartment.

Photo 37 View of main supply circuit to alternator.

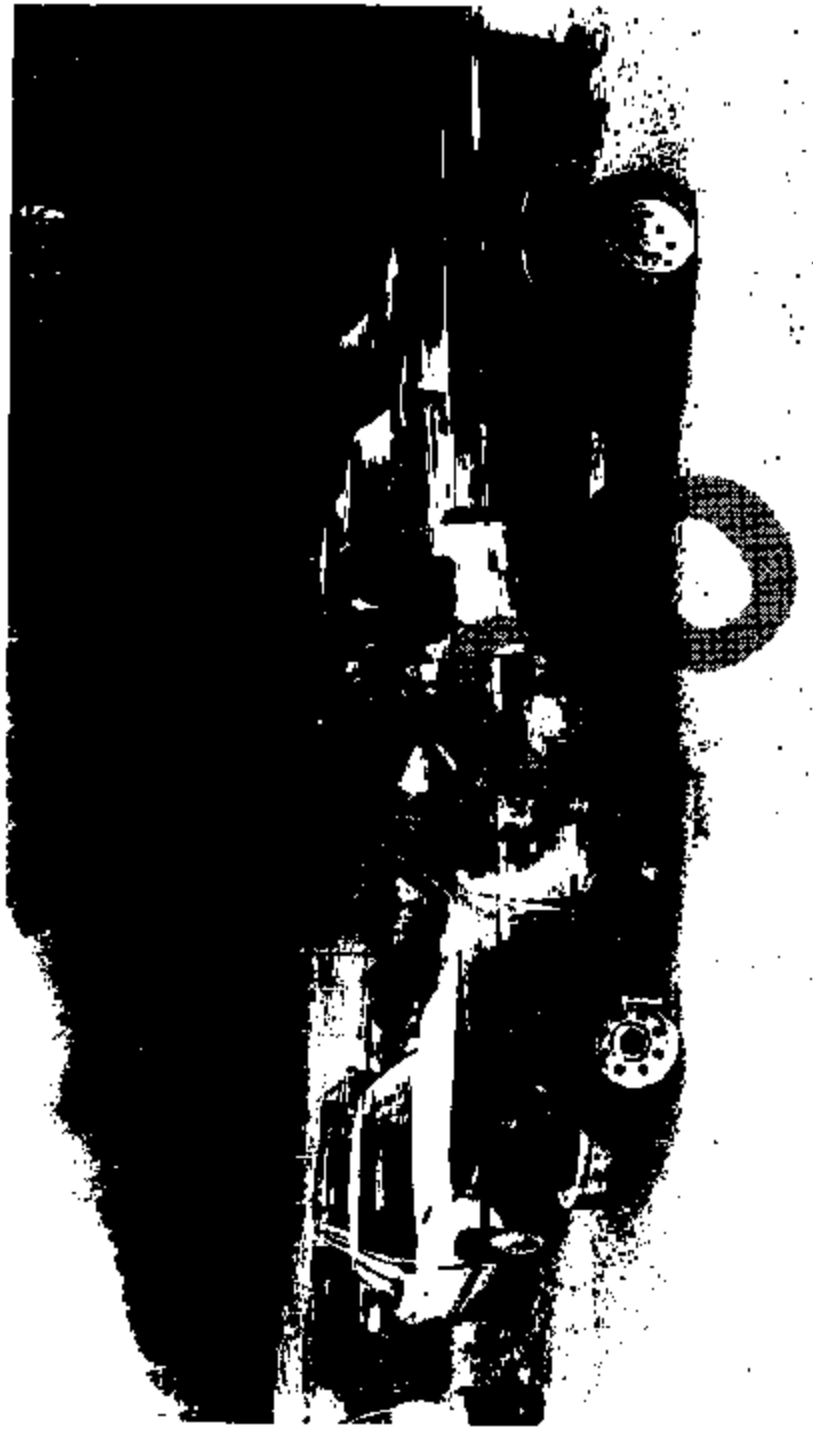
Photo 38 View of inside coil of solenoid.

Photos 39-40 Views of rectifier assembly recovered from fire debris showing severe fire damage. The rectifier is mounted inside the alternator and 1) lets current flow more readily in one direction than in reverse direction and 2) changes alternating current to direct current.

Photos 41-42 Views of alternator rotor and stator assembly recovered from fire debris showing severe damage.

END OF PHOTO INDEX

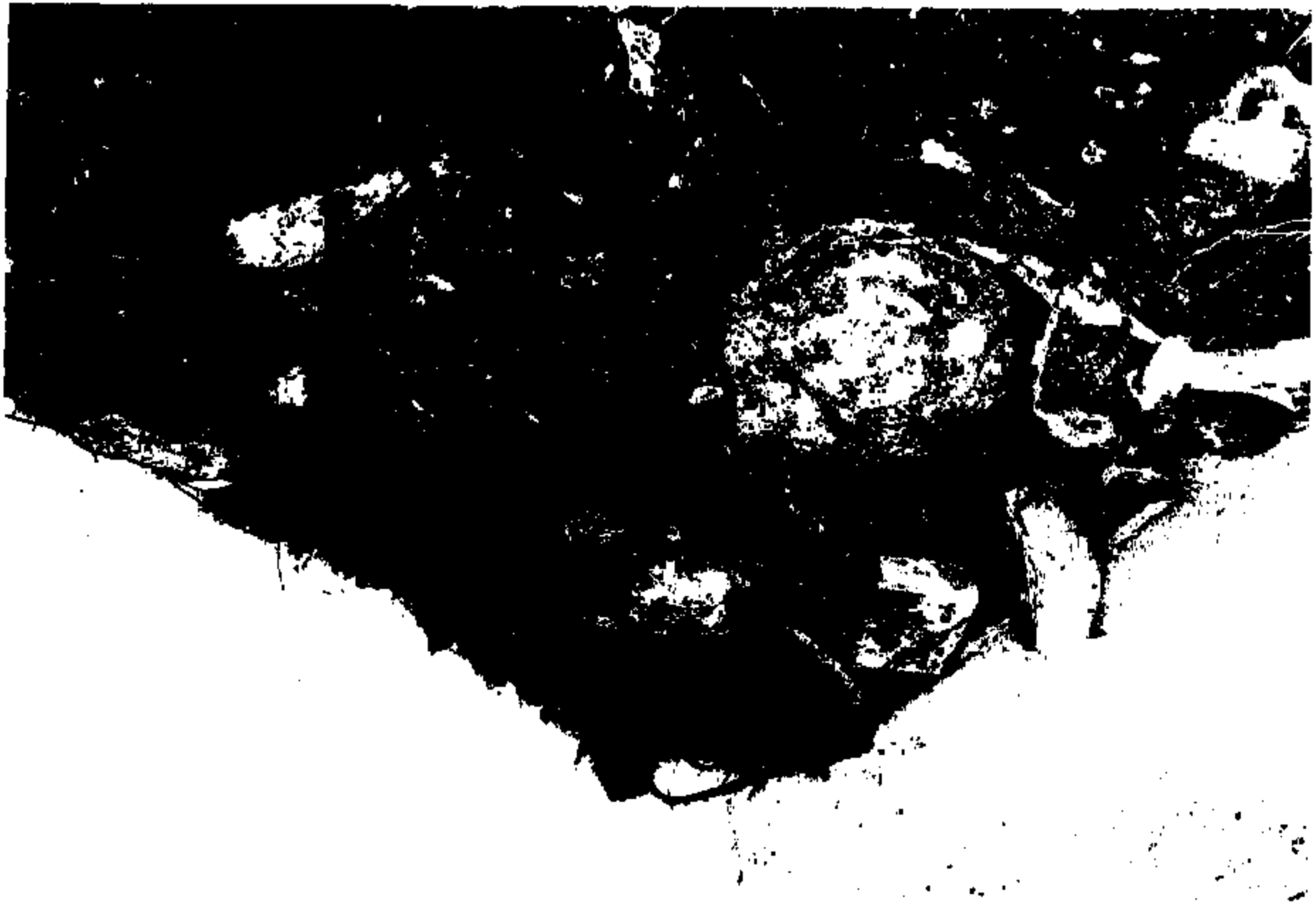
ERDS-005-LC-3618



EA85-005-LC-3819

EMS-BSI-L-C-3520

6905-085-LC-3621



ER85-085-LC-3822

BMB-0020-LC-3023

42-1446-842 (cell) AH: 423-477-5209 (ph)
42-1446-841 (rec) 423-477-5309 (fax)

TOWN OF MOSHEIM FIRE DEPARTMENT
1000 MAIN STREET 422-7401

DATE: 1-24-02 TIME OUT: 01:24 TRUCK RETURN: 03:20 am

NAME OF OWNER: [redacted] TEMP. WET/DRY 50

ADDRESS: [redacted] PHONE#: [redacted]

STRUCTURE: ✓ GRASS: ___ AUTO: ✓ MVA STANDBY: [redacted]

OTHER: ___ MVA TAG NUMBER ON VEHICLES: [redacted]

INSURANCE INFORMATION: State Farm

POSSIBLE CAUSE OF FIRE: Electric short in Truck

ESTIMATED DAMAGE: Total Loss

DESCRIPTION OF FIRE ON ARRIVAL: Fully Involved
'92 Ford Grand Prix Garage

WAS ANYTHING SAVED: NO

PERSONS PRESENT AT TIME OF CALL: Norm Melton

COMMENTS: 911 paged out Fire Dept. at 1:24 we arrived at 126 Garage was fully involved all contents and garage Total Loss.

UNITS RESPONDING: 1110 ✓ MILEAGE 22587
8 Truck hours
26 members
1111 ✓ MILEAGE 16614
1112 ✓ MILEAGE 65991
1113 ✓ MILEAGE 57499

PQO

OFFICER IN CHARGE: [signature] REPORT FILED: [signature]
OFFICER APPROVED: [signature]

ORIGINAL COPY
MAR 26 2002

[redacted]
42-1446-841 DF

2025-09-17-C-3025

FIREFIGHTERS ON CALL

1. DONALD NORTON X
2. JESSIE LOWERY ___
3. ANTHONY SHIPLEY ___
4. MIKE HIXSON X
5. RONNIE BROWN X
6. TIM. FRYE X
7. RICK HAYNES ___
8. TONY MOORMAN X
9. JIM HARTMAN ___
10. CAROLL COMBS X
11. TIM JONES ___
12. PAUL PARTIN X
13. DONALD SMITH ___
14. MICHAEL PARKS X
15. JUSTIN BROWN X
16. EARL FLETCHER ___
17. DARYL DAVIS ___
18. RONNIE CARMICHAEL ___
19. DAVE CRAMBLEE X
20. JAMES POSHIE ___

James Foshie
Casey Greenlee
Kevin Ricker

ASSISTED BY:

FIRE DEPARTMENT: Bulls Gap 1 Tanker 1 Pumper 8 members

RESCUE SQUAD: EMS

SHERIFF'S DEPARTMENT/TBI: 4 units co Terry Baker

DOA / BILL BROWN: ✓

COMMENTS: FBG 701 95 Ford
Belonging to Jeff Claude Patterson
FBG 144 92 Dutsu
Because of the size total loss on both
and barge total main support beams burned

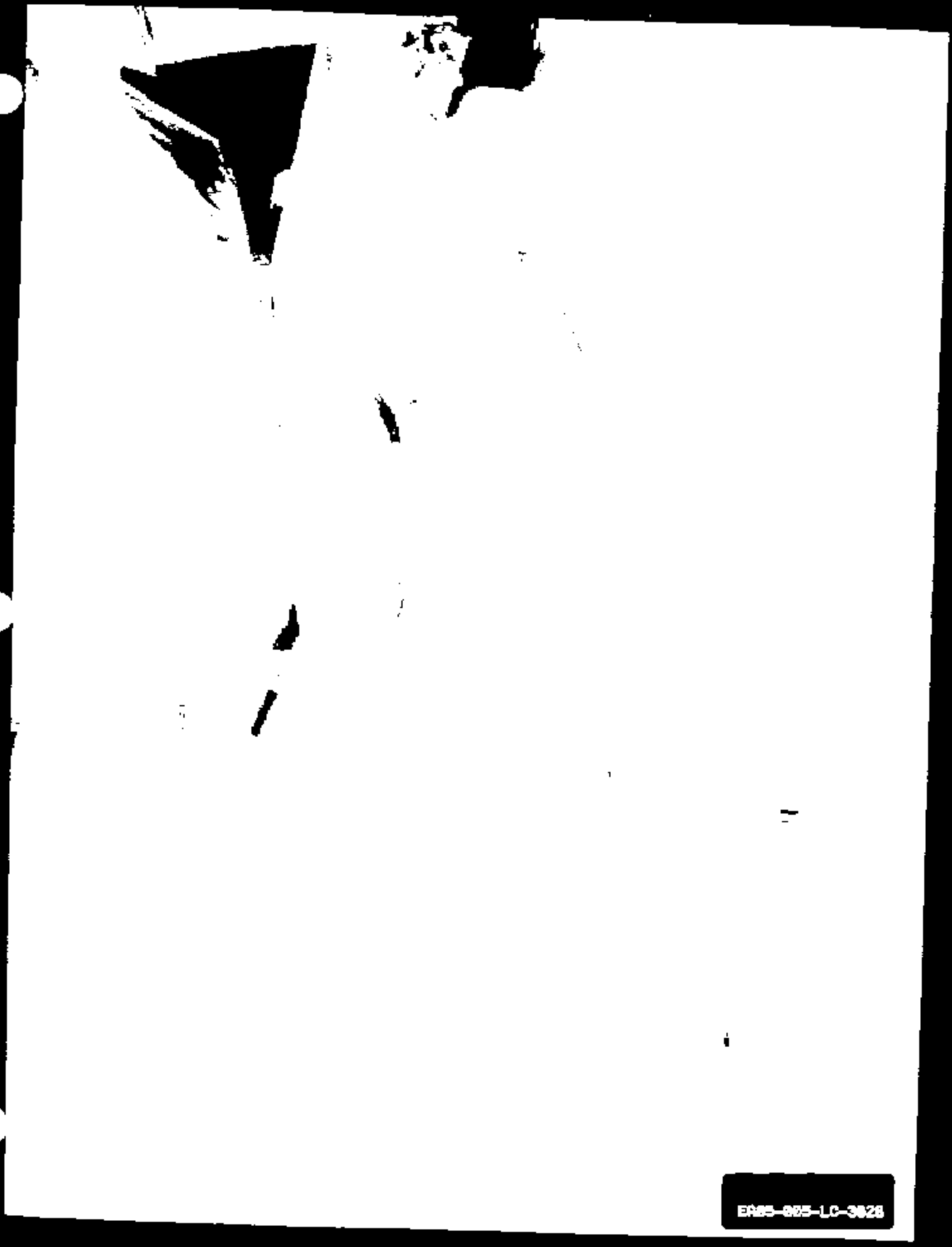
PAGER: 0324
TIME OUT: 0326
ON SCENE: 0334
CLEAR CALL: 0510
BACK/STATION 0520

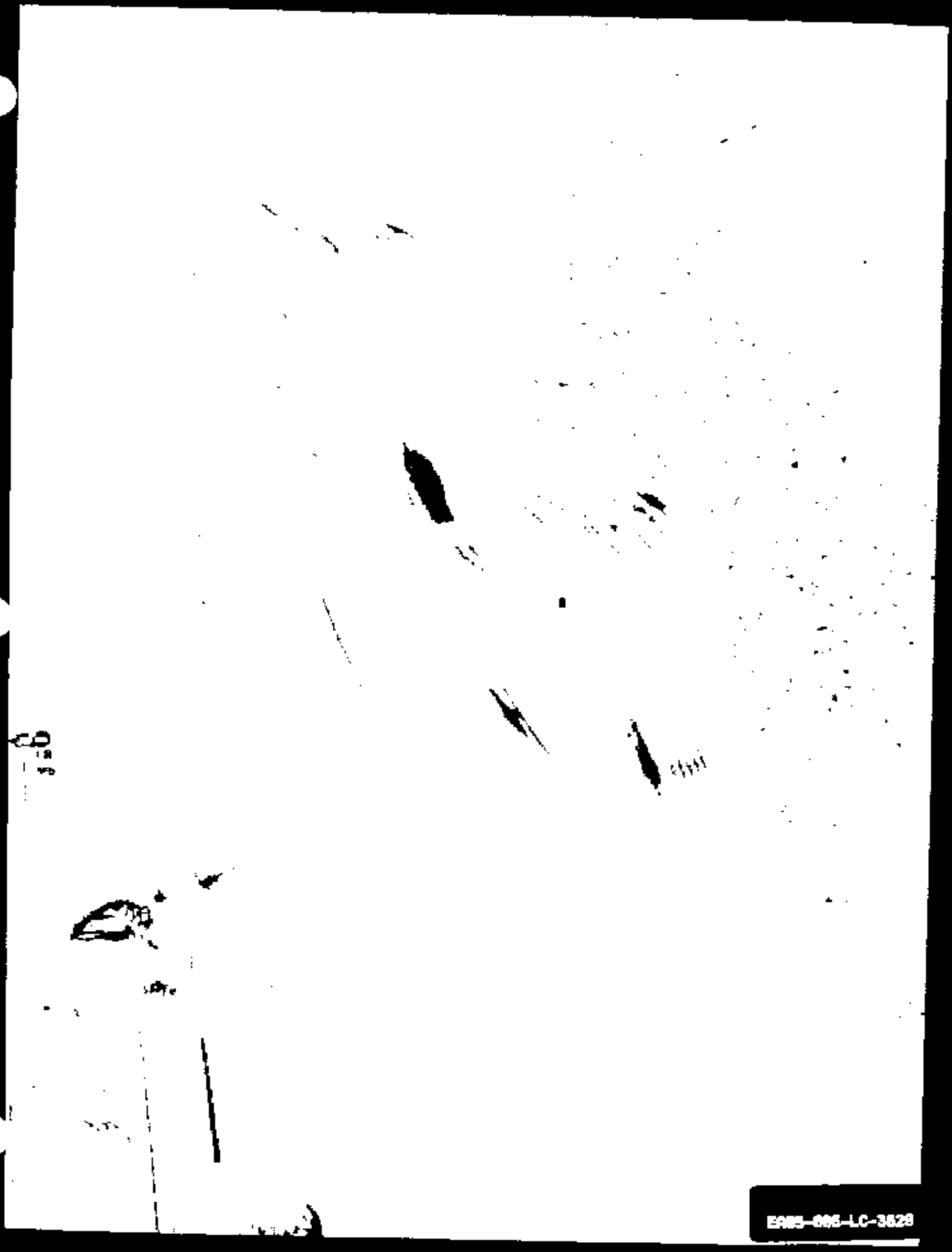
Windshield from heat
All contents lost

PQO

Small yard barge at 7782 and neighbor's yard

ORIGINAL COPY
MAR 26 2002






E965-005-LC-3838

EA05-885-LC-3832

State Farm Insurance Companies

South Central Office
2500 Memorial Boulevard
P.O. Box 20727
Murfreesboro, TN 37129-0092

April 26, 2002

Alan Robinson
Ford Motor CO
3 Parklane Blvd, Ste 400
Dearborn, MI 48126-2568

RE: Claim Number: [redacted]
Date of Loss: January 24, 2002
Our Insured: [redacted]
Amount of Loss: $3,887.00

Dear Mr Robinson:

The information we have in our file indicates you are responsible for damage to our insured's property which occurred on the above date.

By virtue of our payment, we are entitled to recovery of the amount paid on behalf of our insured from the responsible party. If you have insurance to protect you against such liability, please refer this letter to your insurance company and advise us as to your insurance company's name, address, and your phone number.

If you do not have insurance to protect you for this loss, we request payment of the total amount due within 30 days from the date of this letter.

If you cannot arrange payment in full as requested, please contact us at the above address to discuss payment terms. Should we not hear from you within the specified time, we will have no alternative other than to refer this matter to our attorney.

Sincerely,

James E. Gregory

James E. Gregory
Claim Specialist
(888) 898-6216
SUBROGATION UNIT
State Farm Mutual Automobile Insurance Company

[redacted]

IN THE CIRCUIT COURT OF THE 11TH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION
CASE NO.

STATE FARM MUTUAL AUTO INSURANCE CO,
as subrogee of [redacted]

[redacted]

vs.

FORD MOTOR COMPANY,

Defendant.

01 27448 CA 10

COMPLAINT

Florida Bar No. 221260

Plaintiff sues the Defendant, and alleges:

1. This is an action for damages within the jurisdictional limits of this Court.

2. On or about October 22, 2001, at or near Collins Avenue and 200 Street, Miami Beach, Dade County, Florida, Plaintiff's subrogor owned a 1997 Ford Expedition, Florida license plate number [redacted]

3. At the above time and place, the vehicle of Plaintiff's subrogor caught fire due to the improper and or negligent design and or engineering by Defendant, FORD MOTOR COMPANY.

Count II against Ford Motor Company:

4. Defendant, FORD MOTOR COMPANY, manufactured a product known and described as a 1997 Ford Expedition.

5. Defendant, FORD MOTOR COMPANY, warranted that the product was reasonably fit for its intended use as a private passenger automobile.

6. On October 22, 2001 at or near Collins Avenue and 200 Street, Miami-Dade County, Florida, a fire erupted from an electrical malfunction due to a manufacturing defect during assembly as the vehicle was being used for it's intended purpose causing a loss of the vehicle.

7. As a result of the negligence of said Defendant, the vehicle of Plaintiff's subrogor was damaged and depreciated in value and the value of its use was lost.

8. By reason of the incident alleged, STATE FARM MUTAUL AUTO INSURANCE COMPANY, became liable under a policy of comprehensive insurance issued to its subrogor to pay and at diverse times did pay to or the benefit of its insured, the losses resulting in a total sum as claimed. Plaintiff's insured has an uncompensated deductible in the amount of $500.00, which STATE FARM MUTUAL AUTO INSURANCE COMPANY claims as assignee of it's insured.

9. By reason of the above payments and the above assignment, Plaintiff, STATE FARM MUTUAL AUTO INSURANCE CO, became subrogated to the rights of its insured against the Defendant.

WHEREFORE, Plaintiff demands Judgment in the sum of $15,651.63, together with Court costs, pre-judgment interest if applicable, appropriate loss of use and diminution in value, and any further costs the Court may assess.

STEPHEN C. SHENKMAN & ASSOC., P.A.
Attorneys for Plaintiff
10121 S.W. 40th Street
Miami, FL 33165
Telephone: (305) 559-2200
Outside Dade: (305) 1-800-255-5485

BY:_____
STEPHEN C. SHENKMAN

IMPORTANT

IMPORTANT

comme ci-dessous.

EA05-005-LC-3635

ISSUE LIST

Last Handling Date/ Issue Status	Name/ Reason Desc	Vin/ Case No.	Model Year and Vehicle Line	Issue Type
11/1/2001	[redacted]	1FMEU1763VLB13078	1997 EXPEDITION	02
CLOSED	LEGAL - INSURANCE COMPANY SETTLEMENT	482863041		

All Action Details for Issue

Print

VIN: 1FMEU1763V[redacted]
Name: [redacted]
Symptom Desc:
Reason Desc: LEGAL - INSURANCE COMPANY SETTLEMENT
Issue Type: 02 INFORMATION

Year: 1997
Owner Status: Subsequent
Issue Status: CLOSED

Model: EXPEDITION
WSD: 1997-10-09
Primary Phone: [redacted]
Secondary Phone: [redacted]

Case: 482863041

Action: ADVISE CUSTOMER TO CONTACT THEIR INSURANCE COMPANY FOR ASSISTANCE
Dealer:
Odometer: 60000 MI
Analyst Name: DENNIS RENWICK
Action Date: 10/31/2001

Comm Type: PHONE
Analyst: DRENWICK
Action Time: 13.24.58.594

Origin Desc: US CONCERN CASE BASE

Action Data: No

Comments CUSTOMER SAYS: EXPEDITION CAUGHT ON FIRE - ENGINE COMPARTMENT CUST FEELS THAT IT WAS DUE TO WINDSHIELD WIPER FAILURE INSURANCE CO WROTE IT OFF AND CUST DOES NOT KNOW THE PAYOFF FIGURE SEEKING TRADE IN ASSISTANCE FOR PURCHASING ANOTHER FORD - FEELS THAT FORD SHOULD SUPPLEMENT PAYOFF FROM INS CO PER CUSTOMER, DEALER SAYS: NONE CAC ADVISED: - PLEASE DISCUSS THIS ISSUE WITH YOUR INSURANCE COMPANY. IF YOUR INSURANCE COMPANY FEELS THAT FORD IS AT FAULT THEY HAVE THE RIGHT TO PURSUE CLAIMS FOR REIMBURSEMENT AGAINST FORD. INFERENCE CASE ID: 5350

Action: ADVISE CUSTOMER TO CONTACT THEIR INSURANCE COMPANY FOR ASSISTANCE
Dealer:
Odometer: 60000 MI
Analyst Name: CHELSEY I. DECHER
Action Date: 11/01/2001

Comm Type: MAIL
Analyst: CDECHER
Action Time: 10.02.21.220

Origin Desc: US CONCERN CASE BASE

Action Data: No

Comments CUSTOMER SAYS: VEH CAUGHT ON FIRE AND IS TOTALLED WANTS A COUPON OR VOUCHER TO GET A NEW VEH -DOES NOT WANT TO BE PENALIZED FOR BEING A LOYAL FORD CUST -FIRE STARTED UNDER HOOD, =POLICE CALLED -INSURANCE CLAIM FILED PER CUSTOMER, DEALER SAYS: CALL CRC- CAC ADVISED: - PLEASE DISCUSS THIS ISSUE WITH YOUR INSURANCE COMPANY. IF YOUR INSURANCE COMPANY FEELS THAT FORD IS AT FAULT THEY HAVE THE RIGHT TO PURSUE CLAIMS FOR REIMBURSEMENT AGAINST FORD. INFERENCE CASE ID: 5350

CAUSE NO. 2003-CCL-14

FILED FOR RECORD
AT ___ O'CLOCK ___ M
FEB 18 2003
JOE G. RIVERA
CAMERON COUNTY CLERK
By ___ Deputy

[redacted]	*	IN THE COUNTY COURT
	*	
	*	AT LAW NO. 1
VS.	*	
	*	
FORD MOTOR COMPANY	*	OF CAMERON COUNTY, TEXAS

PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW [redacted] Plaintiffs, complaining of FORD MOTOR COMPANY, hereinafter "Defendant", and for cause of action would respectfully show as follows:

1.

Discovery in this action shall be conducted under Rule 190.3 of the Texas Rules of Civil Procedure.

2.

Plaintiffs are residents of Cameron County, Texas.

3.

Defendant is a foreign corporation doing business in Cameron County, Texas, and may be served with by serving its registered agent, CT Corp, at its registered address for service of process, 350 N. St. Paul, Dallas, Texas, 75201.

4.

This suit is filed pursuant to the provisions of Tex. Bus. & Com. Code Ann. Sec. 17.41 et seq., commonly known as the Deceptive Trade Practices-Consumer Protection Act and hereinafter referred to as "D.T.P.A." upon the grounds that the acts or omissions described herein are prohibited by this statute.

5.

Written notice of the claims made herein have been given in the manner and form required by the D.T.P.A.

6.

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

7.

Plaintiffs purchased a 1997 Ford F-150 pickup truck, vehicle identification number 1FTEX17L4VN[redacted] which was designed and manufactured by Defendant. On or about August 12, 2001, the vehicle

was driven and then parked in Plaintiffs' garage at 701 N. Indiana, Brownsville, Texas. Due to a defect in the pickup truck gasoline leaked and was ignited by the hot motor, causing a fire which ultimately gutted Plaintiffs' house.

8.

Said defect amounted to a breach of the implied warranty of merchantability in violation of section 17.50 (a) (2) of the DTPA and was a producing cause of the following damages:

a. Damage to Plaintiffs' house and its contents in the amount of $250,000.00;

b. Loss of use of Plaintiffs' home since the fire; and,

c. Extreme mental anguish and inconvenience.

9.

The unlawful acts and practices described-above were committed knowingly by Defendant.

10.

The undersigned attorney has been retained by Plaintiff to pursue the causes of action alleged herein. Pursuant to D.T.P.A. Sec. 17.50, all attorneys fees that are reasonable and necessary in this cause may be recovered by Plaintiff.

WHEREFORE, Plaintiffs pray that Defendant be cited according to law to appear and answer herein and that after trial by jury that Plaintiffs have judgment against Defendant for those damages described-above in the full amount allowed by law, together with pre and post-judgment interest on such amount at the legal rate;

Plaintiffs further pray for additional damages pursuant to Section 17.50 of the D.T.P.A., in an amount not to exceed three times the amount of actual damages.

Plaintiffs further pray for attorneys fees that are reasonable and necessary in this cause as set-forth above, and for costs of court.

Plaintiffs further prays for such other and further relief to which Plaintiffs may be justly entitled.

Respectfully submitted,

BARRY R. BENTON
284 Ebony Avenue
Brownsville, Texas 78520
(210) 546-9900 Telephone
(210) 546-9997 Facsimile
State Bar No. 02176500
Cameron County I.D. No. 3101
ATTORNEY-IN-CHARGE FOR
PLAINTIFFS

Barry R. Benton

Attorney at Law

284 Ebony Avenue
Brownsville, Texas 78520-8014

(956) 546-9900
Fax (956) 546-9997

July 23, 2002

Shawn L. Norton
Claims Analyst
Ford Motor Company
Parklane Towers West
Suite 300
Three Parklane Blvd.
Dearborn, Michigan 48126-2568

CMRRR No. 70010320000555199760

Re: [redacted] and one 1997 Ford F-150 pickup truck

Dear Mr. Norton:

I have been retained by [redacted] to help them in their claim against your company. Their prior correspondence to you, along with documentation of their claim, has to date proved fruitless.

My clients' claim arises under the following facts and circumstances:

On August 12, 2001 my clients' 1997 Ford F150 pickup truck, serial no. 1FTEX17L4VN[redacted] caused a fire in the [redacted] home, destroying the house and contents. The 3,800 square foot home is valued at $190,000.00, the contents $60,000.00. My clients were without homeowner's insurance at the time.

From reviewing the file I see that my clients have already sent to you a copy of the Fire Marshall's report, indicating that the fire seems to have originated in the engine compartment of the truck, and a copy of the Recall Summary for the truck, which indicates that the front fuel line

assembly could have a hole rubbed through it in two locations which could result in fuel leakage and ultimately a fire. We believe this is the likely cause of my clients' damage and amounts to a breach of the implied warranty of merchantability.

My clients' claim is being made pursuant to the Texas Deceptive Trade Practices-Consumer Protection Act. If your company will pay my clients' actual damages of $250,000 within 60 days of your receipt of this letter, my clients will gladly sign a release of all claims. Otherwise, you will leave me no choice than to recommend my to clients that suit be filed in which we will seek, in addition to my clients' actual damages, treble damages as provided for in the act, attorney's fees, expenses, and costs of court.

I see from my file that my clients have sent you substantial documentation. However, if you are in need of any additional information to evaluate this claim, please advise.

Cordially Yours,

Barry R. Benton

BRB/ph
c: Mr. and Mrs. Julio Ramirez
(address on file)

ERIS-005-LC-3843

FIRE INVESTIGATION REPORT

Fire Marshal's Office
Deal g. Najera
Cameron County Courthouse
964 E. Harrison St.
Administrative Bldg. 4th Floor
Brownsville, Texas
(956) 544-0830 Office
(956) 504-5344 Fax

FIRE DATE	August 12, 2001
TIME ALARM RECD	1443 hrs.
INCIDENT #	01000033 (county)
WEATHER	Cloudy
OFFICER IN CHARGE	Asst. Chief Joe Casarez B.F.D.
UNITS RESPONDING	Brownsville, Los Fresnos Fir Dept.
ADDRESS OF FIRE	[redacted] Brownsville, Tx (rear)
SIZE	
TYPE OF OCCUPANCY	Residential
NAME OF OCCUPANT	[redacted]
ADDRESS	[redacted]
NAME OF OWNER	Same
ADDRESS	Same
DATE INVESTIGATED	Aug. 12, 2001
TIME ARRIVED	1515 hrs
PHOTOS TAKEN	Yes
PERSONS INJURED/KILLED	No Injuries
INVESTIGATOR	Deal g. Najera
EVIDENCE REMOVED	No
ORIGIN OF FIRE	Vehicle in enclosed garage attached to house.
FIRE CAUSE	Undetermined
INVESTIGATOR'S REMARKS	Fire seems to have originated in the engine compartment of a 1997 Ford F10. License Plate [illegible] Approximately $10,000.00 loss on vehicle. Insurance with Phoenix Agency LLC. P.O. Box 217 Mission, Tx. (956) 783-[illegible]. Fire spread thru closing in [illegible] garage to the side door of the house causing heavy damage throughout the house. House valued at approximately $80,000.00. House not insured as per owner.
INVESTIGATOR'S SIGNATURE	
DATE	August 12, 2001

Lisa.
Here is the fire rpt. we got from the insured.

F-1009-00

Julio Ramirez
701 N. Indiana Ave.
Brownsville, Tx. 78521-6842
956-831-7233

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

ATTENTION: MR. SHAWN NORTON

RE: Claimant: [redacted]

Dear Mr. Norton:

Thank you for your request into my 1997 Ford F-150 pick up truck that caught on fire. Here is the response to your questions.

1. The date of the incident occurred on August 12, 2001 in Brownsville, Tx. 78521
2. My brother-in-law [redacted] drove my pick up truck about one block and parked it back into the garage of my home. He closed the garage door and then left. A passing motorist saw the smoke coming from my house and called the fire department. My security company received an alarm from my house and proceeded to call the fire department. The fire department arrived at 2:43 PM and extinguished the fire.
3. Copy of Fire Investigation Report attached.
4. N/A
5. 1997 Ford F-150 Pick Up Truck, Serial # 1FTEX17L4V[redacted]
6. Approximately 205,000 miles.
7. Photographs enclosed.
8. N/A
9. N/A
10. The engine compartment.
11. Copy of Fire Investigation Report attached.
12. No
13. A[redacted], Brownsville, T[redacted]
14. Attached is a copy of the draft for the pick up truck and my house was a total loss.
15. I personally performed one oil change on my truck since purchasing it in December of 2000.
16. None
17. N/A

18. N/A
19. N/A
20. N/A
21. No
22. No
23. Phsonix Agency - 1315 West Polk #22, Pharr, Tx. 78577 (956)-783-8500
    Policy [redacted]
24. No.
25. Attached copy of Bill of Sale.

If you need any further information regarding this claim please do not hesitate to contact me.

Thank you,

Julio Ramirez

Julio Ramirez

SFCHADMA Action Detail 10/30/01 10:57:35

VIN: 1FTEX17L4VN[redacted] Year: 1997 Model: F-SERIES
Owner Status: SUBSEQUENT WSD: 10/24/96
Name: [redacted] Hm Ph: [redacted]
Trmt: Case: 1606983021 Day Ph:
Symptom Desc: FIRE/SMOKE SCORCHED/BURNT UNDERHOOD
Reason Desc: FIRESTONE TIRE ISSUE
Dealer: TIPTON MOTORS INC
Issue Type: 07 LEGAL Issue Status: O OPEN
Comm Type: PH PHONE Odometer Reading: 200000 MI
Analyst: DFLETCHE DENISE FLETCHER Document Number:
Action Date: 10/29/01 Action Data: Action Time: 16:32:49 EST
Origin Desc: US CONCERN CASE BASE
Action Desc: ADVISE CUSTOMER INFORMATION FORWARDED TO CONSUMER AFFAIRS
Comments: CUSTOMER SAYS: =VEH WAS SITTING IN GARAGE AND VEH JUST CAU GHT ON FIRE WITHOUT THE IGNITION BEING ON =HOUSE WAS BURNED DOWN BECAUSE OF THIS =CUST WANTS TO KNOW WHY THIS HAPPENED =INSURANCE COMPANY HAS BEING CONTACTED =FIRE MARSHALL SAI D THAT VEH BURNED THE HOUSE DOWN =NO ONE WAS HURT PER CUS TOMER, DEALER SAYS: =NONE CAC ADVISED: - THIS INFORMATIO

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
MORE COMMENTS AVAILABLE LPREL49

[redacted] Home burned down completely
Teresa

8-5pm I
Total loss
PO Box 4840
Brownsville 78523

SFCRADMA Action Detail 10/30/01 10:58:1:

==>

VIN: 1FTEX17L4VN[redacted] Year: 1997 Model: F-SERIES
Owner Status: SUBSEQUENT WSD: 10/24/96
Name: [redacted] Hm Ph: [redacted]
Trmt: Case: 1606983021 Day Ph:
Symptom Desc: FIRE/SMOKE SCORCHED/BURNT UNDERHOOD
Reason Desc: FIRESTONE TIRE ISSUE
Dealer: TIPTON MOTORS INC
Issue Type: 07 LEGAL Issue Status: O OPEN
Comm Type: PH PHONE Odometer Reading: 200000 MI
Analyst: DFLETCHE DENISE FLETCHER Document Number:
Action Date: 10/29/01 Action Data: Action Time: 16:32:49 EST
Origin Desc: US CONCERN CASE BASE
Action Desc: ADVISE CUSTOMER INFORMATION FORWARDED TO CONSUMER AFFAIRS
Comments: TOMER, DEALER SAYS: -NONE CAC ADVISED: - THIS INFORMATIO
N HAS BEEN FORWARDED TO THE CONSUMER AFFAIRS DEPARTMENT FOR
REVIEW - A REPRESENTATIVE FROM CONSUMER AFFAIRS WILL FOLLOW
UP ON YOUR CLAIM - NO TIME FRAME AVAILABLE - PLEASE MAKE
SURE YOU NOTIFY YOUR INSURANCE CARRIER AND REPORT THE INCIDE
NT - NOTE TO CSR: IF CUSTOMER IS WORKING WITH A NON-FORD D

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
MORE COMMENTS AVAILABLE LPREL49

SFCHADMA Action Detail 10/30/01 10:58:2(

==>

VIN: 1FTEX17L4VN[redacted] Year: 1997 Model: F-SERIES
Owner Status: SUBSEQUENT WSD: 10/24/96
Name: [redacted] Hm Ph: [redacted]
Trmt: Case: 1606983021 Day Ph:
Symptom Desc: FIRE/SMOKE SCORCHED/BURNT UNDERHOOD
Reason Desc: FIRESTONE TIRE ISSUE
Dealer: TIPTON MOTORS INC
Issue Type: 07 LEGAL Issue Status: O OPEN
Comm Type: PH PHONE Odometer Reading: 200000 MI
Analyst: DFLETCHE DENISE FLETCHER Document Number:
Action Date: 10/29/01 Action Data: Action Time: 16:32:49 EST
Origin Desc: US CONCERN CASE BASE
Action Desc: ADVISE CUSTOMER INFORMATION FORWARDED TO CONSUMER AFFAIRS
Comments: NT - ÝNOTE TO CSR: IF CUSTOMER IS WORKING WITH A NON-FORD D
EALERSHIP, PLEASE ASSIGN THE NEAREST FORD DEALERSHIP TO THE
CONTACT' INFERENCE CASE ID: 5305

F1=Help F2=AddAction F4=PrevAction F5=NextAction F6=ActionData
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=ESP
NO MORE COMMENTS AVAILABLE LPREL49

SFCHNAMA Add Action 10/31/01 08:32:23

==>

VIN: 1FTEX17L4VN[redacted] Year: 1997 Model: F-SERIES

Name: [redacted]

Trmt:

Issue Type:	07	LEGAL	Case:	1606983021
Comm Type:	PH	PHONE	Issue Status:	C INVESTIGAT
Dealer:	04421	TIPTON MOTORS INC	Odometer Reading:	200000
Symptom Desc:	FIRE/SMOKE SCORCHED/BURNT UNDE		Odometer Type:	MI
Reason Desc:	FIRESTONE TIRE ISSUE		Document Number:	
Origin Desc:	CONSUMER AFFAIRS - LITIGATION		Legal Issue Type:	
Action Desc:	REDIRECT TO OGC - PROPERTY DAM		CAN Court Code:	
			CAN Award Code:	

Comments: LPA IS FORWARDING ISSUE TO OGC. CUSTOMER ALLEGES VEHICLE FI RE CAUSE HOUSE TO BURN DOWN COMPLETELY. TOTAL LOSS. INFORM ATION FORWARDED TO OGC.

F1=Help F2=ActionList F5=Add F6=DealerInfo
F9=PrevComments F10=NextComments F11=Menu F12=Return F13=DealerList
UPDATE SUCCESSFUL LPREL49

** TX STATUS REPORT ** AS OF NOV 06 2002 11:31 PAGE.01

OOC 400 WEST

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
10	11/06	11:33	RALPH NEWELL	EC--S	00'11"	001	152	OK

Cameron County Judge

FIRE INVESTIGATION REPORT

[redacted]

FIRE DATE	[redacted]
TIME ALARMED	[redacted]
INCIDENT #	[redacted]
LOCATION	[redacted]
OFFICER IN CHARGE	[redacted]
DATE REPORTED	[redacted]
ADDRESS OF FIRE	[redacted]
[illegible]	[redacted]
TYPE OF OCCUPANCY	[redacted]
NAME OF OCCUPANT	[redacted]
ADDRESS	[redacted]
NAME OF OWNER	[redacted]
ADDRESS	[redacted]
DATE INVESTIGATED	[redacted]
TIME ARRIVED	[redacted]
PHOTOS TAKEN	[redacted]
PERSONS INTERVIEWED	[redacted]
INVESTIGATOR	[redacted]
EVIDENCE SECURED	[redacted]
CAUSE OF FIRE	[redacted]
FIRE CAUSE	[redacted]
INVESTIGATOR'S REMARKS	[redacted]
	[redacted]
	[redacted]
	[redacted]
	[redacted]
INVESTIGATOR'S SIGNATURE	[redacted]
DATE	[redacted]

Lisa.
Here is the fire rpt. we got from the insured.

F-1889-00

EMS-005-LC-3651

[redacted]

CHRYSLER INSURANCE

Chrysler Insurance Company

June 2, 2000

FORD MOTOR COMPANY
CONSUMER AFFAIRS
16800 EXECUTIVE PLAZA DRIVE MD#3NE-B
DEARBORN MI 48126-4207

Our Insured	:	Quality Ford-Mercury, dba Ron King Motors
Claim Number	:	200005732
Vehicles	:	1999 Ford F-150 Lariat XLT 1FTRX18L8XK[redacted]
Date of Loss	:	May 20, 2000

To Whom It May Concern:

We have concluded our investigation into the above referenced vehicle fire loss.

$21,500.

The investigator determined that the fire originated within the engine compartment where oil was leaking from the valve cover, running down onto the exhaust manifold where upon ignition, the fire extended up and outward from that location causing the resulting damage.

The origin of the fire is substantiated by our insured's statement that the fire was observed venting out of the wheel well on the left side in addition to the extensive fire damage to the fiberglass valve cover.

As the fire was the direct result of a mechanical failure and the vehicle's 36 month, 36,000 mile warranty remains in full force and effect, we are seeking complete reimbursement of our damages from Ford Motor Company.

This letter serves as our legal written notice of subrogation. Our insured suffered and Chrysler Insurance Company has paid damages in the amount of $21,500.

The vehicle is currently at Copart, 6100 Woodmar, Hammond IN 46320 telephone # 219-844-4060 stock # 2895170. The vehicle will remain at this location for sixty days.

Please take the steps necessary to inspect the vehicle and contact me at the telephone number indicated below.

Sincerely,

Craig S. Boury

Craig S. Boury
Claim Representative
248-948-4846

P.O. Box 5168
Southfield, MI 48086-5168

ER05-005-LC-3652

July 5, 2000

HERNDON
ASSOCIATES
Investigators/Consultants
585 East Larned, Suite 100
Detroit, Michigan 48226-4314
FAX:313 964-0336
1 800 961-2909
walt@herndon-assoc.com
dan@herndon-assoc.com
P.O. Box 27
Boyne City, Michigan 49712
231 582-3543
Licensed in Michigan, Ohio, Illinois

IN RE: Chrysler Insurance Claim No. [redacted]
H&A File No. 00-1212VF
QUALITY FORD-MERCURY, d/b/a RON KING MOTORS

PREDICATION:

This report is predicated upon the request of Mr. Craig Boury, Chrysler Insurance Claims Representative, to conduct an investigation into Quality Ford-Mercury, d/b/a Ron King Motors, with special reference to the fire loss of a 1999 Ford, F-150.

INSPECTION:

On June 28, 2000 at 3:30 p.m., Investigators Walt Herndon and Devin Jordan arrived at Copart in Hammond, Indiana to conduct an investigation into the fire loss of a 1999 Ford, F-150.

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

SEE ENCLOSED INVESTIGATION REPORT

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

ORIGIN AND CAUSE INVESTIGATION:

On June 28, 2000 at 3:30 p.m., Investigators Walt Herndon and Devin Jordan arrived at Copart in Hammond, Indiana to conduct an origin and cause investigation into the fire loss of a 1999 Ford, F-150, Lariat XLT, blue in color, Vehicle Identification Number 1FTRX18L8X[redacted]. Upon arriving at the facility, the vehicle is brought forward and is identified by its vehicle identification number located in the area of the windshield and dash. Initial

observations reveal evidence of a fire to have originated within the engine compartment, with the most severe damage present to the left or driver's side. The fire has extended to consuming a portion of the left front tire causing it to deflate, further extending to consuming sections of the plastic wraparound bumper on the left or driver's side. The examination further reveals that the headlight assembly has melted, falling out during the course of the fire on the driver's side; however, the one on the right or passenger side is fire damaged yet intact: The examination further reveals the remains of the aluminum hood on the right or passenger side, with the aluminum hood totally consumed on the left or driver's side. The examination continues and the left front tire is intact, inflated, with plastic from the inner wheel well having melted over the tire.

The examination continues and the fire has breached the bulkhead and windshield, entering the passenger compartment, causing the first stages of melting of the dashboard, rolling over the roof, causing fire damage from the top down.

The investigation is now focused to the bed of the truck where there is no evidence of any direct fire impingement. The examination of both rear tires, as well as the underside of the vehicle, reveals that it is free of any fire damage.

The examination is now focused to the fuel tank, fill tube, and gas which are intact, with no evidence of any fuel leakage.

The investigation is now focused to the rear jump seat area where there is evidence of high burning, caused from when the fire rolled over the roof causing fire damage from the top down. The examination further reveals that the upper portion of the front seats are partially consumed and the lower section of the seats are intact.

The investigation continues and the driver's door window has been broken in during the course of firefighting and all other remaining glass, with the exception of the windshield, is intact. At this time, after completing an examination of the passenger compartment, no evidence of any fire origin could be found.

The investigation is now focused to the engine compartment where a check of the fluid levels reveal the oil and transmission fluids are full, and all other fluids drained during the course of the fire. The examination further reveals that the battery is

located in the right front, is heat damaged, exposing the plates. Upon examining the battery cables, although they have melted out of the battery, there is no evidence of any electrical faulting.

The examination is now focused to the starter relay which is intact, and upon tracing the cable that travels from the starter relay to the alternator, although void of insulation, there is no evidence of any electrical faulting. The examination of the heater hoses reveal evidence of exposure damage on the right or passenger side, there is evidence of exposure fire damage to the valve cover; however, the damage is less severe than that of the left or driver's side.

The investigation is now focused to the transmission cooler hoses which have been consumed during the course of the fire. The examination further reveals that this is secondary, based upon combustibles remaining in the immediate area of the transmission cooler hoses.

The investigation is now focused to a power steering hose in the left front, there is hose remaining and, at this time, it is determined that this is secondary. The examination of the radiator hose on the left or driver's side reveals evidence of exposure fire damage, however, no evidence of any fire origin.

The examination is now focused to the front section of the engine, specifically the cast aluminum plenum where the fire damage is much more pronounced than that of the rear of the engine. The examination further reveals that the fuel rail on the left or driver's side is intact, fuel injectors are fire damaged, and the combustible fuel hoses that connect into the fuel rail have been consumed. The examination continues and upon examining the power distribution center in the left rear of the engine, a substantial amount of combustibles remain, ruling out the fire as having originated within this area. The examination of the left front of the engine compartment reveals wiring void of insulation, however, there is no evidence of any electrical faulting.

The examination is now focused to the wiring harness that travels along the bulkhead and, although it is void of insulation, there is no evidence of any electrical faulting.

At this time, the investigation is focused to the valve cover on the left or driver's side where upon removing the valve cover, there is evidence of a section of the rubber gasket closest the

exhaust manifold heavily fire damaged, and there is a section of the rubber gasket exposed from the valve cover as well. The section of the rubber gasket in the left front was consumed, which was confirmed by the fact that the fiberglass valve cover within this area was consumed.

At this time after completing the above inspection and examination, no evidence of any electrical failure could be found and attributed to the cause of the fire. The fire originates within the engine compartment where oil was leaking from the valve cover onto the exhaust manifold and, upon ignition, the fire extended upward and outward from that location causing the damage present. The fire is deemed to be an accidental fire.

NICB VINASSIST:

A review of the NICB Vinassist indicates that the 1999 Ford, F-150 4X4, is equipped with a 5.4 liter V-8 engine, and was assembled in Kansas City, Claycomo, Missouri.

NATIONAL HIGHWAY TRAFFIC & SAFETY ADMINISTRATION:

A search of the National Highway Traffic & Safety Administration, Recall Database, produced three records pertaining to the vehicle in question. Upon reviewing same, none were found to pertain to the fire in question.

A further search was conducted of the National Highway Traffic & Safety Administration, Investigations Database, which produced one record pertaining to the vehicle in question. Upon reviewing same, it was found not to pertain to the fire in question.

ALLDATA SYSTEM:

A search of the Alldata System produced a number of technical service bulletins pertaining to the vehicle in question. Upon reviewing same, none were found to pertain to the fire in question.

OWNER INTERVIEW:

On June 13, 2000 at 4:15 p.m., Investigator Devin Jordan conducted an interview with [redacted] d/b/a Quality Ford-Mercury. Quality Ford-Mercury, d/b/a [redacted] is also the named insured. At the time of the fire, his wife and son had been passengers in the truck. Further questioning revealed that no one else operates the truck, other than [redacted]

The fire was discovered on May 20, 2000 at 8:00 p.m. and the weather conditions were hot with very little wind. The location of the fire was [redacted] East Road, Milford, Illinois. Subsequently, his wife contacted 911 and the Milford Fire Department responded in ten minutes and extinguished a fire involving the 1999 Ford, F-150 4X4. The vehicle in question is equipped with a 5.9 liter V-8 engine and came in on trade one week prior to the fire.

At the time of the fire, there was a 3 year/36,000 mile warranty in effect on the vehicle.

When questioned regarding any service work performed on the vehicle, it was learned that an oil, lube, and filter had been performed.

At the time of the fire, the fuel tank was approximately half full and normally his Service Department will check the fluid levels. The last person to have entered the engine compartment would have been the Service Department for an oil change one week prior to the fire.

Since ownership of the truck, they have not had to add any other fluids to the truck and they have not experienced any mechanical or electrical problems with the truck. Mileage at the time of acquiring the vehicle was 14,500 miles; mileage at the time of the fire loss was the same.

Since ownership of the truck, they have not received any recall notices, campaigns, or correspondence from the manufacturer. Further questioning revealed that the insured is a non smoker and no one was smoking in the vehicle prior to the discovery of the fire.

When questioned regarding adding any accessories to the vehicle since acquiring same, nothing has been added to the vehicle, all equipment is factory equipment. Further it was learned that there is a factory remote-type alarm system on the truck as well.

Since acquiring the vehicle, it has not been involved in an accident. It was learned at the time of the fire, the vehicle had just been parked. He, his wife, and son had exited the truck and the fire discovered five minutes later.

Accessories being utilized prior to parking the truck included the air conditioning and radio and all accessories functioned.

When questioned regarding any fluid leaks, the insured stated he observed no fluid leaks, did not experience any operability problems, no warning lights were illuminated, he did not detect any odors or hear any noises.

In a short scenario, [redacted] stated that he drove the vehicle two hours to Indianapolis with no operability problems. He then drove back two hours, again with no operability problems and parked the vehicle at home. Within five minutes, his wife observed flames coming from the front of the truck, [redacted] went to the truck and observed flames and smoke coming out the wheel well on the left or driver's side. His wife called 911 and he began to extinguish the fire with a garden hose until he heard an explosion. At the time of the fire, the hood was closed and remained closed until the fire department arrived. All doors were closed and all windows were up. [redacted] indicated that he secured photographs after the fire and the firemen indicated the probable cause was the front brake. In conclusion, Mr. King states he has no idea as to the cause of the fire.

CONCLUSION:

Having completed an examination of the truck, conducted research pertaining to the truck, reviewed an interview with the insured, and based upon all of the information known at the time of the preparation of this report, it is the opinion of both Investigators that the fire was accidental in nature. It is further the opinion of both Investigators that the fire originated within the engine compartment where oil was leaking from the valve cover, running down onto the exhaust manifold and, upon ignition, the fire extended upward and outward from that location causing the damage present. The origin of the fire is

IN RE: Chrysler Insurance Claim No. [redacted]
H&A File No. 00-1212VF
QUALITY FORD-MERCURY, d/b/a [redacted]

substantiated by the insured's statement, that the fire was observed venting out the wheel well on the left or driver's side, as well as the extensive fire damage present to the fiberglass valve cover.

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

Walter O. Herndon, Jr.

Devin C. Jordan

WOH/jj

HERNDON & ASSOCIATES
Investigators/Consultants
985 East Larned, Suite 100
Detroit, Michigan 48226-4316
FAX:313 964-0336
1 800 961-2909
walt@herndon-assoc.com
dan@herndon-assoc.com
P.O. Box 27
Bayne City, Michigan 49712
616 582-3543
Licensed In Michigan, Ohio, Illinois

VEHICLE FIRE INVESTIGATION

Fire Dept. MILFORD, ILLINOIS
Incident No. ON ORDER

Date/Time Of Investigation 6-28-00 @ 3:30 PM
Vehicle Examined At COPART, HAMMOND, IN
Location At Time Of Fire [redacted], MILFORD, ILLINOIS
Alley ☐ Building ☐ Driveway/Garage ☐ Field ☐ Freeway ☐ Park ☐ Pk Lot ☐ Street ☐
Date Of Fire 5-30-00 Day SATURDAY Time Of Call 8 PM Arrived _____ Clear _____

Description Of Vehicle

Title Holder [redacted]
Owner [redacted]
Address [redacted], ILLINOIS
Year 1999 Make FORD Model F-150 LARIAT XLT
Color: (Top) BLUE (Bottom) BLUE
License Plate:
State — Number — Expiration Date —
Vehicle Identification Number: 1FTRX18L8XK[redacted]
Lein Holder: NONE LISTED
Insurance Company: CHRYSLER INS.

Passenger Compartment (Interior)

1	Dashboard:	Intact		Missing		Partially Consumed	X	Consumed		
2	Radio:	Intact	X	Missing						
3	Speakers:	Intact	X	Missing						
4	Firewall:	Intact		Breached By Fire	X					
5	Ignition:	Intact X	Missing ☐	On Position ☐	Off Position X	Locked X	Thumb Assist Off ☐	Tampered With/Intact ☐	Tampered With/Defeated ☐	Destroyed By Fire ☐ In Debris ☐
6	Steering Column:	Intact/Locked X	Intact/Unlocked ☐	Tampered With/Intact ☐	Tampered With/Defeated ☐	Missing ☐	Destroyed By Fire ☐			
7	Front Seat:	Intact PARTS	X	Missing		Partially Consumed DUE	X	Consumed		
8	Rear Seat:	Intact	X	Missing		Partially Consumed		Consumed		N/A
9	Glove Box:	Intact	X	Missing		Partially Consumed		Consumed		Removed
	Items In Glove Box									
	Owner's Manual			Miscellaneous Papers						
10	Air Bag: Driver's Side	Intact		Missing		Deployed		Fire Damaged	X	N/A
	Pass. Side	Intact	X	Missing		Deployed		Fire Damaged		N/A
11	Ignition Key:	None Found	X	In Ignition		At Scene		In Debris		
12	Odometer Reading:	Actual		Digital		Oil Change		Removed		Destroyed By Fire X
13	Title Information: (Date Of Transfer To Current Owner/Mileage)									

14	Personal Effects In Passenger Compartment

Engine Compartment

15	Engine Accessibility:	Limited (Hood Jammed)		Open	X	Forced Open By Investigator		
16	Engine:	Intact		Missing		Partially Stripped		Fire Damaged X
17	Battery:	Intact		Missing		Fire Damaged	X	
18	Radiator:	Intact		Missing		Fire Damaged	X	
	Fluid Levels:	*NOTE: D.B.F.= DRAINED BY FIRE*						
19	Oil Full	Transmission Full		Radiator		Brake		Power Steering
	D.B.F.	D.B.F.		D.B.F.	X	D.B.F.	X	D.B.F. X
20	Belts:	Intact		Partially Consumed	X	Consumed		
21	Upper Hose:	Intact		Partially Consumed	X	Consumed		
22	Lower Hose:	Intact		Partially Consumed	X	Consumed		
23	Engine Parts Missing:	0						
24	Anti-Theft System:	Yes	X	No		Unknown		
25	Additional Information:	Secuni-Lock						

Exterior Examination

26	Tires:				
	Type	Custom Wheels/ ~~Wheelcovers~~	Treadwear	No. Of Lugs	Missing
LF	Aluminum Tires		2 5/16	ALL	
LR		A			
RF					
RR					

Door Cylinders (Locks)

27	Left Door:	Intact	X	Fire Damaged		Forced Entry
28	L. Sliding:	Intact		Fire Damaged		Forced Entry
29	Rear Cargo:	Intact		Fire Damaged		Forced Entry
30	R. Sliding:	Intact		Fire Damaged		Forced Entry
31	Right Door:	Intact	X	Fire Damaged		Forced Entry

Trunk Compartment Examination

32	Pickup	X	Van		Utility Vehicle							
33	Trunk Lock:	Intact		No		Fire Damaged		Locked		Open		Forced
34	If Forced, By Whom?											
35	Trunk Release:	Yes		No		Unknown		Entry To Trunk:	Yes		No	

Trunk Contents

36	Spare Tire:	Intact	X	Missing		On Vehicle		Fire Damaged	
37	Tire Change Equipment:	Intact	X	Missing		At Scene		Engine Compartment	
38	Other Contents/Personal Effects In Trunk Compartment/Cargo Area:								

Glass Condition

39	Windshield:	Intact		Missing		Melted/Cracked By Heat	X	Broken		In	X	Out	
40	Electric Windows:	Yes	X	No									
41	Driver's Window:	Intact		Missing		Melted/Cracked By Heat		Broken	X	In	X	Out	
	Position	Up	X	Down									
42	Left Rear Window:	Intact	X	Missing		Melted/Cracked By Heat		Broken		In		Out	
	Position	Up		Down		Stationary	X						
43	Left Rear 3rd. Window:	Intact		Missing		Melted/Cracked By Heat		Broken		In		Out	
	Position	Stationary											
44	Rear Window:	Intact	X	Missing		Melted/Cracked By Heat		Broken		In		Out	
45	Right Rear 3rd. Window:	Intact		Missing		Melted/Cracked By Heat		Broken		In		Out	
	Position	Stationary											
46	Right Rear Window:	Intact	X	Missing		Melted/Cracked By Heat		Broken		In		Out	
	Position	Up		Down		Stationary	X						
47	Passenger Window:	Intact	X	Missing		Melted/Cracked By Heat		Broken		In		Out	
	Position	Up	X	Down									
48	Sun Roof:	Open		Missing		Closed		Fire Damaged					
49	Convertible:	Up		Missing		Down		Fire Damaged					
50	T-Top:	On		Missing				Fire Damaged					

Under Vehicle

51	Fuel Tank:	Intact	X	Missing		Fire Damaged			
52	Gas Cap:	Intact	X	Missing		Fire Damaged			
53	Fill Pipe:	Intact	X	Missing		Fire Damaged			
54	Transmission:	Intact	X	Missing		Leakage Noticed Yes		No	X
55	Oil Pan:	Intact	X	Missing		Leakage Noticed Yes		No	X

Rust And Damage

	Areas	Open	Closed	Missing	Rust	Damaged	Vandalized
56	Front Bumper:						
57	Hood:						
58	Grille:						
59	Left Fender:						
60	Driver's Door:		X				
61	Left Rear Door:		X				
62	Left Quarter Panel:						
63	Trunk Lid:						
64	Rear Bumper:						
65	Roof:						
66	Right Quarter Panel:						
67	Right Rear Door:		X				
68	Passenger Door:		X				
69	Right Fender:						

Utility Or Van

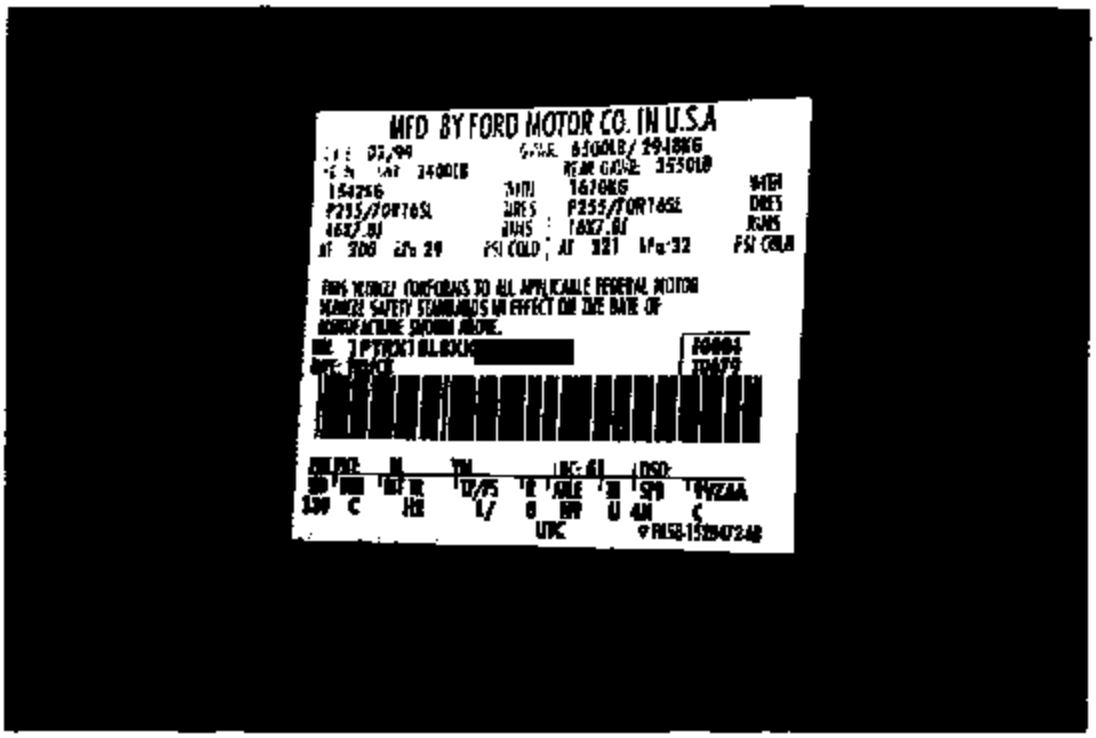
70	Rear Cargo Doors:												
71	Side Cargo Doors:												
72	Body Condition:					Excellent		Good	X	Fair		Poor	

73 Number Of Photographs Taken: _____

74 Evidence Confiscated:

Investigated By: W. Ortiz

00-1212VF



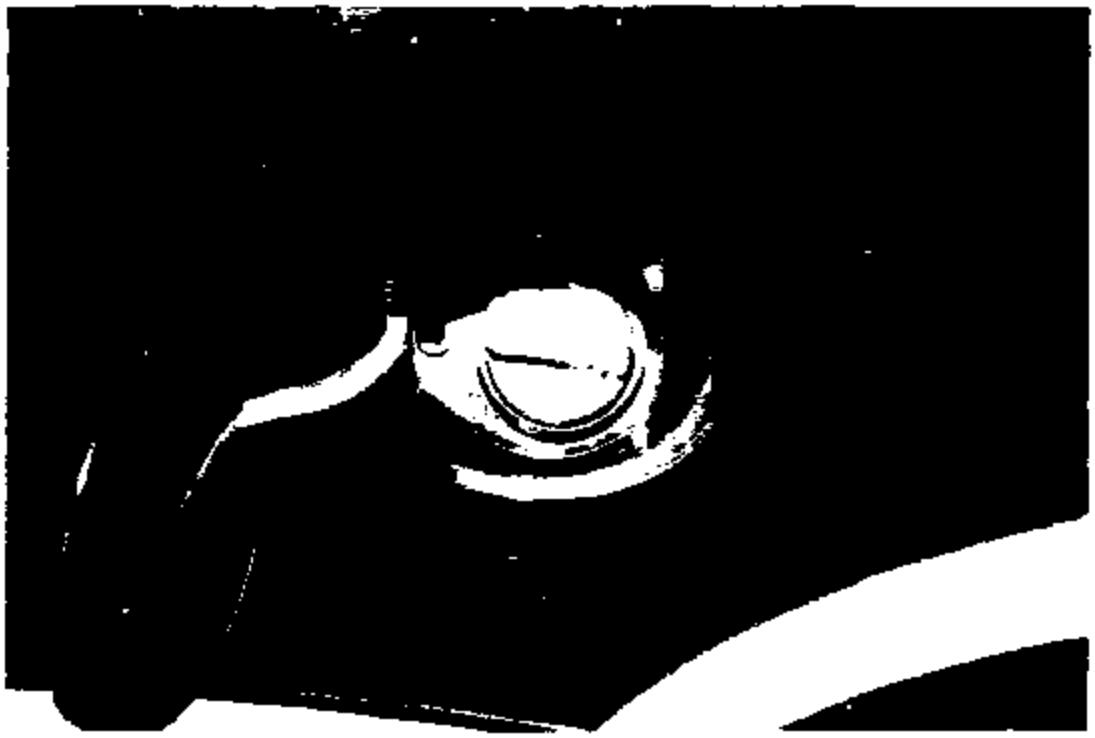
1. A close-up view of vehicle identification number 1FTRX18L8XK[redacted] identifying the 1999 Ford F-150 Pick-up Truck.

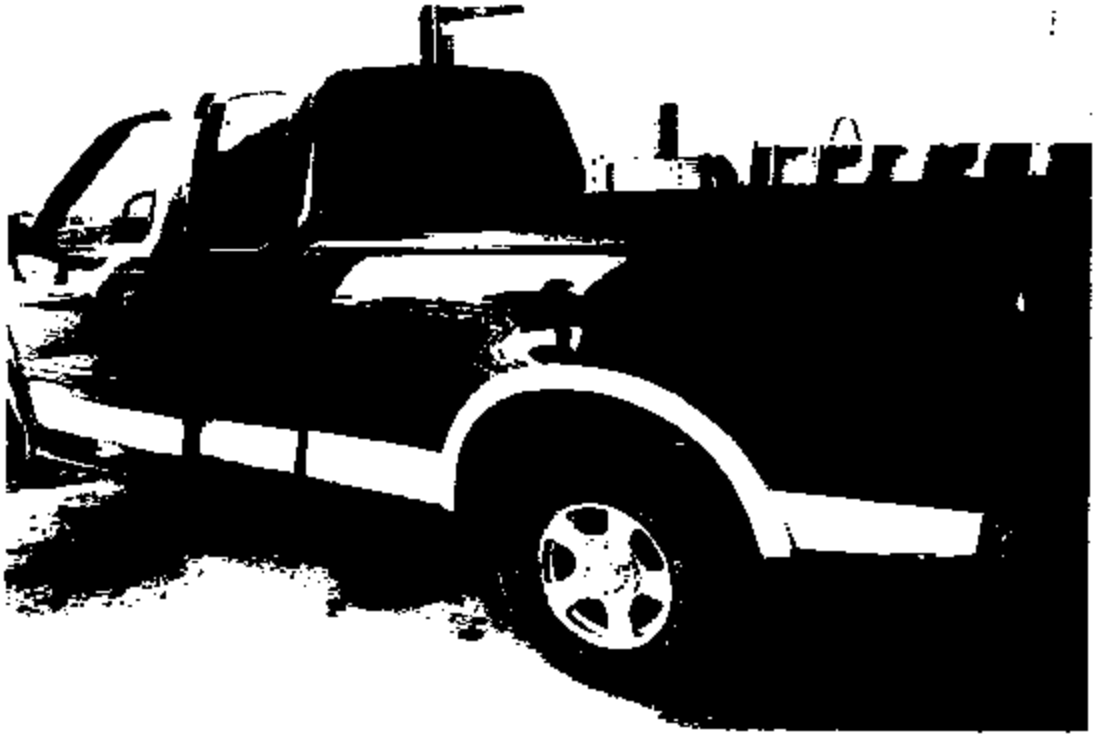
2. A view of the front of the vehicle.

EXHIBIT-2005-LC-3184

3. A view of the left front.

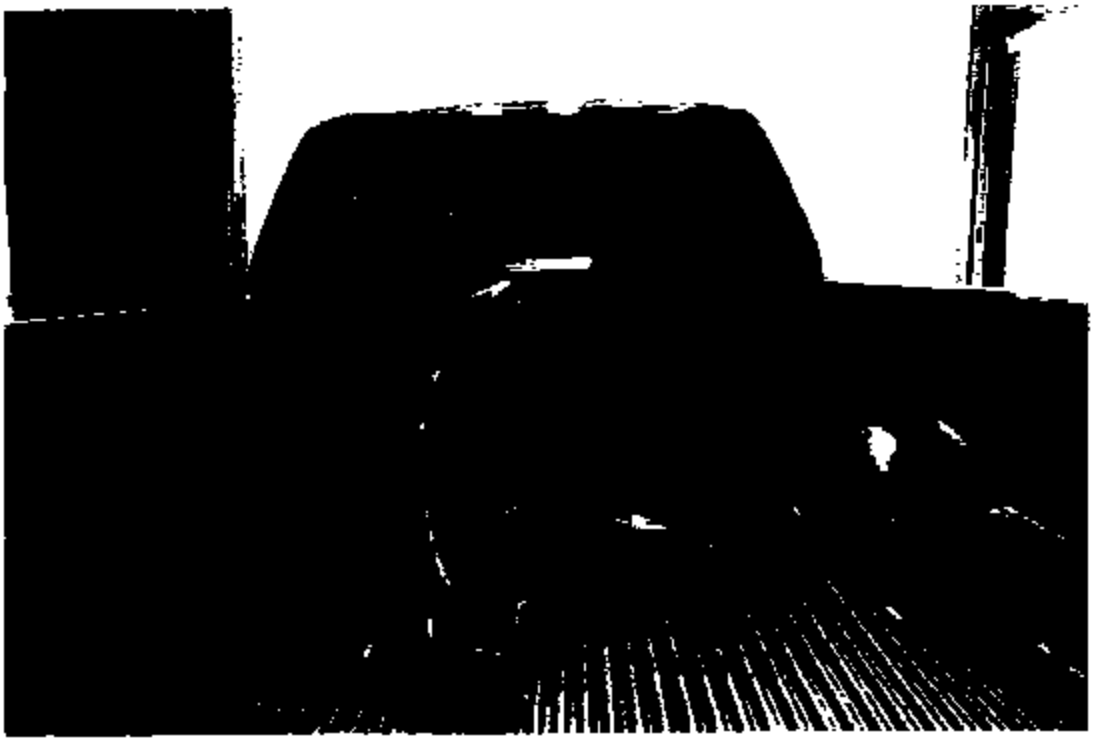
4. A view of the gas cap intact.





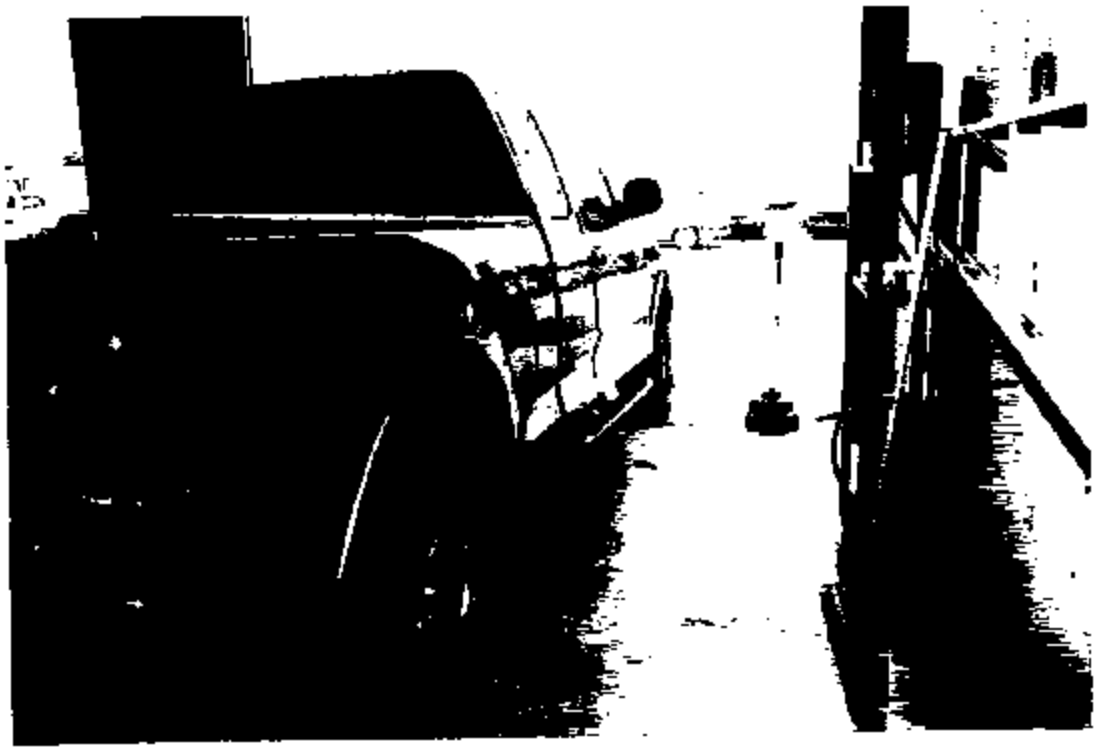
5. A view of the left rear.

6. A view of the rear.



7. A view of the bed of the truck.

8. A view of the right rear.



9. A view of the passenger side from the right front.

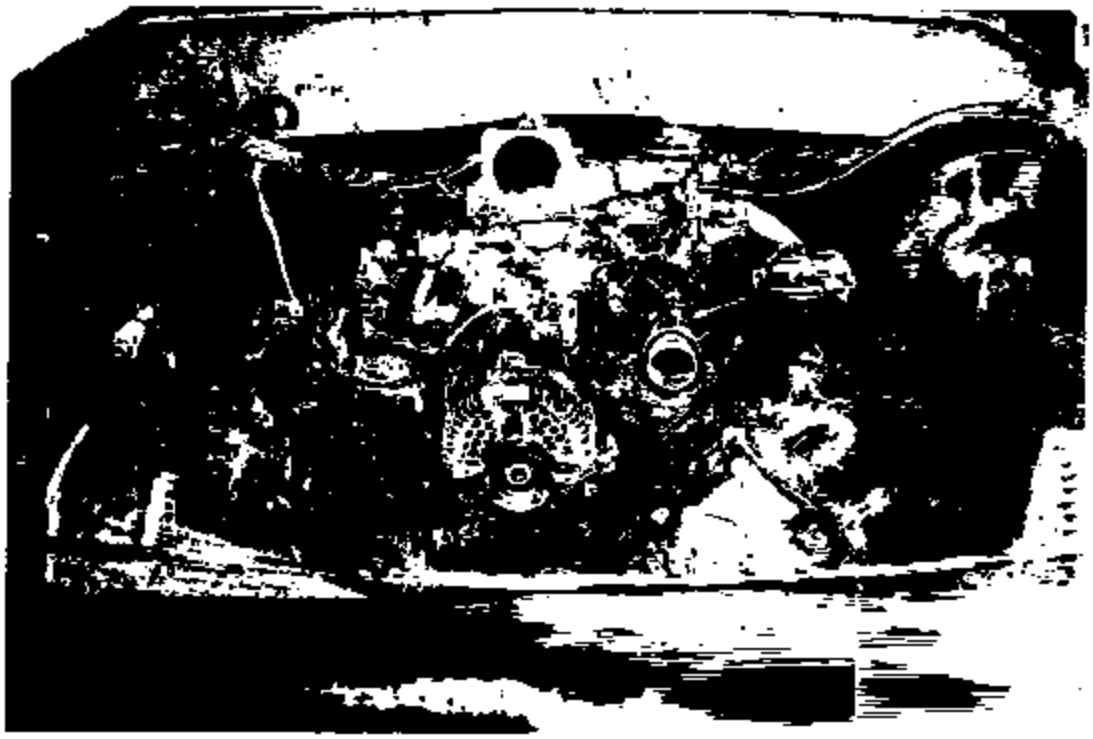
10. A view of the front passenger compartment from the drivers side.

11. A view of the rear passenger compartment from the drivers side.

12. A view of the rear passenger compartment from the passenger side.

13. A view of the front passenger compartment from the passenger side.

14. A view of the engine compartment from the front depicting fire damage to the air conditioning condenser and radiator with the damage more pronounced on the left or drivers side.

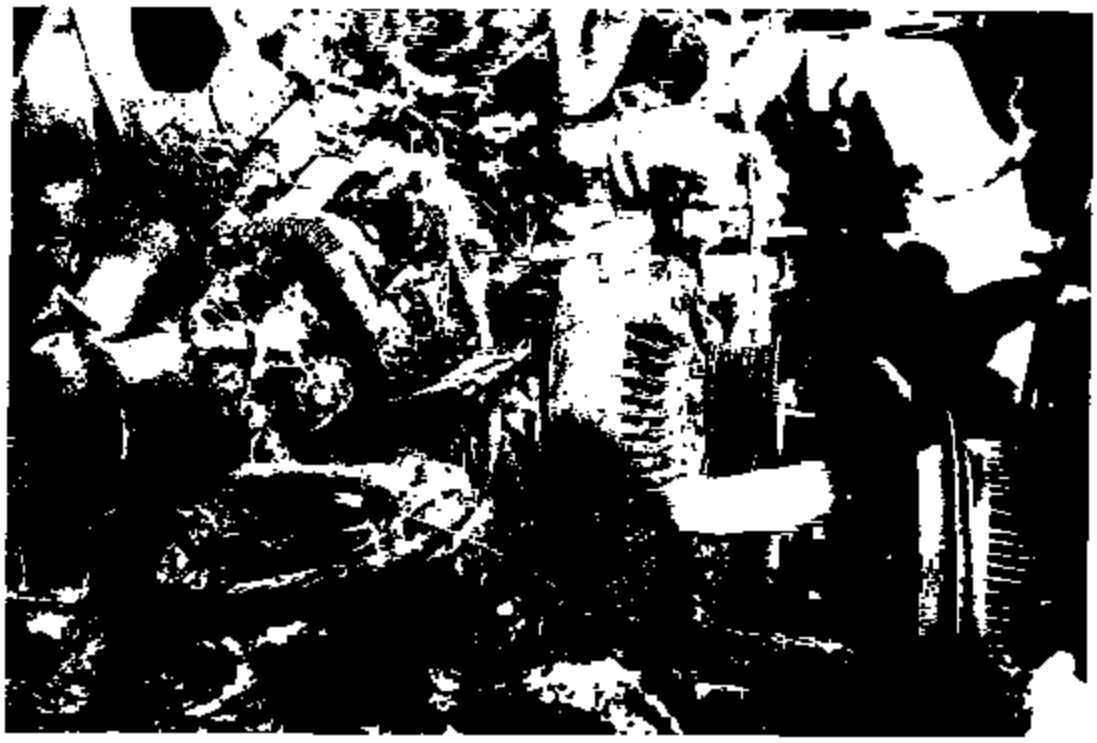


15. A view of the engine from the front.

16. A view of the engine from the drivers side.

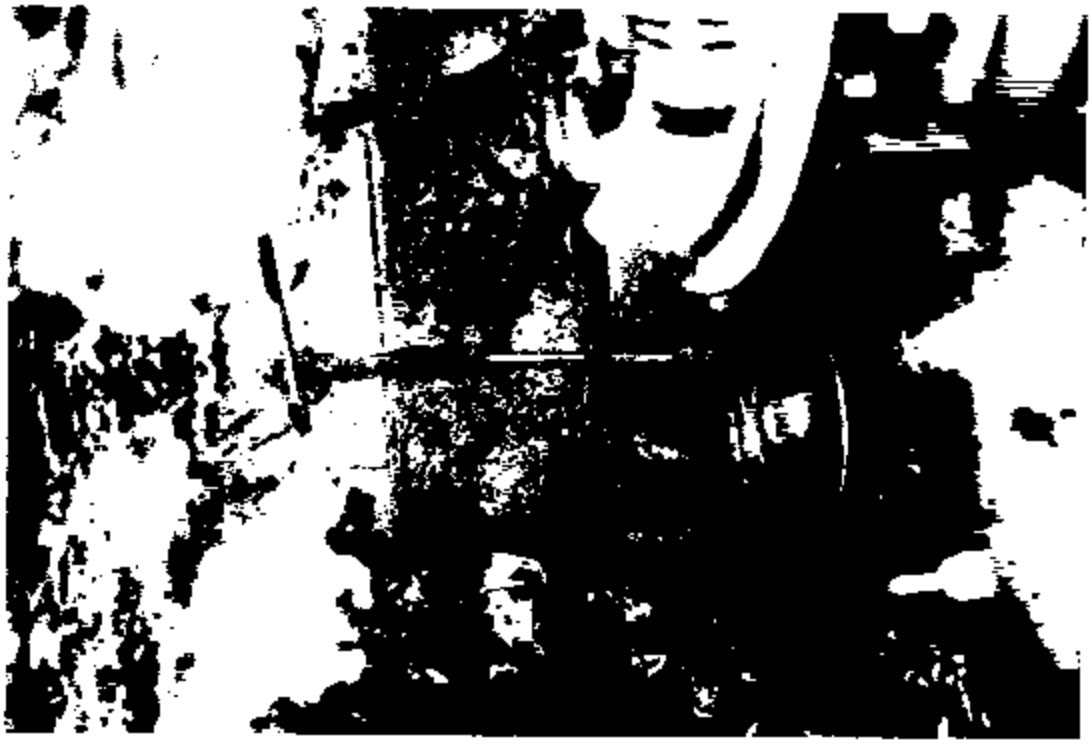
17. A view of the engine from the passenger side.

18. A view of the remains of the battery.



19. A view of fire damage to the alternator.

20. A view of a power steering line with combustible hose remaining.

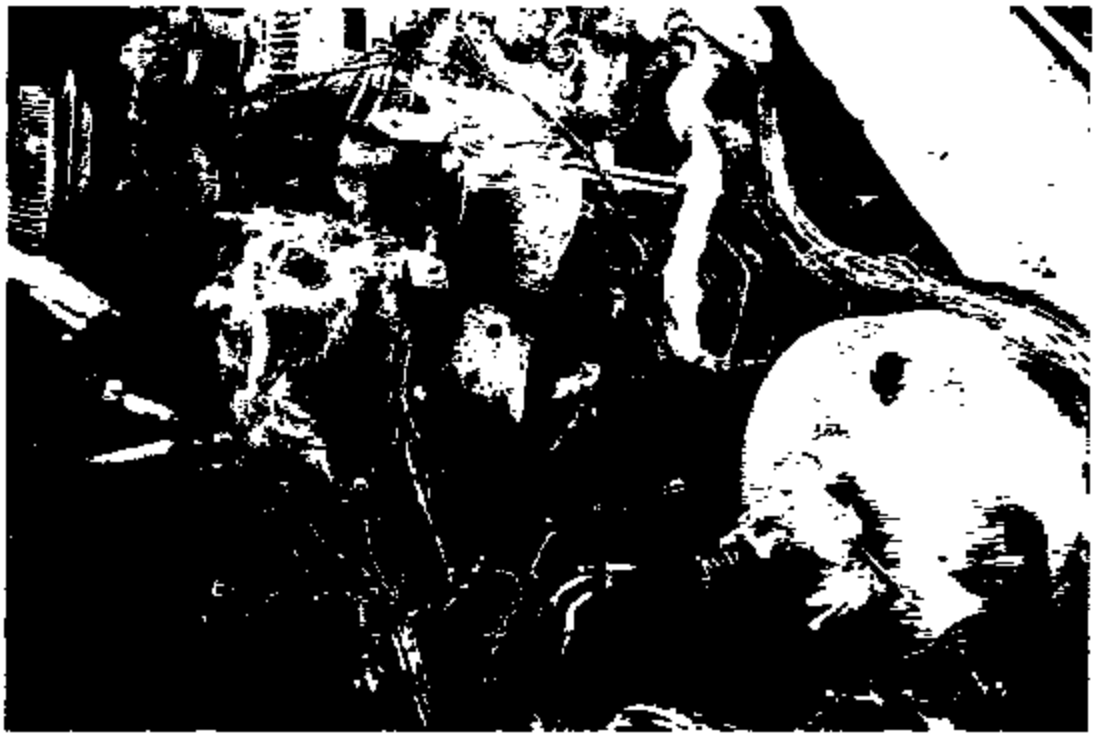


21. A view of the lower radiator hose.

22. A view of the transmission cooler lines with the combustible section of the line consumed by the fire.

23. A view of the metal fuel line connections closest the bulkhead.

24. A view of the valve cover on the right or passenger side.



25. A view of the valve cover on the left or drivers side.

.....

26. A view of burned sections of the valve cover gasket protruding out of the valve cover closest the engine manifold

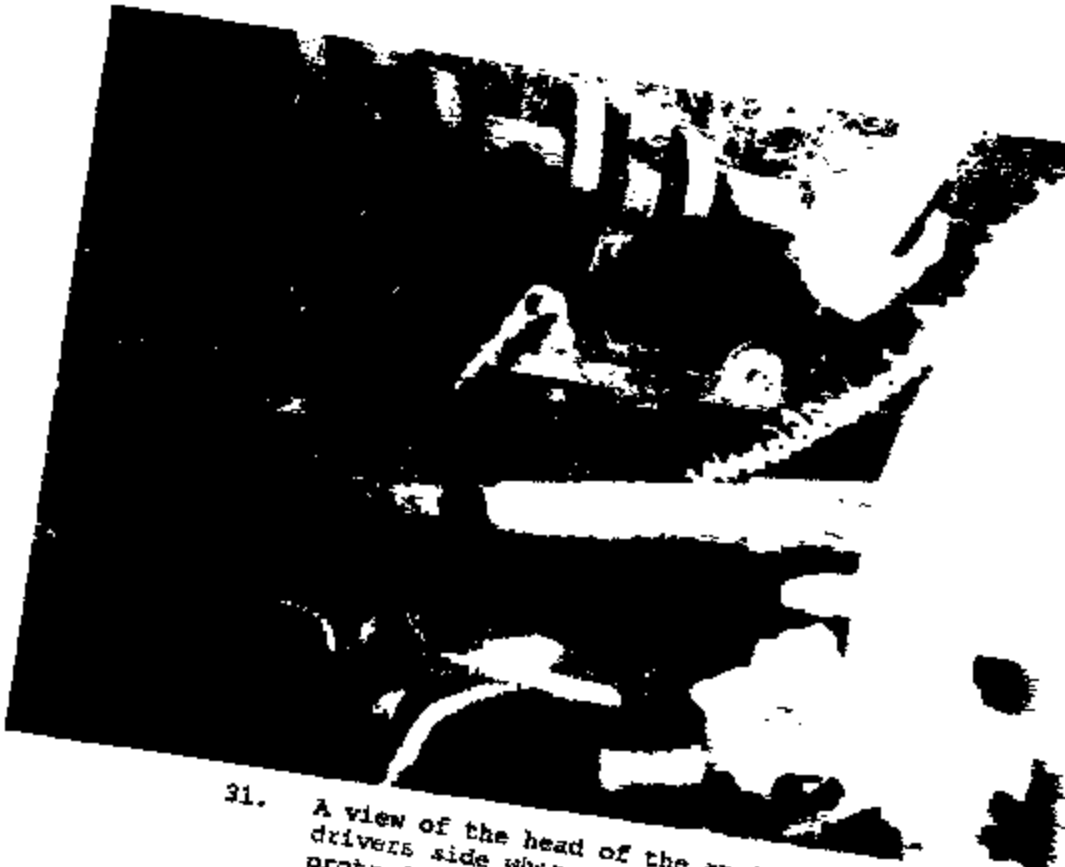
E085-085-LC-3677

27. Another view of the valve cover gasket protruding from the left or drivers side valve cover.

28. Another view of the valve cover gasket protruding from the left or drivers side valve cover.

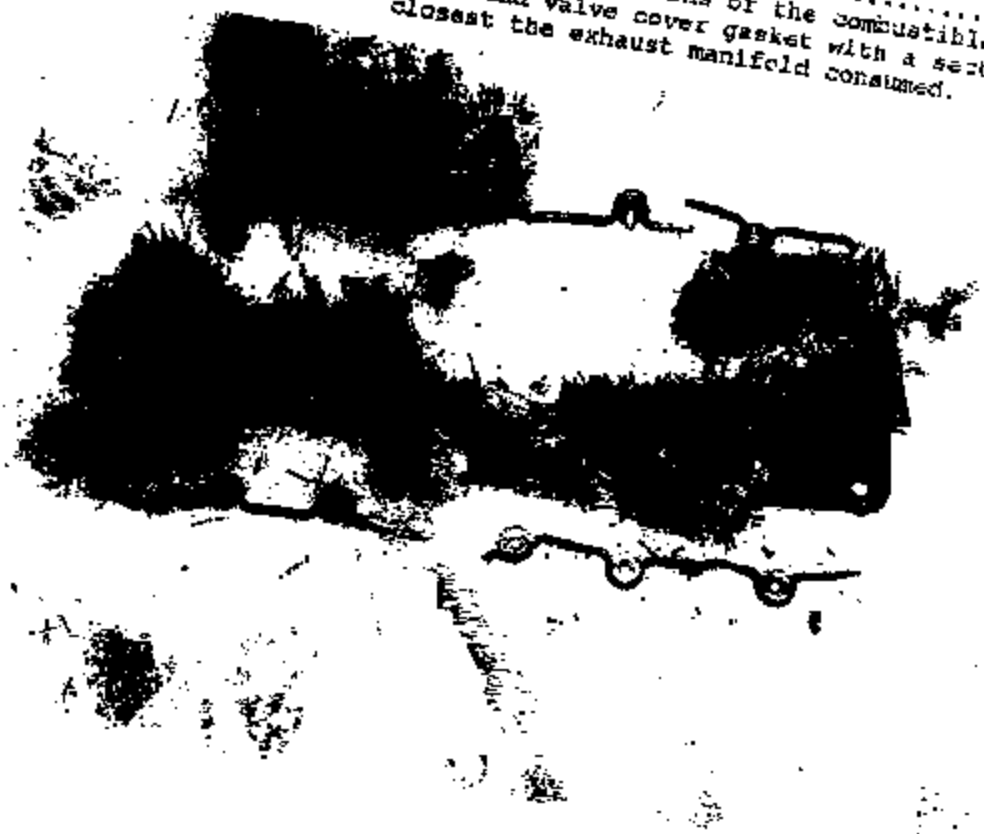
29. A view of the left or drivers side of the engine with the valve cover removed.

30. A view of the left or drivers side of the engine with the valve cover removed depicting the area closest the bulkhead.



31. A view of the head of the engine on the left of drivers side where the valve cover gasket was protruding.

32. A view of the remains of the combustible valve cover and valve cover gasket with a section closest the exhaust manifold consumed.



33. A close-up view of a section of the valve cover gasket consumed.

34. A view of a section of the valve cover gasket which has been flattened and no longer maintains its shape.

35. A view of the remains of the valve cover and valve cover gasket placed in a evidence bag and left within the passenger compartment on the vehicle by Investigators.

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF BERRIEN

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,
as Subrogee of [redacted]

Plaintiffs,

vs. Case No. 04-3026-NP-T

FORD MOTOR COMPANY, AND
THREE OAKS FORD,

Defendants,

DUPLICATE ORIGINAL

EDWARD L. JOHNSON P54646
Attorneys for Plaintiffs
1249 Washington Boulevard
Suite 2900
Detroit, Michigan 48226
(313) 965-6277

COMPLAINT AND JURY DEMAND

NOW COME Plaintiffs State Farm Mutual Automobile Insurance Company, as Subrogee of [redacted] by and through its attorney, Edward L. Johnson, and for its Complaint against the Defendants Ford Motor Company and Three Oaks Ford, states as follows:

COUNT I

1. Plaintiffs is a foreign corporation conducting business in the City of Three Oaks, County of Berrien, State of Michigan.

2. Defendant Ford Motor Company, is a foreign corporation, conducting business in

the City of Three Oaks, County of Berrien, State of Michigan.

3. Defendant Three Oaks Ford, is a Michigan business conducting business in the City of Three Oaks, County of Berrien, State of Michigan.

4. The Defendants manufactured, sold and/or supplied a 1999 F-150 VIN 1FTRX17W9X[redacted] t[redacted]

5. On March 24, 2003, Plaintiff's insured 1999 F-150 was parked at parked at 7700 Martin, in the City of Three Oaks, when the subject vehicle was damaged.

6. Defendants having sold, manufacture, and/or supplier of 1999 F-150, knew or should have known that property damages concerning the 1999 F-150 could occurred during operation. Notwithstanding said knowledge, Defendant failed to act as a reasonable seller, manufacturer, and/or supplier of the 1999 F-150, and failed to take adequate precautions to guard against such foreseeable and unreasonable risks of damage.

7. The Defendants were negligent and such negligence was a proximate cause of Plaintiff's damages, and consisted of, but were not limited to the following:

A. Failure to properly and adequately manufacture, and sell the 1999 F-150 so as to protect against foreseeable and unreasonable risks of damage, such as occurred to Plaintiff's insured's vehicle.

B. Failure to properly and adequately inspect and test its product to insure against foreseeable an unreasonable risks of damage by its users, specifically Plaintiff's insured [redacted]

C. In manufacturing, supplying and selling a 1999 F-150 with a faulty junction box.

D. Failure to warn of the hazards of the junction box,

contrary to ANSI Standard B71.3-1975.

E. Failure to provide adequate warning in a manner sufficient to advise the operator of the dangers associated with the junction box connection, contrary to ANSI Standard B71.3-1975.

F. In manufacturing, supplying and selling a 1999 F-150 with a junction box could fail, and in failing to warn of this condition.

8. As a direct and proximate result of the negligence of the Defendant as aforesaid, Plaintiff in the amount of $33,922.51 Dollars.

WHEREFORE, Plaintiffs demand Judgment against Defendants Ford Motor Company and Three Oaks Ford, in an amount of $33,922.51 Dollars, plus costs, interest and attorney fees.

COUNT II

9. Plaintiffs reallege and incorporate by reference each and every allegation as contained in Count I as if set forth fully herein, and for Count II state as follows.

10. At the time the Defendants Ford Motor Company and Three Oaks Ford, manufactured, supplied and sold its 1999 F-150 as previously described, it warranted expressly and impliedly that said F-150 was safe and fit for the purposes and uses reasonably foreseeable and intended when it left Defendant's control, but contrary to said warranties, said F-150 was not reasonably fit for the purposes and uses reasonably foreseeable, but was defective in the following, but not limited to the following particulars:

A. The Defendant failed to properly and adequately manufacture and sell the subject F-150 so as to protect against foreseeable and unreasonable risks of damage, such as occurred to Plaintiff insured vehicle.

B. The Defendants failed to properly and adequately inspect and test

its product to insure against foreseeable and unreasonable risks of damage Plaintiff's insured [redacted] 1999 F-150.

C. Defendants knew and recognized that the junction box could fail.

D. In manufacturing, supplying and selling a vehicle with a junction box which could fail.

E. The Defendants failed to warn of the hazards of the junction box, contrary to ANSI Standard B71.3-1975.

F. The Defendants failed to provide adequate warning in a manner sufficient to advise the operator of the dangers associated with the junction box, contrary to ANSI Standard B71.3-1975.

11. As a direct and proximate result of the above described breaches of implied and express warranties by the Defendants, said 1999 F-150 was defective and caused Plaintiff to suffer damages in the amount of $33,922.51 Dollars.

COUNT III

12. Plaintiffs reallege and incorporate by reference each and every allegation as contained in Count I, Count II as if set forth fully herein, and for Count III state as follows.

13. That prior to March 24, 2003, Plaintiff's insured purchased the subject vehicle from the Defendants.

14. The paperwork which was presented to Plaintiffs insured did not match the deal which was worked out with the salesperson.

15. Under the Michigan Consumer Protection Act, the Defendants were in the process

of conducting trade or commerce as that term is defined in MCLA 445.902(d).

16. The Defendants violated the Consumer Protection Act by acting in an unfair, unconscionable and deceptive manner including, without limitation:

a. Representing that vehicle had characteristics, uses, and benefits it the not have in violation of the prohibition in MCLA 445.903(l)(c);

b. There were gross discrepancies between the oral presentations of the seller and the written agreement covering the same transaction despite the prohibition in MCL 445.903(l)(y);

c. Violating other provisions in the Michigan Consumer Protection Act including, without limitation, MCL 445.903(1)(d),(e),(n), (p),(x), and/or (bb).

17. The Defendants also made certain representations as to the quality of the vehicle and the lack of need for repair.

18. Those representations were false and were made in violation of the Consumer Protection Act.

19. As a direct and proximate result of the Defendants' actions, Plaintiff and its insured has suffered and will continue to suffer damages in the amount of $33,922.51 including, without limitation:

a. Loss of use of the subject vehicle;

b. Incidental damages;

c. Loss of enjoyment of vehicle;

d. Attorney's fees;

WHEREFORE, Plaintiffs demand Judgment against Defendant Ford Motor Company and Three Oaks For, in the amount of $33,922.51 Dollars, plus costs, interest and attorney fees.

COUNT IV

20. Plaintiffs reallege and incorporate by reference each and every allegation as contained in Count I, Count II, Count III as if set forth fully herein, and for Count IV state as follows.

21. That the subject vehicle was purchased by Plaintiff's insured on or about March 21,2003, from Three Oaks Ford.

22. That only three days after the subject vehicle was purchased it burst into flames while parked in Plaintiff's insured driveway.

23. That the Defendants pursuant to MCLA 440.2314 and MCLA 440.2315 had a duty to manufacture, supply and sell a vehicle of merchantable quality and fit for its particular purpose.

24. That the Defendants breached their duty to manufacture, supply, and sell a vehicle of merchantable quality and fit for its particular purpose

25. As a direct and proximate result of the Defendants' breaches, Plaintiff and its insured has suffered and will continue to suffer damages in the amount of $33,922.51.

WHEREFORE, Plaintiffs demand Judgment against Defendant Ford Motor Company and Three Oaks For, in the amount of $33,922.51 Dollars, plus costs, interest and attorney fees.

Respectfully submitted,

BY: _____

Edward L. Johnson(P54646)
Attorney for Plaintiff
1249 Washington Boulevard
Suite 2900
Detroit, MI 48226
(313) 965-6277

State Farm Insurance Companies

State Farm Insurance Company
Subrogation
PO Box 4078
Kalamazoo, MI 49003-4078
Toll free: 877-782-6424
Fax: 888-845-8680

April 18, 2003

Ford Motor Company
Parklane Tower West suite 400
Dearborn, MI 48126-2568

FORD MOTOR COMPANY
RECEIVED
APR 25 2003
COUNSEL

RE: Claim Number: [redacted]
Our Insured: March 24, 2003
Date of Loss: [redacted]
Make, Model and Year of Vehicle: 1999 Ford F150
Serial or Vehicle Identification Number: 1FTRX17W9XN[redacted]

The identified vehicle is insured by State Farm Insurance. This vehicle experienced a engine fire.

State Farm would like to give you an opportunity to inspect the vehicle and/or part and give you advance notice of our potential claim.

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

Please contact me at (877) 782-6424 to set up a time for your inspection.

Sincerely,

Alan Brubaker

Alan Brubaker x8517
Claim Representative
(877) 782-6424

State Farm Mutual Automobile Insurance Company

'99 F-150
VIN
3/24/03

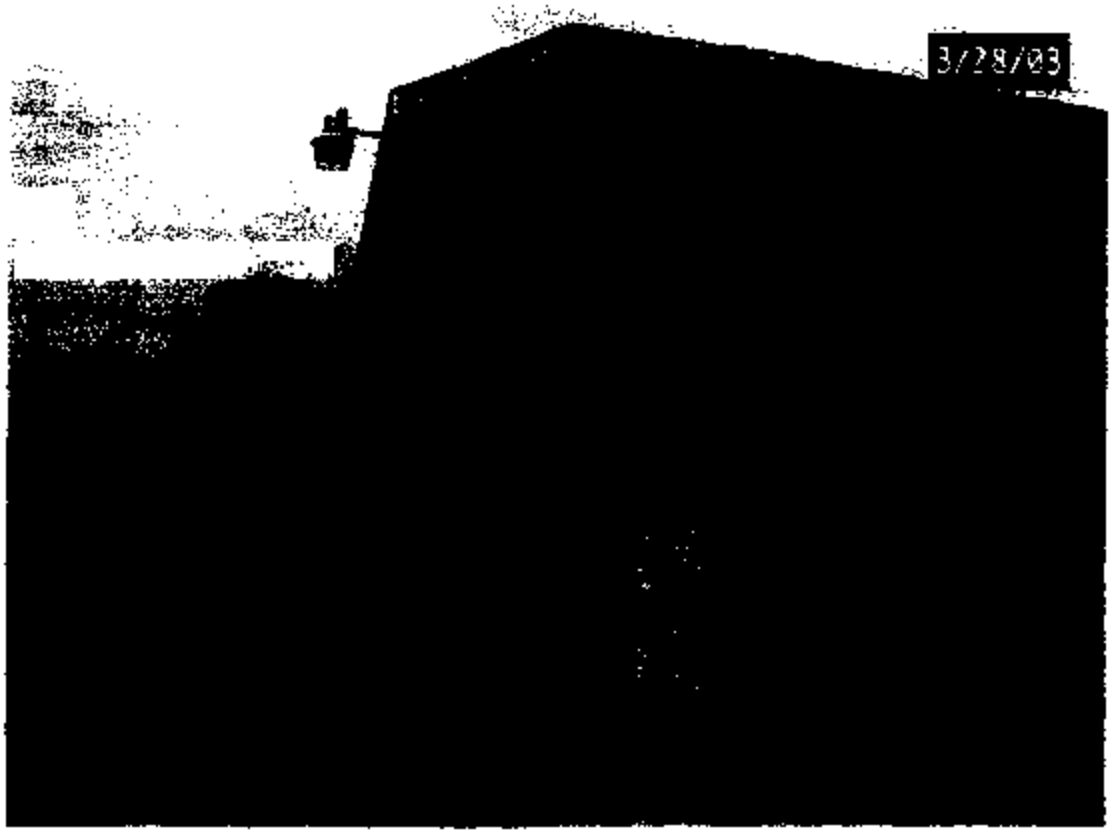
E065-065-LC-3891

3/28/03

E905-005-LC-3692

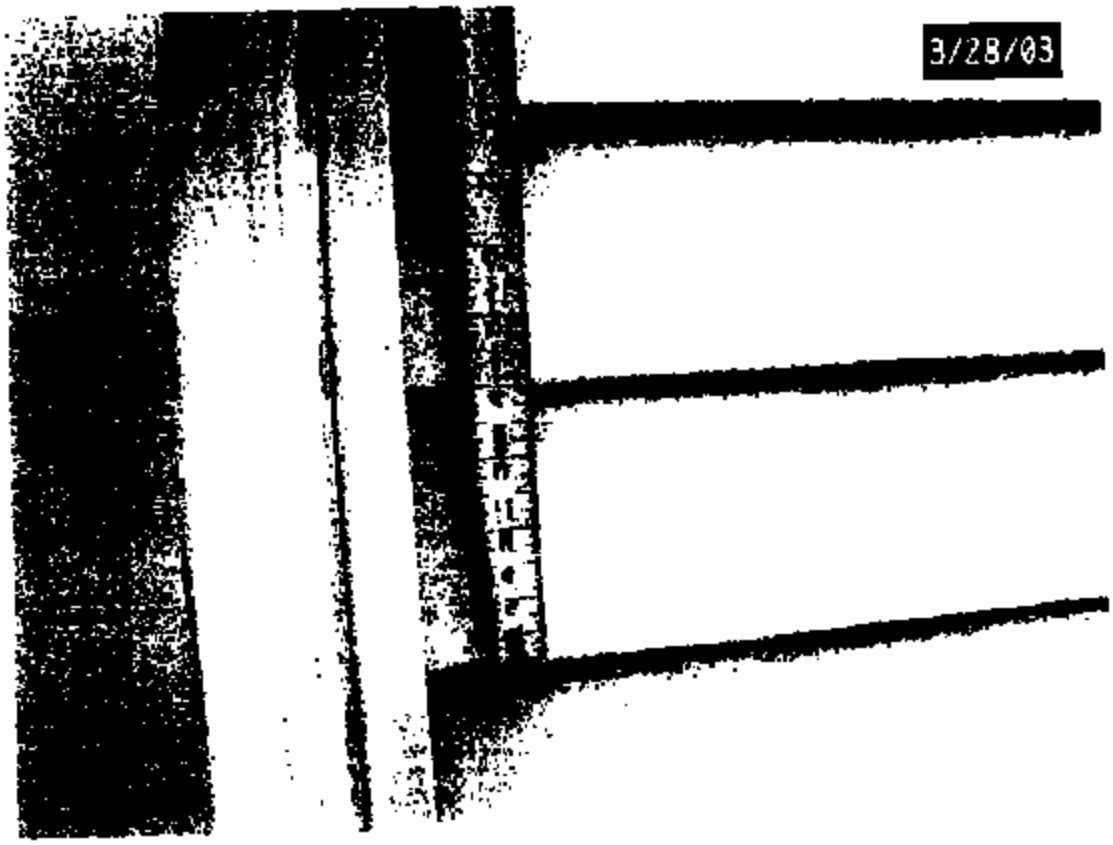
3/28/03

ER05-005-LC-3883



ER05-005-LC-3654


3/28/03



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ER05-005-LC-3687

ER95-005-LC-3555

ER05-060-LC-3469

EA05-005-LC-3709

E005-005-LC-3761

E085-085-LC-3762

ER05-005-LC-3783

E895-885-LC-3704

April 1, 2003

APR 0 9 2003

IN RE: State Farm Claim No. 22V936906
H&A File No. 03-0621VF
RICHARD AND CONNIE RUBECK

HERNDON ASSOCIATES
Investigators / Consultants
36135 Schoolcraft
Livonia, Michigan 48150
Fax: 734-591-0140
1 800 961-2909
walt@herndon-assoc.com
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P.O. Box 27
Boyne City, Michigan 49712
231 582-5543
Licensed in Michigan, Ohio, Illinois, Indiana and Arizona
www.herndon-assoc.com

PREDICATION:

This report is predicated upon the request of Mr. Todd Soos, State Farm Claims Representative, to conduct an investigation into Richard and Connie Rubeck, with special reference to the fire loss of a 1999 Ford, F-150, 4 x 2.

SECRETARY OF STATE:

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

1999 FORD 1FTRX17W9XN[redacted] 25 PICKUP FOREIGN
03/21/2003 210P0790107 LGT CONVTNL 'F' 54993 A

[redacted]

THREE OAKS [redacted]

NO SECURED INTEREST ON RECORD

REGISTRATION INFORMATION:

E6709U CO-TRANSFER **BRIDGE**
12/10/2003 R-120-738-285-939
MI SOS

INSPECTION:

On March 27, 2003 at 12:45 p.m., this Investigator arrived at [redacted] Oaks, Michigan, to conduct an investigation into the fire loss of a 1999 Ford, F-150, 4 x 2.

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

SEE ENCLOSED INVESTIGATION REPORT

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

ORIGIN AND CAUSE INVESTIGATION:

On March 27, 2003 at 12:45 p.m., this Investigator arrived at [redacted] in Three Oaks, Michigan, to conduct an origin and cause investigation into the fire loss of a 1999 Ford, F-150, burgundy in color, Vehicle Identification Number 1FTRX17W9X[redacted] Upon arriving at the facility, the vehicle is parked facing a northerly direction. The examination further reveals that the vehicle identification number in the area of the windshield and dash has been destroyed and is not legible. At this time, the license plate has been removed from the rear, however, a label indicates the selling dealer as Three Oaks Ford, Three Oaks, Michigan.

Initial observations reveals evidence of a fire to have originated within the engine compartment, with the most severe damage present on the right or passenger's side. The fire has further extended, breaching the bulkhead and windshield, entering the cab area, extending, radiating through into the bed of the truck, where is was there confined.

At this time, the investigation is focused to the bed of the truck, where the rear window has fallen inward into the bed of the truck, and located are two bags of fertilizer for vegetables gardens, a hammer, and tree trimmers. The examination of the bed of the truck reveals all of the fire damage is an extension, and no evidence of any fire origin could be found.

The investigation is now focused to the fuel tank, fill tube and fuel cap, as well as the underside of the truck, where no evidence of any fire origin could be found. The examination further reveals no evidence of any fuel leakage.

At this time, the investigation is focused to the rear passenger compartment, where the floor areas are present, rubber tie down straps are present on the left rear floor area, combustibles remain, and no evidence of any fire origin could be found.

The investigation is now focused to the front passenger compartment, where window glass has melted on the right rear seat, and window glass has melted between the driver's seat and driver's door. The examination further reveals almost all of the cushion and seat material to have been consumed on the front seats.

The examination of the front floor areas reveals the floor areas are present, combustibles are present in the area of the odometer/speedometer cluster, wiring with charred insulation is still present in the dashboard. The examination further reveals high burning to the heater core, and the remains of business cards and miscellaneous papers, charred, are found throughout the cab area. At this time, no evidence of any fire origin within the cab area could be found.

The investigation is now focused to the front clip of the vehicle, where the left front custom wheel is basically intact, and rubber tire remains around the wheel. The examination further reveals some evidence of the left front headlight assembly and aluminum trim. The examination of the right front reveals the custom wheel has been almost totally destroyed during the course of the fire, and only tire pad remains under the wheel. The examination further reveals that the battery has melted, falling onto the ground, where the plates are visible.

The investigation is now focused to the front of the engine, where the radiator and air conditioning condenser has been almost totally consumed during the course of the fire. The examination further reveals wiring laying on the radiator support with evidence of melting.

The examination is now focused to the left or driver's side, where some combustibles remain in the area of the power distribution center, and some paper air filter element remains. The examination is now focused to the fuel lines in the left rear of the engine compartment, and the fuel lines have been consumed during the course of the fire and are no longer connected. The examination further reveals melting from the top down to the cast aluminum plenum, and there is evidence of melting of the casing for the alternator located in the center front of the engine. The examination further reveals melting to the cast aluminum in the left and right front, with the damage much more pronounced on the right or passenger's side.

The investigation is now focused to the fiberglass valve covers, where the damage is much more pronounced on the right or passenger's side versus that of the left or driver's side. The examination further reveals all hoses to have been consumed during the course of the fire. The examination is now focused to the fluid levels, where the brake fluid, power steering fluid and radiator have all drained during the course of the fire. The examination of the transmission fluid reveals it is full and clean, and the oil is overfull, clean and contaminated with water due to fire extinguishment.

The examination is now focused to the main lead that travels to the alternator, it is completely void of insulation, and as you trace the wiring over to the right rear of the engine, there is evidence of electrical faulting. The examination further reveals approximately three additional inches of the wiring with electrical faulting, and there is melting and electrical faulting to the connector found on top of the valve cover on the right or passenger's side. The examination further reveals the main lead that travels from the power distribution center and connects over into the junction at the bulkhead on the passenger's side, shows evidence of electrical faulting as well.

The investigation is now focused to the bracket directly beneath the starter solenoid, and there is splattering and evidence of copper wiring fused to the bracket.

The investigation is now focused to the battery cables, where they are void of insulation, there is evidence of electrical faulting, and the cables are fused to one another.

At this time, after completing an examination of the vehicle, it was the opinion of this Investigator that the fire originated in the right rear or passenger's side of the engine compartment, and at this time, the investigation continues.

It should be noted that the three inches of cable which was no longer connected, showing evidence of electrical faulting, as well as the copper connectors, were placed into a nylon bag and tied to the passenger's seat for safekeeping.

TITLE INFORMATION:

A review of the title information indicates that the vehicle was titled out of state and transferred into the name of [redacted] Three Oaks, Michigan, on March 21, 2003. At the time of the transfer, the odometer showed 59,993 actual miles. There is no secured interest listed on record, and the license plate of [redacted] was not due to expire until December 10, 2003. The driver's license number listed on the registration was [redacted]

NICB VINASSIST:

A review of the NICB Vinassist indicates that the 1999 Ford, F-150, 4 x 2 is equipped with a 4.6 liter engine, and was assembled in Norfolk, Virginia.

NATIONAL HIGHWAY TRAFFIC & SAFETY ADMINISTRATION:

A search of the National Highway Traffic & Safety Administration, Recall Database, produced five records pertaining to 1999 Ford, F-150 trucks. A review of the recalls revealed none pertain to the fire in question.

A further search was conducted of the National Highway Traffic & Safety Administration, Defect Investigations Database, which produced one record pertaining to 1999 Ford, F-150s. A review of the record revealed it has nothing whatsoever to do with the fire in question.

ALL DATA SYSTEM:

A search of the All Data System produced four recalls and three campaigns pertaining to 1999 Ford, F-150s equipped with 4.6 liter engines. A review of these records revealed none pertain to the fire in question.

A further search was conducted of the technical service bulletins, and none were found to pertain to the fire in question.

THREE OAKS FIRE DEPARTMENT:

Correspondence has been forward to the Three Oaks Volunteer Fire Department, requesting a copy of their fire incident report. Upon receipt of the report, it will be forwarded to the Claims Representative.

INTERVIEW (Richard Rubeck):

On March 25, 2003 at 10:00 a.m., Investigator Robert Persyn conducted an interview with [redacted] who is the titleholder, named insured and primary driver of the truck in question. Further questioning revealed that no one else operates the truck other than himself.

When questioned regarding any recent complaints or problems with the truck, he indicated he detected a burning odor prior to parking the truck.

The fire was discovered on March 24, 2003 at 11:00 p.m., and the weather conditions were windy. The wind was traveling from the front of the truck to the rear of the truck. The location of the fire was in the driveway at 7700 Martin, Three Oaks, Michigan. Subsequently, the insured contacted 911, and the Three Oaks Volunteer Fire Department responded somewhere between 20 and 30 minutes, and extinguished a fire involving the 1999 Ford, F-150 equipped with a V8 engine. The vehicle in question was purchased used in March of 2003 from Three Oaks Ford.

At the time of the purchase, there was no warranty in effect, and no extended warranty was obtained.

When questioned regarding any service work performed on the vehicle, other than routine maintenance, no other service has been performed.

At the time of the fire, it was learned that the fuel tank was approximately half full, and the insured indicates that he normally checks the fluid levels. The last person to have entered the engine compartment was a friend identified as Larry Metzger, who performed an oil change the day before the fire. Further questioning revealed that the insured has not had to add any fluids to the vehicle since the purchase.

When questioned regarding any mechanical or electrical problems with the vehicle, the insured indicated he has had none.

Mileage at the time of the purchase was approximately 59,000 miles, mileage at the time of the loss was approximately 59,000 miles.

When questioned regarding receiving any recall notices, campaigns or correspondence from the manufacturer, the insured indicated he has received none.

The insured went on to state that he is a nonsmoker, and no one was smoking in or around the vehicle.

When questioned regarding adding any accessories to the vehicle since the purchase, he indicated he has added none. The insured went on to state that to his knowledge, there is no non-factory wiring on the vehicle, and that the vehicle is equipped with a factory keyless entry.

Since ownership of the vehicle, it has not been involved in an accident, and it was learned that the vehicle had been driven ten minutes prior to it being parked at 10:15 p.m., with the fire discovered at approximately 11:00 p.m. Accessories being operated prior to parking the truck included the lights, heater, radio and wipes, and all accessories functioned.

The insured went on to state that the truck is wired by the factory for trailer wiring.

Just prior to parking the truck, the insured did not observe any fluid leaks, experience any operability problems, there no warning lights illuminated, and no changes in the gauges. The insured did indicate that he detected a burning smell prior to parking the truck. The smoke was

first observed rising up from the engine compartment, was gray then black. The fire was first observed in the engine compartment, and the flames were orange. The hood was closed, all doors were closed and locked, and all windows were up at the time of the discovery of the fire.

In a short scenario, the insured stated he heard the dog barking, he looked out and observed the entire engine compartment engulfed in flames. He contacted the fire department, however, it was so windy out, the flames blew back, igniting the passenger compartment. No one photographed the vehicle at the fire scene, and the firemen did not indicate any probable regarding the fire. The insured states he has no idea as to the cause of the fire.

As a result of the fire, vinyl siding on the front of the garage was damaged, shrubbery was damaged and a wood fence.

As of this date, no other fire investigators, public or private, have contacted the insured, and no items were removed from the vehicle at the fire scene.

When questioned regarding any contents in the vehicle, the insured indicated he had eight CDs and four cassette tapes. In conclusion, the insured states that he had taken the vehicle to Three Oaks to wash it, he parked the vehicle at 10:15 p.m., with the fire discovered at 11:00 p.m.

CONCLUSION:

Having completed an examination of the vehicle, reviewed an interview obtained from the insured who was the last operator of the truck and witness to the fire, conducted research pertaining to the vehicle in question, and based upon all of the information known at the time of the preparation of this report, it is the opinion of this Investigator that the fire was accidental in nature. It is further the opinion of this Investigator that the fire originated in the right rear of the engine, where they alternator cable, power distribution cable and battery cables connect into a junction, where there is evidence of electrical faulting, sufficient to ignite the wiring insulation and immediate combustibles into open flame, with the fire extending, causing the damage present. The fire is deemed to be an accidental fire, electrical in nature.

It should be noted that a section of wiring, as well as the connectors were placed into a nylon bag and were tied to the right front passenger seat.

IN RE: State Farm Claim N[redacted]
H&A File No. 03-0621VF
[redacted]

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

Walter O. Herndon, Jr.

WOH/kp