



**WALKER, FERGUSON & FERGUSON**

A PROFESSIONAL CORPORATION

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OF COUNSEL:  
BRUCE V. WESTON  
JENNIFER L. BARGER

February 26, 2002

Shawn L. Norton  
Claims Analyst  
Ford Motor Co.  
Parklane Towers West, Suite 300  
Three Parklane Blvd.  
Dearborn, MI 48126

This communication is from a Debt Collector, and is an attempt to collect a debt. Any information obtained will be used for that purpose.

RE: Claim Number: [REDACTED]  
Insured: [REDACTED]  
Date of Loss: 5-14-01  
Claimant: Ford Motor Co.  
Our File No: 1750.5028

Dear Mr. Norton:

We have been retained to pursue an action against you for damages as a result of a pickup fire which occurred on or about May 14, 2001. We will file that action unless other arrangements can immediately be made for the repayment of the total sum of \$17,164.17.

Our investigation indicates that a primary cable rubbing against the firewall of the engine compartment was at fault in the automobile fire which occurred on May 14, 2001. If I do not hear from you with thirty (30) days, you may rest assured that an action will be filed in the appropriate Court seeking not only the amount of the property damage, but also interest and Attorney's fees provided by law.

If you dispute the amount of this indebtedness, or any portion thereof, please notify this office in writing within thirty (30) days from your receipt of this letter, and we will obtain verification of the amount owing on that debt and mail a copy of that verification to you.

Please contact us immediately upon receipt of this letter so that arrangements short of filing suit can be made to satisfy this obligation.

Sincerely,

  
Russell T. Bowlan  
For the Firm

RTB/lb  
cc: Travis Daugherty

ER05-805-LC-4532

1728L.MCM

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

MAR 23 2002

PATRICIA PRESLEY, COURT CLERK  
by \_\_\_\_\_  
Deputy

[Redacted]

Plaintiffs,

-vs-

FORD MOTOR COMPANY,

Defendant.

Case No. 1-2002-2610

PETITION

1. Plaintiff [Redacted] is an insurance company licensed in Oklahoma; Plaintiff [Redacted] resides in Velma, Oklahoma; defendant is a corporation licensed to do business in the State of Oklahoma; this cause of action arose in the State of Oklahoma; and, therefore, this court has subject matter jurisdiction and jurisdiction over the parties.

2. On May 14, 2001, after sitting at his residence all night, with the engine off and the key out of the ignition, Plaintiff [Redacted] motor vehicle (2001 Ford F-150 Pickup, VIN # 1FTZF17241N [Redacted]) burst into flames.

3. Said fire occurred without warning to Plaintiff [Redacted] and was not the result of any negligent act or omission of Plaintiff [Redacted].

4. As a result of the fire, Plaintiff [Redacted] vehicle was destroyed and Plaintiff [Redacted] sustained property damage in the total amount of \$17,164.17. Of this amount, Plaintiff State Farm Mutual Automobile Insurance Company paid \$16,664.17 and Plaintiff [Redacted] paid a deductible of \$500.00.

5. The above-related incident and resulting damages to the Plaintiffs were proximately caused as follows:

a. Plaintiff [REDACTED] vehicle contained defects that caused it to ignite and burn because said vehicle was defective and unreasonably dangerous at the time it left the control of the Defendant.

b. The Defendant breached their express and implied warranties of fitness and merchantability of said vehicle by reason of defects existing in the vehicle.

c. Defendant designed, manufactured, marketed and sold Plaintiff [REDACTED] vehicle, which was in a defective and unreasonably dangerous condition when sold to Plaintiff [REDACTED] and at the time of this incident. Said vehicle was unreasonably dangerous and defective in design at the time it was marketed by the Defendant and at the time when it reached Plaintiff [REDACTED]. Said defective and dangerous condition and design proximately caused the Plaintiffs' damages while the vehicle was being used in a manner and for a purpose reasonably anticipated and foreseeable by the Defendant.

d. Defendant failed to adequately warn Plaintiff [REDACTED] about the dangers associated with the use of said vehicle.

e. Defendant negligently manufactured and distributed said vehicle.

Wherefore, Plaintiffs demand judgment against defendant for the sum of \$17,164.17, interest, and costs, including reasonable attorney fees.

Respectfully Submitted,



---

Thomas G. Ferguson, Jr. OBA #2878  
Russell T. Bowler OBA #15731  
WALKER, FERGUSON & FERGUSON  
301 Northwest 63rd Street, SUITE 400  
Oklahoma City, OK 73116  
Telephone (405) 843-8855  
Facsimile (405) 843-8934  
Attorneys for Plaintiff(s)

Ford Motor Company  
c/o Registered Agent  
The Corporation Company  
635 1st Natl Bldg.  
Oklahoma City, OK 73102

Claim Photo  
Transmittal  
(35mm)

Claim No. [REDACTED]



Photo No. 1

Location/View Tag

Front Passenger Side 

Rear Driver Side 

Photo No. 2

Location/View rt. side

Front Passenger Side 

Rear Driver Side 

Photo No. 3

Location/View Left side

Front Passenger Side 

Rear Driver Side 

FORM 003-10-4533

Taken By: [Signature]

Time Taken: 3pm Date: 5-15-01

Vehicle Photos: [REDACTED]  
Vehicle Owner: [REDACTED]

Yr. & Model: 2001 Ford

Is this the Insured Vehicle  or Claimant Vehicle  Place Where Vehicle Photos Taken: residence

Claim Photo  
Transmittal  
(35mm)

Claim No. [REDACTED]

Photo No. 4

Location/View \_\_\_\_\_

bed

Front Passenger  
Side



Rear Driver  
Side



Photo No. 5

Location/View \_\_\_\_\_

nl. front

Front Passenger  
Side



Rear Driver  
Side

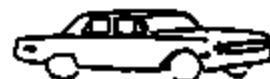


Photo No. 6

Location/View \_\_\_\_\_

interior

Front Passenger  
Side



Rear Driver  
Side



EMPS-005-1-C-4537



Taken By: C. Chilton

Time Taken: 3pm

Date: 5-15-01

Vehicle Photos: [REDACTED]

Vehicle Owner: [REDACTED]

Yr. & Model: 7001 Ford

Is this the Insured Vehicle  or Claimant Vehicle  Place Where Vehicle Photos Taken: \_\_\_\_\_

Claim Photo  
Transmittal  
(35mm)

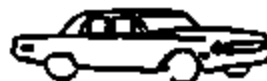
Claim No.



Photo No. 10

Location/View Rood

Front Passenger  
Side



Rear Driver  
Side

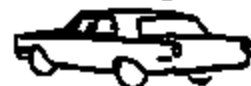


Photo No. 11

Location/View rt. side

Front Passenger  
Side



Rear Driver  
Side

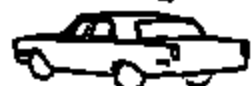
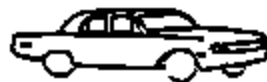


Photo No. 12

Location/View rt. side

Front Passenger  
Side



Rear Driver  
Side



Taken By: \_\_\_\_\_ Time Taken: \_\_\_\_\_ Date: \_\_\_\_\_

Vehicle Photos: \_\_\_\_\_

Vehicle Owner: \_\_\_\_\_ Yr. & Model: \_\_\_\_\_

is the Insured Vehicle  or Claimant Vehicle  Place Where Vehicle Photos Taken: \_\_\_\_\_

EP85-885-LC-4538



Claim No.

Photo No. 10

Location/View

Hood

Front Passenger Side



Rear Driver Side



Photo No. 11

Location/View

rt. side

Front Passenger Side



Rear Driver Side



Photo No. 12

Location/View

rt. side

Front Passenger Side



Rear Driver Side



Taken By: \_\_\_\_\_ Time Taken: \_\_\_\_\_ Date: \_\_\_\_\_

Vehicle Photos: \_\_\_\_\_

Vehicle Owner: \_\_\_\_\_ Yr. & Model: \_\_\_\_\_

EPDS-885-LC-4538

is the Insured Vehicle  or Claimant Vehicle  Place Where Vehicle Photos Taken: \_\_\_\_\_

Claim No.

Photo No. 10

Location/View

Hood

Front Passenger Side



Rear Driver Side



Photo No. 11

Location/View

rt. side

Front Passenger Side



Rear Driver Side



Photo No. 12

Location/View

rt. side

Front Passenger Side



Rear Driver Side



Taken By:

Time Taken:

Date:

Vehicle Photos:

Vehicle Owner:

Y. & Model:

is the Insured Vehicle  or Claimant Vehicle  Place Where Vehicle Photos Taken:

ERG-885-LC-4548



# VEHICLE INSPECTION REPORT / TOTAL LOSS SETTLEMENT REPORT

Claim Number 0-1179-207		Claim Representative [Signature]		Claim Unit 21
Owner [Redacted]		Phone Number [Redacted]	FAX Number [Redacted]	
Insured [Redacted]	Loss Code [Redacted]	Date of Loss 5/14/11	Date Reported [Redacted]	
Location Address [Redacted]		Phone Number [Redacted]	Storage \$ [Redacted]	Per Day [Redacted]
Covered <input type="checkbox"/> Collision <input type="checkbox"/> Theft <input type="checkbox"/> Flood <input type="checkbox"/> Vandalism <input type="checkbox"/> Hill <input checked="" type="checkbox"/> Fire <input type="checkbox"/> Other		Stock # [Redacted]		

## VEHICLE DESCRIPTION

Year 2001	Make Ford	Model F150	Series [Redacted]	Body Style [Redacted]	License Plate Number [Redacted]	Expiration Date 3/1/11	State KS	
VIN 1F35010		Color [Redacted]		Exterior [Redacted]	Interior [Redacted]			
Engine Disp. [Redacted]	No. Cyl. [Redacted]	<input type="checkbox"/> Gas <input type="checkbox"/> Diesel <input type="checkbox"/> Turbo	Trans. [Redacted]	<input type="checkbox"/> Auto (3-4) <input type="checkbox"/> STD. (2-4-5-6) <input type="checkbox"/> 4WD	Mileage 135010			Tires: Mfg. Size [Redacted]
Mileage 135010		Tires: Mfg. Size [Redacted]		% of Wear LF LR RF RR SP [Redacted]				

## EQUIPMENT/ACCESSORIES

<b>SEATS</b> <input type="checkbox"/> Power <input type="checkbox"/> Split <input type="checkbox"/> Bucket <input type="checkbox"/> Cloth <input type="checkbox"/> Vinyl <input type="checkbox"/> Leather <input type="checkbox"/> Heated <input type="checkbox"/> Lumber Adj.	<b>STEERING</b> <input type="checkbox"/> Power <input type="checkbox"/> TR <input type="checkbox"/> 4 Wheel Steering <input type="checkbox"/> Telescoping	<b>BRAKES</b> <input type="checkbox"/> Power <input type="checkbox"/> 4 Wheel Disc <input type="checkbox"/> ABS	<b>ROOF</b> <input type="checkbox"/> Vinyl <input type="checkbox"/> Sun (Power/Manual) <input type="checkbox"/> T-Top <input type="checkbox"/> Convertible (Power/Manual) <input type="checkbox"/> Luggage Rack	<b>GLASS</b> <input checked="" type="checkbox"/> Tinted (OEM/Non-OEM) <input type="checkbox"/> Shaded <input type="checkbox"/> Heated (Frt./Rear) <input type="checkbox"/> Heads-Up Display <input type="checkbox"/> Power Windows <input type="checkbox"/> Rear Glass Wiper	<b>WHEELS</b> <input type="checkbox"/> Standard <input type="checkbox"/> Alum/Mag Alloy (OEM/Non-OEM) <input type="checkbox"/> Chrome <input type="checkbox"/> Wire <input type="checkbox"/> Full Wheel Cover (Wire) <input type="checkbox"/> Hub Caps
--	---	--	--	--	--

**RADIO:**  OEM  Non-OEM Brand Model No. [Redacted]  
 AM-FM Stereo  Tape Deck  Amplifier  Equalizer  CD Player  Power Antenna

**CB:**  OEM  Non-OEM Brand Model No. [Redacted]

**CELLULAR PHONE:**  OEM  Non-OEM Brand Model No. [Redacted]

<b>OTHER INTERIOR</b> <input type="checkbox"/> Power Locks <input type="checkbox"/> Trunk Release <input type="checkbox"/> A/C <input type="checkbox"/> Rear A/C <input type="checkbox"/> Digital Dash <input type="checkbox"/> Cruise Control (OEM/Non-OEM) <input type="checkbox"/> Air Bag: Driver Pass. <input type="checkbox"/> 3rd. Seat Captain's Chairs <input type="checkbox"/> 2 <input type="checkbox"/> 4 <input type="checkbox"/> 6	<b>OTHER EXTERIOR</b> <input type="checkbox"/> Power Mirrors <input type="checkbox"/> Special Molds <input type="checkbox"/> Ground Effects <input type="checkbox"/> Luggage Rack <input type="checkbox"/> Spoiler <input type="checkbox"/> Trailer Hitch <input type="checkbox"/> Theft Alarm	<b>PICKUP/VAN - EQUIPMENT/ACCESSORIES</b> <input type="checkbox"/> Step Bumper <input type="checkbox"/> Sliding Rear Window <input type="checkbox"/> Removable <input type="checkbox"/> Soft Top <input type="checkbox"/> Hard Top <input type="checkbox"/> Running Boards <input type="checkbox"/> Winch <input type="checkbox"/> Tool Box <input checked="" type="checkbox"/> Bed Liner <input type="checkbox"/> Rail Bar <input type="checkbox"/> Light Bar <input type="checkbox"/> Grille Guards <input type="checkbox"/> Aux. Fuel Tank <input type="checkbox"/> Fog Lights <input type="checkbox"/> Trailer Tow Pkg. <input type="checkbox"/> Camper Shell
--	---	--

**Paint:**  Original  Repaint (+/-) \$ [Redacted]  Pinstripes/Graphics  2-Tone  Custom  Wood Grain

**Motorcycles:**  Faring (Full)  Faring (Handle Bar)  Luggage Carrier  Saddle Bags  Headers  Side Car  Crash Bars

Use this space to explain or describe Equipment/Accessories listed above and/or list and describe additional Equipment/Accessories.

*Tool box  
bed liner  
aid on feet  
CD player*

**PRE-LOSS CONDITION**

<b>INTERIOR:</b>	<i>(Explain if other than average condition for year, make and model vehicle)</i>	Above Avg.	Avg.	Below Avg.
Seats:	_____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carpets:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Glass:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dash:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Headliner:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>EXTERIOR:</b>	<i>(Explain if other than average condition for year, make and model vehicle)</i>			
Sheet Metal:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paint:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trim:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>MECHANICAL:</b>	<i>(Explain if other than average condition for year, make and model vehicle)</i>			
Engine:	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transmission:	_____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**PRIOR DAMAGE:**  Yes  No **Prior Damage Estimate Written:**  Yes  No **Amount \$** \_\_\_\_\_ **Damage Location:** F - S - R **(A)**

**OVERALL CONDITION:**  Above Avg.  Avg.  Below Avg. **Inspector:** Cindy Chilton **Date:** 5-15-01

**Salvage will be:**  Rebuilt  Sold for parts  Scrapped **CAUSE:** \_\_\_\_\_

**TOTAL LOSS SETTLEMENT**

**Method used to determine base price. (Check one)**  Computerized Evaluation  Comparable Vehicles  Book Value Evaluation

Name of Vendor: \_\_\_\_\_

Did you pay the computerized evaluation amount?  Yes  No **If No, explain:** \_\_\_\_\_

Adjusted Amount \$ \_\_\_\_\_

Source & Telephone Number	Quote By	Date	Make & Model	Available YES/NO	Selling/Sold Price
1.					
2.					
3.					

Circle vehicle number(s) used to determine base price; ( 1. 2. 3. ) Explain any adjustments for difference in mileage, equipment, condition, prior damage, etc.: \_\_\_\_\_

Adjusted Amount \$ \_\_\_\_\_

Book(s) used: \_\_\_\_\_ **Basic Book Price \$** 1600<sup>00</sup>

List additions or deductions for equipment, mileage, etc. and prior damage: total Box 250<sup>00</sup> + 150<sup>00</sup> Bedlin  
+ 10<sup>00</sup> tint + 350<sup>00</sup> CD Player - 350<sup>00</sup> miles

Adjusted Amount \$ \_\_\_\_\_

Did you pay this amount?  Yes  No **If No, explain:** \_\_\_\_\_

Base Price	\$ 16504 <sup>00</sup>
Tax	+ 7660 <sup>11</sup>
Fees	= 17164 <sup>11</sup>
Actual Cash Value	-
Owner Retained Salvage	-
Deductible	- 500 <sup>00</sup>
Lienholder Payoff	5-26 - 12351 <sup>44</sup>
Amount Paid Owner	\$ 1312 <sup>73</sup>
Date Settled	5-16-01

Cindy Chilton  
*(Signature)*

<b>SALVAGE DEPOSITION</b>	Name of Purchaser
Date Sold	_____
Date Remittance Received	_____
High Salvage Bid \$	_____
Towing Expense	_____
Storage Expense	_____
Miscellaneous Expense	_____
Net Salvage Return \$	_____

Disposition of Title: \_\_\_\_\_

Date: \_\_\_\_\_

Remarks: Lot # 3/36061

**DALLAS & ASSOCIATES FIRE & EXPLOSION CONSULTANTS, INC.**

925 72ND AVE. S.E. • NORMAN, OK 73026 • 405-329-3602



May 31, 2001  
Case #D50125

Ms. Cindy Chilton  
State Farm Insurance  
PO Box 720900  
Norman, OK 73070-4700

Re: Fire Loss: 5/14/01  
Insured: [REDACTED]  
Velma, OK  
Claim No: [REDACTED]

**DESCRIPTION OF LOSS**

The vehicle was a 2001 Ford F-150. It was a Sports model with no extended cab. The color was silver. It displayed a March 2002, Oklahoma tag [REDACTED]. It was parked at Co-Parts Insurance pool in Oklahoma City. A display tag on the front of the vehicle said Billingsley Ford in Ardmore, Oklahoma.

**FIRE EXAMINATION**

Exterior conditions of the vehicle indicated there was no visible physical damage. The most fire damage involved the cab and rear of the engine compartment. Melting occurred to the rear of the hood from fire concentrated near the firewall.

Fire damage in the passenger area included total consumption of upholstery for the seats, and door panels. The dash had melted down and the right side air bag had exploded. Wiring harness, the stereo, heater and air conditioning assembly and dash framing were collapsed to the floor.

The adjuster provided the history of the fire. Information indicated the vehicle had been parked over night before the fire occurred. Since the vehicle was not running the cause focused to a heat source produced by the electric system. The electrical system would be the only one in service when the vehicle was parked.

Wiring inside the passenger compartment was evaluated for possible failure. Wiring on the right side of the panel on the driver's side had melted wiring that would be to controls

JUN 15 2001

for the heater assembly. The melting was evaluated for possible short-circuiting, however, the damage was due to fire exposure.

Wiring to the ignition switch and driver's side dash of the vehicle were all-intact. The wiring harness leading to the computer behind the right kick panel had no short-circuiting and wiring in the dash had no visible failure.

In the engine compartment fire damage was concentrated along the firewall on the right center of the engine compartment. Heat sources were sought to determine if there was electrical failure. The hot lead from the battery to the fuse panel was arced into approximately six (6) to eight (8) inches from the battery post. Welding occurred in the same cable approximately 18 to 20 inches inboard of the right fender well. The cable had arced against the firewall and was welded to the metal. The area around the welded cable was evaluated for possible evidence of this being the source of ignition for the fire. The melted hood and damage to the firewall supported evidence that the source of ignition for this fire was the arc welded cable from the battery to the fuse panel.

The engine oil was checked to determine the condition of the engine. The oil was full and clear indicating the oil had recently been changed.

Wiring from the alternator to the fuse panel had been exposed to fire in relationship to the fire originating at the rear of the engine compartment. Wiring harness along the firewall a distance of approximately 25 to 26 inches had insulation burned away. This indicated the fire used the insulation materials as a fuel source during early stages of burning. Plastics and rubber in the immediate area of the engine were also exposed and was a source of fuel to feed the fire.

During evaluation of the fire origin glass was found from the windshield that had dropped into the engine compartment. The glass was exposed to fire temperatures after it came to rest on the top of the engine. This indicated the hood had melted early in the fire. Glass from the windshield had separated before collapsing toward the interior of the passenger compartment and engine compartment.

#### FIRE CAUSE OPINION

Conditions found in the vehicle indicated arcing occurred on the primary cable from the battery to the fuse panel. The cable had rubbed against the firewall of the engine compartment and welded to the metal. The condition created heat that ignited insulation and components in the engine compartment. Heat was conducted through the firewall into the passenger area where it ignited the dash combustibles and spread to the upholstery.

Enclosed are photos, photo identification, and a copy of the report for your use. If there are questions concerning this investigation, please call for assistance.

Respectfully,



David E. Dallas  
DALLAS AND ASSOCIATES, INC.

DED/jd

## PHOTO IDENTIFICATION

### Photos No. 1 thru 8:

Shows an exterior view of the vehicle. Fire damage was concentrated to the cab and rear of the engine compartment. The fire had extended from the engine compartment through the firewall into the passenger area.

### Photos No. 9 thru 19:

Shows the engine compartment with fire damage at the firewall, as indicated by photos 9 and 10. Components towards the front, had less damage than those next to the firewall.

### Photos No. 20 thru 40:

Is a series of photographs showing the interior damage of the vehicle. Included are photos showing the inspection of wiring in the dash. The wiring had received fire damage that caused some evidence of melting, as indicated in photograph 33. However, the conditions were related to elevated temperatures associated with the burning interior. The copper wiring was melted, versus being severed by electrical arcing.

### Photos No. 41 thru 57:

Is a series of photographs showing welded cable, at the rear of the engine compartment. The welding occurred as a result of energized wiring coming in contact with the metal surfaces of the firewall. Arc severance occurred to cable at the battery, which would be up stream from the electrical arcing that occurred at the firewall. The arcing at the battery occurred after the arcing at the firewall, indicated in photo 48.

### Photos No. 58 and 59:

Shows the fuse block and part of the electrical wiring for the vehicle, inside the engine compartment. The components had no evidence of electrical failure.

### Photo No. 60:

Shows the dipstick for the engine. The volume of oil indicated it was full and the oil was not blackened from lack of maintenance.

\* \* \*





Velma, Ok

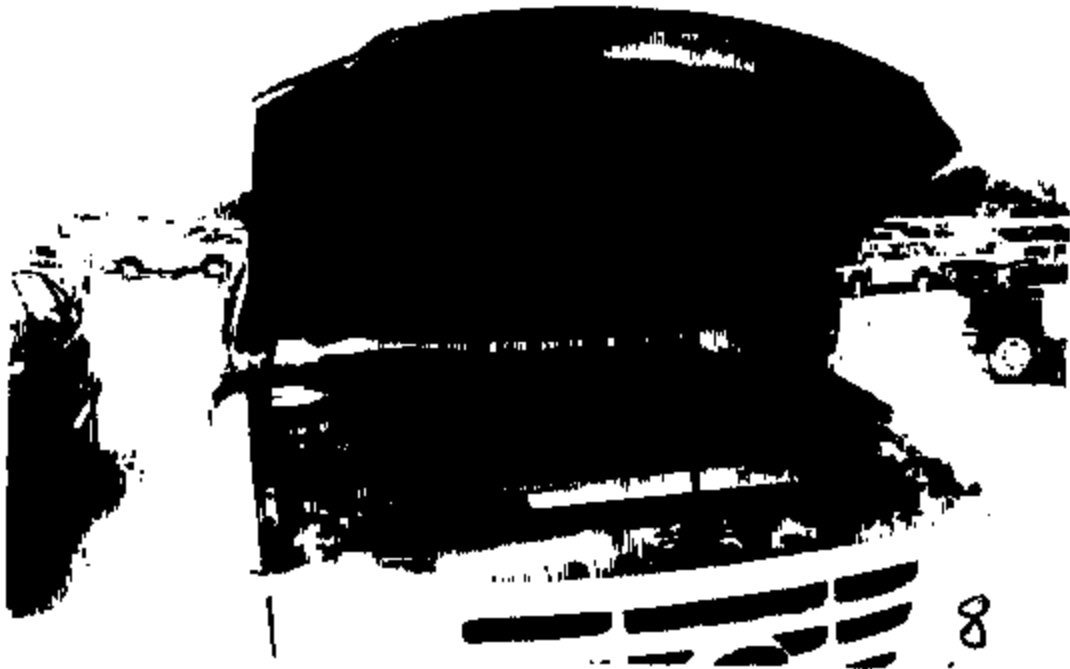


EMCS-025-LC-1847



ASIMO '05

EP05-005-L-0311



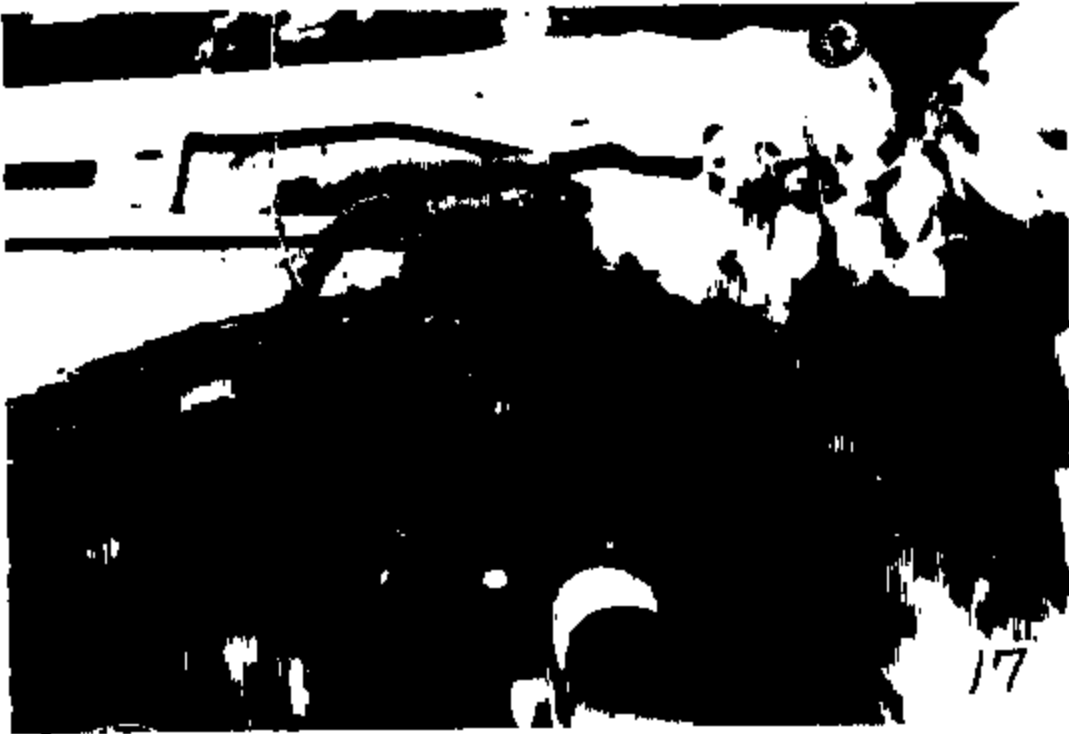
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ENG-888-LC-428



ENG-88-10-4531



ERG-883-LC-4932



19



20



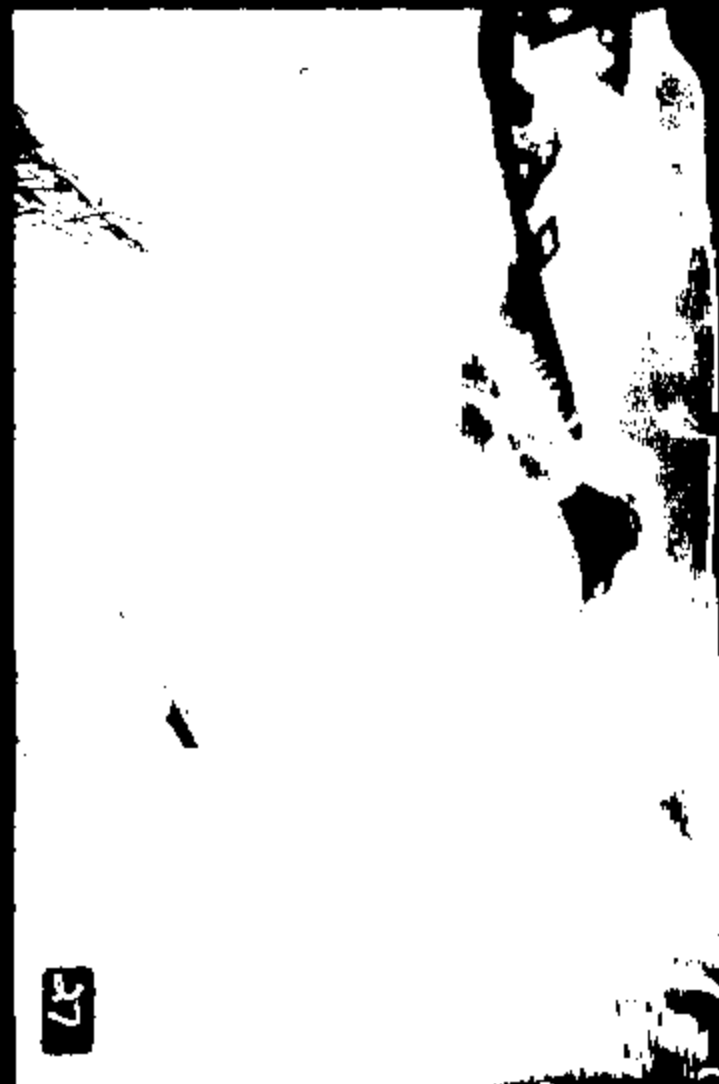
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ENG-885-1-C-4533

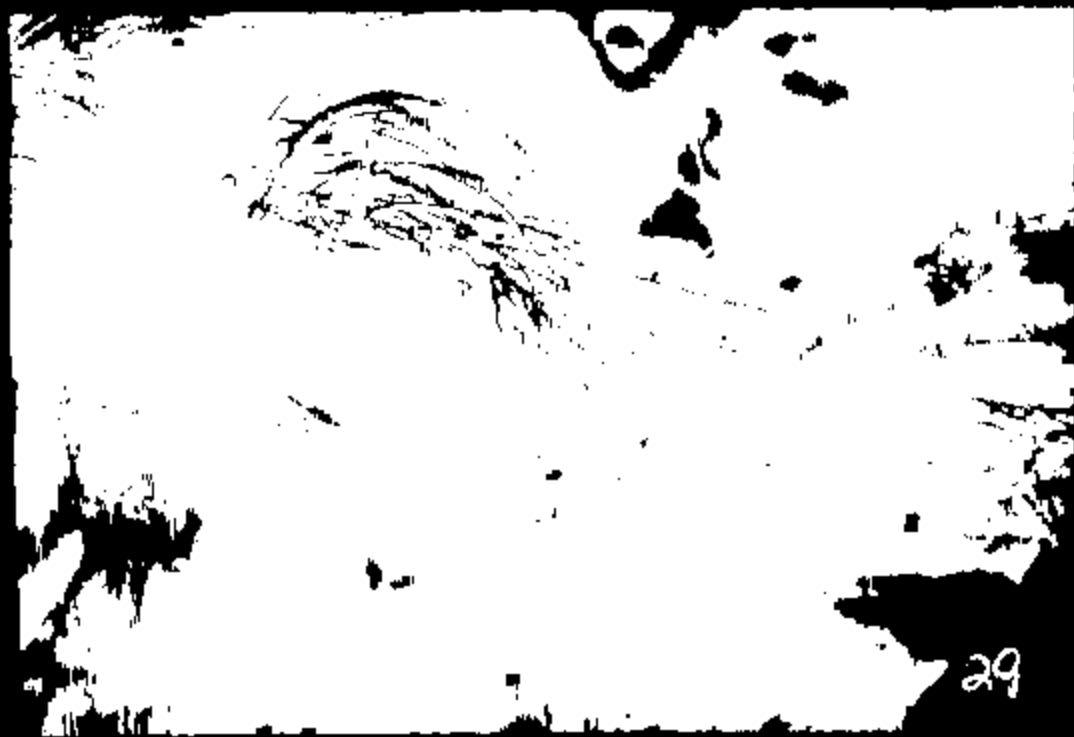


ER03-005-LC-4954





ENG-885-LC-4995



ENG-005-LC-4238



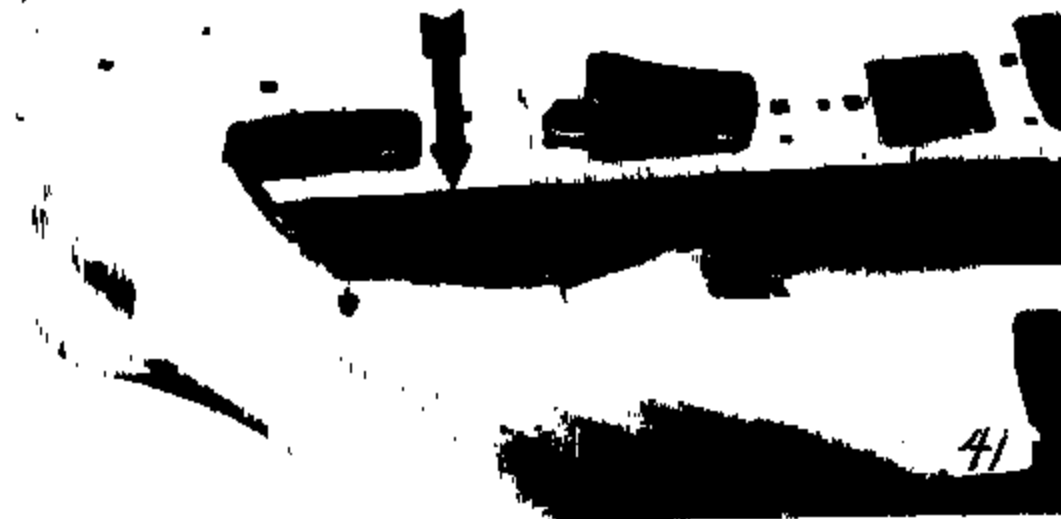
ENG-885-LC-4557



6651-07-000-0003



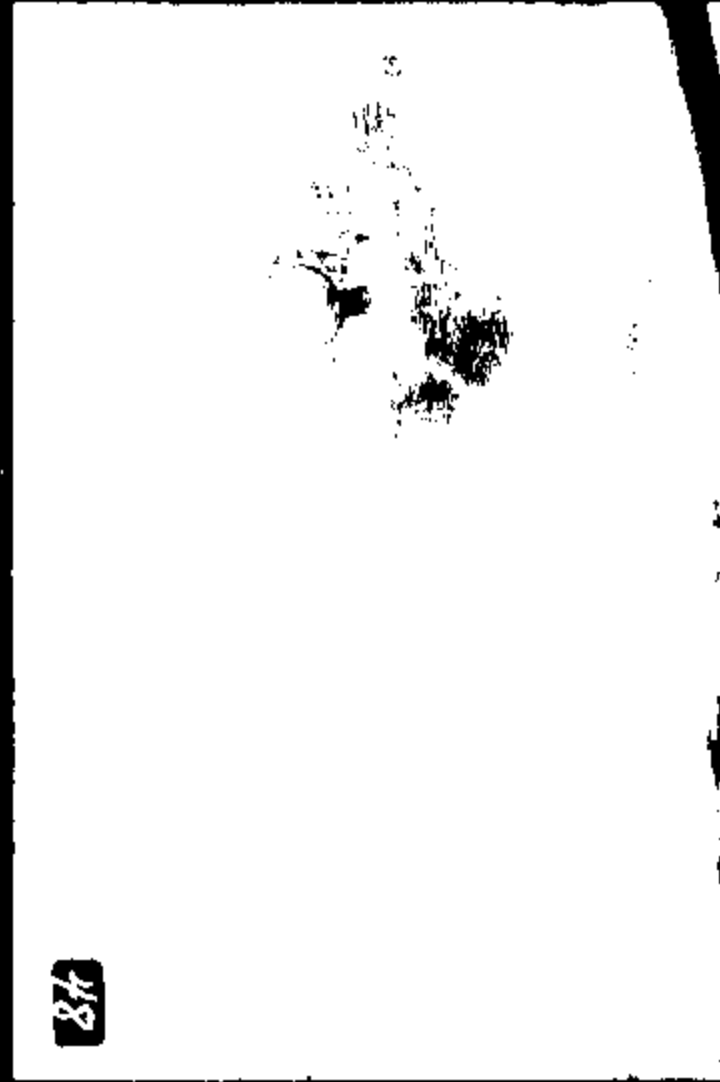
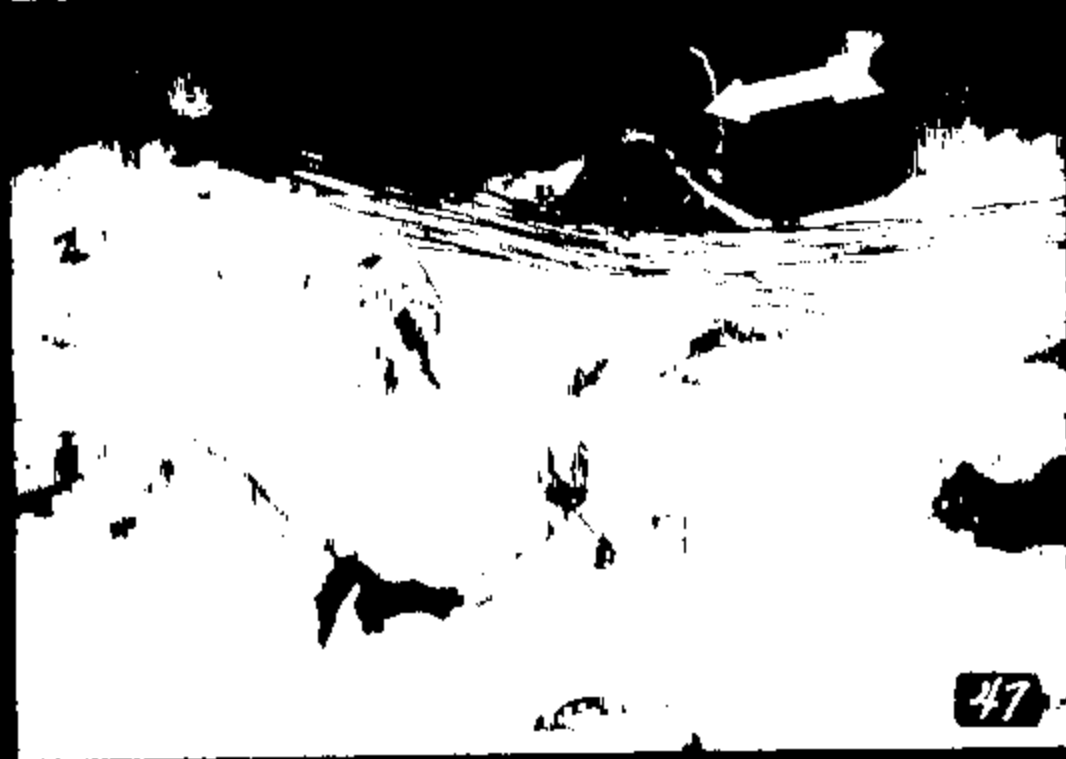
8504-07-000-0000



ENG-92-LC-4368



2025-08-10-1051



EM66-089-1C-4562





49



50



51

ENG-88-LC-4563



ENG-005-LC-4584



55



56



57

ENG-888-LC-1205

58

59

ENG-005-LC-4588

60

**FLR Catalyst**

This catalyst is designed for use in the exhaust system of 1970-71 Ford Mustang and Lincoln Continental. It is made of high quality stainless steel and is designed to last for the life of the car.



LAW OFFICES OF  
**NORD & DE LA FLOR**  
A LAW CORPORATION  
170 SOUTH MAIN STREET  
SUITE 200  
ORANGE, CALIFORNIA 92668  
TELEPHONE (714) 634-0377  
FACSIMILE (714) 875-7461

REPLY TO:

October 17, 2001

Ford Motor Company  
Parklane Towers West  
Suite 300  
Three Parklane Boulevard  
Dearborn, MI 48126-2568  
Attn: Shawn Norton

01-21939-3

Re: Our Client: Interinsurance Exchange of the Automobile Club  
Their Insured: [REDACTED]  
Our File No: A10323  
Date of Loss: 03/29/00  
Vehicle: 1998 Ford F150

Dear Norton:

This is in response to your letter of August 30, 2001. At the conclusion of this letter there is a very important matter I point out so please read this letter closely. The responses to your requests are:

- 1) The incident occurred on California Way in the city of [REDACTED] in [REDACTED].
- 2) The driver of the truck, [REDACTED], relates that he and his then [REDACTED]-year-old son were driving south on I-15 headed to the city of Temecula. There was a sudden "thump" which seemed to come from the rear of the vehicle. There was then a short loss of power and the truck resumed, but continued to run sluggishly. Not wishing to take a change on the Interstate, [REDACTED] pulled off at the California Way off-ramp. He turned the truck off, removed the keys, locked the truck and called a friend for a ride and a tow service. On his way home he was contacted by the Temecula Police Dept. and informed that the truck was on fire when the tow truck arrived;
- 3) Police/Fire report, to be provided;
- 4) No one was injured in the fire;
- 5) 1998, F150, vin-1FT7X1766WK [REDACTED]
- 6) Mileage - 33,000+ [REDACTED]
- 7) See attached photographs;
- 8) See attached photographs;

- 9) No photos taken at scene, not an accident;
- 10) Alleged defect- Fuel Leak;
- 11) No expert opinion will be provided at this time;
- 12) No repair of defect;
- 13) Copart 16920 S. Figueroa St., Gardena, CA (310) 217 5200;
- 14) N/A;
- 15) Not available at this time;
- 16) No aftermarket equipment;
- 17) N/A
- 18) No wage loss;
- 19) Unknown if parking brake was engaged;
- 20) Vehicle was in "Park";
- 21) Engine was not running;
- 22) Key was not in the ignition;
- 23) Insurance company - Auto Club;
- 24) Attorney - see above;
- 25) Purchased new by Margaret Rives.

As I indicated above, there is a matter I wish for you to consider. This loss occurred in March 2000. I am enclosing copies of several pieces of correspondence from my client over the past year. Of particular importance are the repeated offers to make the truck available to your company for inspection. The last offer was made on January 23, 2001. There is no reason for your company to have delayed this long in inspecting the vehicle. As of the writing of this letter, I am checking to see if the truck is still available for inspection. If it is, you will be welcome to inspect it. However, if it is not available, I am afraid your company has only itself to blame for failing to act within a reasonable time to conduct an inspection.

Sincerely,  
NORD de la Flor

  
Andrew R. de la Flor

Enclosures



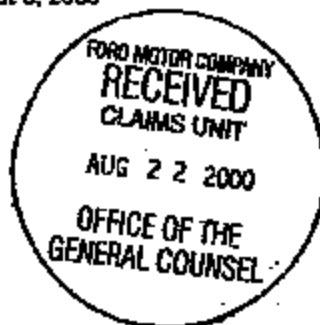
# Interinsurance Exchange of the Automobile Club

P. O. Box 25024, Santa Ana, CA 92799-5024

August 8, 2000

✓  
NIB

FORD MOTOR COMPANY  
PARKLANE TOWERS WEST  
SUITE 300  
#3 PARKLANE BLVD  
DEARBORN MI 48126-2568



RE: Our Policy Number : [REDACTED]  
Date of Loss : March 29, 2000  
Our Insured : [REDACTED]

The Interinsurance Exchange of the Automobile Club has a claim against you as a result of the accident that has occurred on the above date. The claim is for:

Injury settlement with our insured	
Repairs to our insured's property	\$18,629
Deductible	\$100
ACSC Rental	\$220
Insured's Rental/Miscellaneous	\$87.43
<b>TOTAL</b>	<b>\$19,036.43</b>

Enclosed please find documentation in support of our claim. This is not final yet as we have not disposed of the salvage. Since only the bed of the vehicle remains intact, we do not anticipate obtaining much for salvage. The vehicle has been inspected by an outside firm who determined that the fire started as a result of a fuel leak from the fuel delivery area of the intake area of the engine, caused by a defective part or workmanship. This is consistent with your Technical Bulletin # 981612. The vehicle in question is a 1998 Ford F150 truck. We have located five recall records in the NHTSA database for this particular vehicle, two of which involve a cause for vehicle fire, both related to gasoline leaks as the primary source.

The vehicle is being held and will be made available for your inspection. Please contact the undersigned to make the appropriate arrangements or if there is anything else that you require from us. Photos are not being sent to you as I am sure you will want to take your own photos upon inspecting the vehicle.

SUBC02

EM5-805-LC-4588



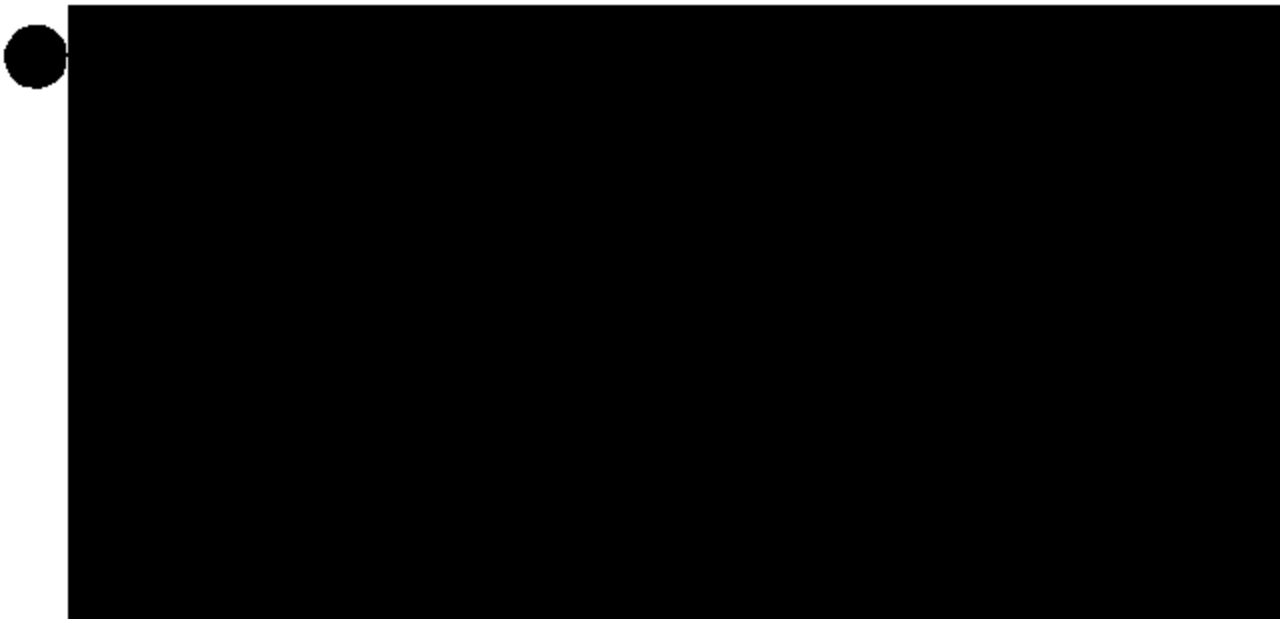
Your prompt attention to this letter will be appreciated.



Lonny J Sugang  
(714) 850-5673

SIEC02

ERSS-005-LC-4578



P  
C 6/04



P O BOX 2655 \* Harrisburg Service Center \* HARRISBURG, PA 17105

July 16, 2004

Attn: Shawn Norton  
Ford Motor Credit  
Parklane Towers West  
Suite 300  
Three Parklane Blvd  
Dearborn Michigan 48126-2568

*Please find  
the attached  
as requested.*

OUR INSURED: [REDACTED]  
OUR CLAIM NUMBER: [REDACTED]  
YOUR INSURED: Ford Motor Co  
YOUR INSURED'S ADDRESS: PO Box 6248  
MD-3NE-B  
Dearborn, MI 48126

Consumer Affairs

**YOUR CLAIM NUMBER :**  
**DATE OF ACCIDENT :** 03-25-2004  
**COMPANY LOSS :** \$7,796.12  
**LESS (SALVAGE) :** \$0.00  
**DEDUCTIBLE :** \$50.00  
**TOTAL AMOUNT DUE :** \$7,846.12

Here are the supporting papers and a request for payment of our subrogation claim. We consider the total amount due listed above to be payment in full, but will promptly notify you if we incur any additional costs. No attorney is representing our subrogation interests at this time. Please forward your check to :

Nationwide Ins and [REDACTED], Attn: Accounting Dept., PO Box 2655, Harrisburg, PA 17105.

We appreciate your prompt attention to this matter.

**NATIONWIDE MUTUAL INSURANCE COMPANY**  
**JEAN FELTY (PA-02-15)**  
Claims Department  
1-(800)889-9872 Ext. 6685

*- Randor, PA  
- 108,000 (M)  
- VIN*

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such a person to criminal and civil penalties.



Office of the General Counsel

ATTN: SHAWN NORTON

PRIVILEGED & CONFIDENTIAL

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

April 22, 2004

Nationwide Insurance Company  
1001 E. Market Street P.O. Box 2655  
Suite 800  
HARRISBURG, PA 17105  
Conelehoekon, PA 140428  
ATTENTION: ~~INQUIRE~~ JEFFREY FELTY

7/16/04

Please review the enclosed and advise us to the status of our subrogation claim.

RE: Claimant: [Redacted]  
Your Claim #: [Redacted]  
DOI: 03-25-2004

Jeffrey Felty  
(800) 889-9272 x6685

Dear Mr. Krause:

We acknowledge your recently submitted subrogation claim. In order to assist us in evaluating your claim, we request that you provide us with the following information: (Please note that the information requested is in regard to the Ford manufactured vehicle.)

- 1. Attach your insured's statement with a complete description of the incident, including events that occurred prior to and subsequent to the loss.
- 2. A copy of the police and/or fire report.
- 3. Original color photographs of the vehicle's collision/fire damage & the alleged defective parts, from several different angles.
- 4. Original color photographs of the inside of the vehicle showing the steering wheel, dash and roof areas.
- 5. Original color photographs of the accident / fire scene from several different angles.
- 6. Attach a copy of your expert's report and the expert's original photographs.
- 7. Attach the repair estimate, repair order, or your total loss worksheet for the vehicle's damage and any losses associated with this incident, and copies of debt payments.
- 8. Attach the complete service history for the subject vehicle, including any tune-ups or oil changes. *see attached interview*

Please answer the following in the space provided. If you need additional space, please use the back of the form:

- 9. What was the city and state of occurrence: [Redacted], RADNOR, MOUNTAIN CO, PA.
- 10. The 17 digit vehicle identification number: 1FTDF1863V [Redacted]
- 11. What was the mileage at time of occurrence: 108,000
- 12. What is the alleged defect: FAILURE IN FUEL SYSTEM
- 13. Has the alleged defective part been repaired or replaced? (circle one) Yes or No

(215) 679-8854  
COPART 2704 Genyville PK.  
Pennsburg, PA

14. What is the current location of the vehicle? \_\_\_\_\_

15. List all after market additions or modifications that were made to the vehicle: \_\_\_\_\_

all needed interior

16. Was the engine running? (circle one) Yes or No

17. Were the keys in the ignition? (circle one) Yes or No

18. Was this vehicle purchased new or used: used

If purchased used, provide the date of purchase, mileage at the time of purchase, and from whom the vehicle was purchased: 20,000

Once we are in receipt of the requested information, it will be reviewed and you will be notified of our decision concerning your claim. Should you not send all of the requested information and materials, we will assume that you are not interested in pursuing a claim and we will close our file. Please note that your vehicle will not be inspected until all the above information has been submitted and a determination has been made as to whether an inspection is warranted.

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

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

Sincerely,



Shawn L. Norton  
Claims Analyst /  
Litigation Assistant

## Select Activity Log

Claim Key: [REDACTED]  
Policyholder: [REDACTED]  
Claimant: N/A

Requester: FELTYJ  
Print Date: June 25, 2004  
Print Time: 11:15 AM

Date: 2004-06-23 Time: 14:42:50  
Creator: OOR  
Assignee: FELTYJ  
Cov:  
Claimant:

RS TRANSCRIPTION FOR [REDACTED]

File Name: [REDACTED].htm  
Insured: [REDACTED]  
Claim No: [REDACTED]  
Person Giving Statement: [REDACTED]  
Relationship to Accident: Policyholder  
Date Taken: 6/11/04  
Date of Loss: 3/25/04  
Interviewer: Not Given  
Cov: Coll  
ClassID: FELTYJ

Q: Speaking. I'm recording a conversation between myself and [REDACTED] from my office from in Conshohocken, Pennsylvania. The date is June 11th, 2004, and the time is approximately 10:21 a.m. And this is concerning an auto fire, which occurred back on March 25th, 2004. And the reason for this is because the first tape was inaudible. So we are retaking an interview for subrogation purposes. And, uh, [REDACTED], do you understand that I am recording the interview?

A: Yes, I do.

Q: And do I have your permission to record it?

A: Yes.

Q: Okay, could you state your full name and spell your last name please?

A: [REDACTED]

Q: And your current address?

A: [REDACTED], PA 1, uh, [REDACTED]

Q: Okay. And, uh, and you said, uh, you've been living there for approximately five four months the last time we talked?

A: Yeah.

Q: Okay, and, uh, your home phone number?

A: Area code [REDACTED], oh, [inadmissible].

Q: [REDACTED]?

A: That's it, yeah. I never.

Q: And I have your date of birth as [REDACTED]. Is that correct?

A: Yes, it is.

Q: Okay, and I have your Social Security number as [REDACTED].

A: Yes.

Q: Okay, and you're married?

A: Yes.

Q: Okay, and, uh, does anyone else live in the household with you?

A: No, just my, my, myself and my wife.

Q: Okay. And who all drives the vehicle?

A: Just me.

Q: Okay, and what, I have it as a 1997 Ford F-150. Is that correct?

A: Yes.

Q: Okay. And uh, the outside color is white?

A: Yes.

Q: And the inside color is tan?

A: Yeah.

Q: And there was approximately 100,000 miles on the vehicle?

A: Yes.

Q: Okay, uh, oh. I have here you purchased the vehicle August 1998. Is that correct?

A: Yes.

Q: Okay, and you bought it from Westchester Ford, in Westchester, Pennsylvania?

A: Yeah. Um, yeah, I forgot the name of it. It's actually a, a guy's name, um.

Q: Okay.

A: Yeah.

Q: So there was a Ford dealership in Westchester, Pennsylvania?

A: Yes.

Q: And that was one?

A: Yes.

Q: Westchester Pike?

A: Yes.

Q: Okay. And who is the vehicle titled to currently?

A: Uhh.

Q: Or who was it titled to?

A: It was titled to me. Yeah, I had paid it off, yeah.

Q: Okay. And the date and the time of the fire do you remember what that was?

A: Oh, about.

Q: I have here March 25th, of '04. Is that correct?

A: March, uh, just let me check real quick here.

Q: Okay.

A: I have my log.

Q: Okay.

A: With me. Um, uh, yes. March, Thursday, March 20th, March 25th, yeah.

Q: Okay, at approximately 2:30 a.m. Is that right?

A: Yes.

Q: Okay.

A: 2:30, yep.

Q: And what was the location of the fire?

A: Uh, uh-h.

Q: You said it was at, uh, 205 Radnor, Pennsylvania?

A: Yes, 205 Garden Place.

Q: Garden Place?

A: Radnor.

Q: Okay.



A: Yes.

Q: And that was at the residence of [REDACTED] [phonetic], uh?

A: Yes.

Q: Where you were doing work for him?

A: Yes.

Q: Okay, in his driveway, correct?

A: Yes.

Q: Okay, uh, and did a fire department ever respond?

A: Yes, they did?

Q: Do you remember which one it was?

A: Uh, Radnor, Radnor fire department.

Q: Okay, and they put out the fire?

A: Yes, they did.

Q: Okay. All right.

A: And then I have the, uh, fire marshal's name and, uh, information also.

Q: Okay, what is that just for the record?

A: His, his name is Donald A. Woods [phonetic].

Q: Okay.

A: And he's the Radnor fire marshal.

Q: Okay.

A: Uh, do you need the phone number or address?

Q: Sure.

A: Okay.

Q: The phone number will be fine.

A: Okay. Uh, the phone number is 610-688-3482.

Q: Okay, great. And, uh, just to go over here the details of what happened, um, you said you, you left your house in the morning around 6:50 a.m. and you were driving?

A: Wait.

Q: To his, to his house to do some work?

A: Yes, it's approximately an hour drive and I know I got there, I, I got to that job site at approximately ten until 8:00.

Q: Okay.

A: So, uh, I probably left about ten until 7:00 or quarter to 7:00, something like that I guess.

Q: Okay, yeah, it's 6:50 a.m. here.

A: Okay.

Q: We're okay.

A: Okay.

Q: And then, uh, you pulled into his driveway?

A: Well, no, I first there's, we were doing two jobs simultaneously. They were, they were, uh, one was at 203 Garden Place, or I'm sorry, uh, 201 Garden Place.

Q: Okay.

A: And which was basically separated by one house.

Q: Right.

A: I stopped there to speak to a co-worker.

Q: Okay.

A: Um, I left my truck running. I pulled, you know, just pulled down in front of the garage.

Q: Right.

A: Left, just jumped out. Ran upstairs. Just checked in with him to see what, to see what he was doing.

Q: Right.

A: Went back outside within, so it was no more than five, I mean there is no way it was five minutes.

Q: Okay.

A: I mean it was less than five minutes. I went back out. Got in the truck, drove down to 205 Garden Place.

Q: Okay.

A: I backed into the drive.

Q: Uh-huh.

A: Turned the vehicle off.

Q: Okay.

A: Got out and went through my normal routine, which is I just go, get in the back. I unlock my toolbox.

Q: Uh-huh.

A: Jump in the back of the bed. I'm basically standing in the center of the, the center facing the front of the truck. And I got my tools out. And I'm pretty sure it was just the drill case.

Q: Uh-huh.

A: And, you know, tape measure and pencil, something like that.

Q: Right.

A: When I put it down I noticed a, a very white, I thought it was steam 'cause it looked it was that, that white.

Q: Right.

A: Coming from in front of the windshield.

Q: Okay.

A: And by the time I jumped out of the back and opened the, the car door and reached in to release the hood.

Q: Uh-huh.

A: It had turned to black like it turned.

Q: Okay.

A: Like a brownish.

Q: Okay.

A: Very quickly and then it turned, started, then it started to get black in it. And then I swear to God within s-, it seemed like seconds 'cause I never got to open the hood.

Q: Okay.

A: There was flames coming out front.

Q: Right.

A: Yeah, the intersection at the back of the hood where it comes at the, uh, windshield wipers.

Q: Okay, and you had the vehicle shut off, right?

A: Yes, it was off.

Q: And the keys were out of the ignition?

A: The keys were out of the ignition 'cause I need the keys to unlock my box.

Q: Okay, okay.

A: So I know they were out, yes.

Q: All right. Um, any recent work done on the vehicle? Do you remember anything that you had done? You said, uh, in our initial interview that you had, they had replaced the intake manifold?

A: That was quite, that was around it.

Q: About two years ago.

A: 75,000 miles and I don't remember it.

Q: Okay.

A: Uh, I would have to contact the dealer to see the date but it.

Q: Right.

A: You know, that was I was assuming time wise and the amount of miles I had on it that it was about two years old.

Q: Okay.

A: Two or three years before. You know what I mean?

Q: [Inaudible] the dealer at Westchester Ford?

A: Yes.

Q: Okay.

A: Yeah, it was.

Q: And then you said that it was last inspected of May 2003, uh, with new ball joints, new rotors, and that was done by Straburg, Tennessee?

A: Yes.

Q: Okay. All right. Um, any after market additions or modifications made to the vehicle?

A: No, um, no, nothing other, the only modification I ever made was the attachment of the toolbox and the ladder rack.

Q: Okay.

A: There was a-, absolutely nothing else was done.

Q: Okay. No, no like, uh, audio system put in or anything like that?

A: No, it had, it had like a six CD changer.

Q: All factory?

A: It came, yes.

Q: Okay.

A: It was like, it was an XLT so it was like completely loaded.

Q: Okay. And you purchased that new or used? I can't remember.

A: Used.

Q: Used? Okay.

A: Yes.

Q: And, um, and you said the mileage at the time of purchase was, what?

A: Approximately 20,000.

Q: 20,000?

A: Yeah, it was some, I tried to find, I left you a message. I tried to find that.

Q: Yeah, I got that.

A: Receipt from the purchase and I couldn't. Uh, I think I may have thrown it out or else it's misplaced.

Q: Okay, and you, you can't remember the dealer you purchased it from?

A: Uh, God. What the hell is the name of that guy? Um, uh.

Q: Do you know the address or anything? It was on Westchester Pike right?

A: It's on Westchester Pike on the east side of Westchester Pike towards.

Q: Okay.

A: West Town, out of Westchester. Oh, Bean [phonetic].

Q: Bean?

A: Fred Bean.

Q: Fred Bean? Okay.

A: Fred Bean Ford. Yeah, that's it.

Q: All right.

A: Fred Bean.

Q: All right. And, uh, let's see here, and you kept the oil changed. How often did you change the oil?

A: Uh, three, 4,000 miles at the most.

Q: Okay, every three, 3,000 miles?

A: Yeah.

Q: Okay.

A: Yeah, I always shot for that. I mean it never went that far off.

Q: Right, okay. Uh, let's see, I think that might be it. And have you ever experienced any mechanical or electrical problems while driving it?

A: No, I&t

Q: Any problems&t

A: Mechanical or electrical.

Q: Putting the windows up or down or anything like that? Like lights coming on?

A: No, that's what I'm trying to think, Something the window, see I have a, I have a, and I was given a, a Jagran&t

Q: Right.

A: Oh my, it was my stepfather's and he passed away and I basically received the car.

Q: Okay.

A: And it has, I'm trying there's some it, there was a, there was an issue with the, the window which is with that car and I think I can't, I can't really remember anything with the truck.

Q: Okay. That's fine.

A: Um, yeah.

Q: All right. Um, let me see if I just got everything here. All right. I think I got everything. I'm just gonna wrap this up with you then. Is there anything else you'd like to add to this statement?

A: Oh, uh, well, I don't know if I should do it now but I just got some information that there may have been a problem in the late '90's with the Ford vehicles where they had a, they had a, used a hose like a rubber&t

Q: Okay.

A: Hose uh, somewhere along their fuel line that they were having problems with it&t

Q: Okay.

A: Actually get, you know, causing fires.

Q: Now was that a, uh, recall?

A: Well, no. Well, here's the way I found out about it. I found out picking up food to take out. I had mentioned it to the guy&t

Q: Right.

A: That I was paying. And he said oh, yeah. You know, he was like a, like one of those guys that works on cars a lot.

Q: Right.

A: And he said oh, yeah, back in the late '90's, you know, they had this problem with Ford.

Q: Okay.

A: And I had kind of passed on. I thought well, if that were, if that were true I would have gotten a recall notice.

Q: Right, right.

A: And yesterday on the job site I was talking to a stereo installer.

Q: Uh-huh.

A: And he s-, he happened to mention that it's not necessarily the case that what they would do is they have a web site and they put up, uh, some kind of advisory.

Q: Oh, okay.

A: Yeah, so I thought well that's weird.

Q: Wow, it is.

A: You know, I wonder if it's true. So anyway I haven't had a chance to really look.

Q: Okay.

A: For it but anyway.

Q: All right.

A: That was it.

Q: Uh, have you understood all my questions then?

A: Yes, I have.

Q: And have all your answers been true and correct to the best of your knowledge?

A: Yes.

Q: And has this recording been made with your full knowledge and consent?

A: Yes, it has.

Q: Okay, the time is approximately 10:30 a.m. And with your permission, I'm going to turn off the recorder?

A: Okay.

[End of Recorded Statement.]

# RADNOR TOWNSHIP FIRE MARSHAL REPORT

INCIDENT FILE NO. R-04-003

PAGE 1

<b>INCIDENT</b>		<b>DAY</b> Thu	<b>DATE</b> 7/24/07	<b>TIME</b> 0510	<b>FIRE DEPT. INCIDENT NO.</b> R-03-785
<b>WEATHER AT TIME OF FIRE</b>	<b>GENERAL CONDITIONS</b>			<b>TEMP.</b>	<b>WIND DIR.</b>
<b>PROPERTY DESCRIPTION</b>	<b>STRUCTURE (906-2)</b> <input type="checkbox"/>	<b>VEHICLE (906-3)</b> <input checked="" type="checkbox"/>	<b>WILDLAND (906-4)</b> <input type="checkbox"/>	<b>OTHER</b> <input type="checkbox"/>	

## STRUCTURE

<b>OWNER/OCCUPANT</b>	
<b>OWNER'S NAME</b>	<b>PHONE NO.</b>
<b>OWNER'S ADDRESS</b>	
<b>OCCUPANT'S NAME</b>	<b>PHONE NO.</b>
<b>OCCUPANT'S ADDRESS</b>	
<b>DOING BUSINESS AS</b>	<b>PHONE NO.</b>

<b>TYPE &amp; STATUS</b>	
<b>PROPERTY USE</b>	
<b>STATUS (OCCUPIED, UNOCCUPIED, VACANT)</b>	<b>COMMENTS</b>

<b>CONSTRUCTION</b>	
<b>FOUNDATION</b>	
<input type="checkbox"/> SLAB	<input type="checkbox"/> CRAWL SPACE
<input type="checkbox"/> BASEMENT(S)	<input type="checkbox"/>
<b>DIMENSIONS</b>	
<b>FT. LENGTH</b>	<b>FT. WIDTH</b>
<b>FT. HEIGHT</b>	<b>STORIES</b>
<b>NO. UNITS</b>	
<b>TYPE OF CONSTRUCTION</b>	<b>ROOF</b>

## VEHICLE

<b>VEHICLE DESCRIPTION</b>	
<b>COLOR(S)</b> WHITE	<b>YEAR</b> 97
<b>MAKE</b> FORD	<b>MODEL</b> F150
<b>LICENSE NO. STATE</b>	<b>VIN NO.</b>

<b>OWNER/OPERATOR</b>	
<b>OWNER'S NAME</b>	<b>OWNER'S ADDRESS</b>
<b>OWNER'S PHONE NO.</b>	
<b>OPERATOR'S NAME/LICENSE NO.</b> OWNER WAS OPERATING	<b>OPERATOR'S ADDRESS</b>
<b>OPERATOR'S PHONE NO.</b>	

## RESPONDING AGENCIES

- Radnor Fire Co.       Radnor Police Dept.       \_\_\_\_\_  
 Bryn Mawr Fire Co.       PECO Energy       \_\_\_\_\_

## CASUALTIES

Firefighter \_\_\_\_\_ Citizen \_\_\_\_\_



**RADNOR TOWNSHIP  
FIRE MARSHAL REPORT**

INCIDENT FILE NO. R-04-003

PAGE 2

**ORIGIN AND CAUSE**

<b>AREA OF ORIGIN</b>
COMMENTS <u>PASSENGER SIDE OF ENGINE NEAR FIREWALL IN ENGINE</u>
<u>COMPARTMENT</u>

<b>IGNITION SEQUENCE</b>
NEXT SOURCE <u>UNKNOWN</u>
MATERIAL IGNITED <u>OFF SOLEING</u>
IGNITION FACTOR <u>PROBABLE FUEL LEAK</u>
IF EQUIPMENT INVOLVED
MAKE _____ MODEL _____ SERIAL NO. _____
COMMENTS <u>MAN HUGH GOT OUT OF TRUCK AND WENT TO REAR. SAID WHAT HE</u> <u>THOUGHT WAS STEERING LEVER FROM WENT BELOW W/ W/ DASHED, TURNED</u> <u>BACK QUICKLY, HE ATTEMPTED TO FIGHT FIRE WITH GARDEN</u> <u>HOSE. UPON FD ARRIVAL, ENGINE AND PASSENGER COMPARTMENT</u> <u>FULLY INVOLVED</u>

**ESTIMATED LOSS**

Structure \_\_\_\_\_ Contents \_\_\_\_\_ Vehicle 4000.00 Total 4000.00

**INSURANCE**

<b>COMPANY</b>			
NAME 1. <u>NATIONWIDE</u>	ADDRESS	PHONE NO.	
POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE	
NAME 2.	ADDRESS	PHONE NO.	
POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE	

<b>INSURANCE AGENT</b>		
NAME 1.	ADDRESS	PHONE NO.
NAME 2.	ADDRESS	PHONE NO.

Donald [Signature]



**PRIVILEGED AND CONFIDENTIAL**

**REPORT DATE:** April 8, 2004

**REPORT RECIPIENT:**

Nationwide Insurance Company  
1001 Hector Street - Suite 300  
Conshohocken, PA 19428

**ATTENTION:** Mike Krause

---

**INSURED:** [REDACTED]

**DATE OF LOSS:** March 25, 2004 **Time:** 8:00 AM

**LOSS LOCATION:** Garden Place

**CITY / STATE OF LOSS:** Radnor, Pa

**CLAIM NUMBER:** [REDACTED]

**CIS FILE NUMBER:** 7268-001040

**PREPARED BY:** Paul E. Savage  
Certified Fire Investigator

- 
- First and Final Report
  - Initial Report
  - Interim report

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

Insured: [REDACTED]  
File No.: 7285-001040

**ASSIGNMENT:**

Received from: Mike Krause, Nationwide Insurance  
Instructions: Conduct an origin and cause investigation into a vehicle fire loss.

Received on: Tuesday March 30, 2004 10:30 AM  
Commenced on: Wednesday March 31 2004 10:30 AM

Verbal report on: Thursday April 1, 2004 2:00 PM  
Verbal report to: Mike Krause, Nationwide Insurance

**RISK:**

Make	Ford	Model	F150 Pickup
VIN	1FTD1863V [REDACTED]	License Plate	None

**ORIGIN AND CAUSE SUMMARY:**

Based upon the examination of this Ford F150 pickup truck, the origin area of this fire is at the engine.

From the area of origin, the fire consumed all components of the engine, then traveled through the firewall into the interior, consuming the interior of the cab.

The ignition source and first material ignited could not be determined.

Following the completion of this investigation, I am unable to conclusively determine a cause of this fire.

**BACKGROUND:**

This 1997 Ford F150 4-WD pickup truck had about 108,000 miles when this fire occurred. [REDACTED] is the insured and the second owner of this truck. According to [REDACTED] many safety/recall notices he received from Ford Motor Company were handled by Fred Beans of West Chester, PA. This is the dealership where the truck was purchased. [REDACTED] stated that he bought the truck when it had 20,000 miles on it, and he also bought an extended warranty for repair.

**INTERVIEW:**

[REDACTED] was interviewed via telephone in reference to this fire loss with the following information reported. [REDACTED] states that he had just arrived on a construction job on Garden Place in Racine Township, PA, after about an hour drive. [REDACTED] stated that he was in the cargo section of the truck unloading tools when he locked up and saw white smoke that he first thought was steam. This white smoke/steam quickly turned brown, then black. [REDACTED] states that he went to the cab to pull the release handle for the hood, and the smoke was coming from the vent section at the rear of the hood and in front of the windshield. The smoke turned to fire. [REDACTED] states that he heard a hissing sound coming from the engine. [REDACTED] states that he was trying to take anything he could grab from the cab. He then went to the rear of the house for the garden hose. The homeowner came out with a fire extinguisher, and this did not help. The garden hose was too short to reach the truck. [REDACTED] states that 911 was called several times. He also stated the fire department "got lost" on their way to the fire. [REDACTED] stated that shortly into the fire, the

Insured: [REDACTED]  
File No.: 7208491040

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entire truck was burning. When asked where the engine hood was, [REDACTED] stated that he watched it melt away in the fire. When asked about recalls or maintenance to the truck, [REDACTED] stated that the manifold had cracked and Ford replaced the manifold. There was also a check engine light on all the time, but Ford could not find a problem.

#### VEHICLE EXAMINATION:

This vehicle is a Ford F-150 pickup truck and was examined at the Pennsburg Copart Lot. The vehicle was photographed, and an examination of the exterior and interior was conducted. The vehicle was severely damaged from this fire with the interior and the engine areas consumed by fire. The rear cargo area had no damage.

#### Exterior:

There was no crash damage to this vehicle. The engine hood was missing. The rear cargo area had no damage from fire. There was no glass in any window of this truck. The rear tires were in good condition. The front tires were damaged by fire. A rear center-mounted toolbox sustained minor fire and heat damage. The front grill and light assemblies were consumed by fire.

#### Interior:

The interior of the vehicle was severely consumed by this fire. Burn patterns show that the fire traveled into the cab from the engine compartment through the front firewall and the windshield. Most of the cab's interior was consumed except for the lower seat padding and cloth covering of the seats. Personal property behind the seats in a cargo area sustained minor or no damage from fire. Burn patterns show that the fire remained high against the ceiling in the cab and vented out the windows allowing no heat and minor fire to the floor and rear areas inside the cab.

A bundle of wires that appeared to come from the engine compartment and through the firewall on the left side of the dashboard were lying over the steering column. Most of these wires had beading at many locations on them. These are strand wires and a very light gauge. These wires were very brittle and would break apart when being touched. The other end of this wire bundle was in the engine compartment and were also fraying loose. There was beading at many locations at the ends and middle sections of these wires. The damage to these wires appeared to be from high temperature external heat.

#### Engine Compartment:

The engine compartment was completely consumed by fire. The battery was consumed, and only a few of the internal plates were located. The positive cable was located attached to the starter and had no beading. The outside cover was burned away. All neoprene fuel lines were burned away, and only the clamp fittings remained. Both sides of the fuel injection fuel rails and vacuum lines were detached from their ports on the top side of the engine. The extent of damage to the engine and its components were severe and is consistent with a fuel-assisted fire. There was the proper amount of transmission fluid in the reservoir, and it appeared to be clean. The engine oil could not be examined.

#### RECALLS, DEFECTS, TECHNICAL SERVICE BULLETINS and COMPLAINTS:

Refer to the attached file for a list of safety recalls for the F150 series truck. The recalls are for the gasoline system, fuel lines and fittings, and engine cooling systems.

#### CONCLUSION:

After a thorough inspection of the entire vehicle, including an evaluation of the critical vehicle systems (fuel, electrical, mechanical) and all fluids, I have determined that this vehicle fire appears to be consistent with a fuel fire from a failure in the fuel system. All material was

Incident: [REDACTED]  
File No.: 7288-001048

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consumed and could not be completely examined. The specific cause is undetermined at this time.

**FILE STATUS:**

At the present time, and with no further investigation anticipated, this file is being closed. Should future circumstances warrant, this file can easily be reopened.

If you have any questions or require further assistance, please contact me at the number listed below.

Respectfully,

Paul Savage  
Fire / Explosion Investigator  
Springfield, PA  
610-358-8518

Cf. John Filanz  
Northwest Regional Manager  
(888) 600-3605

(Address all correspondence concerning this file to the following address. Please include the CIS file number.)  
Crawford Investigation Services, Inc.  
National Operations Center  
285 W. Esplanade Ave., Suite 200  
Kenner, LA 70035

ER05-005-LC-4588

Insured: [REDACTED]  
File No.: 7288-021048

4

**ENCLOSURES:**

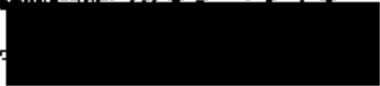
- 1 Photographs - Mounted = 8
- 2 Listing of safety recalls
- 4 Photograph negatives and 2 additional photographs

Insured: [REDACTED]  
File No.: 7269-001648

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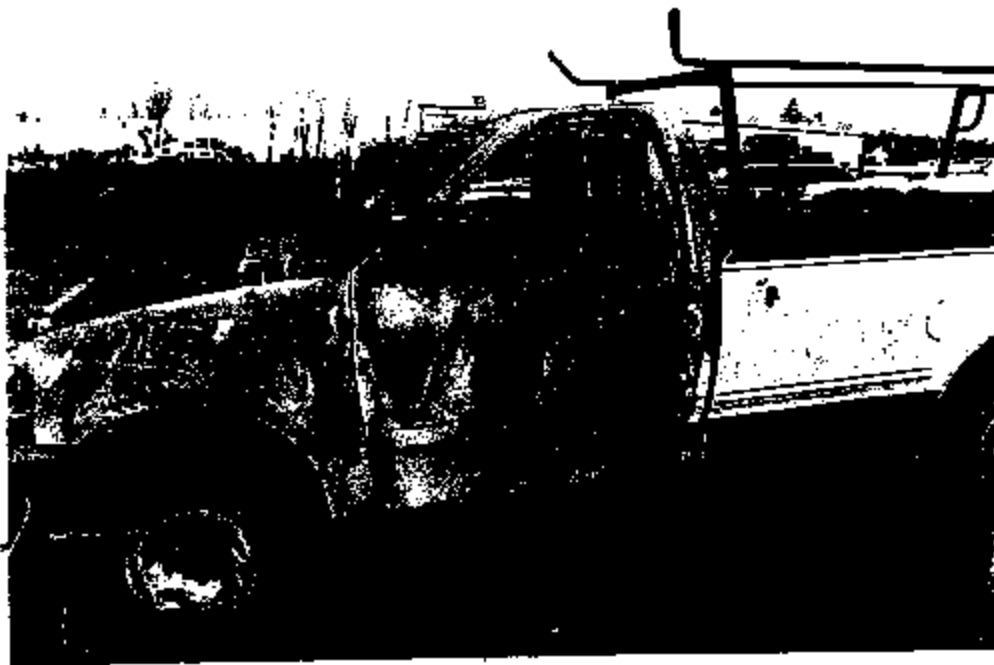
#### PHOTO LOG

No.	Location / Depicting
1	Front view of vehicle
2	View of left side of vehicle
3	View of the rear of vehicle
4	View of right side of vehicle
5	View of top side of engine from left front, showing engine and associated parts consumed
6	View of engine from right side, front of photo is remaining battery and top left is wiring harness
7	View of interior of cab from right side. Top of photo is wiring harness with many beaded wires.
8	Close-up of wiring harness that travels from engine area to left side of control panel

File Identifier: 7263-1276  
Insured: 



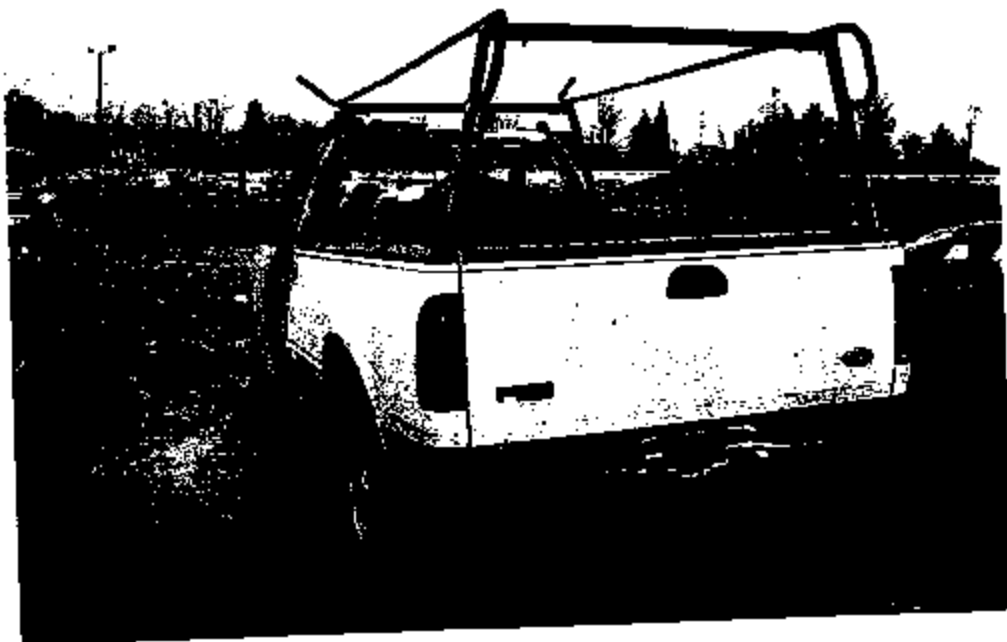
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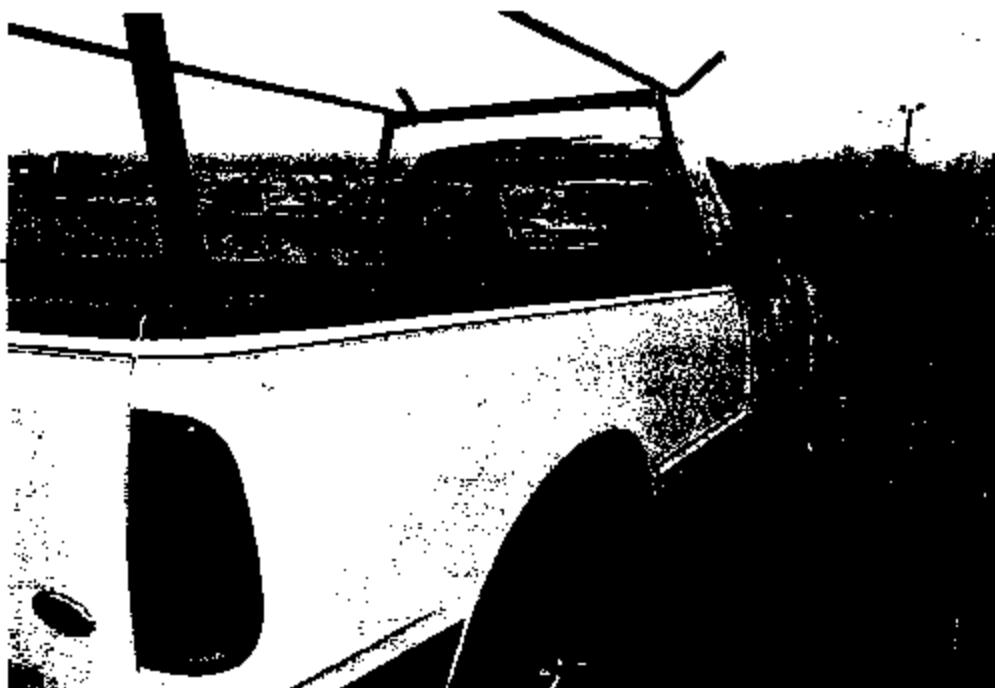
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Photo Mounting Sheet



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Photo Mounting Sheet



Photo Mounting Sheet



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COPY  
ORIGINAL FILED  
JAN 21 1999  
SUPERIOR COURT  
SPOKANE, COUNTY, WM

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IN THE SUPERIOR COURT OF WASHINGTON STATE FOR SPOKANE COUNTY

[REDACTED]

No. 99200408-1

Plaintiff,  
vs.  
FORD MOTOR COMPANY, a  
Foreign Corporation,  
Defendant.

AMENDED COMPLAINT

COMES NOW the plaintiff and for cause of action against the defendant states and alleges as follows:

I.

That plaintiff [REDACTED] is a Foreign Corporation with principal offices in Bloomington, Illinois, that it is properly licensed to do business in the State of Washington; that at all times material hereto, plaintiff insured [REDACTED] under a policy of automobile insurance; that defendant FORD MOTOR COMPANY, a Foreign Corporation, is doing business in Spokane County, State of Washington; that said defendant is subject to the jurisdiction of this court pursuant to RCW 4.28.185 et seq; that the events herein below referred to occurred within Spokane County; that this court has jurisdiction over these defendants; that venue is proper.

II.

That prior to September 15, 1998, Katrina Schultz had

COMPLAINT - 1

COPY

WILLIAM E. KREBSLUNG, P.S.  
Seattle Tower  
1218 Third Avenue  
Suite 1108  
Seattle, Washington 98101  
(206) 423-8433

1 leased/purchased a 1997 Ford Expedition, VIN 1FMFU18L7VI [REDACTED]  
2 which was leased/purchased from an authorized Ford dealer; that  
3 on or about September 15, 1998, the said automobile  
4 malfunctioned, causing damage and depreciation to [REDACTED]  
5 automobile. [REDACTED] submitted her claims for property damage  
6 to her insurer, Country Casualty, which paid a total of  
7 \$35,424.98 to settle the claim pursuant to its insurance policy  
8 with [REDACTED] Country Casualty is now seeking to be  
9 reimbursed this amount from the defendant, FORD MOTOR COMPANY,  
10 pursuant to its common law and contractual rights of subrogation.

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III.

That defendant Ford Motor Company manufactured the said automobile; that said automobile was defective at the time it left defendant Ford Motor Company's factory; that said automobile was not fit for the purpose for which it was to be used; that said automobile in its defective condition resulted in a breach of various warranties including but not limited to warranties of merchantability and warranties of fitness for a particular purpose; that Ford Motor Company and their agents and employees were negligent in allowing said automobile to leave the factory where it was manufactured in its defective condition; that defendants are further strictly liable to plaintiff under the terms and provisions of RCW 7.72 and other applicable product liability laws.

IV.

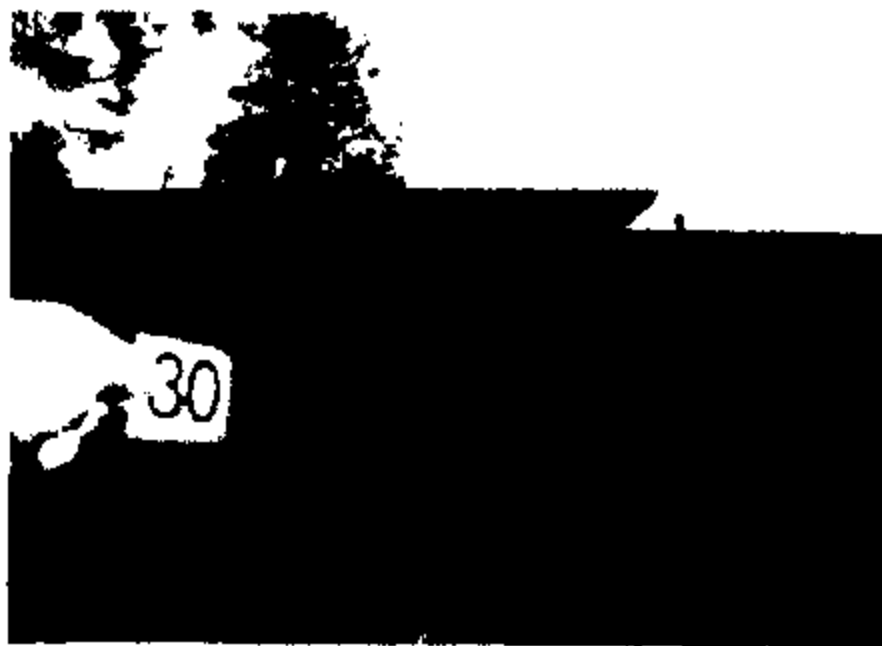
That notice is hereby given that the sums herein referred to are liquidated sums and plaintiff will seek prejudgment interest on all such sums at the time of trial or arbitration herein.

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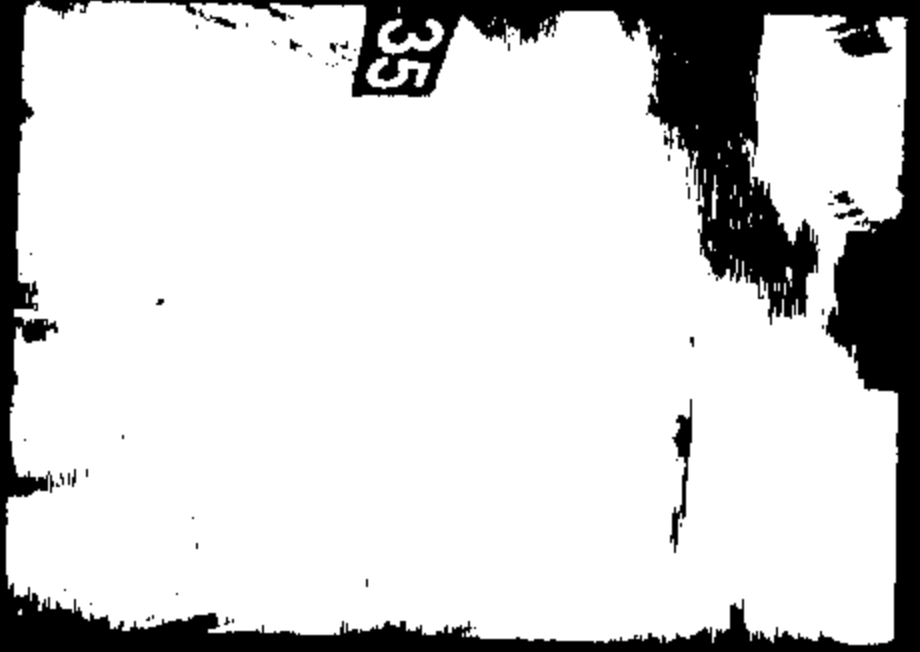
WHEREFORE plaintiff prays for judgment against defendant Ford Motor Company in an amount to be proven at the time of trial herein, but in no event less than \$35,674.98, together with a reasonable attorney's fee and the costs herein expended.

DATED this 6TH day of JANUARY, 1999.

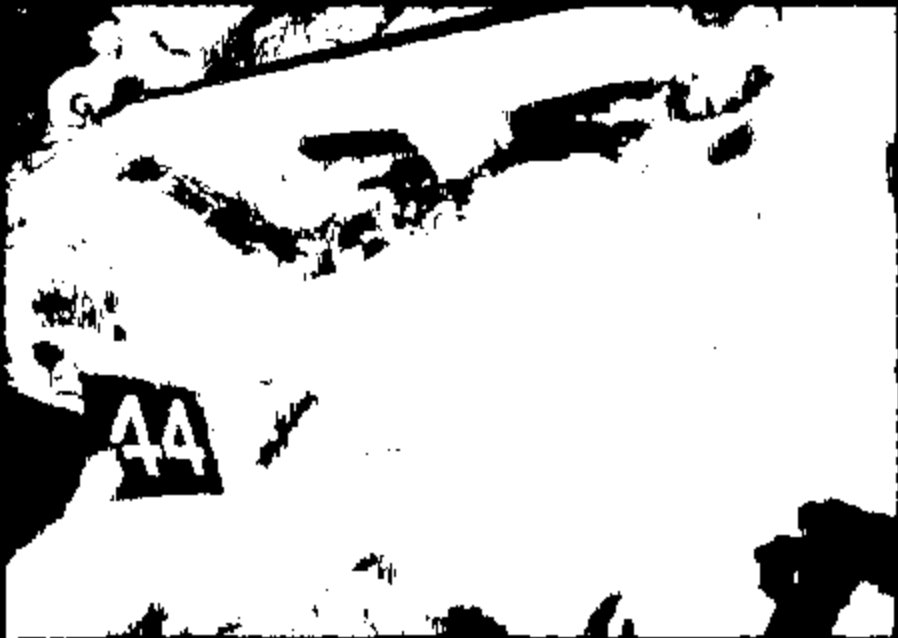
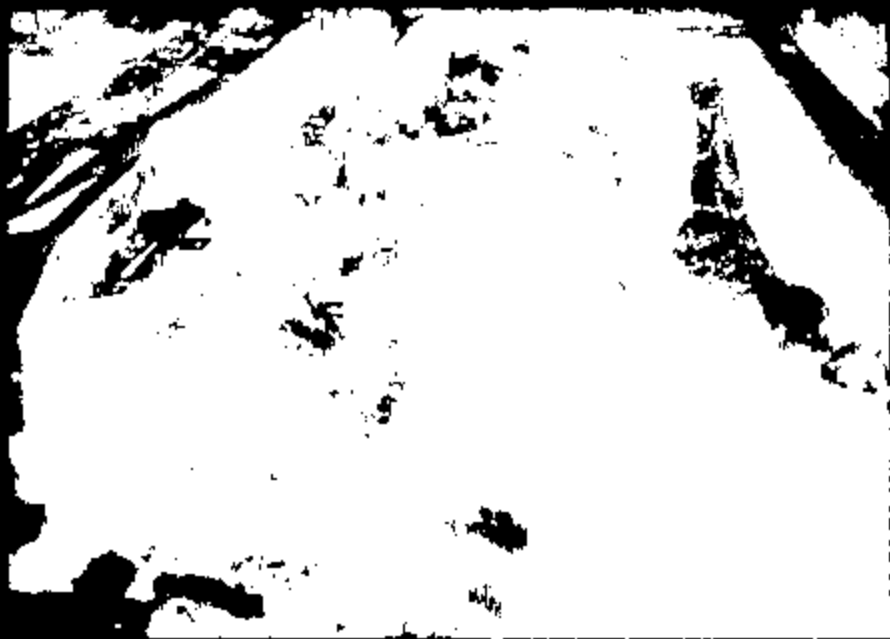
*WRK by Janyakhoran #89150*  
WILLIAM R. RESEBURG, WSBA #: 05794  
Attorney for Plaintiff  
Seattle Tower  
1218 Third Avenue  
Suite 1100  
Seattle WA 98101  
Phone: (206) 623-5433



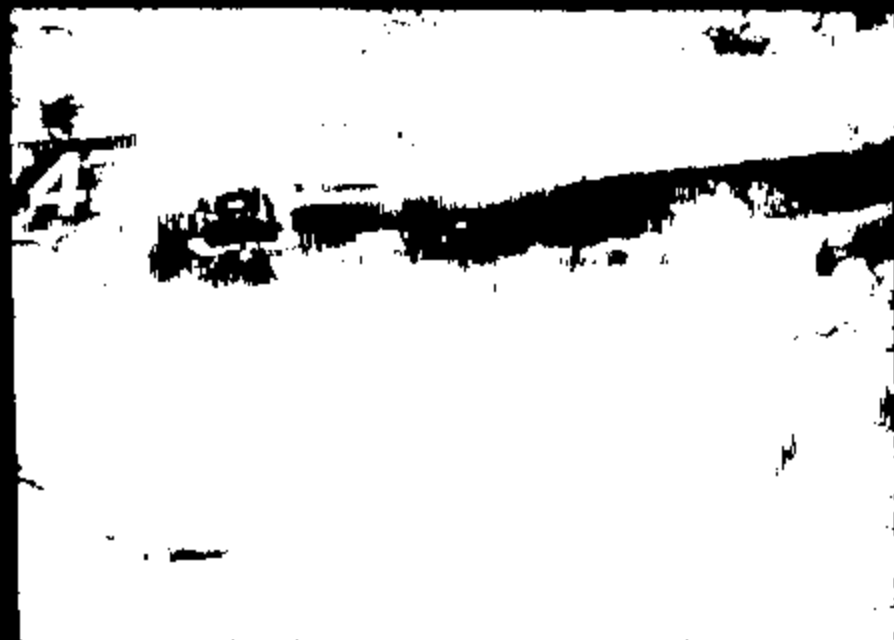
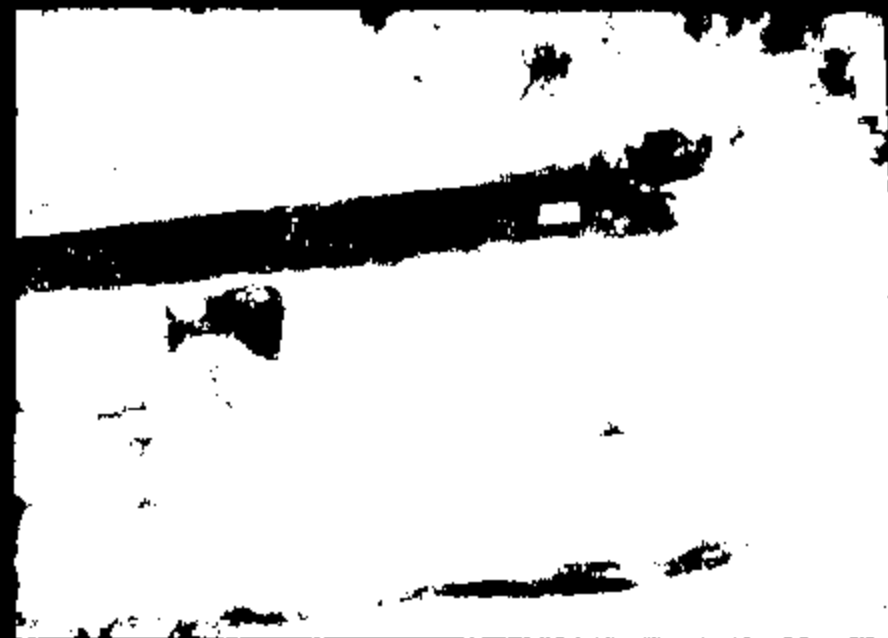


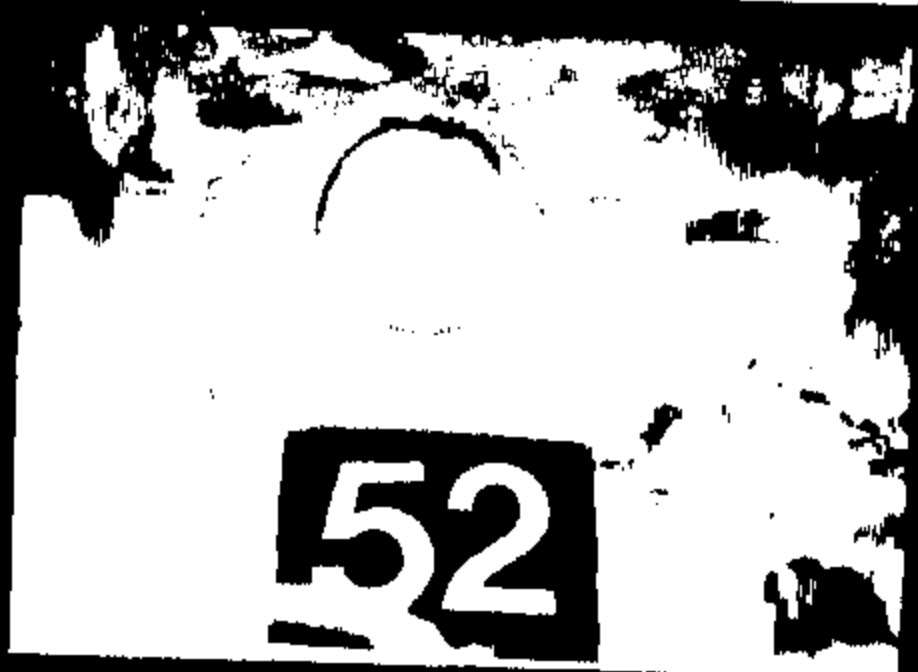
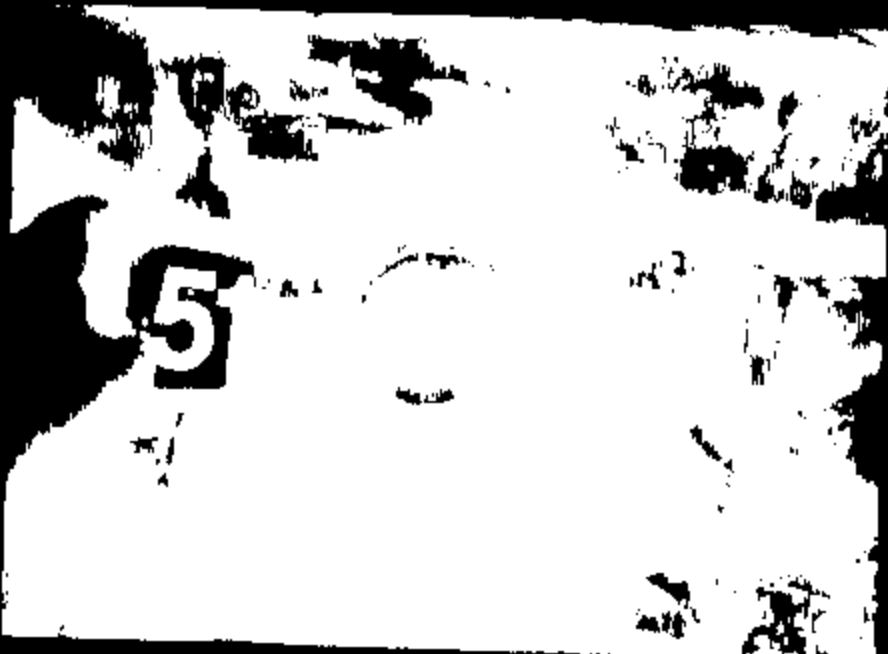






ENG-085-LC-4802







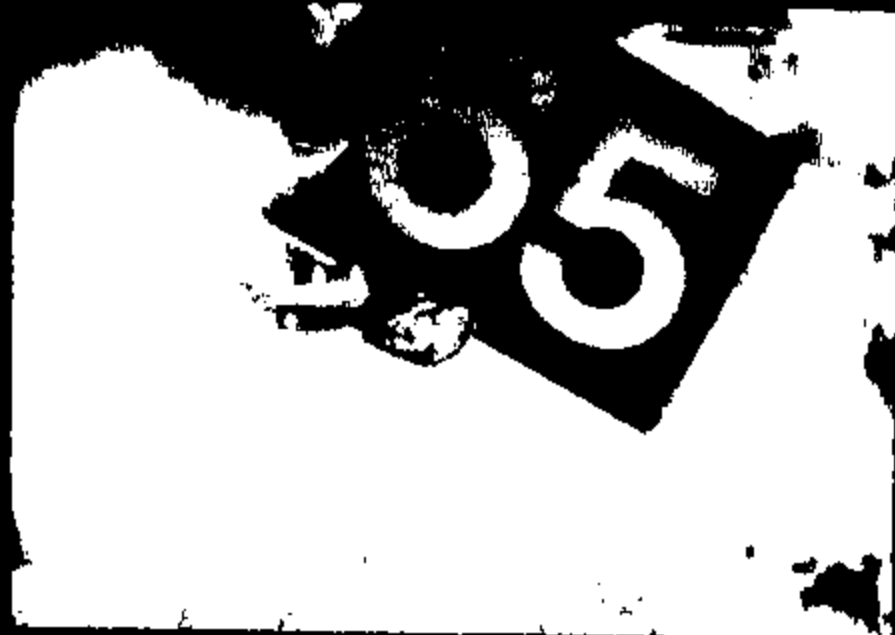
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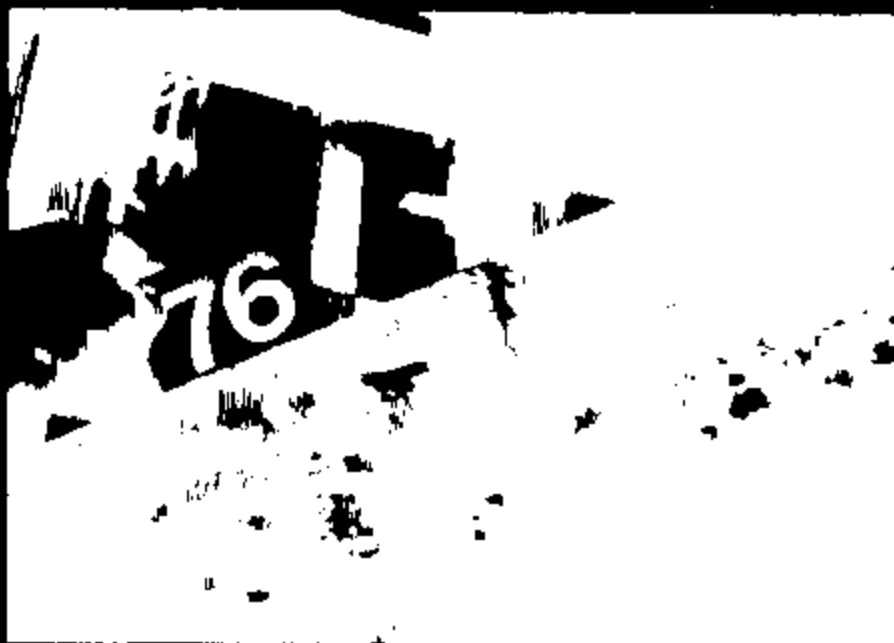


EROS-683-LC-4887









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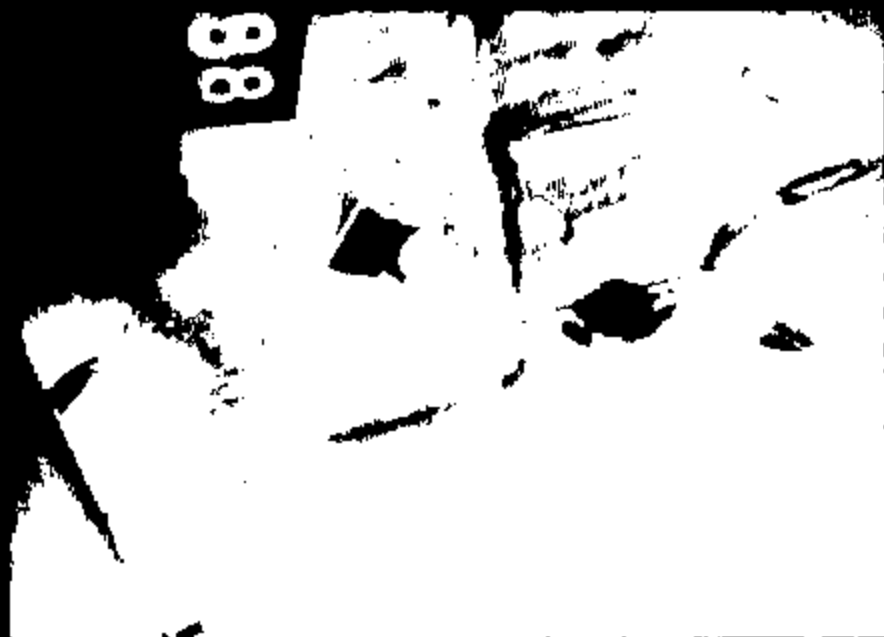


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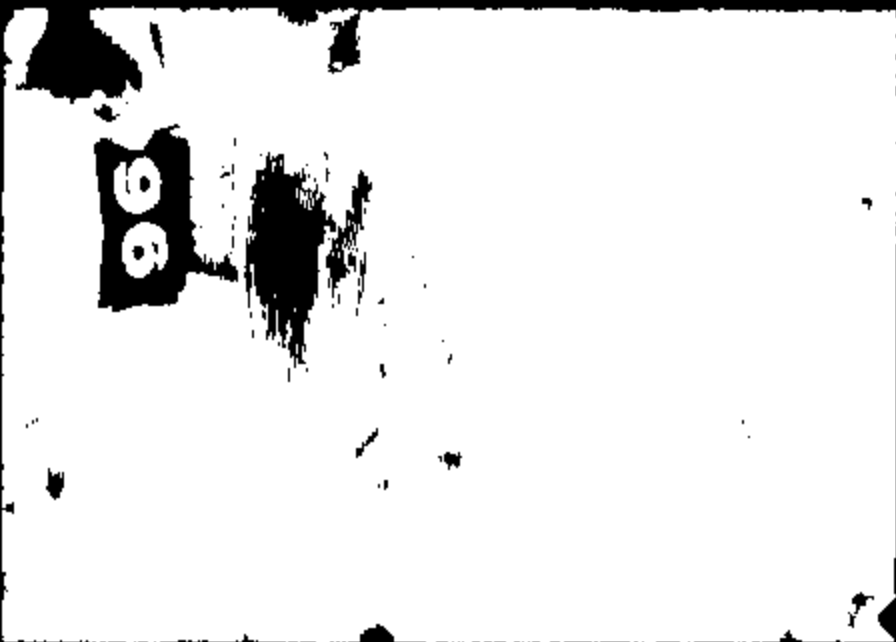
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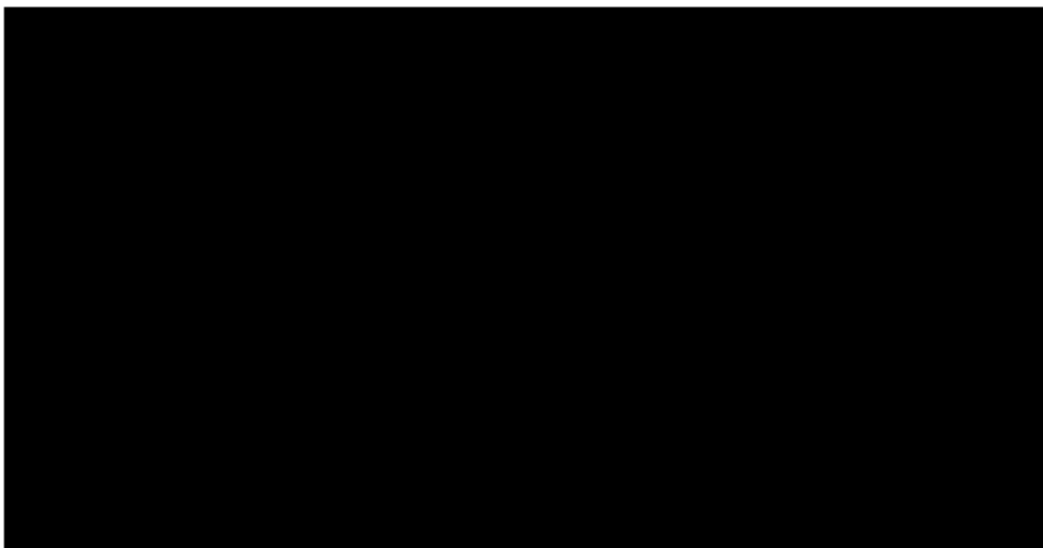








ERRS-305-LC-4518



**republic**

Republic group of  
Insurance companies

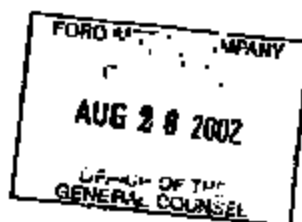
Loss Recovery

2727 Turtle Creek Blvd.  
P.O. Box 660560  
Dallas, TX 75266-0560  
Telephone 214 559 5842  
Fax 214 559 5899  
Toll Free 800 344 2275

August 21, 2002

VIA Certified Mail RRR  
7001 1940 0007 0635 0175

Ford Motor Company  
Parklane Towers W., Ste 300, 3 Parklane Blvd.  
Dearborn, MI 48126-2568  
Shawn L. Norton



Our insured: [REDACTED]  
Policy #: [REDACTED]  
Date Of Loss: 08/13/2002  
Loss Location: [REDACTED]  
Amount: \$52,400.00  
Alleged Defect: Fire Caused by Anti-Lock Brake system module

Dear Ford Motor Company:

We are writing you in regard to a subrogation claim against your company for an alleged defective Anti-Lock Brake system module that caught fire on a 1997 Ford F-150 and caused damage to our insured's property located at [REDACTED], Dallas, TX [REDACTED].

We have hired a cause and origin expert who concluded what we've outlined above. Our claim is only one of several claims that you will receive as a result of the fire. We are notifying the other carrier of this written notification to you via carbon copy of this letter. We need to hear from you as soon as possible. The fire site will be preserved as well as the automobile, however, our insured will be wanting to repair the property as soon as possible.

Sincerely,  
Republic Underwriters Insurance Company

*Susan Burgess*

Susan Burgess  
Sr. Loss Recovery Examiner

C [REDACTED]  
[REDACTED]  
Dallas, TX [REDACTED]

Allstate Insurance  
8675 Freepoint Pkwy E-2  
Irving, TX 75063  
Heather Williams - 972 871 6500  
Pol # 403 66 14834  
Their Insd: Fransico & Ofelia Trejo

- 8/13/02  
- \$52,400.00  
- '97 F-150  
- Dallas, TX

A member of the  
"Windsor" Swiss Insurance Group

ERRS-805-LC-4818

Insured: [REDACTED]  
LIS File No.: TX01-04687

### ASSIGNMENT

The assignment was received August 14, 2002, and the investigation commenced the same day. Instructions were to conduct an origin and cause investigation.

### DETERMINATION OF ORIGIN AND CAUSE

This fire cause was accidental. The area of first burning involved the ABS module located in the left lower portion of the engine compartment. The cause was due to overheating and failure of the electrical wiring serving this component.

#### Information and factors available to establish origin:

1. Area of greatest heat and fire damage
2. Patterns of flame spread
3. Areas of total collapse

#### Information and factors available to establish cause:

1. Single area of origin
2. No unusual or unexpected accelerated burn
3. Are damaged wiring found in the ABS system remaining
4. No other possible reason or cause found

### FIRE SCENE EXAMINATION

Fire scene examination involved three heavily damaged vehicles parked in the driveway. Also damaged in this burning was a wood frame single wide roofed carport that was approximately 12-foot wide and 35-foot long. This structure was located along the north side of the property lot and faced in a westerly direction.

Radiant heat damage was noted along the north wall and roofline of the insured's residence and also along the southeast corner of the soffit and roof of the residence at [REDACTED]. Fire was mainly limited to the burning exterior wood and roof surfaces, but that both residences received substantial smoke staining in the interior portions of the structure.

The insured [REDACTED] numerous family members and friends were located on the property lot during this fire scene examination. Field Supervisor Mark Whatley, Special Investigators Mike Barras and David Sutphin and Engineer Richard Schulze assisted in various portions of this fire scene examination. No adverse conditions were encountered during this inspection and a thorough and accurate review of the fire scene was conducted.

Three vehicles located in the driveway of the residence were heavily damaged by fire. The eastern most parked vehicle, which would have been located in the rear of the drive way was a 1997 Ford.

Insured: [REDACTED]

UIS File No.: TX01-04687

Expedition Sport Utility Vehicle bearing a license number of [REDACTED] and a VIN of 1FMEU17L6V[REDACTED] The next vehicle west and located in the middle portion of the carport was a 1997 Ford F-150 extended cab pick-up bearing a license plate number of [REDACTED] and a VIN number of 1FTDX1766V[REDACTED] The last vehicle and most western positioned of the three vehicles was a 1993 Mercury Topaz 4-door sedan bearing a license number of [REDACTED] and a VIN of 1MEFN36U2PK[REDACTED] All three of these vehicles were heavily damaged by fire.

Information specified in the origin and cause caption of this reported revealed burning first occurred in the left lower portion of the engine compartment of the Ford F-150 extended cab pick-up. Burning initially involved the anti-lock braking system module with fire communicating upward from this point along the left side of the engine block. Flames also spread laterally throughout the engine area and communicated into the interior portions of the truck by way of conducted heat and various utility passages. After substantial flame spread had occurred within the vehicle, the hood of this truck melted and gave way allowing vertical ventilation of the flames, which in turn set fire to the above wood frame structural members of the carport. The carport became substantially involved with flames and allowed lateral communication to the roof and soffit areas of the adjacent structures both north and south from this structure. Also, during this burning the Ford Expedition and Mercury Topaz vehicle received substantial heat and fire damage.

Careful review of the remains in and around the left side portion of the Ford Pick-up revealed several points of concentrated heat and arc damage to electrical wiring. No other possible heat or ignition source was developed during this fire scene examination.

All known facts and circumstances reveal the cause of this fire as accidental due to electrical wiring failure in and around the area of the ABS system module. No other reason or cause was found for this fire.

### INVESTIGATION

#### *Discovery*

The insured's son [REDACTED] was sleeping in the rear bedroom of the home located in the northeast corner of the structure. At around 11:30 p.m. he heard a loud explosive sound and looked out his bedroom window and saw the truck burning. At that time he could clearly see flames burning vertically upward from the engine compartment area of the truck. He promptly alerted his parents of the fire, and the entire family fled the home.

The insured, [REDACTED] stated that at around 7:30 to 8:00 p.m. he had moved and parked the vehicles under the carport and returned back inside the home. Later that night his son [REDACTED] came running into the bedroom yelling that the truck was on fire outside. He and his wife then gathered up the family and fled the home as the fire began to build and spread along the structure. At the same time the neighbor just north of them had also heard the loud explosion and had dialed 9-1-1 and reported the fire.

Insured: [REDACTED]  
UIS File No.: TX01-04687

The insured had related that he has not had any mechanical problems with the truck and that he had bought it used with approximately 48,000 miles. He further related that he did all the preventative maintenance work on the truck and that it has not been worked on by any outside vendors or businesses.

• *Fire Officials*

Responding firefighters were off shift and not available for interview during this inspection.

COMMENTS

All known facts and circumstances support the cause of this fire being accidental due to failure of the anti-lock braking system module. Remains of arc damaged wiring support the cause of the fire as electrical failure of the wiring in the vicinity of this component. I will call you for any additional assignment instructions after you have received and reviewed this initial report.

EXHIBITS

1. Vehicle Inspection Report
2. Seventy-two photographs with Photograph Explanation Sheet
3. Photograph negatives mailed under a separate cover

Richard Taylor  
Special Investigator  
United Investigations & Sciences, Inc.  
214-946-8989 or 800-615-4840



### FIRE INVESTIGATION REPORT

**DALLAS FIRE DEPARTMENT**  
Arson and Fire Investigation

2014 Main Street, Room 404  
Dallas, Texas 75201

Phone Number: (214) 670-4311  
Fax Number: (214) 670-1650

2-11

Date: 8-12-2002 Time of Alarm: 23:45 District/Shift: 3-B Map: 46F

Incident Number: 071925 Investigator/Employee Number: Baker 07857

Address: [REDACTED]

Apartment / Suite Number: \_\_\_\_\_ Exposure: \_\_\_\_\_ Same Building: \_\_\_\_\_

Business Name: \_\_\_\_\_

Property Owner: [REDACTED] Rep: [REDACTED]

Occupant: N/A Rep: \_\_\_\_\_

Type of Incident		Description of Incident	
Structure <input type="checkbox"/>			
Non-Structure <input type="checkbox"/>			
Criminal Attempt <input type="checkbox"/>	Terroristic Threat <input type="checkbox"/>	False Alarm <input type="checkbox"/>	
Injury <input type="checkbox"/>	Death <input type="checkbox"/>		
Multiple Alarm	2-18	23:44	2-18
Vehicle <input type="checkbox"/>	Year	Make	Model/Serial Number
	<u>1997</u>	<u>FORD</u>	<u>F150</u>   <u>TX 900744</u>   <u>1FTDX1766N</u>
Cause: <u>ELECTRICAL MALFUNCTION - ENGINE COMPARTMENT</u>			

#### Fire Loss Information

	Building <u>(Vehicle)</u>	Content
Loss Estimate	*7750	200
Estimated Value	7800	200
Insurance Coverage		
Insurance Company	ALL-STATE	
Policy Number / Date		
Adjuster's Loss Estimate		
Company Adjuster		
Public Adjuster		
Insurance Agent		

Assigned  DFD 300 Reviewed  Entered  Completed  Sup. Review 7/12/02

DFD 300 (Revised 1/97)

# Photos

Insured Name	<i>NAVIN</i>	Claimant Name	
Policy #	[REDACTED]	Claim #	[REDACTED]



Picture # *1*

Date taken *8/1/03*

Time taken

Location and View *Next to driveway*



Picture # *2*

Date taken *8/1/03*

Time taken

Location and View *Front of house*



# State Farm Insurance Companies\*



July 23, 2003

Fairfax Service Center  
4401 Village Drive  
P.O. Box 10125  
Fairfax, VA 22030-0819  
Phone: (703) 218-0400  
1-800-394-1782

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

*P*

RECEIVED AUG 7 2003

*CL 2/03*

RE: Claim Number: [REDACTED]  
Insured: [REDACTED]  
Date of Loss: August 6, 2002  
Vehicle: 1997 Ford Expedition  
VIN: 1FMFU16L2V[REDACTED]

*Hemdon, VA  
117,000 (M)  
- EXP  
- photos*

Dear Mr. Norton:

I am writing in response to your letter requesting the following information. We are seeking reimbursement for damages to our insured's vehicle from a fire loss that was caused by a manufactured defect.

1. Date of Loss: August 6, 2002, Hemdon, Virginia
2. On August 6, the vehicle was parked at the owner's home most of the day. Our insured's son borrowed the vehicle that evening to transport a bicycle from his parent's home to a girlfriend's home in Reston, a distance of approximately 12 miles. Shortly thereafter, they drove to the Silver Diner Restaurant in Hemdon, approximately two miles, to have dinner. Approximately five minutes after parking the vehicle, a passing motorist came into the restaurant announcing that a car was on fire in the parking lot. The fire department alarm time was 21:49:18, and they arrived at the scene at 21:52:35. They suppressed the blaze using foam, and the car was towed from the scene to Henry's Towing in Sterling, Virginia. The vehicle sustained extensive damage to the engine compartment and has been declared a total loss.
3. The Fairfax County fire department report is attached. No police report was written.
4. The owner estimates the odometer reading was approximately 117,000 miles at the time of the incident. The odometer was not readable after the fire.

SHAWN NORTON  
46-0620-875  
Page 2  
July 23, 2003

5. Our expert's report and original photographs are attached.

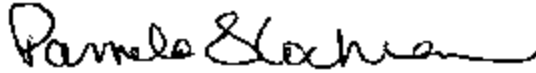
6. Defect: The fire was caused by escape of fuel from the fuel system after failure of the fuel line or separation of the flexible fuel links from the metal fuel line.
7. A copy of the report written by William T. Chamock, CFI, of Chamock Investigative Services is attached.
8. The vehicle is currently being stored at Roadrunner Towing, Review Road, in Culpepper, Virginia, on behalf of State Farm<sup>®</sup> and Salvage Direct. The stock number is 16007; if you wish to access the salvage, you may contact Salvage Direct at (814) 827-0300 to confirm the exact location and obtain directions to the site.
9. You will find attached:
  - a. Repair estimate
  - b. Total loss salvage report
  - c. Vehicle evaluation
  - d. Payment information and draft copies. Our payments to date total \$15,331.15. Our loss will be reduced by the salvage recovery once the vehicle is sold. The sale is currently on hold pending your reply.
10. Service history: Copies of records obtained from Koon's Ford of Sterling, Virginia, are attached. The owner performs all oil changes and tune-ups. The vehicle has required no major repairs, and it had no symptoms of mechanical problems prior to this fire nor did the owner or operator ever notice an odor of fuel prior to the fire.
11. There have been no after-market additions or modifications to this vehicle.
12. The engine was not running. It had been parked approximately five minutes when the driver learned of the fire.
13. The keys were in the possession of the operator and were not in the ignition at the time of the fire.
14. The vehicle was purchased new from a Ford dealership in Spokane, Washington, in December 1997. Our insured is the original owner.

We have enclosed all of the information you have requested. Should you have any questions or need any other information, please feel free to contact me. If you would like to inspect the vehicle, please let me know, and we will allow access to the vehicle.

SHAWN NORTON  
46-0620-875  
Page 4  
July 23, 2003

I look forward to your prompt reply.

Sincerely,



Pamela L. Cochran  
Claim Representative  
Special Investigative Unit  
(703) 218-0490  
State Farm Mutual Automobile Insurance Company

5860723007

Enclosures

SUPPRESSION INCIDENT REPORT

INCIDENT # 20022182537 UNIT E404 SUPP 01 PROX 0406 SUBCT 480503 MAP 0171  
 DATE 08/06/2002 DAY 3 SHIFT C VEH # 7042 MILES TO INCIDENT 003  
 LOCATION 11951 KILLINGSWORTH AV APT #  
 SITUATION 14 UNIT ACTIONS A 15 B 25 C D E  
 DRV 48022 OIC 49955 FF 47773 FF 50171 FF FF  
 REPORT BY 49955 VEH2# DRV FF FF  
 VOL/STATION SP STUDY SP STUDY  
 UPDATE BY

FAIRFAX  
 SERVICE CENTER  
 SEP 2002

UNIT TIMES

DISPATCH 21:49:19 ENROUTE 21:50:36 ONSCENE 21:52:35 ENRHOSP 00:00:00  
 ATKOSP 00:00:00 NEWSTAT 22:13:21

COMPLETE ON ALL INCIDENTS

PROP 965 INS/IMV IC E404 CI 880 CK 008 FDI 08 FDK 00 CRES 00 FRES 00  
 OCCUPANT [REDACTED] TEL ( ) -  
 OWNER NAME [REDACTED] TEL ( ) -  
 OWN ADD [REDACTED] CITY STERLING ST VA ZIP

COMPLETE ON ALL FIRES

COMPLEX 98 CAUSE 00 INTENT 1 AREA OF ORIN 83 METH OF EXT 5 FHI 00 HDB PROP 11  
 EST VALUE 000020000 LOSS 000010000 1ST MAT IG 00 EQUIP 09

COMPLETE IF EQUIPMENT/APPLIANCE WAS INVOLVED IN IGNITION (EQUIP)

ITEM SUV YEAR 1997  
 MAKE FORD MODEL EXPEDITION SERIAL # SEEVIN

COMPLETE ON ALL STRUCTURE FIRES OR BIT 73 OR 74

SMOKE DETECTOR: TYPE PERF FIRE PROTECTION SYSTEM: TYPE PERF  
 TYPE CON COND NO. OF STORIES LEVEL SM SPRD F SPRD

COMPLETE IF VEHICLE INVOLVED

YEAR 1997 MAKE FORD MODEL EXPEDITION  
 TAG # UNK STATE VA VIN 1FMFU18L2V [REDACTED]

COMPLETE ON HAZ MAT INCIDENTS

MODE CLS EVAC CEXP FEXP CHEM  
 UN REF REL FACTOR EXT REL ENV COND PPE LEVEL DISP OF INC

THIS IS CERTIFIED A TRUE COPY  
 OF THE ACTUAL FIELD INCIDENT  
 REPORT IN POSSESSION OF THE  
 FAIRFAX COUNTY FIRE AND RESCUE

DEPARTMENT  
 SIGNED [Signature]  
 DATE 8/31/02



## NARRATIVE REPORT

INCIDENT # 20022182537 UNIT E404 SUPP 01 SEQ 1 SITF 14 DATE 08/06/2002  
 ARRIVED ONSCENE OF SILVER BIRNER PARKING LOT TO FIND A FORD SUV WITH THE ENG  
 INE COMPARTMENT WELL INVOLVED IN FIRE. EXTINGUISHED THE FIRE WITH AN 1 3/4 L  
 IRE. NO EXTENSION TO OTHER CARS OR BUILDINGS. FIRE CONFINED MOSTLY TO ENGIN  
 E COMPARTMENT WITH SOME FIRE AND HEAT DAMAGE TO FRONT OF PASSENGER COMPARTME  
 NT. DRIVER AND PASSENGER REPORTED NO RECENT REPAIR AND NO SIGNIFICANT PROBL  
 EMS. ONLY DEFICIENCY WAS THE CHECK ENGINE LIGHT THAT WAS ON AND HAS PERIODI  
 CALLY ACTIVATED. DRIVER REPORTED THAT HAD BEEN IN FOR REPAIR SEVERAL TIMES  
 WITH NEVER A CONCLUSIVE REPAIR.

FAIRFAX  
 SERVICE CENTER  
 SFP

THIS IS CERTIFIED A TRUE COPY  
 OF THE ACTUAL FIELD INCIDENT  
 REPORT IN POSSESSION OF THE  
 FAIRFAX COUNTY FIRE AND RESCUE  
 DEPARTMENT

SIGNED

DATE



**CHARNOCK INVESTIGATIVE SERVICES, Ltd.**

P.O. Box 340  
Powhatan, Virginia 23139  
Office: (804) 794-0515

REPORT NUMBER First

December 27, 2002

**PREPARED FOR:** STATE FARM INSURANCE COMPANIES  
4401 Village Drive  
P. O. Box 10125  
Fairfax, Virginia 22030

**ATTENTION:** Mrs. Pam Cochran

---

**REFERENCE:** MARTINEZ, RALPH

**CIS CASE NO:** 02-4097-09WC

**Claim No:** [REDACTED]  
**Loss Location:** Manassas, Virginia  
**Type of Loss:** Fire  
**Type of Risk:** Vehicle  
**Date of Loss:** August 6, 2002

---

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

**PRIVILEGED AND CONFIDENTIAL**  
LICENSE ID #11-1096

ER05-005-LC-0531

ASSIGNMENT

The assignment was received on September 26, 2002 to conduct a cause and origin investigation of the fire. The investigation commenced on September 30, 2002.

ENCLOSURES

1. Twenty-six (26) color photographs and photograph explanation sheet.
2. Diagram with overlays.

FIRE SCENE EXAMINATION

The fire scene examination was conducted on September 30, 2002. Photographs were taken, and a diagram was made at that time. The only adverse condition affecting the fire scene examination was that there was little room around the vehicle because the area was so tightly packed with other damaged cars. This affected the photography. The risk, a 1997 Ford Expedition, vin 1FMPU18L2V [REDACTED] was stored at Road Runner Towing, 11098 Industrial Road, Manassas, Virginia.

Examination of the exterior of the vehicle revealed a fire had started in the engine compartment degrading the aluminum hood. Though the engine area was severely burned, there was limited fire extension laterally due to the upward venting of the fire's thermal column. At the front, the left and right headlight assemblies were intact. Damage to the grill was only at the top and the grill was still present. There was no fire damage to the bumper. Both the left and right front tires were inflated. There was a burn pattern on the left, front fender which was due

December 27, 2002

to brake fluid burning at ground level after the degrading and burning of the brake fluid reservoir (note Photographs #1 - #4). Neither paint nor sheet metal was affected from the forward part of the front door to the rear of the vehicle on the left side. On the right side, there was no heat effect to the paint or sheet metal from the front fender to the rear of the vehicle (note Photographs #5 - #7). At the rear of the vehicle, both the left and right taillight assemblies were intact. There was no heat effect to the bumper. The rear tires were inflated, and there was no evidence of fire beneath the vehicle, except as previously mentioned involving the brake fluid (note Photograph #8).

The windshield was broken due to heat stress and the center portion had collapsed inward on the dash (note Photograph #1). Within the interior of the vehicle, there was some fire damage within the dash due to fire burning within the engine compartment. Some heat was transferred through the bulkhead due to convection and conduction heating, which resulted in plastic components melting and dripping to the floorboard where they re-solidified (note Photograph #11). There was no observable heat effect to the exterior of the dash and no fire had occurred to door paneling, upholstery, headliner or the floormats (note Photograph #10).

The fire had its origin within the engine compartment. Examination of the electrical system showed no evidence of extraneous electrical activity. No beading, arcing or fusing of wiring was observed. Close examination of the alternator revealed the wiring was intact and the

alternator was not degraded by the fire. The battery had suffered some heat damage, but the battery casing was still intact. Examination of the battery cables showed nothing unusual. The electrical system can be eliminated as a source of ignition. Damage within the engine compartment was most severe toward the rear. Toward the front, hoses and plastic components, though heat affected, were still present, an example of which was the top radiator hose (note Photographs #13 and #14). The fire patterns indicate a fire occurring toward the top of the engine at the rear between the engine and the bulkhead. The heat effect to the top portion of the bulkhead indicated a temperature in excess of 1,300 degrees F. Also, on top of the engine, but toward the rear, there was a partial meltdown of aluminum components (note Photograph #22), though the most severe heating effect occurred to the top left, rear portion of the engine (note Photographs #32 and #33).

Examination of this area revealed the fuel rail extended toward the rear of the engine and the primary and return lines extended from the fuel rail past the fuel regulator (note Photograph #25). The line to the exterior outside was the return line and the most interior of the two lines was the primary. Just beyond the rear of the engine, the two metal lines end. Both had an end metal nipple, which would take a flexible fuel line. The flexible fuel line was burned away and, apparently, this type did not have a restraining strap, for none was visible. Just beyond the end of these two metal lines was the bulkhead. There was a circular area that had been subjected to high heat (note

CIS No: 02-4097-09WC - 5 -  
Insured: [REDACTED]

December 27, 2002

Photographs #25 and #26). This was the source of ignition for the fire.

DETERMINATION OF CAUSE AND ORIGIN

The fire had its origin due to the escape of fuel from a closed fuel system. The flexible links were destroyed so it was impossible to determine whether there was a break in the fuel line or a separation of the flexible fuel link from the metal fuel line. During the fire scene examination, no evidence of incendiarism was found.

COMMENTS

As per your instructions, this file is being closed. Should you find, at another time, additional investigative work is required, I will be glad to do so. If you have any questions or comments, please give me a call.

William T. Charnock, C.F.I.  
CHARNOCK INVESTIGATIVE SERVICES, LTD.

ERG-885-LC-4838

**Photo Sheet**

Case No: 02-4097-09WCC

Ref: [REDACTED]



No. 1.



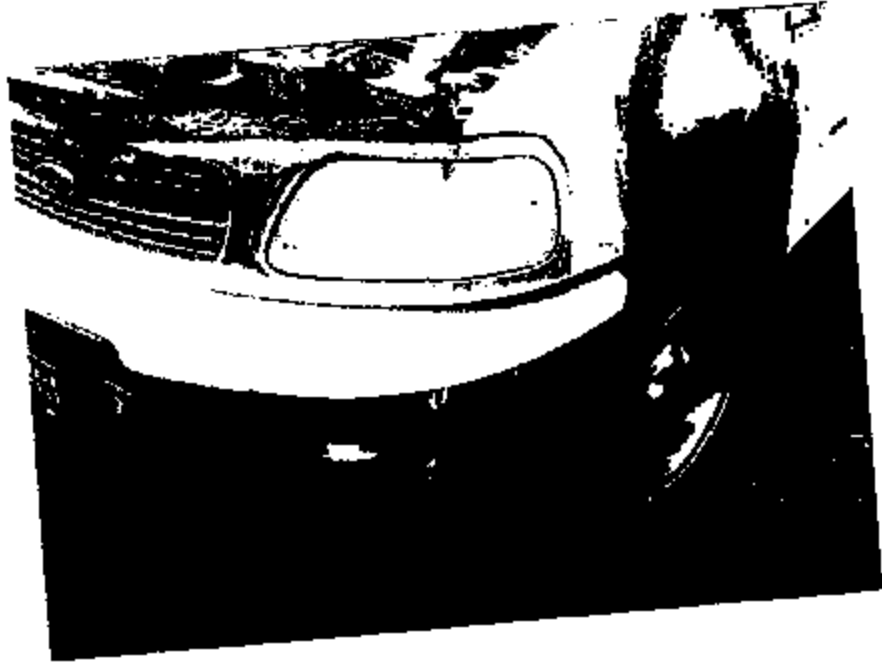
No. 2.

**CS**

# Photo Sheet

Case No: 02-4097-05NYC

Ref: [REDACTED]



No. 3.



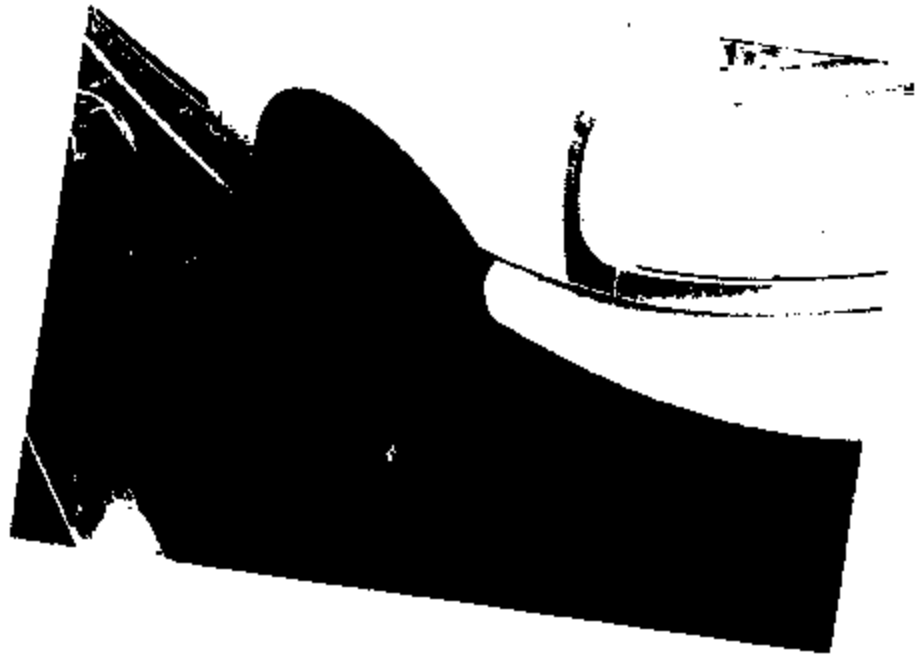
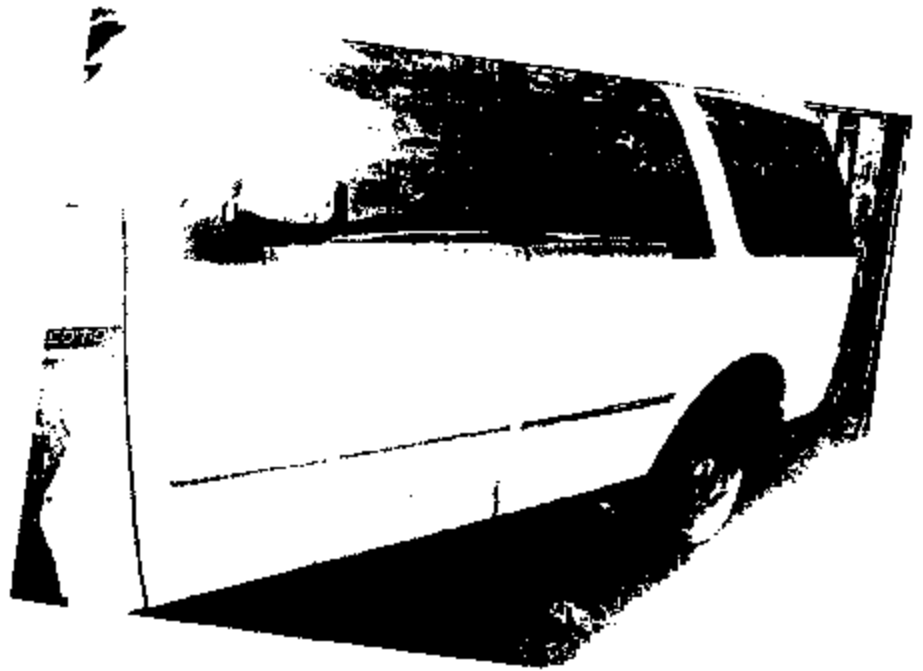
No. 4.



**CIS**

**Photo Sheet**

Case No: 0-  
Ref: [REDACTED]



No. 6

**CL**  
**S**

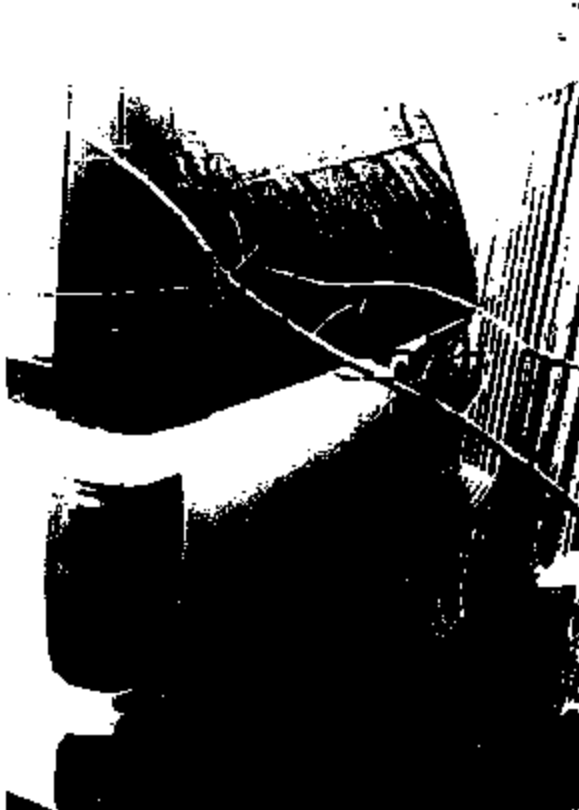
**Photo Sheet**



Case No: 02-4097-09WIC

Ref: [REDACTED]

No. 7.



No. 8.

Page 4 of 13  
LICENSE ID #11-1000

EP05-005-LC-4630



No. 9.



No. 10.



No. 11.



No. 12.



No. 13.



No. 14.



No. 18.



No. 18.

Photo Sheet

Case No: 02-4097-0000C  
Ref: [REDACTED]

CIS



No. 1





**No. 19.**



**No. 20.**



**No. 21.****No. 22.**



No. 23.



No. 24.



**No. 25.**



**No. 26.**

Insured: [REDACTED]

PHOTOGRAPH EXPLANATION SHEET

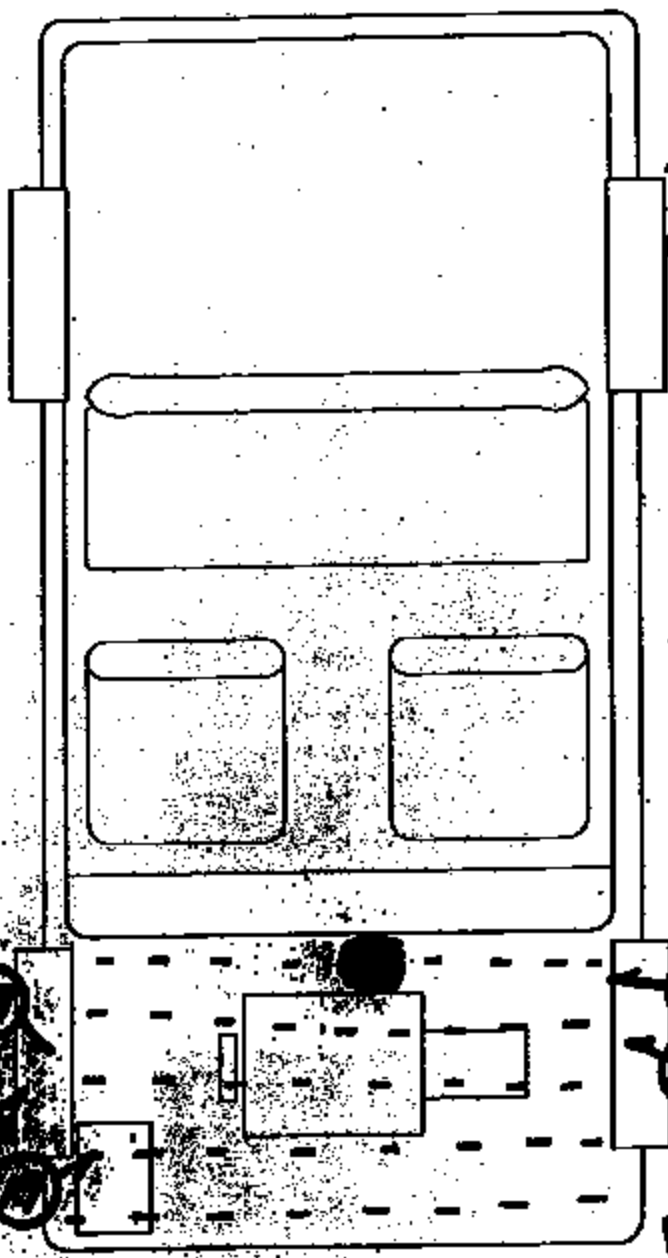
1. Front of vehicle.
2. Looking across top front of engine compartment from left to right.
3. Left front.
4. Left fender.
5. Left side.
6. Right front.
7. Right side.
8. Rear.
9. License.
10. Interior front taken from left side looking right.
11. Left front floorboard. Note melted, re-solidified plastic in dash.
12. Engine compartment.
13. Engine compartment taken from left side looking right front.
14. Engine compartment taken right side. Depicts top of engine.
15. Wiring.
16. Remains of air filter.
17. Taken right side of engine looking toward left front.
18. Taken right side of engine looking toward left.
19. Alternator and wiring.
20. Battery.
21. Right side of engine.
22. Top of engine and bulkhead.
- 23, 24, 25. Show metal fuel lines, the end of metal fuel line and the heat effect on the bulkhead opposite the metal fuel line ends.

CIS No. 02-4097-09MC  
December 26, 2002

Ins. : [REDACTED]

8

Legend  
● Area of Fire Origin  
- Fire Damage on Photograph



11  
10

5

4

2

12

1

3

13  
14  
15

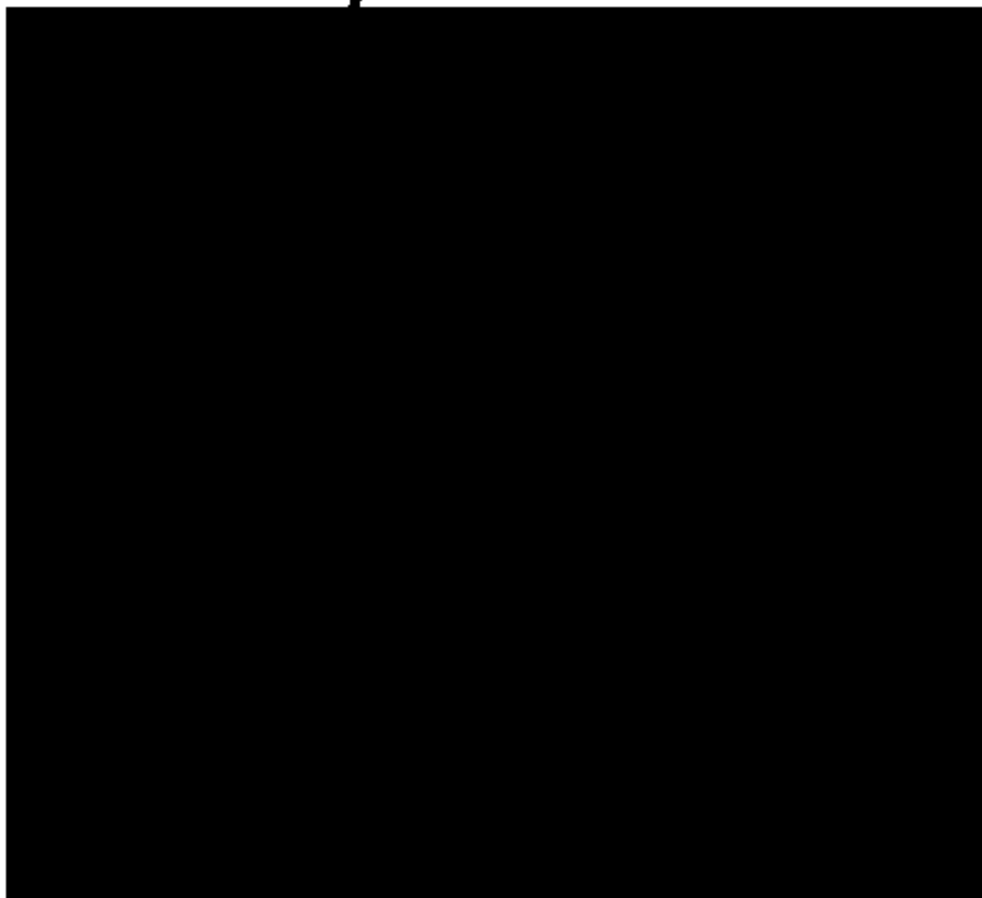
26

23

6

7

Prepared by: W. F. Charnock





**Montgomery  
Insurance™**

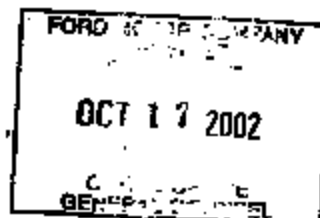
Member of Liberty Mutual Group

P.O. Box 11350  
Charlotte, North Carolina 28220-11350  
704.523.2731

CONSUMER AFFAIRS  
SECTION

Consumer Affairs  
MD-3NE-B  
PO Box 6248  
Dearborn, MI 48126

2 OCT 16 09:31



To Whom It May Concern:

This letter to put you on notice of a claim we have with potential subrogation. The loss occurred on July 26, 2002 as a result of a fire. At this time the vehicle is located at our Sadisco Salvage Lot and the address is listed below. I am sending you this letter to advise you that we will hold off on selling the salvage for 14 days from the time you receive this letter to give your company a chance to inspect this vehicle. If you should have any questions regarding this matter please feel free to give me a call at 800-334-0078 ext. 787, Monday through Friday, 7:00 am till 3:30 p.m. I have listed the information I thought you might need below.

**Vehicle Information:**

Claim #: [REDACTED]

Owner: [REDACTED]

Vehicle: 1998 Ford Expedition

Vehicle Identification Number: 1FMPU18L2W1 [REDACTED]

Damages: Complete Front End Burn

Location of Vehicle: At this time  
Sadisco Salvage Yard  
1004 Fort Bearing Rd.  
Columbus, GA 31902  
706-682-0874

Sincerely  
Tami Pace  
PO Box 11350  
Charlotte, NC 28220

*7/26/02  
- '98 Exped  
- VIN*



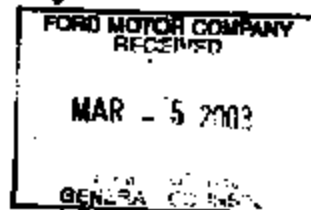
# Montgomery Insurance

Member of Liberty Mutual Group

P.O. Box 11350  
Charlotte, North Carolina 28220-11350  
704.523.2731

Consumer Affairs  
MD-3NE-B  
PO Box 6248  
Dearborn, MI 48126

RECEIVED MAR 1 0 2003



RE: Claim Number: [REDACTED]  
Owner: [REDACTED]  
Vehicle: 1998 Ford Expedition  
Vehicle Identification Number: 1FMPU18L2WI [REDACTED]  
Damages: Complete Front End Burn and Property Damages to the location of the loss.

### To Whom It May Concern:

This letter is to follow up on our notice of a subrogation claim. I have attached all the items and answers to your questions per your request to help assist you in evaluating the claim. If you have any questions regarding this matter please feel free to contact me at 1-800-334-0078 Ext. 787, Monday through Friday, 7:00 am till 3:30 p.m.

Location of Vehicle: At this time  
Sadisco Salvage Yard  
1004 Fort Benning Rd.  
Columbus, GA 31902  
706-682-0874

1.) Date and Location where loss occurred:  
July 26, 2002 ✓  
Garrett Realty Services  
3723 East C-30A  
Seagrone Beach, Florida 32459

2.) I have attached a written statement and a transcribed-recorded statement from our insured and owner of the vehicle [REDACTED]

3.) Both the first fire report and the follow up report are attached.

6.) The odometer of the vehicle we were not able to get due to the cluster panel is electronic so we pulled the last reading off of Carfax and also had [REDACTED] try to estimate the exact mileage.

7.) The expert report is attached along with all original photos of the vehicle.

MAR - 3 13:38

CONSUMER AFFAIRS SECTION

*Seagrone Beach, FL*  
*84,000 (M)*  
*7/26/02*  
*10/9/07-WSO*



10.) The alleged defect is to believe to have been the fuel injection system.

11.) Again, our expert report is attached with photos.

12.) No, the part has not been replaced.

13.) The part is still in the vehicle located at the address listed above and has been since the first notice of the loss that we sent you so your company could go out there and inspected the vehicle.

14.) The estimate of damages is attached and copy of the check for the total loss settlement is attached as well.

15.) We couldn't get the service history on the vehicle, but a Carfax history report is attached.

16.) None

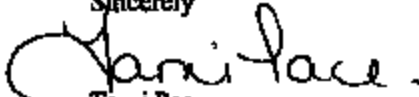
21.) The engine was not running it was parked and unoccupied.

22.) The keys were not in the ignition.

25.) Again, the history off of Carfax is attached and it shows the date of purchase and other information.

I have also included additional information I felt might help such as the recall list. There was some property damage done to the location where the vehicle caught fire and an estimate of the damages and photos as well as a copy of the check issued. I have attached a breakdown of what we are expecting back for reimbursement of the loss and a copy of the total loss evaluation. Again, please let me know if I can be any further assistance in this matter and I will look forward to hearing from you. The vehicle at this time is in the process of being auctioned off for salvage.

Sincerely



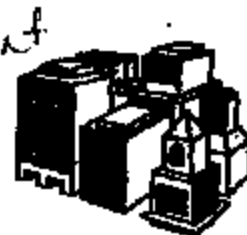
Tami Pace  
Claims Representative

**M  
G  
N**

**Norris Glass & Metal Inc**  
6200 Berkeley Hwy • Bldg 18  
Austell, GA 30108

Fax (770) 841-8761  
Phone (770) 841-8700

HAND WRITTEN STATEMENT  
FROM INSURED & OWNER



Ms. Tammy Pace  
Montgomery Insurance Company  
Charlotte, NC

7/30/2002

Re: Loss Claim On Fleet Vehicle - Policy [REDACTED] - Excelsior Insurance Company

Dear Rhonda,

The company provided personal vehicle that I drive for business purposes was destroyed in a fire incident while I was out of town in Seagrave Beach, Florida, located in Walton County, Fla. The incident occurred around 3:15 PM Central time Friday afternoon July 26, 2002. The vehicle involved was a 1998 Ford Expedition XLT, VIN# 1FMPU18L2W1 [REDACTED] Georgia tag [REDACTED], Georgia title #00000035892845. The vehicle had been driven to and parked in the parking lot of Garrett Realty Services, 3723 East C-30A, Seagrave Beach, Fla., 32459. The vehicle was turned off, left parked and unoccupied for approximately 5 to 10 minutes when the vehicle burst into flames and burned to destruction. The Walton County Fire Department responded quickly to arrive and put the fire out before it reached the rear of the vehicle and potentially ignite the gas tank, but the front end of the vehicle and it's interior were destroyed. In my opinion, the vehicle appears to be a total loss.

In addition to the destruction of the vehicle there is also fire damage to the asphalt parking lot, adjacent landscaping, and a decorative lighting pole and fixture in the Garrett Realty company that will have to be repaired. The fire was so intensely hot that it melted the hood of the vehicle and burned the asphalt paving. Garrett Realty has already contacted me in regards to making a claim.

Walton County Fire Department Captain Sammy Sanchez also came in response to the fire and he was the one who filed an incident report, assigning it incident #1905. Attached please see a copy of his business card with the contact information to reach him. I will request that he forward a copy of the report to you via fax.

[REDACTED]

I was in Florida on a combination business and pleasure trip and while there intended to do some ocean kayaking. I had my kayak, gear and roof rack system on the vehicle at the time and these items, with a total approximate value of around \$2000.00 were also destroyed in the fire. I need to know if that would be covered by the insurance. Also I had to rent a vehicle to drive back to Georgia which I rented from Hertz at their Panama City Airport facility. Unfortunately, on the return trip back to Atlanta, I damaged the rear bumper of the rental vehicle at a service station where I stopped for gas. The service station was very crowded at the time and while trying to maneuver around another vehicle, I accidentally backed into a guard structure at the gas pump and dented the bumper.

Another situation I would like to discuss is the possibility of getting the vehicle towed back to the Atlanta area. I am very dissatisfied with the aspect of the vehicle suddenly

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M  
G  
N

burning up without any cause by my use or action (hence due to some latent defect) versus the money that I paid for the vehicle. I intend to discuss this incident with Ford Motor Company and it would be my guess that they will wish to examine the vehicle. It might be easier to deal with that with the vehicle in the Atlanta area.

Please contact me if you need any further information and when you are able to assign a claim number for the incident. Thank you for your assistance.

Sincerely,



P.M. (Marty) Norris

--This is Tammy Pace speaking and I am calling from Charlotte, North Carolina, telephone number 1-800-334-0078 ext. 787, I am speaking to [REDACTED] at telephone number [REDACTED] who is the owner of [REDACTED]. We are discussing an incident that occurred on July the 26<sup>th</sup>, 2002 in Florida. It was in South Walton County. Is that correct? A: That is correct. Q: Okay. Today's date is July the 31<sup>st</sup>, 2002 and the time is approximately 2:07 p.m.

Q: [REDACTED], do you realize I am recording this interview?

A: Yes, I do.

Q: And do I have your permission to record the interview?

A: Yes, you do.

Q: Okay. Can you state your full name for me and spell your last name?

A: It's, uh, my full name is [REDACTED]

Q: Okay. And can you state your physical address for me?

A: Business or home?

Q: Go ahead and just state your business address.

A: Business address [REDACTED] (INAUDIBLE)  
Highway, Building [REDACTED] GA [REDACTED]

Q: Okay. And can you state your social security number for me?

A: [REDACTED]

Q: Okay. And let's see here. Can you state your telephone numbers for me?

A: Uh, office number is [REDACTED] Home phone number is [REDACTED]

Q: Okay. And can you state your date of birth for me?

A: [REDACTED]

Q: Okay. And what kind of work do you all do at the company?

A: We are a commercial, uh, subcontracting glass and glazing firm. We do commercial, uh, storefronts, windows, uh, and do some retail, uh, the glass and window work. Basically, uh, doors and windows.

- Q: Okay. Do you all do any type of automotive stuff or anything?
- A: Don't do any automobile. No.
- Q: Okay. All right. And if you don't mind me asking, how long have you all been in business?
- A: We have been in business since December of 1993.
- Q: Okay. All right. Can you state your driver's license number for me?
- A: Yes. It's a Georgia driver's license [REDACTED]
- Q: Okay. And can you state the year, make, and model of the vehicle for me?
- A: Yes. It's a 1998 Ford Expedition XLT and I have that VIN number if you want that.
- Q: Could you state that for me cause I only have the last four?
- A: Yeah. The VIN number is 1FMPU18L2W [REDACTED]
- Q: Okay. And you said it is a Ford Expedition XLT?
- A: Yes.
- Q: All right. Can you state the colors for me both interior and exterior?
- A: The interior was the, uh, tan leather. (INAUDIBLE) I think they call it tan Ford color. Tan leather.
- Q: Uh-huh (affirmative).
- A: Interior and the exterior color Ford color pacific green.
- Q: Okay. And let's see here. Do you know what the tag number is by any chance?
- A: Yes. The Georgia tag number was [REDACTED] and I have the title number also if you need that.
- Q: Okay. Let me get that from you. Okay.
- A: The title number it starts out seven zeros -- in other words zero times seven 35892845 and the title is also in the state of Georgia.

- Q: Okay. And let's see here. You are the owner of the vehicle?
- A: Yes.
- Q: Is it listed in your name or the company name?
- A: Company name.
- Q: Okay. And your main purpose of it is pretty much for business?
- A: Yes.
- Q: Okay. All right. Have you had any major recent repairs or anything either paid out of pocket or done under warranty to the vehicle?
- A: No. Uh, the only thing that was done recently is oil changes and transmission service. That kind of thing.
- Q: Do you know when the last time when you had your oil changed and stuff like that?
- A: It was probably about a month ago.
- Q: Okay. And was it done with the dealership or?
- A: No. I take it to an independent place.
- Q: Okay. All right. Can you state the date and the exact time when this incident occurred?
- A: Yes. It was on Friday, July the 26<sup>th</sup> approximately 3:15 p.m. central time in Florida.
- Q: Okay. Can you tell me the exact location of where it happened at?
- A: Yes. Uh, I was at Garrett Realty Services Incorporated and let's see. I have that address. Just a minute. Let's see. Their address and we were in their parking lot.
- Q: Uh-huh (affirmative).
- A: Luckily, I didn't park next to the building thankfully.
- Q: Oh, yeah.

A: Uh, Garrett Realty Services, 3723 East C30A (PHONETIC), Sea Grove Beach, Florida 32459. And there is also some damage to their parking lot from the fire.

Q: Okay.

A: The fire was very intense.

Q: They had fire in their parking lot?

A: Yes, they did.

Q: Okay.

A: That's why I said I am glad I didn't park next to the building. I actually parked across the parking lot from the building.

Q: Yeah.

A: Or it would have scorched the building.

Q: Yeah. That does help out a lot. Lucky on that one. Let's see here. What would you say the weather conditions were that day?

A: Fair.

Q: Okay. Was it hot or?

A: Yes. The temperature was about the high was around, uh, 90 - 91. As I recall. Typical summertime temperatures.

Q: Okay. And let's see here. Can you tell me you said you are all the owner of the vehicle so the vehicle is paid off?

A: I think I actually owe a couple more payments on it.

Q: Can tell me who it is financed through?

A: It's, uh, Community Bank and Trust. I am sorry United Community Bank and Trust.

Q: Okay. Do you know around about how much payments are a month on it?

A: I am pulling this out of my head. I think it was about \$490.00 a month.

- Q: Just around about estimate will help. Okay. And you said you only had like a couple more payments?
- A: Yes.
- Q: Okay. And let's see here. Was it a two door or a four door?
- A: Four door.
- Q: Four door. Is it the full size doors or the kind that you open up with handles inside or?
- A: No. It is full size doors.
- Q: Okay. Four doors. Okay. Does it have a hatch back?
- A: Yes.
- Q: Do you know what the engine size was on it?
- A: Yes. It was the larger V8. When I ordered it, I ordered it with a bigger V8 in it. I want to say it was the 5.4 - 5.4 liter V8, uh, with four-wheel drive.
- Q: All right. And an automatic transmission?
- A: Yes.
- Q: Do you know around about how many miles were on that?
- A: Around 84,000.
- Q: Did it have any type of chrome like wheels on it or anything?
- A: No. It had the, um, aluminum -- aluminum wheels.
- Q: Just (INAUDIBLE) factory?
- A: Factory sport wheels. Yes.
- Q: Do you know what type of tires it had on it?
- A: At the time, uh, I think it had cover heavy-duty light truck tires.
- Q: Okay.



- A: Highway type treads. I didn't have off road tires or anything like that on it.
- Q: Okay. And were the ones that were -- have they ever been changed out or anything?
- A: Yes.
- Q: Do you know when the last time they were changed out?
- A: I think I replaced the tires at about 60,000 miles as I recall.
- Q: Okay. All right. You said it had leather seats inside?
- A: Yes.
- Q: Did it have captain chairs in front?
- A: Yes.
- Q: All right. Full bench seat in the back?
- A: Yes.
- Q: Yes. Did it have two bench seats?
- A: It has what is called a split bench seat.
- Q: Okay.
- A: Split fold down.
- Q: It was a very rear one or both?
- A: I actually did not have the, uh, auxiliary rear seat.
- Q: Okay.
- A: Uh, I take it that was something that was available option but I didn't get that. I just got the regular split bench seat for the standard rear seat and then like say the optional third seat if you will I did not buy that option.
- Q: Okay. All right. And the airbags on it, it had both passenger and driver airbags?
- A: Yes.

Q: Okay. It had air conditioning in it?

A: Yes.

Q: As far as the stereo system, there was a tape deck.

A: CD changer on it. That sort of thing.

Q: Did it have a tape deck also?

A: Yes.

Q: Was it a one disk CD changer?

A: A five disk CD changer.

Q: Did you have a citizens band radio?

A: No.

Q: Power brakes or antilock brake system?

A: It did have an ABS system. Yes.

Q: Okay. Power steering?

A: Yes.

Q: Did it have tinted windows?

A: Yes.

Q: Power door locks?

A: Yes.

Q: Cruise control?

A: Yes.

Q: Let's see here. Theft (INAUDIBLE). Okay. Did it have power seats?

A: Yes.

Q: Was it just the driver's side or?

- A: I think driver and front passenger side power seats.
- Q: Both front seats. Did it have a sunroof?
- A: No.
- Q: Did you have a telephone in the vehicle?
- A: Luckily, I had that out.
- Q: Okay. Did it have a theft deterrent alarm on it?
- A: Say that again.
- Q: Alarm system?
- A: The factory standard. Yes.
- Q: Okay. Is there any other options or equipment that I haven't mentioned that were on it?
- A: Not that I can think of. I mean like I said it was a basic Ford XLT accessory package, which was, you know, one step below the Eddie Bauer.
- Q: Okay. All right. And was the vehicle ever involved in an accident?
- A: No.
- Q: Okay. All right. And can you state for me exactly what happened from the time you pulled into the parking lot?
- A: Basically, uh, pulled in, parked it, shut it off, locked it up, got out of it. Well, I got out of it and locked it up and, um, and went inside and, uh, I will say it seemed just about 5 - between 5 and no longer than 10 minutes later, uh, someone came in saying that there was a green expedition in the parking lot on fire.
- Q: Okay.
- A: The fire department was called. They responded very quickly. And I do have an incident number from, uh, Walton County Fire Department.
- Q: Okay. And you said Walton County came out?
- A: Yes.

- Q: How long would you estimate how long it took them to get out there?
- A: I swear it seemed, uh, just a couple of minutes.
- Q: Okay.
- A: Fortunately, they did have a fire station. I would say within a mile.
- Q: Okay.
- A: I was amazed how quickly they got there and how quickly they got to work. I was really impressed with just how professional and proficient they were.
- Q: Okay.
- A: And it was an amazing thing.
- Q: And you said you had the fire report number?
- A: Yes.
- Q: What is that number?
- A: 1905.
- Q: Okay. Did they give you any type of paperwork from the fire department?
- A: I have not had a chance to obtain that as of yet. Uh, the captain didn't give me his, uh, business card. I've got all the information to contact him. I did talk to him yesterday. He said that they had gone back to the storage lot at Santa Rosa Beach Auto Repair where I had it towed to. Examined it again, had the, um, county fire marshal or fire investigator I should say go with him and they looked at it again, uh, with the fire investigator, and, uh, he called me yesterday and said he would be completing his report and I am going to request a copy of that.
- Q: Okay. All righty.
- A: He stated he would be willing to fax us a copy so I can, uh, have a copy faxed to you also.
- Q: Okay. That would be great. All righty. Are there any facts about the incident that you would like to add?

- A: Well, the other thing I want to say I was on a, uh, combination business pleasure trip and, um, had an ocean kayak and the gear and, uh, a rack system which, uh, I had on the vehicle at the time and that was destroyed also.
- Q: Yeah.
- A: With approximate value of around \$2,000.00 for all that gear. The roof rack system I also use for business purposes. I use that like when I go out to job sites and need a ladder, you know, to get up on a roof or something, you know, then I use the rack to, you know, mount and transport the ladder and, uh, also doubled as, you know, for multipurpose rack system I guess for a number of things. I had accessories that I could use to mount onto transport my kayak on so.
- Q: Okay.
- A: I had those personal items that were destroyed in the fire as well.
- Q: And you had the roof rack system put on yourself?
- A: Yes.
- Q: Do you know around about how much it was for that roof rack system?
- A: It is within that \$2,000.00 total here. I think that roof rack system was about, uh, \$350.00 - \$375.00 and then, uh, the boat and the other gear and the rack system say a rough total of around \$2,000.00 that I paid for that.
- Q: Okay. It was a kayak and the gear.
- A: Uh-huh (affirmative).
- Q: Okay. Did you have any other equipment in the car?
- A: No.
- Q: Okay. All right. Have you understood all of my questions?
- A: Yes, ma'am.
- Q: Have you answered all the questions true and correct to the best of your knowledge?
- A: Yes, ma'am. I have.



Q: Okay. At this time, I would like to thank you for the interview and do I have your permission to turn the recorder off?

A: Yes, ma'am.

TP:t

FIRE AGENCY: SOUTH WALKER FIRE DISTRICT ENGINE 2

INCIDENT #: 01905 EXPOSURE #: 000

INCIDENT LOCATION: BLOCK ADDRESS  
1692 30-A EAST BOUND  
SEAGROVE BEACH, FL 32459-  
CENSUS TRACT:

INCIDENT TYPE: 131 PASSENGER VEHICLE FIRE

ALARM:07/26/2002 15:30 DISPATCH:07/26/2002 15:30 IN ROUTE:07/26/2002 15:32  
ARRIVAL:07/26/2002 15:37  
CONTROL:07/26/2002 15:41 LAST UNIT CLEARED:07/26/2002 16:13

ACTION TAKEN: 11 EXTINGUISH; 86 INVESTIGATE;

FIRE-INCIDENT VALUE (PROPERTY:\$34,000 CONTENTS:\$0)  
LOSS (PROPERTY:\$34,000 CONTENTS:\$0)

RESPONDING UNITS:  
SUPPRESSION [APPARATUS:2 PERSONNEL:6]  
EMS [APPARATUS:1 PERSONNEL:2]  
OTHER [APPARATUS:0 PERSONNEL:0]

CASUALTIES:  
NONE

HAZMAT RELEASE: N NONE  
MIXED PROPERTY USE: NN NOT MIXED  
PROPERTY USE: MNN NONE  
N NONE

ZONE RESPONDED TO: 2

LEAD CREW MEMBER: DELI, KEVIN M (EMT) 22354  
CREW MEMBER 2: WARREN, SAM F (PMT) 22184  
CREW MEMBER 3: FORTEN, DANNY R (EMT-P) 7425

INVOLVED BUSINESS/PERSON:

INVOLVED PERSON:

SANTA ROSA BEACH, FL

OWNER:

PANDEK SPRINGS, GA

OTHER APPARATUS AND PERSONNEL:

ENGINE 2; APPARATUS; YPS; 11 EXTINGUISH  
RESCUE 2; APPARATUS; YES; 73 PROVIDE MANPOWER

ENGINE 1; APPARATUS; YES; 79 ASSESS SEVERE WEATHER OR NATURAL DISASTER DAMAGE  
SAFETY 1; APPARATUS; YES; 86 INVESTIGATE

INVOLVED:

LIVING UNITS: 0 BUILDINGS: 0 ACRES: 0

SIGNIFICANT ONSITE PRODUCTS: NONE

AREA OF FIRE ORIGIN: 00 UNDETERMINED  
HEAT SOURCE: 00 UNDETERMINED  
ITEM FIRST IGNITED: 00 UNDETERMINED  
FIRE CONFINED TO OBJECT OF ORIGIN: YES  
TYPE MATERIAL IGNITED: 41 PLASTIC  
CAUSE OF IGNITION: 5 CAUSE UNDER INVESTIGATION  
FACTORS CONTRIB. TO IGNITION: 00 UNDETERMINED  
HUMAN FACTORS CONTRIBUTING: N NONE  
FIRE SUPPRESSION FACTORS: NONE

EQUIPMENT INVOLVED IN IGNITION: 000 OTHER EQUIPMENT INVOLVED IN IGNITION,  
FORD, EXPEDITION, VIN 1FMPU1B2W1L [REDACTED] 1998  
POWERED BY: 31 GASOLINE, 1 PORTABLE

MOBILE PROPERTY INVOLVED: 13 OFF-ROAD RECREATIONAL VEHICLE, FORD,  
EXPEDITION, 1998, 914MGX, GA, 1FMPU1B2W1L [REDACTED]

REMARKS:

ENGINE 2 WAS DISPATCHED TO A VEHICLE FIRE AT 3692 COUNTY RD. 30-A. WHEN  
RESPONDING TO THE CALL WE COULD SEE A BIG BLACK COLUMN OF SMOKE AND HAD  
ENGINE 1 START HEADING THIS WAY. WE ARRIVED ON SCENE I GAVE A SIZE UP AND  
ESTABLISHED COMMAND AND WE STARTED TO EXTINGUISH THE FIRE. RESCUE 2 ARRIVED  
ON SCENE I HAD THEM TELL DISPATCH THAT THE FIRE WAS OUT AND HAVE SAFETY 1 EN  
ROUTE ON THEIR TRUCK RADIO. SAFETY 1 ARRIVED ON SCENE TO INVESTIGATE THE  
CALL ENGINE 2 TURN COMMAND OVER TO SAFETY 1 SO WE COULD GO TOP OFF WITH  
WATER.

CREW SIGNATURE: DELL, KEVIN M (EMP) 22364 (ELECTRONIC SIGNATURE)

\*\*\*\*\*APPENDUM\*\*\*\*\*

After investigation by Safety 1 the origin of the fire appeared to be in the  
engine compartment with an undetermined cause.

Appendum added by: eddie  
08/30/2002 2:05:30 PM





PRIVILEGED AND CONFIDENTIAL

REPORT DATE: September 18, 2002  
REPORT RECIPIENT: Montgomery Insurance Company  
P.O. Box 11350  
Charlotte, North Carolina 28220

RECEIVED  
SEP 30 2002  
MONTGOMERY  
Insurance Companies

ATTENTION: Tami Peca

INSURED: [REDACTED]  
DATE OF LOSS: Monday, July 28, 2002 Time: 3:30 PM  
LOSS LOCATION: [REDACTED]  
CITY / STATE OF LOSS: Seagrave Beach, Florida  
CLAIM NUMBER: [REDACTED]  
POLICY NUMBER: Unknown  
CIS FILE NUMBER: 7500-001045  
PREPARED BY: Dennis Ellerbee  
Certified Fire Investigator

File Status:

- Final and Final Report
- Initial Report
- Interim Report
- Final Report - File Closed

FIRE EXPERT REPORT & PHOTOS

THIS REPORT IS FURNISHED AS PRIVILEGED AND CONFIDENTIAL TO ADDRESSEE AND IS NOT TO BE RELEASED TO ANY OTHER COMPANY, CONCERN, OR INDIVIDUAL'S EXCEPT BY THE RESPONSIBILITY OF ADDRESSEE.

Insured: [REDACTED]  
File No.: 7500-001845

1

**ASSIGNMENT:**

Received from: Tami Pace - Montgomery Insurance Company  
Instructions: Conduct an origin and cause investigation on the vehicle

Received on:	Tuesday	September 17, 2002	07:30 AM
Commenced on:	Tuesday	September 17, 2002	11:00 AM
Completed on:	Wednesday	September 18, 2002	4:30 PM
Verbal report on:	Wednesday	September 18, 2002	01:30 PM
Verbal report to:	Tami Pace - Montgomery Insurance Company		

**RISK:**

The insured is identified as [REDACTED] the owner of the vehicle.

This fire occurred in a 1998 Ford Expedition bearing a VIN number of 1FMPU18L2W1 [REDACTED].  
The vehicle displayed a Georgia license plate numbers [REDACTED] NGK.

The vehicle was equipped with a V-8 engine and an automatic transmission.

Mileage could not be verified due to the amount of damage.

Tires, body condition, and fluid levels will be addressed as a part of the vehicle examination.

**CAUSE & ORIGIN SYNOPSIS:**

This fire originated at the top of the engine next to the fuel injection system. The first material ignited was combustible material on the top of the engine. The source of ignition was undetermined. The location of the heaviest damage was in the engine, which would indicate that this fire was caused by a fuel leak in or around the fuel supply system and fuel injection system.

**VEHICLE EXAMINATION:**

An examination of the vehicle was conducted on September 17, 2002, at 11:00 AM at the Sadisco lot in Columbus, Georgia. Weather conditions were cloudy and warm.

Authority to examine the vehicle was received from Tami Pace of Montgomery Insurance Company. The vehicle did not appear to have been altered since suppression efforts had been completed.

The exterior examination of the vehicle began at the front. There was heavy fire damage to the front end of the vehicle. The engine hood was missing.

I then examined the right (passenger's) side. There was heavy burn damage to the front fender. This burn damage extended back into the passenger door area. The rear fender of the vehicle had very little fire damage.

I then examined the rear. There was very little fire damage to the rear of the vehicle.

I then examined the left (driver's) side. The front fender on this side of the vehicle had heavy fire damage. This damage extended back into the driver's door area. The rear fender had very little fire damage.

BA05-005-LC-4578

I then examined the roof. The front of the roof had fire damage. The back sections of the roof had very little fire damage. There was a kayak tied to the top of the vehicle on a loading rack. The front of the kayak was melted away.

The tires and wheels were examined. All four tires were Cooper brand tires. All four wheels and rims were the same and were installed by Ford.

I noted that the fuel lines ran from the fuel tank toward the engine on the right side. They were damaged in this fire at the engine compartment area. The fire did not damage the main fuel tank.

Observations beneath the vehicle revealed heavy fire damage at the front engine compartment area. The damage was less at the rear of the vehicle.

I then examined the engine compartment. The area of least heat and smoke damage was at the bottom of the engine.

Patterns indicated that the heat had emanated from the top of the engine in the area of the fuel injection system.

A close examination of this area revealed melted metal engine parts around the fuel injection system. This was the only area of the engine where parts were melted. This was the location of the heaviest damage. The damage decreased farther away from the top of the engine. The fire had destroyed all of the fuel lines that were not metal. Due to the damage to the fuel lines and fuel system, no exact point of failure could be found.

A check of the operating fluids could not be conducted due to the damage to the engine.

I then examined the interior of the vehicle. The area of least heat and smoke damage was at the rear of the vehicle. Fire had emanated from the engine compartment and moved backwards through the bulkhead into the passenger compartment.

An examination of the door glass revealed all glass in the front seat and rear seat area broken out by the fire or fire department suppression.

An examination of the windshield revealed no glass at the bottom of the frame. There was some blackened glass still remaining at the top of the frame. This indicates that the fire came from the engine compartment.

An examination of the rear window revealed that it was intact and was blackened from the fire.

The interior of the vehicle had been heavily damaged. The upholstery was still intact on the doors and seats but was melted from high external heat exposure. The damage was greatest at the front of the compartment. The metal frame on the interior was still intact, protected by the upholstery. The front dashboard had been severely damaged by the fire exposure. The engine fire had broken through the bulkhead and involved the dashboard. Heat exposure had melted the steering column.

All of these empirical observations indicated that the initial point of origin was on the top of the engine. A detailed examination at this point revealed that the first materials ignited were combustible materials located at the top of the engine.

Ignition sources in the area were the battery, master brake cylinder, and electrical components. Each was examined and excluded as a reliable ignition source. The battery had been severely damaged by the fire, but the battery connectors were still intact and showed no arcing or electrical involvement. The master brake cylinder located on the right side of the engine was melted from the head but was not as heavily damaged as the remainder of the engine. All electrical wiring and components were examined. No visible faults were found in the wiring harness. The only source of ignition that could not be excluded was a live hot engine igniting fuel from a fuel leak at the top of the engine in the area of the fuel injection system.

The ignition source and material ignited are consistent with all data gathered.

The event that caused the union of these elements was a leak in the fuel system at the top of the engine. This was the location of the heaviest fire damage and the longest exposure to the heat. The exact leak location could not be determined due to the amount of damage to the fuel system.

In order to test this inductive process, I reversed my examination. Starting at the point of origin, I examined burn and smoke patterns carefully. These patterns indicated that the fire burned vertically and horizontally from this point and diminished in degree of destruction until they reached the area of least heat and smoke damage. This was the same point at which the survey began.

**INTERVIEW - INSURED:**

The owner could not be reached for an interview.

**FILE STATUS:**

Having completed all elements of your original assignment, I am closing this file. However, should you determine that further investigative activity is warranted, it can easily be re-opened.

I have appreciated this opportunity to serve you.

Respectfully,

Dennis Ellerbe  
Certified Fire Investigator  
Jackson, Georgia  
770-233-0121

CC: Mike Lane  
Southeastern Regional Manager  
(770) 882-7482

(Address all correspondence concerning this file to the following address. Please include the CIS file number.)  
Crawford Investigation Services  
National Operations Center  
285 W. Esplanade Ave., Suite 300  
Kenner, LA 70065

Inventor: [REDACTED]

File No.: 7809-021048

4

**ENCLOSURES:**

- 1 Photographs - Mounted = 24
- 2 Photograph Negatives

ER05-025-LC-4873

PHOTO LOG

No.	Location / Describing
1	View of the front of the vehicle.
2	View of the front left fender of the vehicle.
3	The back left side of the vehicle.
4	The rear of the vehicle and installed tag.
5	View of the back right fender of the vehicle.
6	The front right fender damage on the vehicle.
7	The front steering wheel and dashboard view.
8	View of the windshield glass melted away at the bottom.
9	The engine compartment, with a view of the battery damaged in the fire.
10	View of damage to the front of the engine.
11	Close-up of the damage to the battery, with the connectors intact.
12	Melted away metal parts of the engine next to the fuel injection system.
13	Generator cracked on the side from the heat exposure.
14	Close-up of the top of the battery and intact connectors.
15	The engine computer melted from the top down on the right side of the engine.
16	Oil dipstick melted away on the right side of the engine.
17	The VIN tag still intact on the front dashboard.
18	Close-up of the heavy engine damage at the front of the engine.
19	The melted radiator located at the front of the engine compartment.
20	The wiring harness and burned off fuel lines on the right side of the engine.
21	Melted engine sections at the top of the engine next to fuel injection.
22	View of the front seat area of the interior of the vehicle.
23	The radiator at the front of the engine compartment melted from the top down.
24	View of the back seats of the vehicle.

\* Note: I have highlighted 40 photos that are attached.



File Identification: 7800-091645

Insured: [REDACTED]

Photo Mounting Sheet



1



2

Photo Mounting Sheet



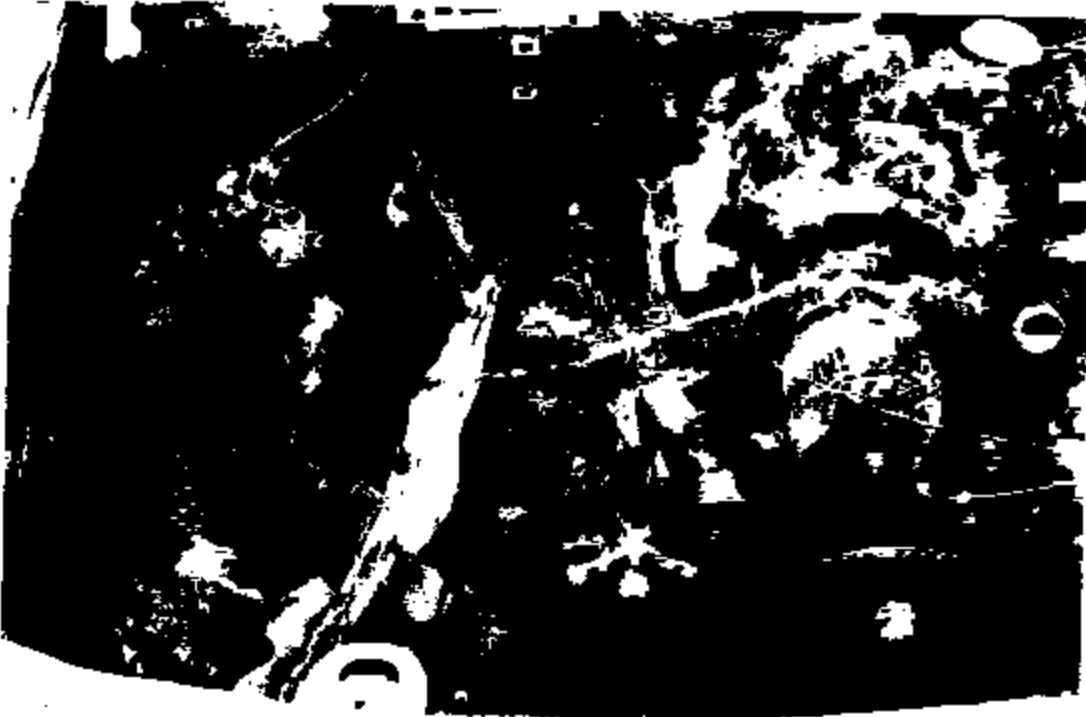
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Photo Mounting Sheet



9.



10.

Photo Mounting Sheet



11.



12.

Photo Mounting Sheet



13.



14.

Photo Mounting Sheet



15.



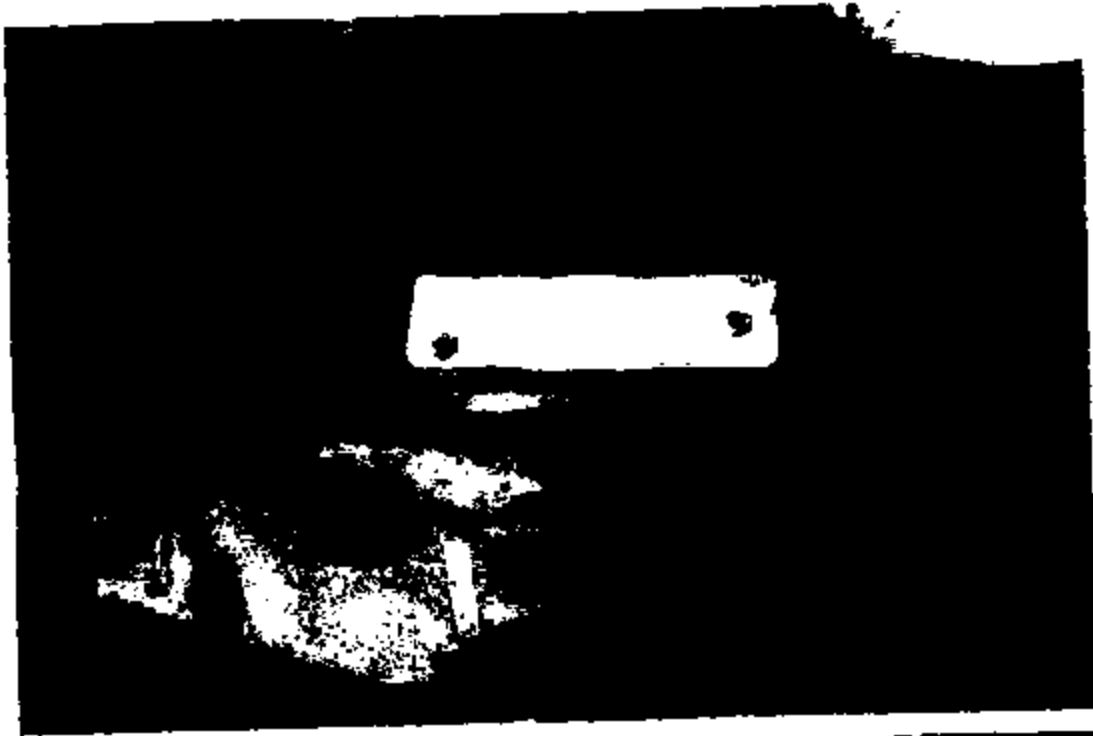
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File Identification: 7800-001048

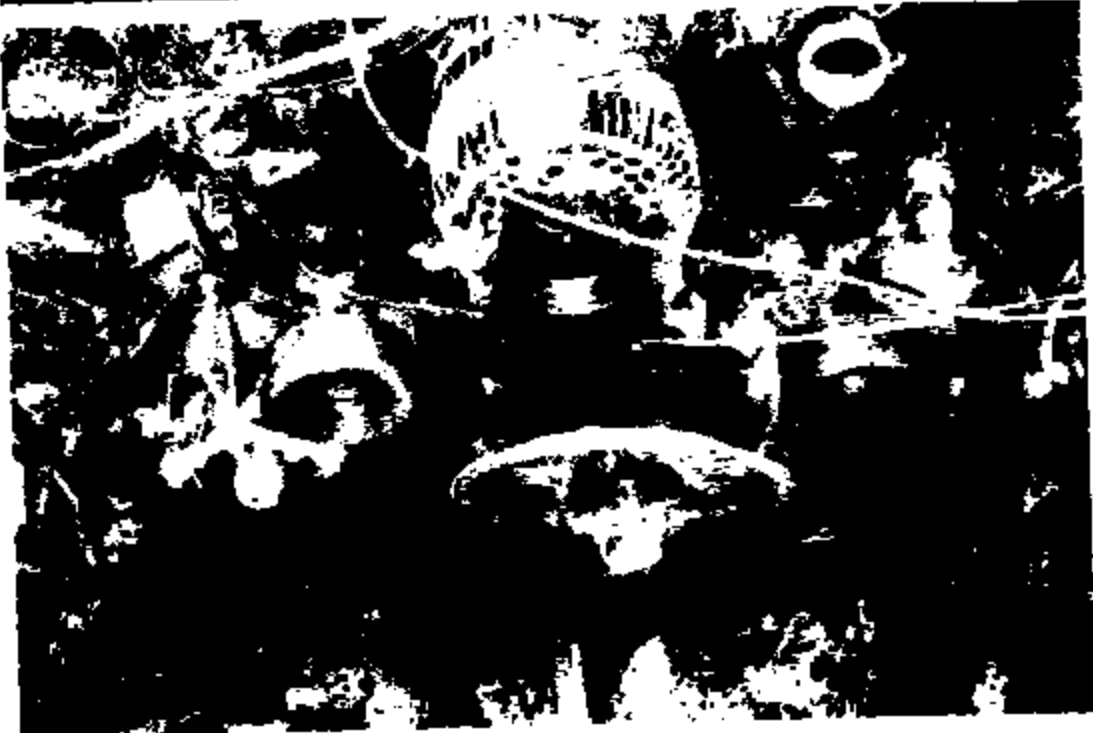
Insured: [REDACTED]



Photo Mounting Sheet



17.



18.

Page 9

6925-025-LC-4881

Photo Mounting Sheet



19.



20.

Photo Mounting Sheet



21



22



File Identification: 7806-001845

Insured: [REDACTED]

Photo Mounting Sheet



23



24





R.





4401 Creedmoor Rd. \* Subrogation Department \* Raleigh, NC 27656-1003

September 18, 2002

Ford Motor Company  
Attn: Ford Consumer Affairs  
P.O. Box 6248  
MD-3NE-B  
Dearborn, MI 48126

SUB NOTICE LETTER

OUR INSURED : ██████████  
OUR CLAIM NUMBER : ██████████  
DATE OF ACCIDENT : 05-09-2002  
AMOUNT : \$13,017.00  
PENDING COVERAGES : FTC

SEP 11 10 55 AM '02

Our insured's vehicle was damaged on the above date due a fire. Our investigation indicates that it was caused by a defective part.

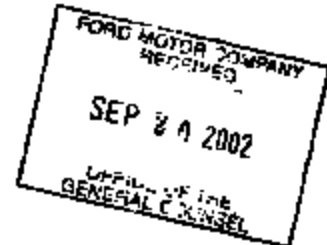
Nationwide has paid for these damages, which gives us the right to recover the full amount of the loss from you, the responsible party.

If you have automobile, homeowner, or any other insurance that will cover this claim, please give us the name of your insurance company and we will make our claim to them. We consider the amount listed above to be payment in full, but will promptly notify you if we incur any additional expenses.

VIN # 1FTDX1761V ██████████ 1997 FORD F-150 XLT PICK UP TRUCK

Thank you for your immediate attention in this matter.

NATIONWIDE MUTUAL FIRE INSURANCE COMPANY  
Rhonda Adams  
Subrogation Dept.  
(919)881-3244  
Fax 866-765-2369



Please provide us with the information below and return this letter.

Name of insurance company \_\_\_\_\_ Phone No \_\_\_\_\_  
Address \_\_\_\_\_ Agent Name \_\_\_\_\_  
Policyholder's Name \_\_\_\_\_ Policy Number \_\_\_\_\_

I am not insured, my full payment is enclosed.  
 I am not insured. My social security number is \_\_\_\_\_ Phone No \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

411-8228-02

- 5/9/02  
- \$13,017.  
- 197 F150  
- VIN

**OFFICE OF FIRE MARSHAL OF SURRY COUNTY  
REPORT OF FIRE INVESTIGATION**

**ALL FIRES**

**DISPATCH INFORMATION:**

Alarm #: 020909-103      Date: 05-09-02      Day: TH      Time: 16:40      TC Name: JAR  
Reported By: G. C. Scott      DOB:      Call Back #: 336-789-7398  
Alarm Type Vehicle      Alarm Description: Food  
Property Use: Light Truck      Area Description: 1: Suburban      2: Stable  
Primary Station: Four-Way VFD      Dapt: 16:45      Enroute: 16:45      On Scene: 16:49      Clear Scene: 17:32  
Assisting Station:      Dapt:      Enroute:      On Scene:      Clear Scene:  
Fire Marshal Requested By: Tim Hicks      Title: Chief      Date: SAA      Time:  
Fire Marshal Responding: Jones      Dapt: 17:07      Enroute:      On Scene:      Clear Scene:  
Fire Alarm Physical Address: 933 Slate Road, Mt. Airy, NC 27030

**OWNER INFORMATION:**

Property Owner: [REDACTED]      DOB: [REDACTED]      Phone #:  
Property Owner Address: SAA  
Property Owner Employer: Unemployed      Phone #:

**INSURANCE/FINANCE INFORMATION:**

Property Insured: Y      Insurance Company: Nationwide      Phone #:  
Insurance Agency: Jackson      Agent: I. Jackson      Phone #:  
Property Financed: Y      Finance Company: Surry Bank      Phone #:  
Contents Insured:      Insurance Company:      Phone #:  
Insurance Agency:      Agent:      Phone #:  
Contents Financed:      Finance Company:      Phone #:

**CLIMATIC DATA:**

Weather Conditions: Wind: E @ 20 mph Temp: 80 Humidity: 100% Generally: Rain/Windy

**ORIGIN AND CAUSE INFORMATION:**

Authority to Enter: Emergency X      Consent of Owner: Written      Verbal      Warrant  
Room of Origin: Engine Compartment      Point Of Origin: Undetermined  
Ignition Source: Undetermined      Fuel Source: Undetermined  
Cause: 1: Undetermined      2:  
Accelerant Used:      Accelerant Type:  
Samples Taken: N      Sent to SBI Crime Lab Date:      Returned from SBI Crime Lab Date:

**SHERIFF DEPARTMENT INVOLVEMENT:**

SCSD Involved: N      Case #:      Officer Name:      Detective Name:  
SBI Involved: N      Agent Name:      How Involved:  
Suspect 1 Name:      DOB:      Phone #:  
Suspect 1 Address:  
Suspect 2 Name:      DOB:      Phone #:  
Suspect 2 Address:  
Case Solved:      Possible Motive(s):  
Detail Motive(s):

**CASUALTY INFORMATION:**

Civilian Injury #: 0      Civilian Death #: 0      Firefighter Injury #: 0      Firefighter Death #: 0  
Name(s) of Injured/Killed:      DOB:  
Address of Injured/Killed:

**BUILDING INFORMATION**

**CONSTRUCTION INFORMATION:**

Construction Type:      Construction Materials:      Commercial/Residential -  
Occupancy Type:      Use of Building:  
Utilities Connected: Electric      Phone:      Cable:      Gas:      Water:

**OCCUPANT INFORMATION:**

Occupant 1: DOB: Phone #:  
Occupant 1 Address:  
Occupant 1 Employer: Phone #:  
Occupant 2: DOB: Phone #:  
Occupant 2 Address:  
Occupant 2 Employer: Phone #:  
Occupancy Owner: DOB: Phone #:  
Occupancy Owner Address:

**VEHICLE INFORMATION:**

Vehicle Make: Ford Model: F-150 Type: Light Truck Year: 1997  
Color(s): Black License # [REDACTED] VIN #: 1FTDX1760VN [REDACTED]

**OCCUPANT INFORMATION:**

Operator: DOB: Phone #:  
Operator Address:  
Occupant 1: DOB: Phone #:  
Occupant 1 Address:  
Occupant 2: DOB: Phone #:  
Occupant 2 Address:  
Occupant 3: DOB: Phone #:  
Occupant 3 Address:  
Occupant 4: DOB: Phone #:  
Occupant 4 Address:

Odometer Reading Parts Missing: Prior Damage: Tires Mismatched:

List All Missing Parts and Prior Damage:

Vehicle Towed: N By Whom and To What Location:  
NCDMV Involved: N Case #: DMV Officer:

JUNE 6, 2002

REPORT OF INVESTIGATION TO:

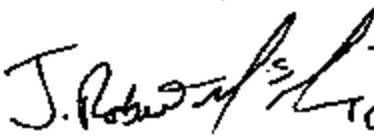
MR. KEVIN BROWN  
NATIONWIDE INSURANCE COMPANY  
265 EXECUTIVE PARK BVD.  
WINSTON-SALEM, NORTH CAROLINA 27103

LOSS TYPE: VEHICLE FIRE  
INSURED: [REDACTED]  
DATE OF LOSS: MAY 8, 2002  
CLAIM NUMBER: [REDACTED]  
FEI FILE NUMBER: 4782

REPORT PREPARED BY :



STEVEN G. REED, C.F.I.



J. ROBERT MCGRAW JR. P. E.



Mailing Address: Post Office Box 753 - Arden - North Carolina - 28704-0753  
Phone/Fax: 828-684-0468  
<http://www.ForensicEngineeringInc.com>

ASSIGNMENT:

This assignment was received on May 21, 2002 from Mr. Kevin Brown. Mr. Brown is a Claims Representative with Nationwide Insurance Company in Winston-Salem, North Carolina. The specific request was for a cause and origin investigation into a fire that damaged a 1997 Ford F-150 pick-up truck.

The vehicle examination was conducted on Thursday May 23, 2002. A verbal report was provided to Mr. Brown on Tuesday May 28, 2002 by phone.

CONCLUSION:

The examination determined that this fire was accidental in nature. The physical examination of the vehicle revealed that the fire originated on the left side of the engine compartment where two wiring harnesses and the electrical wiring for the cruise control module were located. It appeared that one of the harnesses burned in two where it was lying on a metal bracket used to secure the vehicle's air filter housing. It appears that the insulation of this harness was compromised over time and this allowed energized copper conductors to come into contact with each other or the metal bracket that secured the air filter housing.

BACKGROUND DETAILS AND FIRE SCENE ANALYSIS:

On Thursday May 23, 2002 an examination of the Ford truck was conducted. The vehicle was located at the Rimer Motors salvage facility, which is located on Merle Road in rural Cabarrus County, North Carolina. The vehicle examined was a 1997 Ford F-150 XLT pick-up truck. The vehicle contained a 4.8-liter, fuel-injected engine. The Vehicle Identification Number (VIN) was 1FTDX1760V [REDACTED]. The vehicle did not have a registration plate on it at the time of the examination. The vehicle examination was documented with 35mm photographs.

The vehicle examination revealed that the fire originated within the engine compartment. The examination further determined that the fire originated on the left front fender where two electrical wiring harnesses are located. These harnesses are mounted to a flat piece of metal that is a part of the vehicle's left front fender and is used as a mounting bracket for the vehicle's air filter assembly. The harness that burned in two provides power to electrical devices in the rear of the vehicle. The harness was mounted such that as it traverses the metal bracket it comes into contact with the edge of the bracket. The physical examination of electrical wiring revealed significant amounts of electrical arcing damage on the copper conductors that were contained in the harness. This arcing would have been caused as energized electrical wires came into contact with each other or the metal bracket. The wires at this point had burned in two and there were beads of molten copper formed on the two ends of separated wires. This finding is an indicator that this wire became internally overheated. The bead of molten copper was formed when the insulation melted off of the wire and it came into contact with some other metal object. The most likely secondary object would have been another copper wire whose insulation had also been compromised. It appears that over a period of time the plastic corrugated insulation of the harness and the plastic insulation of the individual wires wore through and allowed the arcing to occur.

Copper has a melting temperature of approximately 1980 degrees Fahrenheit. Temperatures in this range are typically only reached when an electrical failure occurs.

Further examination of other wiring harnesses failed to locate similar damage to other electrical wiring. This is an indicator that the arc-damaged wiring was the point of origin.

According to information received this vehicle had been parked for a period of time before the fire occurred. This tends to eliminate a fuel leak as a cause of this fire.

This did not appear to have been an intentionally set fire.

A review of National Highway Traffic Safety Administration documents failed to reveal any Technical Service Bulletins or Recalls involving this vehicle or its wiring.

INVESTIGATION STATUS:

CLOSED

END

Enclosures: Photographs (18)  
Parts Diagram

PAGE 2

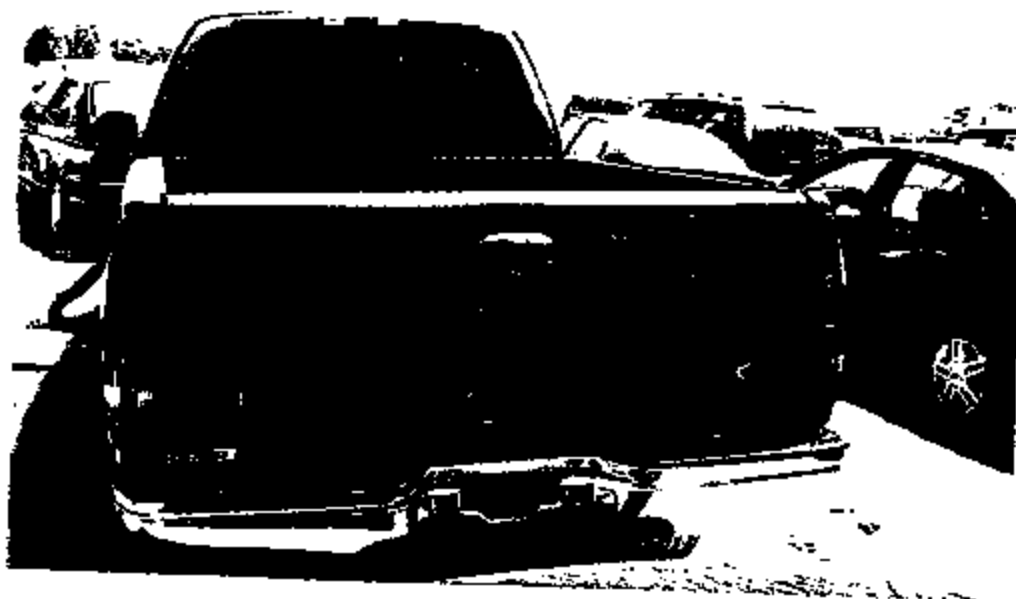
**FEJ**

ER05-003-LC-4001





Photograph 1: Photo of the front of the Ford truck.



Photograph 2: Photo of the rear of the truck.





Photograph 3: Photo of the right front fender. The fire damage here was not as extensive as that on the left front fender. This is an indicator that the fire did not originate on this side of the engine compartment.



Photograph 4: Photo of the left front fender. Note the extensive fire damage here. This is an indicator that the fire burn here longer and more intensely. This suggests that this area was the point of origin.





Photograph 2: Photo of the Vehicle Identification Number plate.

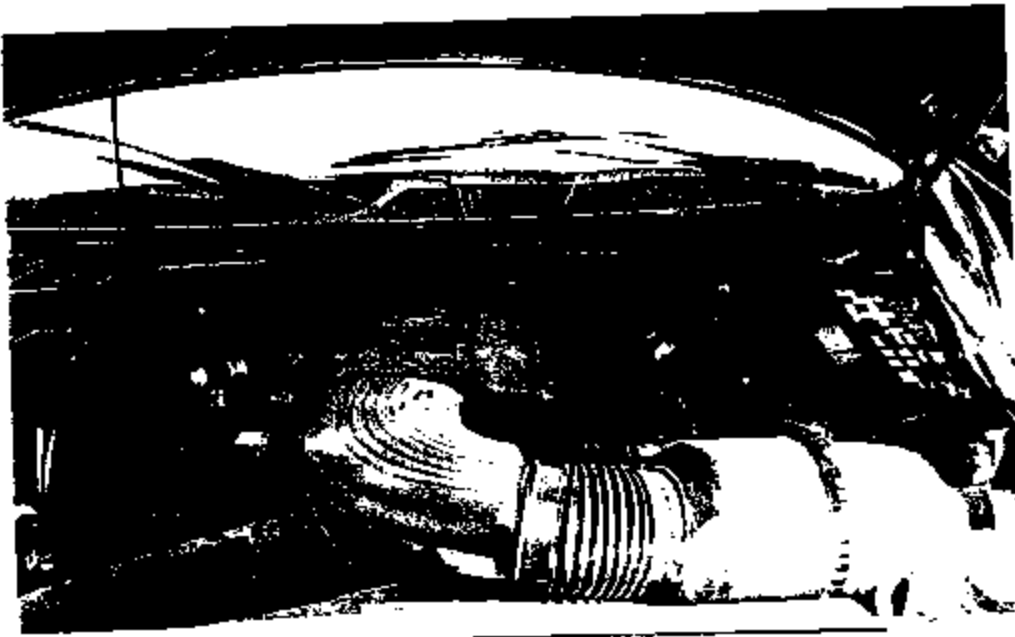


Photograph 3: Photo of the truck's windshield. The fact that the windshield is burned from the bottom up is an indicator that the fire originated in the engine compartment.



Photograph 7: Vertical photo of the vehicle's interior. The damage depicted here is radiant heat from a fire burning in the engine compartment.





Photograph 6: Photo of an unburned 4.6-liter engine.



Photograph 8: Photo of the remains of the cruise control module that was located directly above the point of origin.





Photograph 10: Photo of an unburned cruise control module.

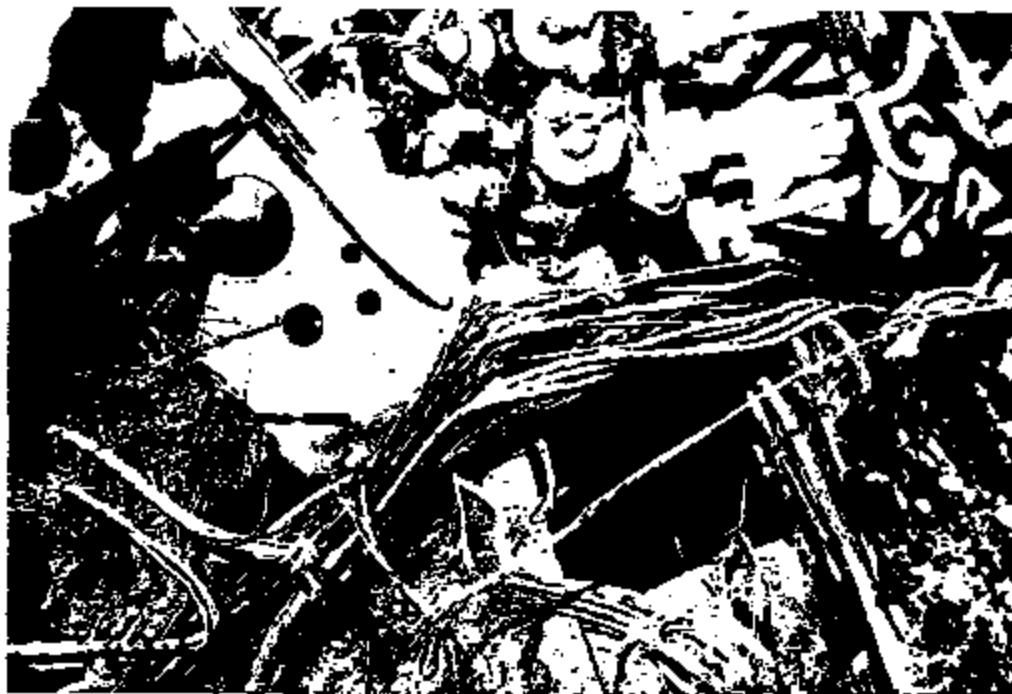


Photograph 11: Photo of the two in-line plastic connectors of the two wiring harnesses where the fire originated. These connectors are depicted on the mounting bracket.





Photograph 12: Photo of the same two connectors in an unburned vehicle with a 4.8-liter engine.



Photograph 13: Photo of the remains of the wiring harness that fell and caused this fire. The tip of the pen indicates copper wires that had shorted together on the edge of the mounting bracket.





Photograph 14: Photo of an unburned harness. The arrow indicates that it is also resting on the metal mounting bracket.



Photograph 15: Photo of the remains of the electrical connector from the cruise control module. The intense fire damage found on this device and its associated wiring indicates that it was exposed to prolonged heating. This is an indicator that this device was very close to the point of origin.







Photograph 16: Photo of an unburned electrical connector for the cruise control module.



Photograph 17: Photo of some of the copper wiring that contains molten copper beads.



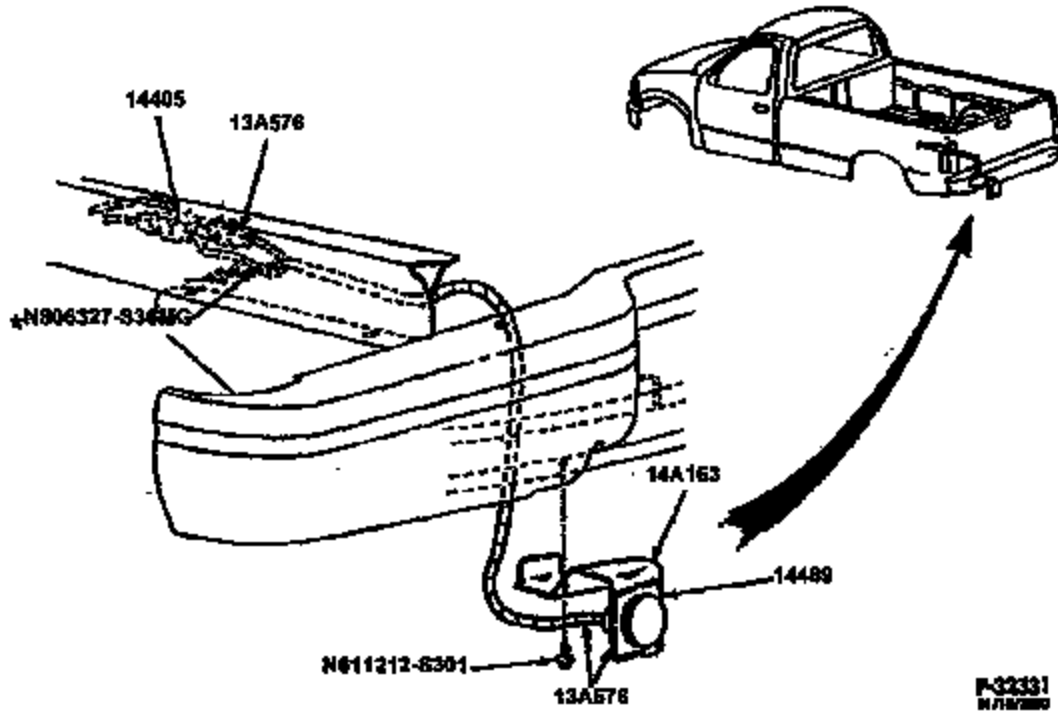


Photograph 18: Additional photo of wiring with the remains of copper beads.



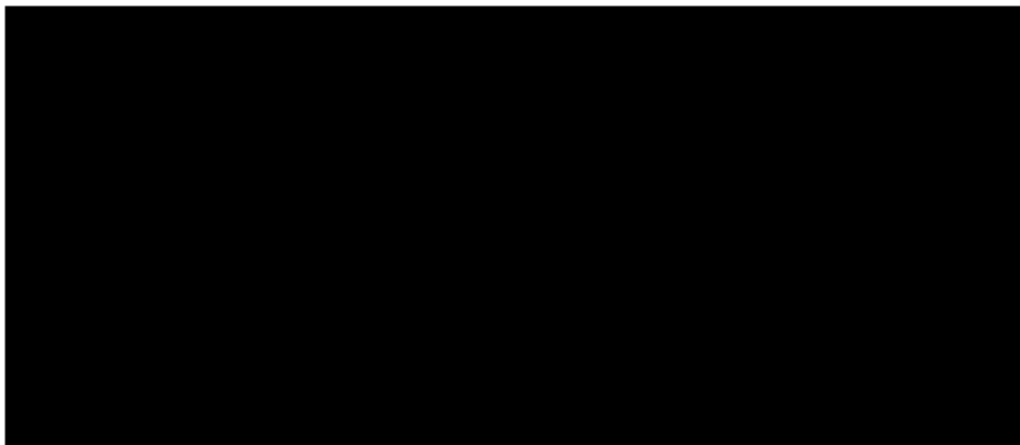
Greetings from ,

Catalog: F Series - F100 Section: REAR TRAILER LAMPS FEED WIRING - HEAVY DUTY LAMPS 1997 - 1999



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ER05-005-LC-4702



MARKET CLAIM OFFICE  
6711 TOWPATH ROAD  
EAST SYRACUSE NY 13217

PHONE NUMBER: 315-251-2865  
OFFICE HOURS: MONDAY-FRIDAY 9:00-4:30

**Allstate**  
You're in good hands.

February 12, 1999

FORD MOTOR COMPANY  
3 PARKLANE BL ST 400  
DEARBORNE MI 48126

Allstate Indemnity Company  
Claim Number: [REDACTED]  
Our Insured: [REDACTED]  
Date of Loss: January 4, 1999



Please be advised that we are investigating a fire for our insured. That fire involves a 1998 Ford F-150 XLT 2WD Stepside Bed Extended Cab with vin number 2FTFXD7L9W0 [REDACTED]

Peter Vallas Asso looked at the loss on January 28, 1999. Based on the scene inspection and analysis to date, it is their opinion that the fire originated in the engine compartment. The point of origin is at or near the throttle body and or fuel lines.

We are reserving our right to file a claim against you for the damages. Please contact us at 315-251-2865 within ten (10) days of your receipt of this letter so we can arrange a time your experts can meet with Peter Vallas Asso to do a complete cause and origin.

Please be further advised that the Company specifically reserves all other rights and defenses it may have under said policy, and this letter should not be deemed to constitute a waiver of the Company's rights or defenses.

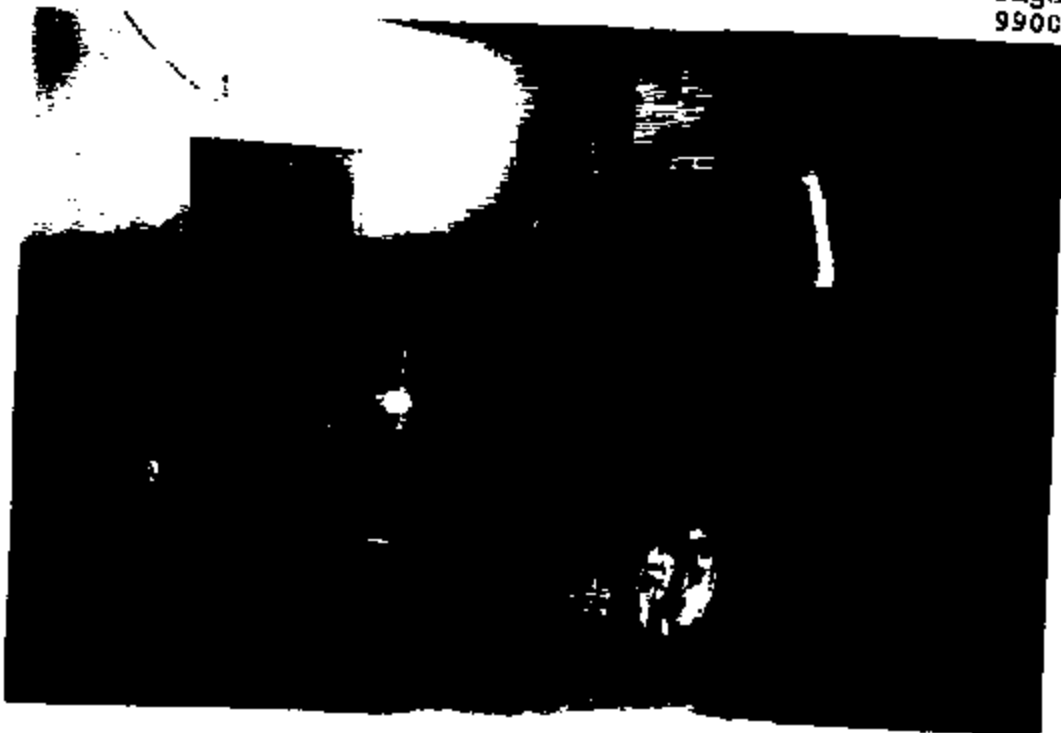
Thank you for your understanding and cooperation.

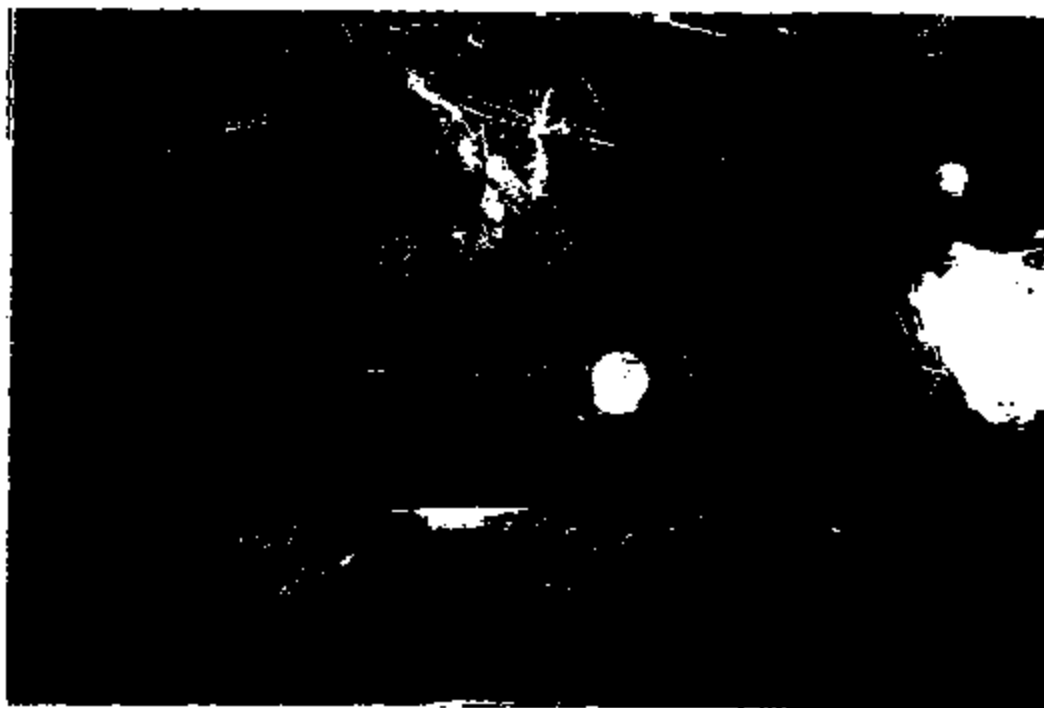
Sincerely,

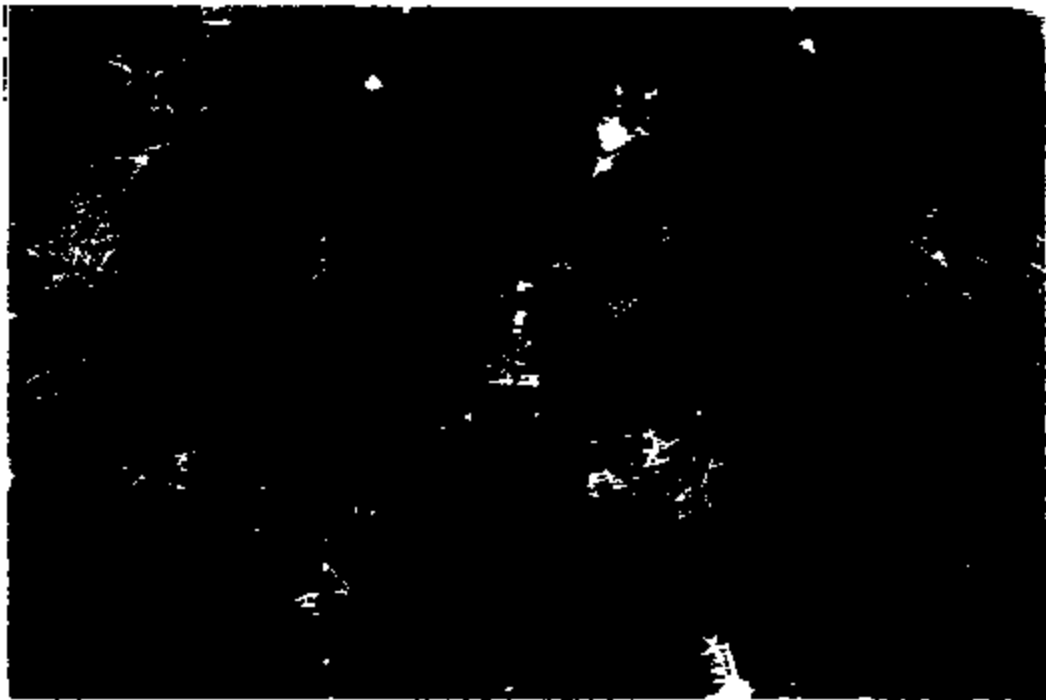
  
GERALD F. BALL  
Allstate Property-Casualty Claim Service Organization

SH06/0/01/1

Copy to REGULAR AND CERTIFIED MAIL P 302 419 119 ✓

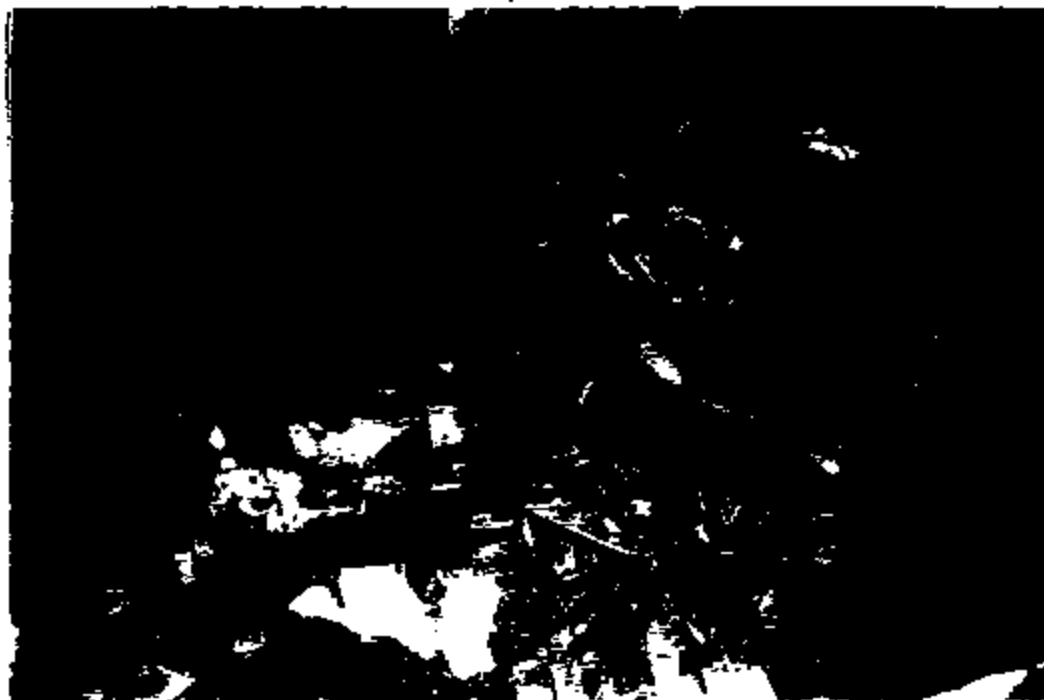




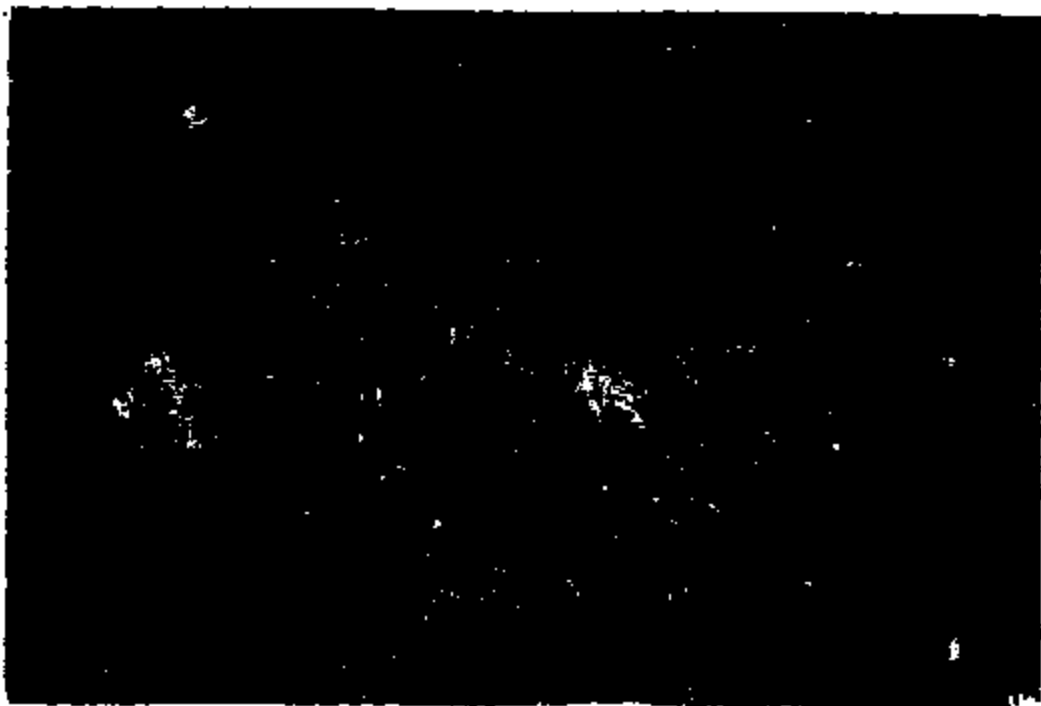
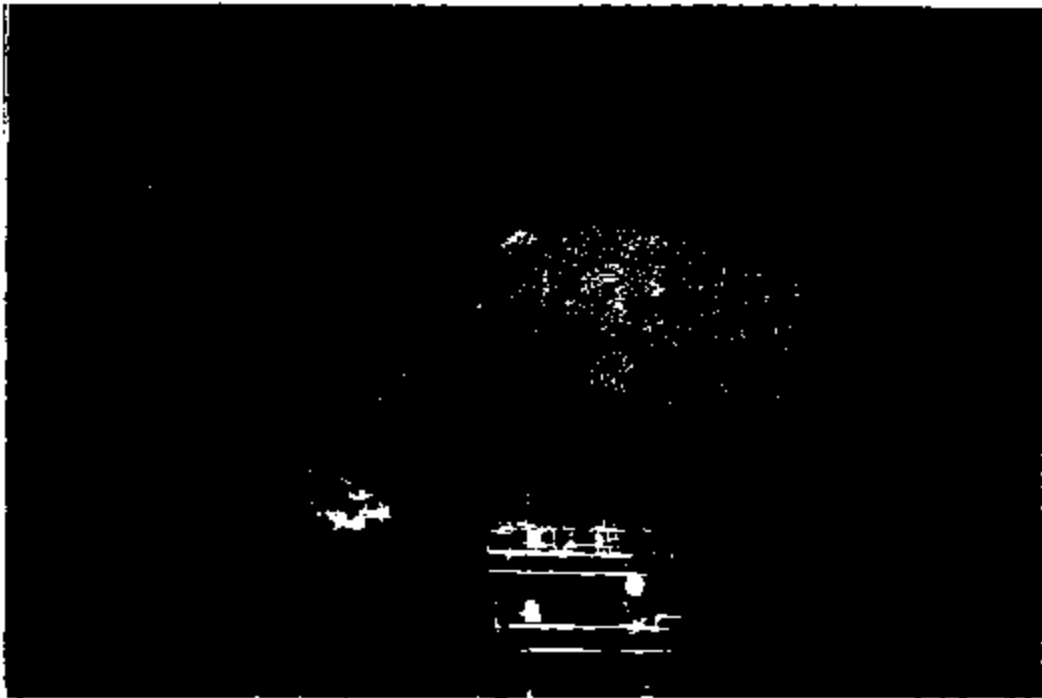






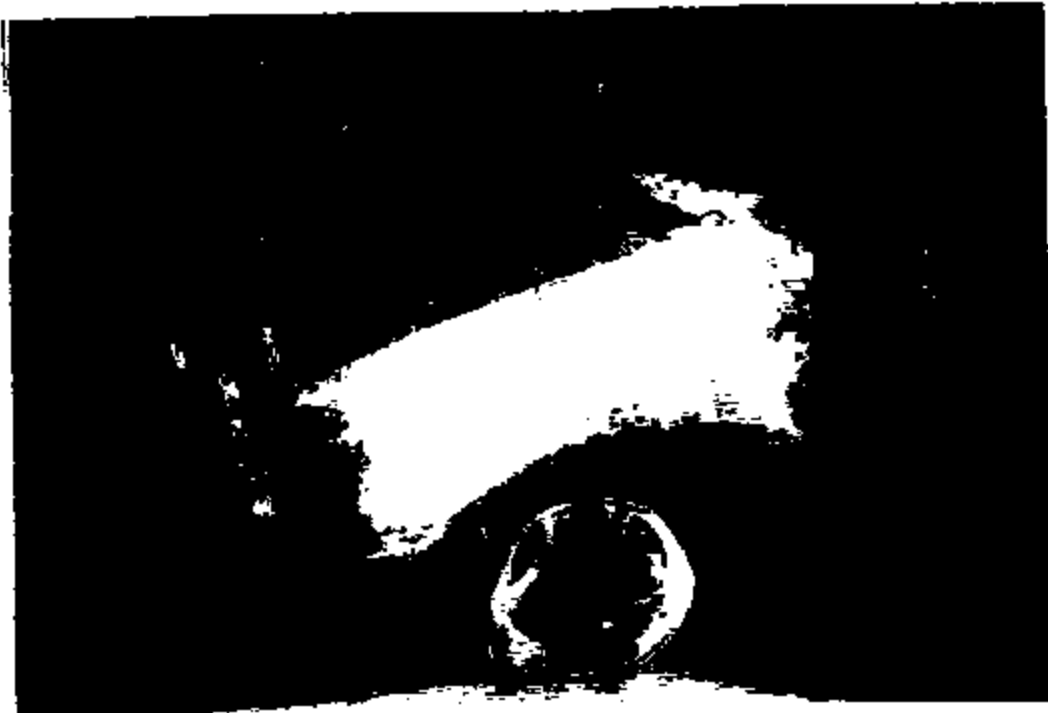






















# PETER VALLAS ASSOCIATES Inc.

A Professional Corporation

Internet: <http://www.petervallas.com>

E-mail: [supter@petervallas.com](mailto:supter@petervallas.com)

July 10, 2001

★ Corporate Headquarters  
105 Main Street  
Hackensack, NJ 07601  
(201) 487-8801  
Fax: 201-487-1253

★ Northem Regional Office  
106 Washington Avenue  
Endicott, NY 13760  
(607) 785-8250  
Fax: 607-785-6541

★ Eastern Regional Office  
100 Mill Plain Road  
Danbury, CT 06811  
(203) 791-0100  
Fax: 203-791-0200

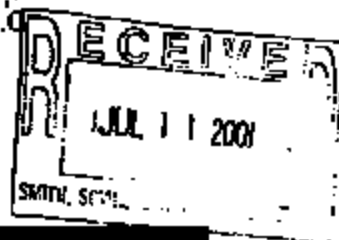
★ Northwestern Regional Office  
188 North Main Street  
Warsaw, NY 14569  
(716) 786-8880

★ Laboratory Facilities  
85 Zabriskie Street  
Hackensack, NJ 07601  
(201) 487-8298

★ Pennsylvania Regional Office  
Pennsylvania Avenue  
Philadelphia, PA 19130  
(215) 884-2488

★ Northeastern Regional Office  
1740 Massachusetts Avenue  
Brockton, MA 01719  
(878) 284-8221  
Fax: (878) 284-8224

Ms. Kristen Benson  
SMITH, SOVIK, KENDRICK & SUGNET, P.C.  
Attorneys At Law  
250 South Clinton Street  
Suite 600  
Syracuse, New York 13202-1252



File: 990029  
Re : [REDACTED]  
CF/Pol: [REDACTED]  
D/L : 1/4/98

Dear Ms. Benson:

This correspondence is in reference to the re-inspection of the insured's vehicle on Friday, June 15, 2001. As a result of the inspection, I have amended the following portion of my report originally dated February 4, 1999.

Upon receipt of this correspondence, if you have any questions, please feel free to contact the undersigned.

Respectfully submitted,

PETER VALLAS ASSOCIATES Inc.

David R. Redicker  
Corporate Director of Investigations

DRR/mld  
Enclosures



FIRE AND EXPLOSION ANALYSIS • ANALYTICAL LABORATORY  
INVESTIGATIVE ENGINEERING SERVICES

## PETER VALLAS ASSOCIATES Inc.

A Professional Corporation

Internet: <http://www.petervallas.com>  
E-mail: [experts@petervallas.com](mailto:experts@petervallas.com)

★ Corporate Headquarters

105 Main Street  
Hackensack, NJ 07601  
(201) 487-8901  
Fax: 201-487-1253

Date of Report: February 4, 1999

Total pages: 17

★ Northern Regional Office

109 Washington Avenue  
Endicott, NY 13780  
(607) 785-8250  
Fax: 607-785-8541

Ms. Mary Gilmour  
ALLSTATE INSURANCE COMPANY  
6711 Towpath Road  
East Syracuse, New York 13057

★ Eastern Regional Office

100 Mill Plain Road  
Danbury, CT 06811  
(203) 791-0100  
Fax: 203-791-0200

Fax Number: (315)251-2010

10 VIA MAIL AND FACSIMILE (4 PAGES)

★ Northeastern Regional Office

189 North Main Street  
Warren, NY 14589  
(716) 796-9950

File: 990029

Re : [REDACTED]

Pol/CF: [REDACTED]

D/L: 1/4/99

★ Laboratory Facilities

85 Zabriskie Street  
Hackensack, NJ 07601  
(201) 487-0266

Prepared by: David R. Redjicker  
Corporate Director of Investigations

★ Pennsylvania Regional Office

Pennsylvania Avenue  
Philadelphia, PA 19130  
(215) 594-2486

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

★ Northeastern Regional Office

1740 Massachusetts Avenue  
Borborough, MA 01719  
(978) 284-9221  
Fax: (978) 284-9224

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

• National Fire Protection Association • National Association of Fire Investigators • International Association of Arson Investigators •  
• New Jersey Chapter IAAI • New York Chapter IAAI • International Association of Bomb Technicians and Investigators • American Concrete Institute •  
• Building Officials and Code Administrators International • International Society of Fire Service Instructors • Private Detective Association •

ENR5-885-LC-4718

**PURPOSE OF THE ASSIGNMENT**

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

**PRELIMINARY REMARKS**

An inspection was conducted on Thursday, January 28, 1999 at Salvage Management in Cicero, New York.

**DESCRIPTION OF THE VEHICLE**

The vehicle is a 1998 Ford F150 Mark III extended cab pick up truck with third door, color blue. The vehicle identification number's last 9 digits match the vehicle identification number provided on the insurance policy [REDACTED]. The vehicle identification number plate was too damaged by fire.

**INSPECTION OBSERVATIONS**

Fire patterns on the vehicle originate from the engine compartment and extend horizontally and vertically into the passenger compartment.

Inspection of the underside of the vehicle revealed no evidence of fire originating from or extending to this area.

The passenger compartment sustained extensive fire damage due to the extension from the engine compartment. Clearing of the debris from the floor revealed the carpets were still intact. The stereo was present and portions of the remains of the ignition were found in the debris.

Inspection of the engine compartment revealed extensive fire damage throughout the area. It is noted that there is extensive fire damage and melting of the cast aluminum components of the manifold and throttle body.

Inspection of the electrical system included the battery in the right rear corner of the engine compartment and the wiring harness leading over to the left side of the engine compartment. Upon closer inspection, it was noted that there was evidence of electrical activity (arcing) on the cable where it passes in the area of the throttle body.

The transmission fluid level did not register because the cooling lines to the radiator were separated from the radiator which had been severely damaged in the fire. There was evidence of transmission fluid on the floor which indicated that it was not burned. Inspection of the engine oil revealed that it was full, but dirty.

OTHER RELEVANT INFORMATION

Information supplied to this organization indicated the vehicle had been parked in the driveway at around 10:00 p.m. by the insured, [REDACTED]. At around 3:30 a.m. she woke up to go across the street to babysit for her sister-in-law. When she went outside passed the vehicle she noticed a burning smell like plastic, but thought that her husband may have been burning something the previous evening.

At around 4:20 a.m. her husband was awakened by the anti-theft alarm on the vehicle and when he went outside, he saw the vehicle was engulfed in flames.

According to the insured, no modifications had been made to the vehicle after it was leased from [REDACTED]. The anti-theft device was factory. There was no maintenance other than oil changes conducted by the Ford garage in Camden, New York. According to the insured, the vehicle had only been on the road for approximately 6 months and never had an accident. The approximate mileage was 13,000 miles.

CONCLUSION

Based on the on scene inspection, information and analysis to date, it is the opinion of this organization that the fire originates in the engine compartment. The point of origin is at or near the throttle body and electrical wiring harness on the top rear of the engine compartment.

COMMENTS AND RECOMMENDATIONS

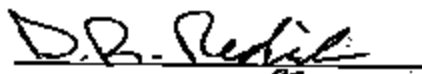
It is recommended that Ford Motor Company Truck Division be put on notice to have an opportunity to inspect the vehicle.

We recommend that the vehicle be retained, secured and protected regarding any further testing or inspection by other interested parties or specialized engineers associated with our firm, when needed. We also reserve the right to be present and observe any and all inspections or testing of the vehicle by any other concerned parties.

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

Respectfully submitted,

PETER VALLAS ASSOCIATES Inc.



David R. Redicker  
Corporate Director of Investigations

DRR/mlf

**PHOTOGRAPHIC DOCUMENTATION AND/OR OTHER ATTACHMENTS**

FILED  
ONEIDA COUNTY  
CLERK

2009 NOV 27 PM 2:41

STATE OF NEW YORK  
SUPREME COURT COUNTY OF ONEIDA

---

Index No.

CO 02350

[REDACTED]  
Plaintiff,

-vs-

COMPLAINT

COOPER FORD f/k/a SMITH'S FORD,  
AND FORD MOTOR COMPANY,

Defendants.

---

Plaintiff, Allstate Insurance Company, as subrogee of [REDACTED] by and through its attorneys, Smith, Sovik, Kendrick & Sugnet, P.C., complaining of the Defendants, Cooper Ford f/k/a Smith's Ford and Ford Motor Company, alleges as follows:

1. Plaintiff, Allstate Insurance Company, (hereinafter "Allstate") was and still is an insurance company doing business in the State of New York.
2. Plaintiff Allstate's subrogor [REDACTED] at all times hereinafter mentioned was and still is a business entity with its principal place of business in Oswego County, New York.
3. Upon information and belief, Defendant Cooper Ford f/k/a Smith's Ford was at all times relevant hereto and is a domestic corporation duly organized and existing pursuant to the laws of the State of New York.
4. Upon information and belief, Defendant Cooper Ford f/k/a Smith's Ford was at all times relevant hereto and is a foreign corporation duly authorized to transact business in the State of New York.
5. Upon information and belief, Defendant Cooper Ford f/k/a Smith's Ford was at all

EP85-885-LC-4722



times relevant hereto and is a business entity regularly conducting business within the State of New York.

6. Upon information and belief, Defendant Cooper Ford f/k/a Smith's Ford was at all times relevant hereto and is a business entity with its principal place of business located in Oneida County, New York.

7. Upon information and belief, Defendant Cooper Ford is the successor in interest to Smith's Ford.

8. Upon information and belief, Defendant Cooper Ford as successor in interest to Smith's Ford is liable for the breaches of contract or warranty committed by Smith's Ford on January 4, 1999.

9. Upon information and belief, Defendant Ford Motor Company is and was at all times relevant hereto a foreign corporation duly authorized to transact business in the State of New York.

10. Upon information and belief, Defendant Ford Motor Company is and was at all times relevant hereto a business entity regularly conducting business within the State of New York.

11. That upon information and belief, in or about August of 1998, Plaintiff's Subrogor, [REDACTED] entered into a lease contract with Smith Ford, now known as Cooper Ford, whereby Smith Ford would lease to Plaintiff's subrogor [REDACTED] a 1998 Ford F-150 pickup truck bearing vehicle identification number 2FPRX07L9W [REDACTED]

12. That on or about January 4, 1999, Plaintiff Allstate did have in full force and effect a policy of automobile insurance identified by policy# [REDACTED] issued to insured [REDACTED]

Firewood to which at the time of the aforesaid lease transaction was added said 1998 Ford F-150 pickup truck bearing vehicle identification number 2FTRX07L9W[REDACTED]

13. Said policy provided, subject to a \$50.00 deductible, comprehensive coverage for damage to this vehicle including damage caused by fire.

14. Pursuant to the lease agreement entered into between Plaintiff's Subrogor and Smith's Ford, Ford Credit Titling Trust would remain the title owner and lessor of said 1998 Ford F-150 pickup truck. A copy of the New York State Certificate of Title issued October 21, 1998 is attached hereto as Exhibit "A".

15. Accordingly, Ford Motor Credit Company was listed on said Allstate policy of insurance.

16. Upon information and belief, the aforesaid 1998 Ford F-150 pickup truck was designed, manufactured, fabricated, constructed, made, tested, sold, and marketed by Ford Motor Company its employees, agents, servants and/or representatives.

17. On January 4, 1999, while said 1998 Ford F-150 pickup truck was parked, unoccupied and with the ignition turned off, it caught fire.

18. As a result of said fire, the aforesaid 1998 Ford F-150 pickup truck was substantially destroyed to the extent that it was a total loss.

19. A claim was made for the loss of said vehicle against the aforesaid Allstate Insurance Company policy identified by policy no. [REDACTED]. A claim file was accordingly set up under claim number [REDACTED].

20. As a result of said total loss of the insured vehicle, Allstate Insurance Company paid \$28,810.00 to Ford Motor Credit Company on or about March 10, 1999 (please note that the \$28,810 figure paid to Ford Motor Credit Company represents the total loss of the vehicle, \$28,860 less the \$50 deductible applicable to the comprehensive coverage on the policy). A copy of said check is attached hereto as Exhibit "B".

21. Allstate has therefore become subrogated to the rights of its insured, Gardners Firewood.

**AS AND FOR PLAINTIFF'S FIRST CAUSE OF ACTION  
AGAINST FORD MOTOR COMPANY**

22. Plaintiff repeats and realleges each and every allegation set forth in the paragraphs numbered "1" through "21" of this complaint with the same force and effect as though fully set forth herein.

23. Defendant Ford Motor Company its agents, servants, employees and/or representatives negligently designed, manufactured, tested, fabricated, made and/or constructed the aforesaid Ford F-150 pickup truck.

24. The above-described fire on January 4, 1999, which resulted in the total loss of the aforesaid vehicle was caused solely by the negligence of the Defendant Ford Motor Company, its agents, employees, servants and/or representatives in the design, manufacture, making, fabrication, testing, and/or construction of the aforesaid vehicle with no negligence on the part of the Plaintiff or Plaintiff's Subrogor contributing thereto.

25. As a result of the foregoing, Plaintiff has sustained damages in the sum of \$28,810.00.

**AS AND FOR PLAINTIFF'S SECOND CAUSE OF ACTION AGAINST COOPER  
FORD *filed* SMITH'S FORD, AND FORD MOTOR COMPANY**

26. Plaintiff repeats and realleges each and every allegation set forth in the paragraphs numbered "1" through "25" of this complaint with the same force and effect as though fully set forth herein.

27. At all times hereinafter mentioned, Defendants knew the use intended by Plaintiff's Subrogor for said 1998 Ford F-150 pickup truck and further knew that Plaintiff's Subrogor relied upon Defendants' knowledge, skill and expertise with respect to said truck.

28. Defendants made an implied warranty to Plaintiff that said truck would be fit for Plaintiff's Subrogor, Gardner Firewood's particular use.

29. Defendants breached their warranty that said truck would be fit for Plaintiff Subrogor's particular use.

30. By reason of Defendants' breach of the aforesaid implied warranty, Plaintiff has been damaged in the sum of \$28,810.00.

**AS AND FOR PLAINTIFF'S SECOND CAUSE OF ACTION AGAINST COOPER FORD  
*filed* SMITH'S FORD, AND FORD MOTOR COMPANY**

31. Plaintiff repeats and realleges each and every allegation set forth in the paragraphs numbered "1" through "30" of this complaint with the same force and effect as though fully set forth herein.

32. At all times hereinafter mentioned, Defendants knew the use intended by Plaintiff's Subrogor for said truck and further knew that Plaintiff relied upon Defendants' knowledge, skill and

expertise with respect to the aforesaid 1998 Ford F-150 pickup truck.

33. Defendants made an implied warranty to Plaintiff's Subrogor that said 1998 Ford F-150 pickup truck would be merchantable.

34. Defendants breached their warranty that said 1998 Ford F-150 pickup truck would be merchantable.

35. By reason of the Defendants' breach of the implied warranty of merchantability, Plaintiff has been damaged in the sum of \$28,810.

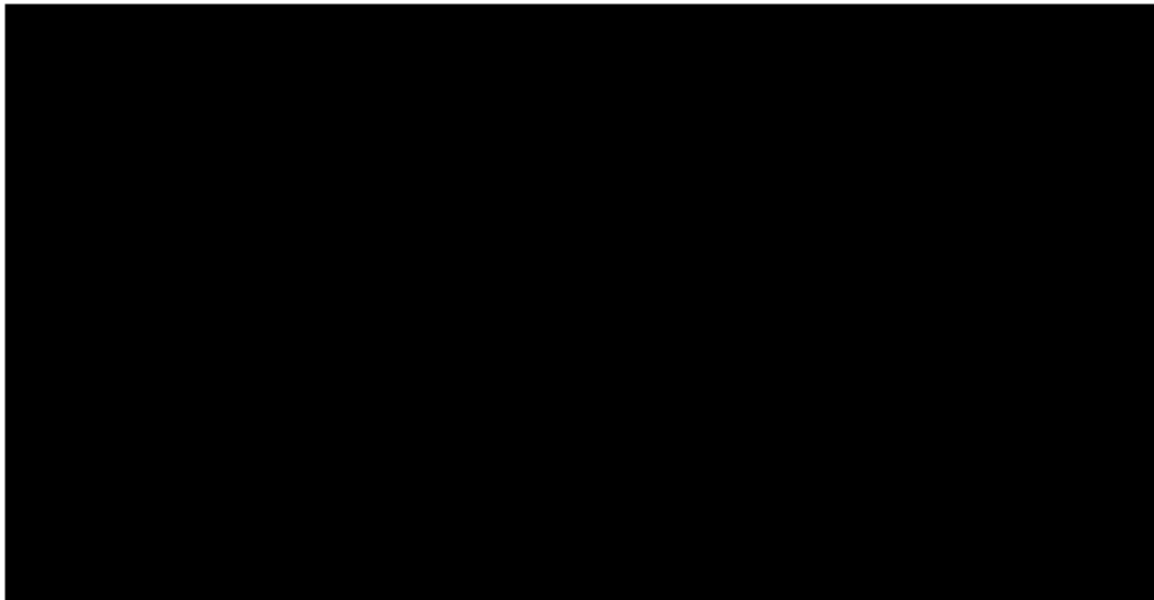
WHEREFORE, the Plaintiff demands judgment against the Defendants in the amount of \$28,810.00, together with interest, and the costs and disbursements of this action and together with such other and further relief as to this court may seem just and proper.

DATED: November 22, 2000

SMITH, SOVIK, KENDRICK & SUGNET, P.C.

By: Robert P. Cahalan

Robert P. Cahalan  
Attorneys for Plaintiff  
Office and Post Office Address  
250 S. Clinton Street, Suite 600  
Syracuse, New York 13202  
(315) 474-2911



# State Farm Insurance Companies



State Farm Claim Office  
1001 M. Hannon Rd.  
Salisbury, MD 21802

(410) 572-6400  
(800) 443-2862

February 7, 2002

Shawn Norton  
Ford Motor Co.  
3 Parklane Blvd. Ste 300  
Dearborn, MI 48126-2568

RE: Claim Number: [REDACTED]  
Date of Loss: June 4, 2001  
Our Insured: [REDACTED]  
Vehicle: 1997 Ford F150  
1FTDX1727V [REDACTED]

Dear Shawn Norton:

This State Farm insured's 1997 Ford F150 was involved in a fire.. We settled a claim with our insured in the amount of \$13106.75, which includes our insured's deductible.

Our investigation revealed the cause of the loss was due to failure of the starter relay and ignition module.

Enclosed is the documentation of State Farm's claim. We are holding the 1997 Ford F150 until we have concluded our claim with your company. You may contact me at (410) 572-6421 to make arrangements to inspect the vehicle.

Please consider this letter as our demand to Shawn Norton for reimbursement of \$13106.75.

Sincerely,

*Pamela Skipper*  
Pamela Skipper AIC  
Claim Representative  
(410) 572-6421

State Farm Fire and Casualty Company

HOME OFFICES: BLOOMINGTON, ILLINOIS 61710-0000

ERRS-885-LC-4728

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5/15/01  
Salisbury, MD  
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**Unified**  
Investigations & Sciences, Inc.

1323 Mt. Hermon Road, Suite 1A  
Salisbury, MD 21804  
(410) 677-0200  
FAX (410) 677-0204

**PRIVILEGED AND CONFIDENTIAL**

October 29, 2001

**Report Number One and Final**

PREPARED FOR: State Farm Insurance Company  
1001 Mt. Hermon Road  
Salisbury, Maryland 21804

ATTENTION: Pam Skipper

INSURED: [REDACTED]

DATE OF LOSS: June 4, 2001

LOSS VEHICLE: 1997 Ford F150 Pickup Truck

POLICY NUMBER: Unknown

CLAIM NUMBER: [REDACTED]

LIS FILE NUMBER: NJ01-00719

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

ER05-005-LC-4729



Insured: [REDACTED]  
CBS File No.: N101-00719

Date: October 29, 2001

### ASSIGNMENT

This assignment was received on October 11, 2001 and the investigation commenced on October 12, 2001. Instructions were to conduct a Vehicle Examination.

### DETERMINATION OF ORIGIN AND CAUSE

Burning originated within the engine compartment on the passenger side; specifically, within the area of the starter relay and ignition module that was mounted at the firewall. The cause of the fire was a fault within either the starter relay or ignition module; however, without an examination by an electrical expert, I am unable to determine the exact fault.

#### Information and Factors Available to Establish Origin:

1. Burn patterns on the passenger side of the engine compartment
2. Heat patterns and fire patterns on the hood
3. Fire damage to the starter relay and the ignition module

#### Information and Factors Available to Establish Cause:

1. The ignition module was completely consumed
2. The starter relay sustained very heavy fire damage
3. One of the cable-lead connections going to the battery from the starter relay was melted away
4. An isolated section of the battery cable displayed a greater degree of heat exposure than did the rest of the wiring within the same area

### RISK

The risk is a 1997 Ford 150 XLP pickup truck. The vehicle identification number is 1FTDX1727V [REDACTED]. At the time of my examination, the odometer reading was 54,339.

### VEHICLE EXAMINATION

I conducted my vehicle examination on October 12, 2001 at Penn Auction Network in Fruitland, Maryland.

Fire pattern analysis supports the determination that the fire originated within the engine compartment on the passenger side; specifically, within the area of the starter relay and ignition

module. The fire damage on the hood corresponded with this area of origin. A section of the hood sustained enough heat exposure to weaken and tear open the metal.

Most of the ignition module was completely consumed. The starter relay that was mounted directly next to the module, at the firewall, sustained heavy fire damage. One of the cable lead connections leading to the battery melted away. A section of the battery cable displayed isolated heat exposure, however, the cable did not appear to be annealed and no electrical activity was found. I am unable to explain how this isolated damage occurred.

The alternator was examined. It did sustain some fire damage, but its serpentine belt was still intact and undamaged.

The fuse panels, both under the dash and in the engine compartment, were examined. Each fuse was removed and checked, but none were found to be blown.

A section of electrical wiring was found under the dash on the driver's side. This appears to be an after-market installation. I was unable to determine where the wire originated, as it blended into other wiring under the dash.

The heater motor was located under the dash on the passenger side and examined. No signs of fire damage were found.

An exemplar vehicle was examined on the lot and photographs of the engine compartment were taken for comparison purposes.

### INVESTIGATION

On October 19, 2001, I interviewed [REDACTED] the owner and driver of the vehicle. He advised that he purchased the truck new in 1997.

[REDACTED] stated that he installed an electric brake for a trailer he was pulling. He did the installation work himself, and removed it after the fire. This was the wiring that I found under the dash on the driver's side.

[REDACTED] further stated that he began having trouble starting the truck. At times, it would just crank and he would turn the ignition off, then start it again. This problem had been going on for some time. He has never had any service work done on either the starter relay or ignition module. [REDACTED] also informed me that he did not have any problems with the heating unit. He did have some trouble with blowing fuses when he put the electric brake in, but somehow, the problem was corrected.

Insured: [REDACTED]  
US File No.: N101-00719

Date: October 29, 2001

Based upon the physical evidence found at the starter relay and ignition module, and the information obtained from [REDACTED] about the trouble starting the truck, a reasonable conclusion could be drawn that one of these two devices was the cause of this fire. I am unable to determine if the installation of the electric brake by [REDACTED] had any part in the failure. No evidence has been found to suggest that the heater motor was the cause of the fire.

I conducted research into any recalls for the 1997 Ford truck. Although several recalls were found, none were related to the starter relay or ignition module.

### COMMENTS

Verbal reports have been made to Pam Skipper. As instructed by Ms. Skipper, we have closed our file with the submission of this report. If any new information is obtained or further instructions issued, our file can easily be reopened.

### EXHIBITS

1. Vehicle Inspection report
2. 31 mounted photographs with explanation sheet
3. Additional, unmounted photographs

Warren R. Gadowski, CFEI, CFI  
Special Investigator  
410-677-0200  
888-461-5640

**PHOTOGRAPH EXPLANATION SHEET**

- 1.-4. Overall view of the exterior of the vehicle
- 5.-7. View showing the interior of the vehicle
- 8. View of the exterior of the engine compartment's hood - note arrow pointing to the tear in the metal
- 9. View of the interior side of the hood
- 10.-12. Overall view of the engine compartment
- 13. View of the alternator
- 14. View of the alternator's serpentine belt
- 15. Arrow 1 pointing to where the ignition module was originally located, and arrow 2 pointing to the starter relay
- 16.-17. Closer view of the starter relay and related wiring
- 18. Arrow pointing to where the battery cable was connected to the wiring from the starter relay
- 19. View showing the isolated heat exposure to the battery cable
- 20. View of the same area, showing the wire does not appear to be annealed
- 21.-22. View of the undercarriage of the vehicle
- 23.-24. View showing the heater motor, located under the dash on the passenger side
- 25.-26. View of the after-market wiring found underneath the dash on the driver's side
- 27. View of the fuse panel in the engine compartment
- 28. View of the vehicle's odometer reading
- 29. Vehicle's manufacturer information
- 30.-31. View of an exemplar engine

Unified Investigations & Sciences, Inc.

Exhibit 1

Vehicle Inspection Report

OWNER	[REDACTED]			UIS File Number	170100704
Manufacturer	Year	Model	Body Style	Pick up truck	
State	Date		Odometer	85,239	
Displayed on Vehicle	Year	State	VIN No.	1FTDBA172A [REDACTED]	
Tag Number	[REDACTED]			[REDACTED]	
Vehicle Examination Date	Examination Location		Penn Quaker Network		
Fire Damaged Areas	<input checked="" type="checkbox"/> Exterior		<input type="checkbox"/> Interior	<input checked="" type="checkbox"/> Engine Compartment	

	Burned	Distorted/Melted	Accelerat Patterns	Collision Damage
Bumper and Grill	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Left Front	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Right Front	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roof	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E Left Door(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Right Door(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
X Trunk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Left Rear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
T Right Rear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rear Bumper Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E Underside	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

R Remarks \_\_\_\_\_

I TIRES

	Burned		Unusual Tread Wear		
	Yes	No	Yes	No	
O Left Front	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tires indicate signs of recent removal or exchange? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
R Right Front	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wheels or wheel covers indicate recent removal/exchange? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Left Rear	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Indicate areas of forced entry <input type="checkbox"/> Door(s) <input type="checkbox"/> Hood <input type="checkbox"/> Trunk <input type="checkbox"/> Glass
Right Rear	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Spare	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

R Remarks \_\_\_\_\_

GLASS

	Stroked	Cracked	Distorted/Melted	Broken
Windshield	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Left Door(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Right Door(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sunroof	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

R Remarks \_\_\_\_\_

	Yes	No	Remarks
I After market electrical accessories	<input checked="" type="checkbox"/>	<input type="checkbox"/>	[REDACTED]
N Door(s) open during fire	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
T Windows(s) open during fire	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
E Was key in the ignition/floor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
R Have any accessories been removed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
I Any unusual burn patterns	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
O Any abnormal melting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
R Any unusual objects in vehicle	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Was trunk open during fire	<input type="checkbox"/>	<input type="checkbox"/>	
Any unusual objects in trunk	<input type="checkbox"/>	<input type="checkbox"/>	

Exhibit 2

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INSURED [REDACTED]

UIS FILE #: NJ01-00719



Photo #

1



Photo #

2

Unified Investigations & Sciences, Inc.

INSURED



UIS FILE #: NJ01-00712



Photo #

3.



Photo #

4.

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INSURED:



UIS FILE #: NJ01-00719



Photo #

5.



Unified Investigations & Sciences, Inc.

INSURED:



UIS FILE #: NR01-00719

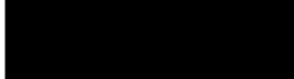


Photo #

6.

Unified Investigations & Sciences, Inc.

INSURED:



UIS FILE #: NJ01-00712



Photo #

7.

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INSURED: [REDACTED]

UIS FILE #: NJ01-96



Unified Investigations & Sciences, Inc.

INSURED [REDACTED]

UIS FILE #: NJD1-00719



Photo #

10



Photo #

11

Unified Investigations & Sciences, Inc.

INSURED: [REDACTED]

UIS FILE #: NJ01-00719



Photo #

12.



Photo #

13.

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INSURED:



UIS FILE #: NJD1-00719



Photo #

14.

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INSURED:



LIS FILE #: NJ01-00719



Photo #

15.

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INSURED:



UIS FILE #: NJ01-00712



Photo #

16.



Photo #

17.



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INSURED: [REDACTED]

UIS FILE #: NJ01-00712



Photo #

18.



Photo #

19.

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INSURED: [REDACTED]

UIS FILE #: NJ01-00719



Photo #

20.



Photo #

21.

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INSURED:



UIS FILE #: NJ01-00719



Photo #

22

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INSURED:



UIS FILE #: NJ01-00719



Photo #

23

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INSURED:



UIS FILE #: NJ01-00719



Photo #

24.

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INSURED: [REDACTED]

UIS FILE #: NJ01-00719

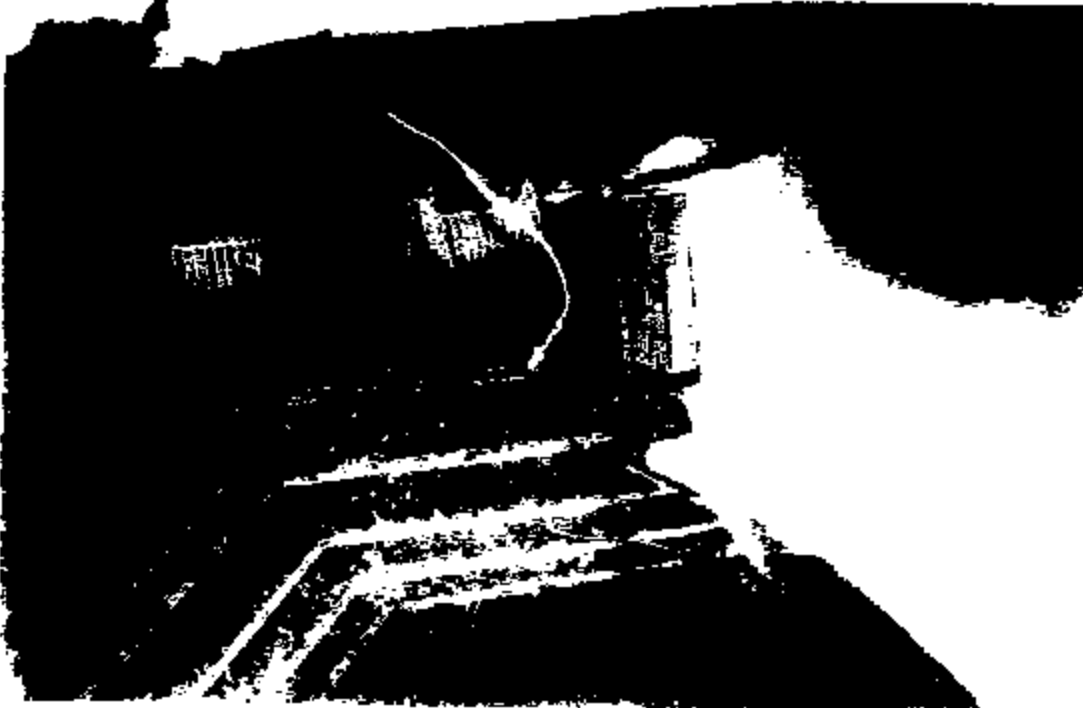


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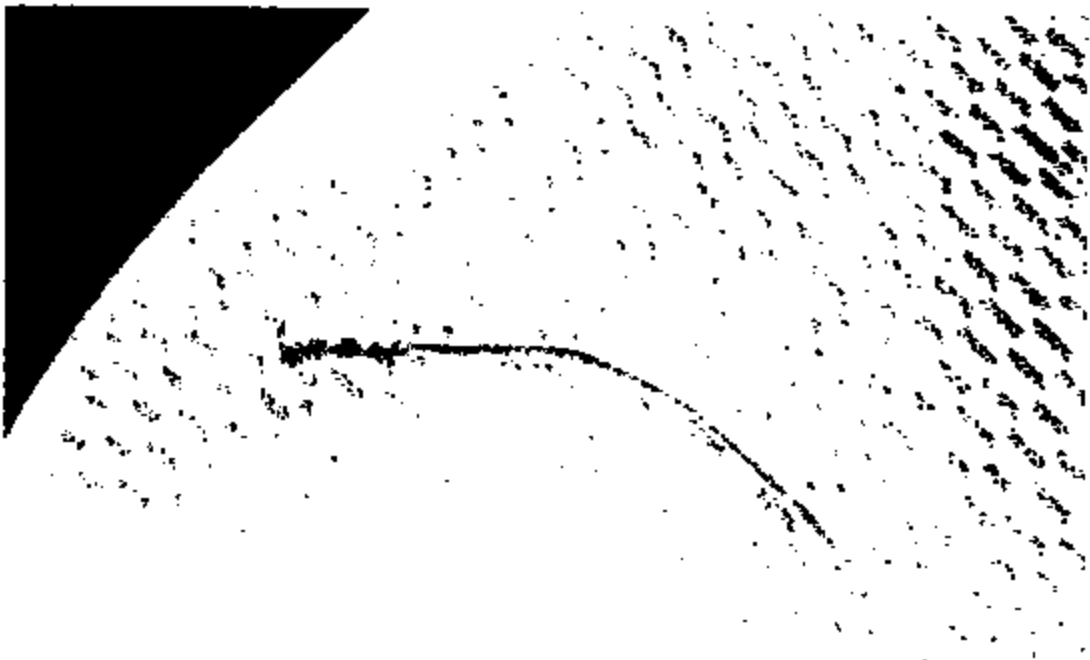


Photo #

26

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INSURED: [REDACTED]

UIS FILE #: NJ01-00719

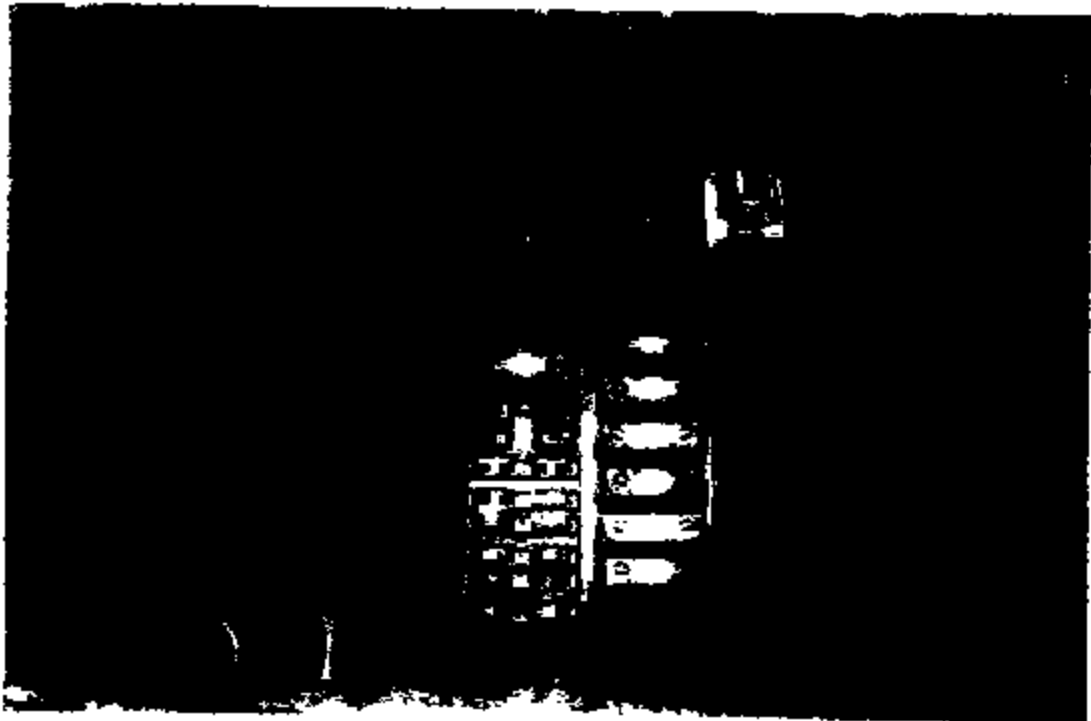


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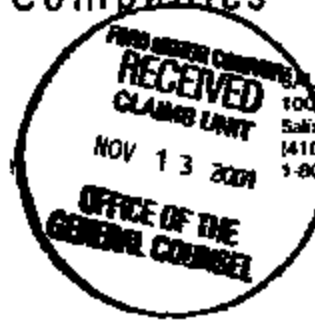
27.



Photo #

28.

# State Farm Insurance Companies



SALEM SERVICE CENTER  
1000 Mt. Harrison Road  
Salisbury, MD 21804  
(410) 572-8400  
1-800-443-2852

November 8, 2001

Ford Motor Company  
Park Lane Towers, West  
Suite 400  
3 Park Lane Boulevard  
Deerborn, MI 48126-2588

## CERTIFIED MAIL - RETURN RECEIPT REQUESTED

RE: Claim Number: [REDACTED]  
Our Insured: [REDACTED]  
Date of Loss: June 4, 2001  
Make, Model and Year of Product: 1997 Ford F150 Pickup  
Vehicle Identification Number: 1FTDX1727VN [REDACTED]

Dear Sir or Madam:

This State Farm<sup>®</sup> insured vehicle was involved in a fire, resulting in the total loss of the vehicle. We settled a claim with our Insured in the amount of \$13,106.75, which includes our Insured's deductible.

Our investigation revealed the cause of the loss was due to failure of the starter relay and/or ignition module, resulting in an engine compartment fire.

Enclosed is the documentation of State Farm's claim. The evidence is being held for your inspection. You may contact me at (410) 572-8421, to make arrangements to inspect the vehicle.

Please consider this letter as our demand to Ford Motor Company for reimbursement of \$13,106.75.

Sincerely,

Pamela Skipper  
Claim Representative  
State Farm Mutual Automobile Insurance Company  
(410) 572-8421

Enclosure

050/1102006

HOME OFFICE: BLOOMINGTON, ILLINOIS 61710-0801

ER05-085-LC-4753





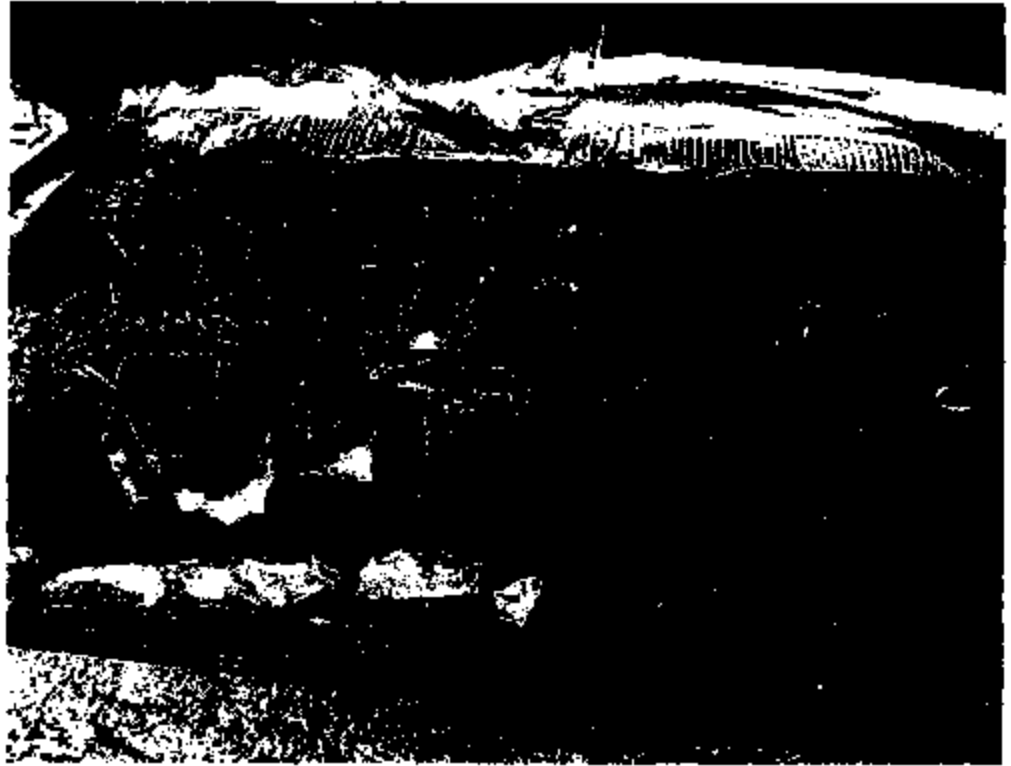
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ER05-083-LC-4735



ER85-805-LC-475B



ER85-005-LC-4757