

MELVIN L. McDANIEL
ATTORNEY AT LAW
100 N. Broadway, Suite 3120
Oklahoma City, Oklahoma 73102
Telephone: (405) 235-6450
Fax: (405) 235-6454
melokclaw@sbcglobal.net

RECEIVED
IN-210

SEP 16 P 2:47

September 7, 2005

Mr. Sonny Murianka
U.S.D.T.
Office of Defects Investigations
400 7th Street S. W.
Washington, D. C. 20590

Re: Investigation: PE 05-044, Date Opened: 08/17/2005

Dear Mr. Murianka;

This letter, on behalf of my client 4-Star Trailers, Inc. (4-Star), will explain 4-Star's reasons for warnings about loose mounting bolts on the Suspension Technology, Inc.'s (STI) LBS air-ride axles, findings of 4-Star's internal investigation, and its' conclusion that such warnings were in fact unnecessary.

As a background for 4-Star's actions, during the summer and fall of 2004, and the spring of 2005, 4-Star had been embroiled in a wrongful death case involving one of its trailers. A husband and wife elected to sleep on the deck of the unfinished goose neck area of their trailer, using a portable propane heater to ward off the chill of the night. In doing so they asphyxiated themselves. This had nothing to do with the trailer's design, intended use, or anticipated behavior by 4-Star's customers, or the customers of the heater. None the less, 4-Star was accused of not warning of the potential dangers of such behavior, and was sued for the deaths of two people.

Within this climate of aggressive litigation, 4-Star became much more vigilant for potential liability. Accordingly, when it was discovered that one of the mounting brackets on a newly received LBS axle was not firmly bolted, 4-Star's Customer Service Department investigated and learned that the hex nuts on the bolts aligning the LBS air-ride axles within the axle mounting brackets did not come torque tightened from STI. Since this was the first instance of noticeable looseness, and since such axle assemblies from other suppliers came torque tightened, 4-Star had assumed, in error, that all axles came the same. These bolts hold the axles in place within the mounting brackets, and the mounting brackets are in turn welded to the frame of the trailers. 4-Star's worry was that if these nuts are not torque tightened, they could come off, allowing the bolts to come out, releasing the axles from the mounting brackets, possibly causing an accident. 4-Star immediately began notifying their dealers to correct this on trailers in stock, and to contact owners of such systems for like action.

Page 2
Mr. Murlanka
09/07/2005

Additionally, 4-Star notified the National Highway Traffic Safety Administration in compliance with the requirements of the T.R.E.A.D. act. Contact was made via telephone with NHTSA and discussions were had as to how best to proceed with this matter. Accordingly, you had conversations with Randy McArthur of 4-Star, and myself as to procedures to be followed.

Much to 4-Star's chagrin, although good in the end, 4-Star's investigation discovered that when the first LBS axle was installed, inspectors found the floor over the axle, "popped". To eliminate this popping noise, a brace bar was welded to the frame under the floor for stabilization. Additionally, this bar was bolted with lock nuts to brackets, which were in turn welded to the axles. Thus the STI axles are welded to brackets which are bolted with lock nuts to the stabilization bar which is welded to the frame. Therefore, to remove the axles, in addition to the loss of the suspect bolts, either the welds must be cut or the lock nuts removed with wrenches.

Since 4-Star's first purchase of the LBS axles in March 2003, some 226 trailers have been fitted with these systems, all manufactured with the same process. We have been able to locate and include photos of the axles mounted under representative trailers from each manufacturing year (2003, 2004, 2005), showing the brackets welded to the axles, the brackets bolted with lock nuts to the brace bar, and the brace bar welded to the frame. Also enclosed you will find color photos of the respective serial number plates for the trailers pictured, and an engineering drawing of the axle and bracket assembly.

Mr. Murlanka, we apologize for any inconvenience our actions may have caused, and sincerely appreciate your assistance in working through this process, and your understanding of our situation. We will make ourselves available to answer any further questions, inquiries, or concerns you may have regarding our product. Thank you for your consideration, and we await your decision as to further action in this matter.

Sincerely



Melvin L. McDaniel

Encl
cc: 4-Star Trailers, Inc.











