

1. State, by model year, model and engine, the number of subject vehicles Freightliner has manufactured for sale or lease in the United States.

Model Year	Model					Engine				Number of Vehicles
	ER (S)	MVP-ER (H)	HDX (Y)	MVP-EF (8)	FS-65 (P)	CAT	Cummins	John Deere	Mercedes	
2001	212	200	0	0	0	352	58	2	0	412
2002	735	918	0	0	0	1275	291	87	0	1653
2003	467	168	395	0	0	661	184	146	39	1030
2004	1	0	1332	0	4824	2872	108	77	3100	6157
2005	0	0	1119	1165	8596	5743	344	64	4729	10880
2006	0	0	1131	1096	5413	3510	365	75	3690	7640
2007	0	0	1446	1203	4741	3209	576	66	3539	7390
2008	0	0	1437	1240	444	1087	928	102	1004	3121

As of 8/15/07

Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA."

See file "PE07-029 PRODUCTION DATA.xls" on the enclosed compact disk

2. State, by model year, model and engine, the number of each of the following, received by Freightliner, or of which Freightliner is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles. Provide a copy of each such claim:
- a. Consumer complaints, including those from fleet operators;

Model Yr	Model	Engine	Count
2002	ER-Transit	MBE	3
2004	FS-65	CAT	1
2005	MVP-EF	CAT	1

As of 8/10/2007

(Complaints on vehicles included in recall 06V-136 excluded)

- b. Field reports, including dealer field reports;

Model Yr	Model	Engine	Count
2002	MVP-ER	MBE	1
2006	MVP-EF	CAT	1
2006	MVP-EF	Cummins	1
2005	MVP-EF	CAT	1
2005	MVP-EF	Cummins	1
2007	HDX	MBE	1
2005	HDX	CAT	1
2006	FS-65	CAT	1

2005	FS-65	MBE	4
2005	FS-65	CAT	3
2004	FS-65	MBE	2

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(Reports on vehicles included in recall 06V-136 excluded)

- c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;

None

- d. Property damage claims;

Model Yr	Model	Engine	Count
2004	FS-65	MBE	3
2005	FS-65	MBE	3
2006	FS-65	MBE	2
1998	MVP-EF	MBE	1
2001	MVP-EF	MBE	1
2005	MVP-EF	Cummins	1
2005	MVP-EF	CAT	1

As of 8/10/2007

(Claims on vehicles included in recall 06V-136 excluded)

- e. Third-party arbitration proceedings where Freightliner is or was a party to the arbitration; and

None

- f. Lawsuits, both pending and closed, in which Freightliner is or was a defendant or codefendant.

None

For subparts "a" through "d," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and Freightliner's assessment of the problem, with a summary of the significant underlying facts and evidence. For items e and f, identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, and including the two complaints that ODI is aware of, state the following information:
 - a. Freightliner's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
 - d. Vehicle's VIN;
 - e. Vehicle's make, model, model year, and engine;
 - f. Vehicle's mileage at time of incident;
 - g. Incident date;
 - h. Report or claim date;
 - i. Whether a fire is alleged;
 - j. Whether property damage is alleged;
 - k. Number of alleged injuries, if any;
 - l. Number of alleged fatalities, if any;
 - m. Summary description of the complaints; and,
 - n. Freightliner' opinion/assessment of the incidents. Provide a copy of the claim or repair order, any/all field reports and any documents related to or produced by freightliner during their evaluation of this issue.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

See file "PE07-029 REQUEST NUMBER TWO DATA.xls" on the enclosed compact disk

4. Produce copies of all documents related to each item within the scope of Request No. 2. If Freightliner has a "Cause and Origin Report for the two fires discussed," please provide a copy of such report. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Freightliner used for organizing the documents.

No Cause and Origin Reports exist for the two fires discussed. See attached emails regarding the lack of notification of the dealer by the customer of either incident (attachment 25). One board was received by TBB from one of these units; however the board's location at this time is not known.

Consumer Complaints: See attachments 1 through 3

Field Reports: See attachments 4 through 20

Claims and Notices: See attachment 21 through 24

5. State, by model year, model and engine, a total count for all of the following categories of claims, collectively, that have been paid by Freightliner to date that relate to, or may relate to, the alleged defect in the subject vehicles:

a. Warranty claims;

Model Yr	Model	Engine	Count
2001	MVP-EF	MBE	3
2002	ER	MBE	5
2002	MVP-ER	MBE	2
2003	ER	MBE	2
2003	HDX	MBE	1
2004	HDX	MBE	2
2004	FS-65	MBE	1
2004	FS-65	CAT	15
2005	HDX	CAT	1
2005	MVP-EF	Cummins	2
2005	FS-65	CAT	4
2006	HDX	CAT	2
2006	HDX	MBE	1
2006	MVP-EF	CAT	3
2006	FS-65	CAT	6
2007	HDX	MBE	2
2007	MVP-EF	Cummins	1
2007	FS-65	CAT	8

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b. Extended warranty claims;

None

c. Claims for good will services that were provided;

Model Yr	Model	Engine	Count
2004	FS-65	MBE	3
2006	FS-65	CAT	1
2006	FS-65	CAT	4
2005	FS-65	CAT	5

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d. Field, zone, or similar adjustments and reimbursements; and

None

- e. Warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Model Yr	Model	Engine	Count
2000	ER-Transit	MBE	1
2002	ER-Transit	MBE	124
2003	ER-Transit	MBE	8
2003	ER-Transit	Cummins	2
2004	HDX	CAT	16
2004	HDX	Cummins	6
2004	HDX	MBE	18
2005	HDX	CAT	14
2005	HDX	MBE	16
2006	HDX	CAT	4
2006	HDX	MBE	20
2007	HDX	CAT	25
2007	HDX	MBE	11
2005	MVP-EF	CAT	2
2006	MVP-EF	CAT	4
2006	MVP-EF	Cummins	8
2007	MVP-EF	CAT	8
2007	MVP-EF	Cummins	12
2001	MVP-ER	MBE	13
2002	MVP-ER	MBE	43
2003	MVP-ER	CAT	13
2002	FS-65	CAT	2
2002	FS-65	Cummins	11
2003	FS-65	MBE	1
2004	FS-65	CAT	119
2004	FS-65	MBE	162
2005	FS-65	CAT	237
2005	FS-65	MBE	125
2006	FS-65	CAT	77
2006	FS-65	MBE	191
2007	FS-65	CAT	22
2007	FS-65	MBE	77

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Separately, for each such claim, state the following documentation/information:

- a. Freightliner's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN; Repair date;
- d. Vehicle mileage at time of repair;

- e. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- f. Labor operation number;
- g. Problem code;
- h. Replacement part number(s) and description(s);
- i. Concern stated by customer;
- j. Provide a copy of any document including the claim or repair order;

See attachment 26. Copies of warranty claims related to PSB Index 5 Bulletin 19 available upon request.

- k. Comment, if any, by dealer/technician relating to claim and/or repair; and
- l. Freightliner's assessment.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA."

See file "PE07-029 WARRANTY DATA.xls" on the enclosed compact disk

6. Describe in detail the search criteria used by Freightliner to identify the claims identified in response to Request No. 2 and No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Freightliner on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that Freightliner offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

Warranty claims were searched by model beginning with the corresponding start of production of pc boards for any claims containing the words "fire", "thermal event", "pc"; part numbers for boards 52004778, 52004779 and 52005555, and also any claims with regards to PSB Index 5 Bulletin 19. Any claim that involved a unit that was built between 10/4/04 and 2/14/06 (build dates of recall 06V-136) and the claim date occurred prior to the completion of the recall work was exempted.

Consumer complaints and field reports relating to TREAD categories "Fire" and "Electrical" on the applicable vehicles were searched for issues involving the electrical area located under the driver's side window. Events notating water/moisture intrusion and/or overheating or melting were included. Vehicles involved in recall 06V-136 (Tyco PDM) were excluded from the search.

Claims and notices were search for fires and thermal events alleged to have originated in the electrical area located under the driver's side window. Vehicles involved in recall 06V-136 (Tyco PDM) were excluded from the search.

See attachment 34 for warranty coverage.

7. Describe how Freightliner first became aware of the alleged defect and state the date on which Freightliner first became aware of the possibility of the alleged defect. Provide a detailed **chronology** of all known thermal events regarding the subject defect, starting from the time Freightliner first became aware of this issue to present. Include all information and provide a copy of any document used at any internal/external meeting(s), meetings with the part supplier, or other manufacturers.

Thomas Bus first became aware of a thermal event occurring on a bus that was outside the population of recall 06V-136, on 9/13/06. There were incidents reported on 9/19/06, 9/21/06, 10/13/06, 10/17/06, 2/16/07, 2/25/07 and 5/22/07.

8. Produce copies of any/all service bulletins, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that Freightliner has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that Freightliner is planning to issue within the next 120 days.

Product Support Bulletin (PSB) Index 5 Bulletin 19 was issued to add covers to the PC Boards to help prevent moisture from entering the side panel PC Boards. There are two draft copies of PSB's that may potentially be released in the future. See attachment 27.

9. For each such document provide in responding to question 8, provide a detail explanation as to what precipitated the issuance of the service bulletin/document and its relevancy to the alleged defect.

PSB Index 5 Bulletin 19 was issued to help prevent moisture from entering the side panel PC Boards. The revision, PSB Index 5 Bulletin 19R, is to supply current design covers that are used in production that are secured with thumb screws versus the previous snap-on covers to prevent removal and discarding of covers. The need for reorientation of seal is being investigated as a product improvement for enhanced sealing against dust and water intrusion.

10. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Freightliner. For each such action, provide the following information:

- **Action 1**

- a. Action title or identifier;

TBB Research/Development Work Request; RDWR 97269

- b. The actual or planned start date;

Start date of 7/5/07

- c. The actual or expected end date;

Expected end date of 10/19/07

d. Brief summary of the subject and objective of the action;

Objective is to conduct analysis of circuit board response to water intrusion/ corrosion; the long term effects and if these results vary with different types of circuit protection devices i.e. fuses, type I and type II circuit breakers

e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and

Thomas Built Buses

f. A brief summary of the findings and/or conclusions resulting from the action.

N/A.

• **Action 2**

a. Action title or identifier;

Thomas Built Buses and Freightliner will evaluate board design to Freightliner Engineering Standard 49-00085

b. The actual or planned start date;

Planned date of 8/27/07

c. The actual or expected end date;

Expected end date of 10/7/07

d. Brief summary of the subject and objective of the action;

Objective is to evaluate pc board design to Freightliner Engineering Standard 49-00085 to determine the pc board's capabilities as design by Tyco

e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and

Thomas Built Buses and Freightliner

f. A brief summary of the findings and/or conclusions resulting from the action.

N/A

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

See attachment 35

11. Describe all modifications or changes made by, or on behalf of, Freightliner in the design, material composition, manufacture, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:

a. The date or approximate date on which the modification or change was incorporated into vehicle production;

b. A detailed description of the modification or change;

c. The reason(s) for the modification or change;

d. The part numbers (service and engineering) of the original component;

e. The part number (service and engineering) of the modified component;

- f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
- g. When the modified component was made available as a service component; and
- h. Whether the modified component can be interchanged with earlier production components.

- **Electrical Access panel enclosure (see attachments 28)**

- a) The date or approximate date on which the modification or change was incorporated into vehicle production;

July 2002

- b) A detailed description of the modification or change;

The electrical access panel and door assembly was redesigned on rear engine models. Design incorporated new door assembly, seals, hinges and side body panel. This design was also incorporated on the FS-65 (0P model) and the MVP-EF (08 model) prior to the PC board release for those models on 4/7/03 and 2/18/04 respectively.

- c) The reason(s) for the modification or change;

New designs released to aid manufacturability and production of parts and commonality among the different models.

- d) The part numbers (service and engineering) of the original component;

Original parts numbers are: 64005306 for door assembly, 64004290 for seal and 54002217 for side body panel.

- e) The part number (service and engineering) of the modified component;

New part numbers are: 64008891 for door assembly, 650109012 for seal, and 54009015 for side body panel.

- f) Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;

Original components were withdrawn from production

- g) When the modified component was made available as a service component; and

New components made available for service at time of production release of the new components.

- h) Whether the modified component can be interchanged with earlier production components.

New components cannot be interchanged with earlier production components.

- **Snap-on PC Board Cover (see attachment 29)**

- a) The date or approximate date on which the modification or change was incorporated into vehicle production;

Implemented in production on 4/4/05

b) A detailed description of the modification or change;

The cover is plastic and snaps onto the front of the pc boards

c) The reason(s) for the modification or change;

It is to help prevent moisture from entering the PC Boards

d) The part numbers (service and engineering) of the original component;

Part number 52007444

e) The part number (service and engineering) of the modified component;

N/A

f) Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;

N/A

g) When the modified component was made available as a service component; and

Released for service on 4/4/05

h) Whether the modified component can be interchanged with earlier production components.

N/A

- **Thumb nut attached PC Board Cover (see attachment 30)**

i) The date or approximate date on which the modification or change was incorporated into vehicle production;

Implemented in production on 4/4/05

a) A detailed description of the modification or change;

The cover fastens to the front of the pc boards with a thumbscrew replacing the previous versions that snap onto the front of the pc boards

b) The reason(s) for the modification or change;

Prevent covers from being removed and discarded so easily

c) The part numbers (service and engineering) of the original component;

The original part number is 52007444

d) The part number (service and engineering) of the modified component;

The new component part number is 134172

e) Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;

Original cover was withdrawn from production on 4/4/05

f) When the modified component was made available as a service component; and

Released for service on 4/4/05

- g) Whether the modified component can be interchanged with earlier production components.

New component is interchangeable with the one it replaced

- **Removed auto reset circuit breakers from equipment offering (see attachment 31)**

- a) The date or approximate date on which the modification or change was incorporated into vehicle production;

Removed from production on 1/24/06

- b) A detailed description of the modification or change;

Removed them from the equipment offering

- c) The reason(s) for the modification or change;

This was a product improvement to force inspection and heighten awareness of components that are causing the activation of this circuit protection device

- d) The part numbers (service and engineering) of the original component;

Part numbers 52003084, 52003089, 52003090, 52003091, 52003092, 52003093 and 52003094

- e) The part number (service and engineering) of the modified component;

N/A

- f) Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;

Yes, on 1/24/06

- g) When the modified component was made available as a service component; and

N/A

- h) Whether the modified component can be interchanged with earlier production components.

N/A

- **Revised seal orientation (see attachment 32)**

- a) The date or approximate date on which the modification or change was incorporated into vehicle production;

Released to production 8/20/07

- b) A detailed description of the modification or change;

Reoriented the seal on the electrical access door. Took seal (PN 650109012) and positioned it where the "bulb" portion of the seal is to the outside edge of the door

c) The reason(s) for the modification or change;

This was product improvement to enhance the sealing of the electrical access compartment from dust and water intrusion

d) The part numbers (service and engineering) of the original component;

Seal part number 650109012, installed on 64009872

e) The part number (service and engineering) of the modified component;

Seal part number 650109012, installed on 64009872

f) Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;

N/A

g) When the modified component was made available as a service component; and

N/A

h) Whether the modified component can be interchanged with earlier production components.

Yes.

Also, provide the above information for any modification or change that Freightliner is aware of which may be incorporated into vehicle production within the next 120 days.

NA

12. Produce one the following:

a. Any replacement part or kits that have been released, or developed, by Freightliner for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.

None

13. State the number of each of the following that Freightliner has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (*including the cut-off date for sales, if applicable*):

a. Any kits that have been released, or developed, by Freightliner for use in service repairs to the subject component/assembly; and

None

b. Any replacement part that have been released, or developed, by Freightliner for use in service repairs to the subject component/assembly.

None

For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number) Also identify by make, model and model year, any other vehicles of which Freightliner is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

14. Furnish Freightliner's assessment of the alleged defect in the subject vehicle, including:

a. The causal or contributory factor(s);

Under investigation

b. The failure mechanism(s);

Under investigation

c. The failure mode(s);

Under investigation

d. The risk to motor vehicle safety that it poses;

Under investigation

e. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning; and

Potential loss of certain electrical components involved in the malfunctioning circuit

f. The reports included with this inquiry.

Under investigation

17. Provide a copy of the electrical drawings depicting the subject PC boards, their location, voltage loads, and identify each component attached to each board and identify each load device that is supplied power from the PC board.

See attached drawing 52004778 for the PC board assembly; this drawing also details the circuits that are supplied from the PC board. All voltage loads are based on a nominal 12 volt DC. The board's location and mounting can be found on drawing 52006276 (see attachment 33).

18. Identify what action Freightliner intends to take in this matter.

Freightliner and Thomas Built Buses will continue to test and research the components mentioned in this report to better understand the potential failure mechanisms and failure modes to determine the root cause and the potential for risk to motor vehicle safety. Thomas Built Buses will publish literature advising customers of general wiring practices when additional electrical components are added after the vehicle is built to avoid problems that are commonly observed in non-OEM installations.