

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

Attorney No. 28788

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

LEONARD W. JOHNSON, IV)
Defendant.)

GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Respondents in Discovery.)

No.

04L 013096
CALENDAR F
P.L. MOTOR VEH.

COMPLAINT AT LAW

NOW COMES the plaintiff, MAZIE ROBERTS, Individually and as Special
Administrator of the Estate of JOHN ROBERTS, SR., deceased, by and through his
attorneys, TIMOTHY R. TYLER & ASSOCIATES, P.C. and complains of the defendant
LEONARD W. JOHNSON, IV as follows:

1. That on December 14, 2004, plaintiff MAZIE ROBERTS was and is a resident of
the city of Dolton, county of Cook, state of Illinois.
2. That on December 14, 2004, plaintiff decedent, JOHN ROBERTS SR., (hereinafter
referred to as "ROBERTS") was a resident of the city of Dolton, county of Cook, state of
Illinois.

3. That on December 14, 2004, upon information and belief, defendant LEONARD W. JOHNSON, IV (hereinafter referred to as "JOHNSON") was and is a resident of the city of Harvey, county of Cook, state of Illinois.
4. That on December 14, 2004 the defendant JOHNSON owned or possessed or controlled a 1992 Ford Crown Victoria that he was driving in a easternly direction along Sibley Boulevard near Greenwood Avenue in the city of Dolton, county of Cook, state of Illinois.
5. That at aforesaid time and place the plaintiff decedent ROBERTS was the driver of a 1997 GMC Jimmy, and was waiting at a red light in the left-turn lane headed eastbound on Sibley Boulevard at the intersection of Sibley Boulevard and Greenwood Avenue, in the city of Dolton, county of Cook, state of Illinois.
6. That at aforesaid time, place and intersection, defendant JOHNSON operated the aforementioned motor vehicle in a negligent and careless manner, and caused said motor vehicle to plow into the rear-end of decedent JOHN ROBERTS's motor vehicle.
7. That as a result of the impact, ROBERTS's motor vehicle burst into flames and was launched into the air and rolled over several times until it landed on the hood of a westbound car.
8. That the defendant JOHNSON owed a duty to use ordinary care and caution for the safety of the plaintiff decedent ROBERTS and the motor vehicle in which the

decedent was traveling.

9. That at the aforesaid time and place the plaintiff decedent ROBERTS was exercising reasonable care for his own safety and the safety of others.

10. That at said time, place, and intersection, defendant JOHNSON breached his aforementioned duty and was guilty of one or more of the following careless and negligent acts or omissions:

- a) Carelessly and negligently operated a motor vehicle at an excessive rate of speed;
- b) carelessly and negligently operated said motor vehicle without keeping a proper and sufficient lookout for other motor vehicles in and about the area and more particularly, for decedent's vehicle;
- c) carelessly and negligently failed to decrease the speed of said motor vehicle so as to avoid colliding into the rear end of the decedent's motor vehicle, contrary to and in violation of the provisions of Chapter 95 ½, Section 11-60 (a) of the Revised Statutes of the State of Illinois;
- d) carelessly and negligently failed to keep said motor vehicle under proper control and failed to stop, slow down or otherwise alter the speed, movement or direction of said vehicle when danger of collision with the decedent's motor vehicle was imminent;
- e) carelessly and negligently failed to sound horn prior to impact;
- f) In violation of Illinois Revised Statute Chapter 96 ½ Section 11-0003.1 failed to exercise due care to avoid colliding with the rear end of the decedent's motor vehicle;
- g) carelessly and negligently failed to make timely application of the brakes;
- h) Was otherwise careless and negligent.

11. That as a direct and proximate result of one or more of the foregoing careless and negligent acts or omissions by the defendant JOHNSON plaintiff decedent, ROBERTS suffered severe pain, injuries and expired on December 14, 2004.
12. That as a further direct and proximate result of one or more of defendant's aforementioned careless and negligent acts or omissions, the decedent's vehicle was totaled.
13. That plaintiff decedent left surviving as his heirs his wife MAZIE ROBERTS, and his children: JOHN ROBERTS, JR., MILTON ROBERTS, MELVIN ROBERTS, MARILYN ROBERTS, MALCOM ROBERTS, and MICHAEL ROBERTS, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of JOHN ROBERTS.
14. Further, plaintiff names as Respondents in discovery, General Motors Corporation and Grossinger Autoplex, who's information is essential to the determination of who, in addition to the defendant named herein, should properly be named as additional defendants in this cause of action pursuant to 735 ILCS 5/2-402 which states in part:

The plaintiff in any civil action may designate as respondents in discovery in his or her pleading those individuals or other entities, other than the named defendants, believed by the plaintiff to have information essential to the determination of who should properly be named as additional defendants in the action.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased prays for judgement against defendant LEONARD W. JOHNSON IV and an award in a fair and reasonable sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

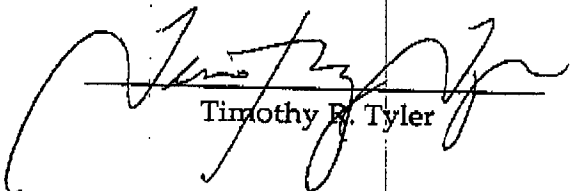
**COUNT II
SURVIVAL ACT**

1-14. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through fourteen (14) of Count I as paragraphs one (1) through fourteen (14) of this Count II with the same force and effect as though fully set forth herein.

15. That JOHN ROBERTS SR. survived for a period of time.

16. That during the aforesaid time, JOHN ROBERTS SR., suffered severe pain as a direct and proximate result of the negligent acts and/or omissions of the defendant.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased prays for judgement against defendant LEONARD W. JOHNSON IV and an award in a fair and reasonable sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.


Timothy R. Tyler

Timothy R. Tyler
TIMOTHY R. TYLER & ASSOCIATES, P.C.
120 West Madison Street
Suite 505
Chicago, Illinois 60602
(312) 920-1745

Steel 1 of 3 Sheets

6 5 *

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	(EVID)	(MUST)	(EVID)	(LOG)	DAMAGED PROPERTY OWNER NAME		DAMAGED PROPERTY		COURT CASE #		
	1	<input checked="" type="checkbox"/>	11	1	PROPERTY OWNER ADDRESS			CITY		STATE	ZIP
	2	<input type="checkbox"/>				ARREST NAME			SECTION	CITATION NO.	SECONDARY
	3	<input type="checkbox"/>				ARREST NAME			SECTION	CITATION NO.	DATE OF ARREST
	4	<input type="checkbox"/>	2			OFFICER ID			SIGNATURE	BEAT/DIST	SUPERVISOR ID
	5	<input type="checkbox"/>	11	1		524			G. R.	81	#14
6	<input type="checkbox"/>									COURT DATE	

*IF YES TO HAZMAT SPILL OR COM VEH ABOVE, COMPLETE COMMERCIAL VEHICLE AREA ON

0003

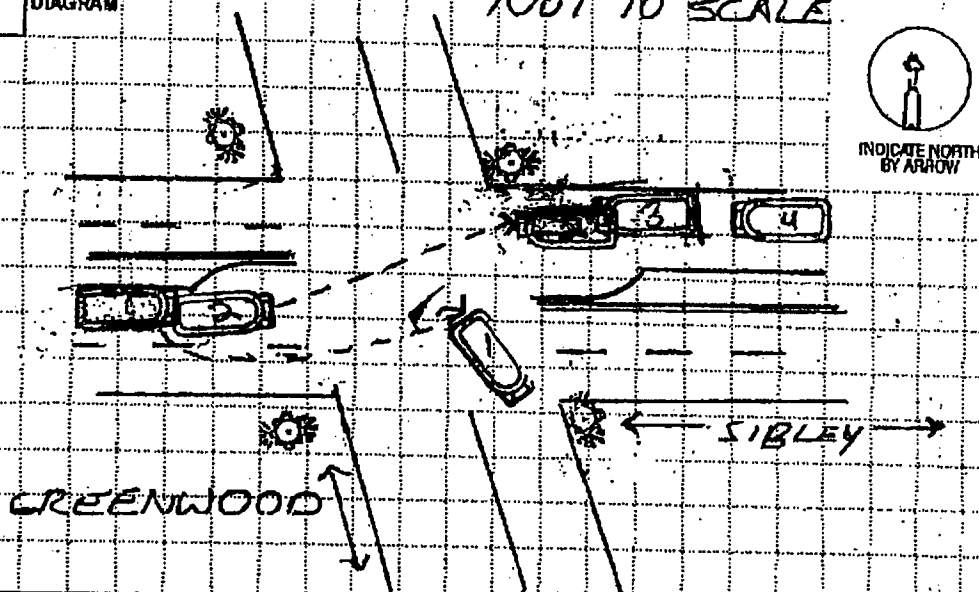
DOLTON PD

01/06/05 THU 13:53 FAX

6294514

DIAGRAM

NOT TO SCALE



NARRATIVE (Refer to vehicle by Unit No.)

DRIVER OF UNIT #3 STATED HE WAS W/B ON SIBLEY, IN THE CURB LANE, STOPPED AT THE RED LIGHT AT GREENWOOD. UNIT #2 WAS STOPPED ON SIBLEY E/B, IN THE LEFT TURN LANE. UNIT #1 WAS E/B ON SIBLEY AND STRUCK #2 IN THE REAR, CAUSING #2 TO FLIP OVER, CROSS THE INTERSECTION, AND STRIKE UNIT #3. ALL THREE VEHICLES WERE ON FIRE WHEN R/O ARRIVED, WITH DRIVER #2 TRAPPED INSIDE THE OVERTURNED UNIT #2. #2 WAS NOT YET IDENTIFIED AND WAS PRONOUNCED DEAD AT THE SCENE BY DR. DUDLAR AT 1152 HRS WHEN HE WAS CONTACTED BY BUDS PARAMEDICS. FIRE FROM UNIT #3 CAUSED DAMAGE TO UNIT #4 WHICH WAS STOPPED BEHIND #3.

LOCAL USE ONLY

UT Color WHITE
 LT Toward City To
 GEORGES / 1438 E 142ND ST DOLTON

UT Color GREEN
 LT Toward City To
 GEORGES / 1438 E 142ND ST DOLTON

CARRIER NAME
 ADDRESS
 CITY

ID NUMBER
 US DOT
 or State No.
 HAZARDOUS MA
 If Yes: 4-Digits

Hazardous cargo
 (do not count)
 Violation of HAZM
 Violation of MCS
 Inspection form co

- HAZMAT ☐
 - MCS ☐
 IDOT PERMIT #

TRAILER WIDTH(S)
 Trailer 1 0-95' 9"
 Trailer 2

IN CITY OF / I

INSERT APPLICABLE I

VEHICLE CONFIGURATX

CARRIER NAME
 ADDRESS

CITY

ID NUMBER

US DOT
 or State No.
 HAZARDOUS MA
 If Yes: 4-Digits

Hazardous cargo re
 (do not count)
 Violation of HAZM
 Violation of MCS re
 Inspection form co

- HAZMAT ☐
 - MCS ☐

IDOT PERMIT #
 57 TRAILER WIDTH(S)

Trailer 1 0-95' 9"
 Trailer 2

IN CITY OF / C

INSERT APPLICABLE HL

VEHICLE CONFIGURATION

ILLINOIS TRAFFIC CRASH REPORT

Sheet 2 of 3 Sheets

DRAC	FEDV	TRFD	TRFC	WEAT	DRVA	VIS	VEHD	LOHT	COLL	MAVN	PPA	PPL											
31	91	X	1	4	1	3	4	3	4	2	4	1	11	31	99	9							
INVESTIGATED BY						TYPE OF REPORT <input type="checkbox"/> ON-SCENE <input type="checkbox"/> NOT ON-SCENE <input type="checkbox"/> SUPPLEMENTARY				POLICE				AGENCY CRASH REPORT NO. 0424165		62945							
ADDRESS NO. (OPTIONAL)						HIGHWAY or STREET NAME						CITY/TOWNSHIP (CIRCLE)				INTERSECTION RELATED <input type="checkbox"/> Yes <input type="checkbox"/> No		DATE OF CRASH 11/1					
(CIRCLE) <input type="checkbox"/> FT / MI N E S W						(CIRCLE) <input type="checkbox"/> AT INTERSECTION WITH						COUNTY				PRIVATE PROPERTY <input type="checkbox"/> Yes <input type="checkbox"/> No		ANY SINGLE VEHICLE/PROPER DAMAGED OVER <input type="checkbox"/> Yes <input type="checkbox"/> No					
NAME (LAST FIRST MIDDLE)						NAME (LAST FIRST MIDDLE)						MAKE BUICK				MODEL CENTURY		YEAR 01					
CITY RIVERDALE						STATE IL						PLATE NO. 2G4WS5201				STATE IL		YEAR 04					
TELEPHONE						DRIVER						INJURY 0				EJECT 1		CIRCLE NUMBER FOR DAMAGED 00 - NONE 10 - UNDER 11 - TOTAL 12 - OTHER 99 - UNKNOW POINT OF FIRST CONTACT					
TAKEN TO REFUSED						EVS AGENCY BUDS						VEHICLE OWNER (LAST FIRST M.I.) DRIVER				INSURANCE		CITY/TOWNSHIP (CIRCLE) RIVERDALE IL					
NAME (LAST FIRST MIDDLE)						NAME (LAST FIRST MIDDLE)						MAKE CHEV				MODEL VAN		YEAR 04					
CITY OAKBROOK						STATE IL						PLATE NO. 1GCDM19X048				STATE IL		YEAR 05					
TELEPHONE						DRIVER						INJURY 0				EJECT 1		CIRCLE NUMBER FOR DAMAGED 00 - NONE 10 - UNDER 11 - TOTAL 12 - OTHER 99 - UNKNOW POINT OF FIRST CONTACT					
TAKEN TO						EVS AGENCY						VEHICLE OWNER (LAST FIRST M.I.)				INSURANCE		CITY/TOWNSHIP (CIRCLE) OAKBROOK IL					
UNIT						BEAT						CODE						REMARKS					
1						1						1						1					
2						1						1						1					
3						1						1						1					
4						1						1						1					
5						1						1						1					
6						1						1						1					
7						1						1						1					
8						1						1						1					
9						1						1						1					
10						1						1						1					
11						1						1						1					
12						1						1						1					
13						1						1						1					
14						1						1						1					
15						1						1						1					
16						1						1						1					
17						1						1						1					
18						1						1						1					
19						1						1						1					
20						1						1						1					
21						1						1						1					
22						1						1						1					
23						1						1						1					
24						1						1						1					
25						1						1						1					
26						1						1						1					
27						1						1						1					
28						1						1						1					
29						1						1						1					
30						1						1						1					
31						1						1						1					
32						1						1						1					
33						1						1						1					
34						1						1						1					
35						1						1						1					
36						1						1						1					
37						1						1						1					
38						1						1						1					
39						1						1						1					
40						1						1						1					
41						1						1						1					
42						1						1						1					
43						1						1						1					
44						1						1						1					
45						1						1						1					
46						1						1						1					
47						1						1						1					
48						1						1						1					
49						1						1						1					
50						1						1						1					
51						1						1						1					
52						1						1						1					
53						1						1						1					
54						1						1						1					
55						1						1						1					
56						1						1						1					
57						1						1						1					
58						1						1						1					
59						1						1						1					
60						1						1						1					
61						1						1						1					
62						1						1						1					
63						1						1						1					
64						1						1						1					
65						1						1						1					
66						1						1						1					
67						1						1						1					
68						1						1						1					
69						1						1</											

DIAGRAM		INDICATE NORTH BY ARROW	
<p>NARRATIVE (Refer to vehicle by Unit No.)</p> <p>W/B ON SIBLEY. TROOPER J. BAPTISTA OF ISD DIST: #03 WAS SUMMONED TO THE SCENE FOR ACCIDENT RECONSTRUCTION. R/O CONTACTED M.E. SANDERS, #59, WHO ASSIGNED CASE #239 TO THE INCIDENT. R/O THEN SPOKE TO CORONERS INVESTIGATOR J. LANGE, #21, WHO AUTHORIZED TRANSPORTATION OF DRIVER #2 TO THE MORGUE.</p> <p>SEE ATTACHED SUPPLEMENT FOR WITNESS LIST. REFER TO DETECTIVES REPORTS FOR WITNESS STATEMENTS.</p>		<p>HAZARDOUS cargo (do not count)</p> <p>Violation of HAZMAT</p> <p>Violation of MCS reg</p> <p>Inspection form</p> <p>HAZMAT <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>MCS <input type="checkbox"/> <input type="checkbox"/></p>	
		<p>HAZARDOUS MATERIAL</p> <p>If Yes: 4-Digits</p>	
		<p>HAZARDOUS cargo (do not count)</p> <p>Violation of HAZMAT</p> <p>Violation of MCS reg</p> <p>Inspection form</p> <p>HAZMAT <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>MCS <input type="checkbox"/> <input type="checkbox"/></p>	
		<p>HAZARDOUS MATERIAL</p> <p>If Yes: 4-Digits</p>	
		<p>HAZARDOUS cargo (do not count)</p> <p>Violation of HAZMAT</p> <p>Violation of MCS reg</p> <p>Inspection form</p> <p>HAZMAT <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>MCS <input type="checkbox"/> <input type="checkbox"/></p>	
		<p>HAZARDOUS MATERIAL</p> <p>If Yes: 4-Digits</p>	
		<p>HAZARDOUS cargo (do not count)</p> <p>Violation of HAZMAT</p> <p>Violation of MCS reg</p> <p>Inspection form</p> <p>HAZMAT <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>MCS <input type="checkbox"/> <input type="checkbox"/></p>	
		<p>HAZARDOUS MATERIAL</p> <p>If Yes: 4-Digits</p>	
		<p>HAZARDOUS cargo (do not count)</p> <p>Violation of HAZMAT</p> <p>Violation of MCS reg</p> <p>Inspection form</p> <p>HAZMAT <input type="checkbox"/> Y <input type="checkbox"/> N</p> <p>MCS <input type="checkbox"/> <input type="checkbox"/></p>	
		<p>HAZARDOUS MATERIAL</p> <p>If Yes: 4-Digits</p>	

DOLTON POLICE DEPT.

☒ CONTINUATION OF REPORT
☐ SUPPLEMENTARY REPORT

OFFENSE

FATAL 10-50

COMPLAINT NO.

04-24165

CASE NO.

DATE

12/14/04

PAGE

3

TYPE OF REPORT:

GENERAL ☐

ROBBERY

BURGLARY ☐

MOTOR VEHICLE

INCIDENT ☒

THIS REPORT FORM TO BE USED FOR CONTINUATION OF REPORT; SUPPLEMENTARY REPORT,
INCLUDING STATEMENTS OF WITNESSES, VICTIMS AND/OR SUSPECTS.

WITNESSES

H331-

HOLLAND IL

CH60 IL

CH60 IL

PHOENIX IL

PHOENIX IL

CAL CITY IL

☒ VOLUNTARY STATEMENT
☐ CONTINUATION SHEET
☐ SUSPECT
☐ WITNESS

DOLTON POLICE DEPARTMENT
14080 PARK AVE.
DOLTON, IL 60419

Page # 1

Case # 04-1

Time Started 1413 hrs

I REMEMBER LEAVING MY HOUSE AT
[REDACTED] HAWLEY, IL. I REMEMBER
TRAVELING ON SIBLEY BLVD. THATS ALL I
REMEMBER

☐ VOLUNTARY STATEMENT
☐ CONTINUATION SHEET
☐ SUSPECT
☒ WITNESS

DOLTON POLICE DEPARTMENT
14030 PARK AVE.
DOLTON, IL 60419

Page # 1Case # 1Time Started 1:15 hrs

[REDACTED]
Phoenix, IL
[REDACTED]

I was driving down Sibley Blvd going E/B. I stopped the vehicle in the RIGHT Lane. As I looked in my side mirror and saw a white vehicle approaching a green SUV that was stopped at the red light on Sibley and Greenwood. The white vehicle did not hit any BRAKES and slammed into the SUV stopped at the light. The SUV then went forward a little, the back of the SUV raised up and the began to flip over. The SUV immediately burst into flames. ~~and continued flipping over.~~ the SUV then came to rest in the W/B lanes of traffic on top of another vehicle.

[REDACTED]

[illegible]

POLICE DEPARTMENT COPY

IN THE MUNICIPAL DISTRICT OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
to the same and by the authority of the ☐ People of the State of Illinois, ☐ Township
☐ Town, or ☐ City of Downers Grove, a Municipal Corporation. Plaintiff, vs.

COMPLAINT NO.

YD -315-964

Name [REDACTED]		Municipal Corporation, P.O. Box 400		ID - 315-964	
Address [REDACTED]		City [REDACTED]		State [REDACTED]	
<input checked="" type="checkbox"/> Civil [REDACTED]		<input type="checkbox"/> Criminal [REDACTED]		<input type="checkbox"/> Traffic [REDACTED]	
Day of Week [REDACTED]		Month [REDACTED]		Year [REDACTED]	
On [REDACTED]		Time [REDACTED]		Date [REDACTED]	
Upon a public Highway of this State, to wit [REDACTED]		operates a certain motor vehicle to wit, a [REDACTED]		Make [REDACTED]	
Bound on [REDACTED]		Township Road [REDACTED]		State [REDACTED]	
Resided within the Township, Village, Town City above, in Cook County, Illinois, and then and there unlawfully violate section [REDACTED]		Year [REDACTED]		State [REDACTED]	
By (Describe) [REDACTED]		Under penalty of perjury pursuant to Section 2-2 of the Criminal Code of 1961, the undersigned certifies that the statements set forth in this instrument are true and correct.		Follow instructions checked by officer.	
1-20 m.p.h. over limit <input type="checkbox"/>		21-30 m.p.h. over limit <input type="checkbox"/>		Over 30 m.p.h. over limit <input type="checkbox"/>	
Too fast for conditions <input type="checkbox"/>		Other inf. <input type="checkbox"/> Fatal <input type="checkbox"/> Ticket issued <input type="checkbox"/> Defendant inj. Only <input type="checkbox"/>		Name of Witness [REDACTED]	
Report # [REDACTED]		04-24165		1650 K	
Officer's Signature [REDACTED]		Light <input type="checkbox"/> Heavy <input type="checkbox"/> Medium <input type="checkbox"/>		Cloudy <input type="checkbox"/> Raining <input type="checkbox"/> Snowing <input type="checkbox"/> Fog <input type="checkbox"/>	
Without admitting guilt I promise to comply with the terms of this citation.		Signature [REDACTED]		YOU MUST APPEAR IN COURT	

IN THE JUDICIAL DISTRICT OF THE COUNTY COURT OF COOK COUNTY, ILLINOIS
 In the name and by the authority of the People of the State of Illinois, I, John J. [Redacted], a Municipal Corporation, do hereby certify that the following is a true and correct copy of the original as the same appears in the files of the Court.

YD-315-960

Name: [Redacted] Last: [Redacted] First: [Redacted] Middle: [Redacted]
 Address: [Redacted]
 City: [Redacted] State: [Redacted] Zip: 60635
 Date of Birth: 12/13/53 Sex: M Height: [Redacted] Weight: [Redacted]
 Date of Issue: 12/14/2004 Time: 11:14 A M. Reason for issue: For
 Vehicle: [Redacted] Make: Ford Model: [Redacted] Year: [Redacted]
 Color: [Redacted] License: [Redacted] Registration: [Redacted]
 Signature of the Officer: [Redacted] Title: [Redacted]
 Township Road: [Redacted] Yes ☐ No ☒
 Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

Signature of the Officer: [Redacted] Title: [Redacted]
 Township Road: [Redacted] Yes ☐ No ☒
 Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

Signature of the Officer: [Redacted] Title: [Redacted]
 Township Road: [Redacted] Yes ☐ No ☒
 Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

POLICE DEPARTMENT COPY
 IN THE JUDICIAL DISTRICT OF THE COUNTY COURT OF COOK COUNTY, ILLINOIS
 In the name and by the authority of the People of the State of Illinois, I, John J. [Redacted], a Municipal Corporation, do hereby certify that the following is a true and correct copy of the original as the same appears in the files of the Court.

YD-315-961

Name: [Redacted] Last: [Redacted] First: [Redacted] Middle: [Redacted]
 Address: [Redacted]
 City: [Redacted] State: [Redacted] Zip: 60635
 Date of Birth: 12/13/53 Sex: M Height: [Redacted] Weight: [Redacted]
 Date of Issue: 12/14/2004 Time: 11:14 A M. Reason for issue: For
 Vehicle: [Redacted] Make: Ford Model: [Redacted] Year: [Redacted]
 Color: [Redacted] License: [Redacted] Registration: [Redacted]
 Signature of the Officer: [Redacted] Title: [Redacted]
 Township Road: [Redacted] Yes ☐ No ☒
 Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

Signature of the Officer: [Redacted] Title: [Redacted]
 Township Road: [Redacted] Yes ☐ No ☒
 Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

Signature of the Officer: [Redacted] Title: [Redacted]
 Township Road: [Redacted] Yes ☐ No ☒
 Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

POLICE DEPARTMENT COPY
 IN THE JUDICIAL DISTRICT OF THE COUNTY COURT OF COOK COUNTY, ILLINOIS
 In the name and by the authority of the People of the State of Illinois, I, John J. [Redacted], a Municipal Corporation, do hereby certify that the following is a true and correct copy of the original as the same appears in the files of the Court.

YD-315-962

Name: [Redacted] Last: [Redacted] First: [Redacted] Middle: [Redacted]
 Address: [Redacted]
 City: [Redacted] State: [Redacted] Zip: 60635
 Date of Birth: 12/13/53 Sex: M Height: [Redacted] Weight: [Redacted]
 Date of Issue: 12/14/2004 Time: 11:14 A M. Reason for issue: For
 Vehicle: [Redacted] Make: Ford Model: [Redacted] Year: [Redacted]
 Color: [Redacted] License: [Redacted] Registration: [Redacted]
 Signature of the Officer: [Redacted] Title: [Redacted]
 Township Road: [Redacted] Yes ☐ No ☒
 Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

Signature of the Officer: [Redacted] Title: [Redacted]
 Township Road: [Redacted] Yes ☐ No ☒
 Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

Signature of the Officer: [Redacted] Title: [Redacted]
 Township Road: [Redacted] Yes ☐ No ☒
 Under penalty as provided by law for false certification, I certify that the above is a true and correct copy of the original as the same appears in the files of the Court.

☐ VOLUNTARY STATEMENT
☐ CONTINUATION SHEET
☒ SUSPECT
☒ WITNESS

DOLTON POLICE DEPARTMENT
 14030 PARK AVE.
 DOLTON, IL. 60419

Page # 1

Case # 1

Time Started 1330 hrs

[REDACTED]

Phoenix, IL

[REDACTED]

I was a passenger in a vehicle that was at the light facing E/B on Sibley at Greenwood. I ^{was} giving my friend directions and as I was looking over at him, I saw ^{out} the white vehicle speeding. The vehicle was also traveling E/B on Sibley. The white vehicle did not appear to slow down when it slammed into a green SUV that was stopped at the light. The SUV was stopped facing ^WE/B in the turning lane. Once the white vehicle hit the SUV, the SUV moved forward a few feet when it rolled over one time. At the point of impact, I saw flames coming out of both the white vehicle and the S.U.V. The SUV then came to a landing on top of the hood of a vehicle stopped facing W/B on Sibley. [REDACTED]

DOLTON POLICE DEPT.

☒ CONTINUATION OF REPORT
☐ SUPPLEMENTARY REPORT

OFFENSE
FATAL 10-50

COMPLAINT NO. 04-24165	CASE NO.	DATE 12/14/04	PAGE 3
TYPE OF REPORT:		ROBBERY	MOTOR VEHICLE
GENERAL <input type="checkbox"/>		BURGLARY <input type="checkbox"/>	INCIDENT <input checked="" type="checkbox"/>

THIS REPORT FORM TO BE USED FOR CONTINUATION OF REPORT; SUPPLEMENTARY REPORT,
INCLUDING STATEMENTS OF WITNESSES, VICTIMS AND/OR SUSPECTS.

WITNESSES:

[REDACTED]
[REDACTED] SO. HOLLAND IL

[REDACTED]
[REDACTED] CH60 IL

[REDACTED]
[REDACTED] CH60 IL

[REDACTED]
[REDACTED] PHOENIX IL

[REDACTED]
[REDACTED] PHOENIX IL

[REDACTED]
[REDACTED] CAL CITY IL

[REDACTED]
[REDACTED] LYNWOOD IL

GM Vehicle Inquiry System Summary

[Home](#) - [Summary](#) - [Claim History](#) - [Vehicle Build](#) - [Vehicle Component](#) - [Delivery Information](#) - [Dealer Information](#) -
[Service Contract](#) - [Warranty Block](#) - [Branded Title](#)

[Help](#)

VIN :	1GKDT13W6V	
-------	------------	--

VEHICLE INFORMATION

Merchandising Model :		TT10506 -1997 JIMMY 4WD (4-DOOR)			Warranty Start Date :		03/01/1997				
BARS Order Type :		70 - RETAIL - STOCK									
Delivering Dealer :		GROSSINGER AUTOPLEX 6900 MCCORMICK BLVD LINCOLNWOOD , IL 60712-2775 (847) 675-8300			Selling Source :		48 - GMC TRUCK				
					Site Code :		26038				
					Business Associate Code :		119166				
Service Contract :		No	Branded Title :		No	Warranty Block :		No	PDI Status :		Paid

REQUIRED FIELD ACTIONS

Type	Number	Description	Posted Date	Status
RC	Q3020	DRIVER'S SAFETY BELT BUCKLE	N/A	Closed

SERVICE INFORMATIONAL ITEMS

Vehicle Has No Current Record Of Outstanding Service Information

ON STAR AND XM SATELLITE RADIO INFORMATION

Vehicle Has No Associated On Star or XM Radio Information.

APPLICABLE WARRANTIES

Description	Effective Date	Effective Odometer	End Date	End Odometer
36/36000 BUMPER TO BUMPER	03/01/1997	10 miles	03/01/2000	36010 miles
72/100000 SHEET METAL COVERAGE RUST THROUGH	03/01/1997	10 miles	03/01/2003	100010 miles
96/80000 FEDERAL EMISSION CATALYTIC CONV. AND PCM	03/01/1997	10 miles	03/01/2005	80010 miles
36/36000 FEDERAL EMISSION	03/01/1997	10 miles	03/01/2000	36010 miles

CLAIM HISTORY

R.O Date	R.O Number	Type	Labor Operation	Odometer Reading
02/26/2004	085044	#	V1011 - 03020 -REPLACE DRIVERS SAFETY BELT BUCKLE	193467 miles
01/11/1999	200666	0	E9740 - GEAR ASSEMBLY, POWER STEERING - REPLACE	58088 miles

11/23/1998	336719	0	R2110 - SWITCH, ELECTRIC GRID REAR WINDOW DEFOGGER - REPLACE	55575 miles
09/28/1998	329643	0	J6372 - SENSOR, OXYGEN (ENGINE CONTROL) - REPLACE	52645 miles
09/28/1998	329643	0	K7000 - TRANSMISSION/TRANSAXLE ASSEMBLY - REPLACE	52645 miles
09/28/1998	329643	0	Z7902 - 2-DAY COURTESY TRANSPORTATION	52645 miles
09/14/1998	194525	0	J6355 - MODULE, POWERTRAIN CONTROL - TRANSMISSION REPROGRAMMING	50862 miles
09/14/1998	194525	0	J4100 - GENERATOR ASSEMBLY - REPLACE	50862 miles
09/18/1996	245558	I	Z7000 - PRE-DELIVERY INSPECTION - BASE TIME	7 miles

CHECK HISTORY INFORMATION**Vehicle Has No Associated Check History Information.**

© 1998-2004 General Motors Corporation. All Rights Reserved.

GM Vehicle Inquiry System Claim History

[Home](#) - [Summary](#) - [Claim History](#) - [Vehicle Build](#) - [Vehicle Component](#) - [Delivery Information](#) - [Dealer Information](#) - [Service Contract](#) - [Warranty Block](#) - [Branded Title](#)

[Help](#)

VIN :	1GKDT13W6V	
-------	------------	--

CLAIM HISTORY

Repair Order Date :		02/26/2004		Repair Order Number :		085044		Odometer Reading :		193467 miles	
Served By :	MIKE HAGGERTY PONTIAC-BUICK-GMC TRUCK, INC. 9301 SOUTH CICERO AVE OAK LAWN, IL 60453-2517 (708) 423-5000					Selling Source :		16 - PONTIAC			
						Site Code :		10037			
						Business Associate Code :		116068			
Cycle Date	Cycle Nbr	Case	Type	Labor Operation		Part	Auth Code	Person Code	Line Total	Comments	
03/02/2004	461	01	#	V1011 - 03020 - REPLACE DRIVERS SAFETY BELT BUCKLE		88958024 - BELT KIT	N/A	N/A	\$ 93.60	<u>Y</u>	

Repair Order Date :		01/11/1999		Repair Order Number :		200666		Odometer Reading :		58088 miles	
Served By :	THOMAS PONTIAC-GMC 901 EAST 162ND STREET SOUTH HOLLAND, IL 60473-2493 (708) 333-7500					Selling Source :			48 - GMC TRUCK		
						Site Code :			14042		
						Business Associate Code :			116091		
Cycle Date	Cycle Nbr	Case	Type	Labor Operation		Part		Auth Code	Person Code	Line Total	Comments
01/21/1999	926	01	0	E9740 - GEAR ASSEMBLY, POWER STEERING - REPLACE		26071294		E	N/A	\$ 580.96	N
01/21/1999	926	01	0	E9740 - GEAR ASSEMBLY, POWER STEERING - REPLACE		26071294		E	N/A	\$ 580.96	N

Repair Order Date :		11/23/1998	Repair Order Number :		336719	Odometer Reading :		55575 miles	
Serviced By :	GROSSINGER AUTOPLEX 6900 MCCORMICK BLVD LINCOLNWOOD, IL 60712-2775 (847) 675-8300				Selling Source :		48 - GMC TRUCK		
					Site Code :		26038		
					Business Associate Code :		119166		

Cycle Date	Cycle Nbr	Case	Type	Labor Operation	Part	Auth Code	Person Code	Line Total	Comments
11/30/1998	911	01	0	R2110 - SWITCH, ELECTRIC GRID REAR WINDOW DEFOGGER - REPLACE	15989591 - SWITCH AS	N/A	N/A	\$ 89.35	N
11/30/1998	911	01	0	R2110 - SWITCH, ELECTRIC GRID REAR WINDOW DEFOGGER - REPLACE	15989591 - SWITCH AS	N/A	N/A	\$ 89.35	N

Repair Order Date :		09/28/1998	Repair Order Number :		329643	Odometer Reading :		52645 miles	
Serviced By :	GROSSINGER AUTOPLEX 6900 MCCORMICK BLVD LINCOLNWOOD, IL 60712-2775 (847) 675-8300				Selling Source :		48 - GMC TRUCK		
					Site Code :		26038		
					Business Associate Code :		119166		

Cycle Date	Cycle Nbr	Case	Type	Labor Operation	Part	Auth Code	Person Code	Line Total	Comments
10/29/1998	902	01	0	K7000 - TRANSMISSION/TRANSAXLE ASSEMBLY - REPLACE	24207583 - TRANS REM	EM	N/A	\$ 2157.65	N
10/22/1998	900	01	0	J6372 - SENSOR, OXYGEN (ENGINE CONTROL) - REPLACE	25312200 - SENSOR	M	N/A	\$ 180.60	N
10/22/1998	900	01	0	J6372 - SENSOR, OXYGEN (ENGINE CONTROL) - REPLACE	25312200 - SENSOR	M	N/A	\$ 180.60	N
10/15/1998	898	03	0	Z7902 - 2-DAY COURTESY TRANSPORTATION	N/A	N/A	N/A	\$ 60.00	N
10/15/1998	898	03	0	Z7902 - 2-DAY COURTESY TRANSPORTATION	N/A	N/A	N/A	\$ 60.00	N

Repair Order Date :		09/14/1998	Repair Order Number :		194525	Odometer Reading :		50862 miles	
Serviced By :	THOMAS PONTIAC-GMC 901 EAST 162ND STREET SOUTH HOLLAND, IL 60473-2493 (708) 333-7500				Selling Source :		48 - GMC TRUCK		
					Site Code :		14042		
					Business Associate Code :		116091		

Cycle Date	Cycle Nbr	Case	Type	Labor Operation	Part	Auth Code	Person Code	Line Total	Comments
09/24/1998	892	01	0	J6355 - MODULE, POWERTRAIN CONTROL - TRANSMISSION REPROGRAMMING	N/A	N/A	N/A	\$ 73.70	N

09/24/1998	892	01	0	J6355 - MODULE, POWERTRAIN CONTROL - TRANSMISSION REPROGRAMMING	N/A	N/A	N/A	\$ 73.70	N
09/24/1998	892	02	0	J4100 - GENERATOR ASSEMBLY - REPLACE	10463651 - GENER REM	N/A	N/A	\$ 228.20	N
09/24/1998	892	02	0	J4100 - GENERATOR ASSEMBLY - REPLACE	10463651 - GENER REM	N/A	N/A	\$ 228.20	N

Repair Order Date :		09/18/1996		Repair Order Number :		245558		Odometer Reading :		7 miles	
Serviced By :	GROSSINGER AUTOPLEX 6900 MCCORMICK BLVD LINCOLNWOOD, IL 60712-2775 (847) 675-8300					Selling Source :		48 - GMC TRUCK			
						Site Code :		26038			
						Business Associate Code :		119166			
Cycle Date	Cycle Nbr	Case	Type	Labor Operation		Part		Auth Code	Person Code	Line Total	Comments
09/29/1996	639	01	I	Z7000 - PRE-DELIVERY INSPECTION - BASE TIME		N/A		N/A	N/A	\$ 92.57	N

CHECK HISTORY

Vehicle Has No Associated Check History.
--

© 1998-2004 General Motors Corporation. All Rights Reserved.

GM Vehicle Inquiry System Vehicle Build

[Home](#) - [Summary](#) - [Claim History](#) - [Vehicle Build](#) - [Vehicle Component](#) - [Delivery Information](#) - [Dealer Information](#) - [Service Contract](#) - [Warranty Block](#) - [Branded Title](#)

[Help](#)

VIN	1GKDT13W6V	
-----	------------	--

VEHICLE BUILD

Merchandising Model :	TT10506 -1997 JIMMY 4WD (4-DOOR)		
Gross Vehicle Weight Rating :	2406 kg (5305 lb)	Order Number :	AL0943
Build Date :	09/12/1996	Build Plant :	1V206 - MORIANE ASSY. PLANT

OPTION CODES

AG1 - 6-WAY POWER DRIVER'S SEAT	AJ1 - DEEP TINTED GLASS
AN3 - LEATHER BUCKET SEATS	AP9 - CONVENIENCE NET
AU0 - REMOTE KEYLESS ENTRY SYSTEM	AU3 - POWER DOOR LOCKS
AXP - VIN IDENTIFICATION	A31 - POWER WINDOWS
A78 - RECLINING SEAT BACKS	B30 - WHEELHOUSING & FLOOR CARPETING
B84 - BLACK BODY SIDE MOLDING	C25 - REAR WINDOW WASHER/WIPER
C3H - GVW RATING - 5,300 LBS	C60 - AIR CONDITIONING-FRONT
DAY - ASSEMBLY PLANT MORAIN, OHIO	DH2 - ILLUM LH & RH VISOR MIRRORS
DK6 - OVERHEAD CONSOLE	D07 - FLOOR SHIFT CONSOLE
D48 - DUAL ELECT REMOTE CONT MIRRORS	E55 - TAILGATE BODY
FE9 - FEDERAL EMISSIONS	FF6 - TORSION BAR SPRING ADJ - LH
FF7 - TORSION BAR SPRING ADJ - RH	GU6 - REAR AXLE - 3.42 RATIO
JM3 - BRAKE BOOSTER 240 MM	K34 - ELECTRONIC SPEED CONTROL
L35 - VORTEC 4300 V6 SFI GAS ENGINE	M30 - 4-SPEED AUTO TRANS W/ OVERDRIVE AND ELECTRONIC CONTROL
NF2 - FEDERAL EMISSION SYSTEM	NP1 - ELECTRONIC SHIFT TRANSFER CASE
NP5 - LEATHER WRAPPED STEERING WHL	N33 - COMFORTILT STEERING WHEEL
N40 - POWER STEERING	N90 - ALUMINUM WHEELS
QBF - P235/70R15 ALS SBR B/W F/R	RSA - PASSIVE AUTO FRT SEAT RESTRAINT
RYJ - RETRACTABLE CARGO AREA COVER	SLM - STOCK ORDERS
TFE - SALES INCENTIVE-COMMITMENT PLUS	T61 - DAYTIME RUNNING LAMPS

UP8 - STEREO RADIO PROVISIONS	U1C - ETR AM/FM STEREO, SEEK & SCAN, CD PLAYER AND CLOCK
U16 - TACHOMETER	U73 - FIXED MAST ANTENNA
U89 - LD 5-LEAD TRAIL. WIRING HARNESS	VP6 - NOISE CONTROL
VXS - COMPLETE VEHICLE LABEL	V54 - ROOF MOUNTED LUGGAGE CARRIER
V73 - STATEMENT OF CERT. U.S.	XBF - P235/70R15 ALS SBR B/W FRONT
YBF - P235/70R15 ALS SBR B/W REAR	YC6 - SLT DECOR
YD3 - BASE EQUIP FOR SCH GVW PLATE	YD5 - FRONT SPRING - BASE EQUIPMENT
YD6 - REAR SPRING - BASE EQUIPMENT	ZAA - COMPACT SPARE TIRE
ZM8 - ELECT TAILGATE REL/RR DEFOGGER	ZQ3 - TILT WHEEL AND SPEED CONTROL
ZQ6 - POWER WINDOWS, PWR DOOR LOCKS AND DUAL POWER EXT. MIRRORS	ZW7 - LUXURY RIDE SUSPENSION PKG.
ZY2 - CONVENTIONAL TWO TONE PAINT	Z88 - GMC TRUCK NAMEPLATE
1SL - MARKETING OPTION PACKAGE - 1SL REQUIRES A MINIMUM PURCHASE OF:	1SZ - MKTG OPTION PKG DISCOUNT
6WH - FRONT SPRINGS LH	64I - BEIGE INTERIOR TRIM
642 - BEIGE ULTRASOFT LEATHER	7WH - FRONT SPRINGS RH
87U - FAIRWAY GREEN	90L - 90 GRAY METALLIC SECONDARY

© 1998-2004 General Motors Corporation. All Rights Reserved.

GM Vehicle Inquiry System

Vehicle Component

[Home](#) - [Summary](#) - [Claim History](#) - [Vehicle Build](#) - [Vehicle Component](#) - [Delivery Information](#) - [Dealer Information](#) - [Service Contract](#) - [Warranty Block](#) - [Branded Title](#)

[Help](#)

VIN	1GKDT13W6V	
-----	------------	--

Vehicle Component

Vehicle Component Information Does Not Exist For This Vehicle

© 1998-2004 General Motors Corporation. All Rights Reserved.

GM Vehicle Inquiry System

Delivery Information

[Home](#) - [Summary](#) - [Claim History](#) - [Vehicle Build](#) - [Vehicle Component](#) - [Delivery Information](#) - [Dealer Information](#) - [Service Contract](#) - [Warranty Block](#) - [Branded Title](#)

[Help](#)

VIN :	1GKDT13W6V	
-------	------------	--

IN-SERVICE INFORMATION

In-Service Information Not On file

DELIVERY INFORMATION

Delivery Date :	03/01/1997	Delivery Type :	010 - RETAIL/INDIVIDUAL	Delivered Odometer :	10 miles
Delivering Dealer :	GROSSINGER AUTOPLEX 6900 MCCORMICK BLVD LINCOLNWOOD , IL 60712-2775 (847) 675-8300			Delivery Selling Source :	48 - GMC TRUCK
				Delivery Site Code :	26038
				Business Associate Code :	119166

© 1998-2004 General Motors Corporation. All Rights Reserved.

GM Vehicle Inquiry System

Dealer Information

[Home](#) - [Summary](#) - [Claim History](#) - [Vehicle Build](#) - [Vehicle Component](#) - [Delivery Information](#) - [Dealer Information](#) - [Service Contract](#) - [Warranty Block](#) - [Branded Title](#)

[Help](#)

VIN :	1GKDT13W6V	
-------	------------	--

INVOICE INFORMATION

Invoice Date :	09/12/1996		
Site Address :	GROSSINGER AUTOPLEX 6900 MCCORMICK BLVD LINCOLNWOOD , IL 60712-2775 (847) 675-8300	Selling Source :	48 - GMC TRUCK
		Site Code :	26038
		Business Associate Code :	119166

SHIP-TO INFORMATION

Ship-To Date :	09/18/1996		
Site Address :	GROSSINGER AUTOPLEX 6900 MCCORMICK BLVD LINCOLNWOOD , IL 60712-2775 (847) 675-8300	Selling Source :	48 - GMC TRUCK
		Site Code :	26038
		Business Associate Code :	119166

© 1998-2004 General Motors Corporation. All Rights Reserved.

GM Vehicle Inquiry System

Service Contract

[Home](#) - [Summary](#) - [Claim History](#) - [Vehicle Build](#) - [Vehicle Component](#) - [Delivery Information](#) - [Dealer Information](#) -
[Service Contract](#) - [Warranty Block](#) - [Branded Title](#)

[Help](#)

VIN	1GKDT13W6V	
-----	------------	--

SERVICE CONTRACT

Vehicle Has No GM Service Contracts.

© 1998-2004 General Motors Corporation. All Rights Reserved.

GM Vehicle Inquiry System

Warranty Block

[Home](#) - [Summary](#) - [Claim History](#) - [Vehicle Build](#) - [Vehicle Component](#) - [Delivery Information](#) - [Dealer Information](#) -
[Service Contract](#) - [Warranty Block](#) - [Branded Title](#)

[Help](#)

VIN :	1GKDT13W6	
-------	-----------	--

WARRANTY BLOCK

Vehicle Has No Current Record of Blocked Warranties

© 1998-2004 General Motors Corporation. All Rights Reserved.

GM Vehicle Inquiry System

Branded Title

[Home](#) - [Summary](#) - [Claim History](#) - [Vehicle Build](#) - [Vehicle Component](#) - [Delivery Information](#) - [Dealer Information](#) -
[Service Contract](#) - [Warranty Block](#) - [Branded Title](#)

[Help](#)

VIN :	1GKDT13W6V [REDACTED]
-------	-----------------------

BRANDED TITLE

No Current Record of Vehicle Title Branding.
--

The VIN information contained herein and information derived therefrom is the proprietary property of The Polk Company and is to be used only for the purpose of warranty verification and shall not be used for any other purpose whatsoever.

© 1998-2004 General Motors Corporation. All Rights Reserved.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

FILED

2007 AUG 23 PM 3:26

CIRCUIT COURT OF COOK
COUNTY, ILLINOIS
LAW DIVISION

DOROTHY BROWN CLERK

MAZIE ROBERTS, Individually and as Special
Administrator of the Estate of JOHN
ROBERTS SR., deceased,

Plaintiff,

vs.

LEONARD W. JOHNSON, IV, GENERAL
MOTORS CORPORATION, and
GROSSINGER AUTOPLEX,

Defendants.

Case No. 04 L 013996

Calendar F

DEFENDANTS' ANSWERS TO PLAINTIFF'S RULE 213 (F)(1) & (2)
INTERROGATORIES

Defendants General Motors Corporation ("GM") and Grossinger Autoplex ("Grossinger") (collectively "Defendants"), by their attorneys, Dykema Gossett PLLC, answers the Rule 213(f)(1) & (2) interrogatories as follows:

1. Pursuant to Supreme Court Rule 213(f)(1), state the full name and present or last known address of every witness who will testify at trial, together with the subject of their testimony.

ANSWER: Defendants have not yet made a final determination as to which individuals, if any, it may call as witnesses at the trial on this cause. The following persons are identified, together with the subjects of their anticipated testimony, as potential witnesses:

Jimmy Williams. Mr. Williams is anticipated to testify regarding his observations while at the scene of the accident on December 14, 2004, including his observations of plaintiff's decedent, during and after the vehicle fires were extinguished. In addition, he is expected to testify regarding the scene of the accident including the placement of the vehicles involved, the

condition of the traffic controls, his general understanding of the circumstances and facts leading up to the incident, and conversations with the other witnesses to the accident. It is further expected that Mr. Williams will testify consistent with any discovery deposition testimony that he may give in this case.

Leon Richmond. Mr. Richmond is anticipated to testify regarding his observations while at the scene of the accident on December 14, 2004, including his observations of plaintiff's decedent, during and after the vehicle fires were extinguished. In addition, he is expected to testify regarding the scene of the accident including the placement of the vehicles involved, the condition of the traffic controls, his general understanding of the circumstances and facts leading up to the incident, and conversations with the other witnesses to the accident. It is further expected that Mr. Richmond will testify consistent with any discovery deposition testimony that he may give in this case.

Further, Defendants adopt the Rule 213(f) disclosures of Plaintiff and any co-defendant as though fully set forth herein and reserves the right to supplement those responses on completion of discovery as to those disclosures, and reserves the right to examine and cross-examine opinion witnesses consistent with their disclosures.

2. Pursuant to Supreme Court Rule 213(f)(2), identify the names and addresses of Independent Expert Witnesses who will testify at trial and provide the subjects on which the witness will testify and the opinions the party expects to elicit.

ANSWER: The following persons are identified, together with the subjects of their anticipated testimony and opinions expected to be elicited, as potential witnesses:

David Raber. It is anticipated that Mr. Raber is expected to testify regarding his background, training, and experience that may be relevant to this action and the allegations in the Complaint and the Answers to the Complaint. Mr. Raber is expected to

testify regarding his knowledge of the facts and circumstances regarding the design, development and testing of the 1997 Jimmy involved in this collision. Mr. Raber will testify regarding the fuel system design process, design objectives, engineering analysis, and full scale crash testing performed to government and GM criteria. Mr. Raber may also respond to issues or opinions regarding the design and performance of the Jimmy that may be raised by consultants retained by plaintiff. Mr. Raber is further expected to testify consistent with any discovery deposition testimony that he may give in this case.

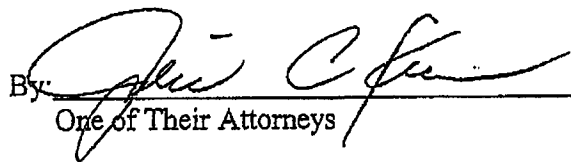
Robert Sinke. Mr. Sinke is expected to testify regarding his background, education, and knowledge that may be relevant to this action and the allegations in the Complaint and the Answers to the Complaint. Mr. Sinke may offer testimony concerning GM's vehicle design process, vehicle performance analysis and field performance data for the Jimmy model, Federal Motor Vehicle Safety Standards and GM's compliance with those standards; GM's standards and performance criteria; GM's efforts at improving the safety of its products, crash testing; and GM's general safety approach. Mr. Sinke may also address or respond to issues or opinions raised by consultants retained by plaintiff. It is expected that Mr. Sinke will testify consistent with any discovery deposition testimony that he may give in this case.

Defendants expressly reserve the right: (1) to rely upon and adopt any testimony of witnesses retained, named or called to testify by plaintiff or any other party; (2) to call any witness necessary to perfect impeachment or rebuttal of any witness or evidence; (3) to call any witness necessary to lay foundation for the admission of exhibits; and (4) to call any witness

whose existence, or the relevance of whose testimony, becomes known after the deadline for the identification of witnesses.

Defendants further expressly reserve the right to supplement the foregoing answers and disclose any additional witnesses and opinions as they become known.

**GENERAL MOTORS CORPORATION and
GROSSINGER AUTOPLEX**

By: 
One of Their Attorneys

Julie C. Keller
Dykema Gossett PLLC
10 S. Wacker Drive
Suite 2300
Chicago, Illinois 60606
(312) 876-1700
Firm ID # 42297

and

Michael P. Cooney (*pro hac vice*)
DYKEMA GOSSETT PLLC
400 Renaissance Center
Detroit, Michigan 48243

CHICAGO\2358366.3
IDUCKE

Attorney No. 28788

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

SECOND AMENDED COMPLAINT AT LAW

NOW COMES the plaintiff, MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased, by and through her attorneys, TIMOTHY R. TYLER & ASSOCIATES, P.C. and complains of the defendants, GENERAL MOTORS CORPORATION, GROSSINGER AUTOPLEX, and LEONARD W. JOHNSON, IV as follows:

COUNT I
GENERAL ALLEGATIONS - ALL DEFENDANTS

1. That MAZIE ROBERTS is the wife of JOHN ROBERTS SR., and has been appointed Special Administrator of the Estate of JOHN ROBERTS SR. A copy of the Order appointing MAZIE ROBERTS is attached hereto.
2. That on December 14, 2004, plaintiff MAZIE ROBERTS was and is a resident of the city of Dolton, county of Cook, state of Illinois.

received
5-9-04
CK

3. That on December 14, 2004, plaintiff decedent, JOHN ROBERTS SR., (hereinafter referred to as "ROBERTS") was a resident of the city of Dolton, county of Cook, state of Illinois.

4. That on December 14, 2004, and at all times pertinent hereto, defendant, General Motors Corporation (hereinafter referred to as "GMC"), was a Delaware corporation doing business in the state of Illinois, more particularly, Cook County.

5. That at all relevant times, defendant GMC was acting by and through their employees, servants and agents, acting within the course and scope of their employment, service and agency.

6. That on December 14, 2004, and at all times pertinent hereto, defendant, Grossinger Autoplex (hereinafter referred to as "GROSSINGER"), on information and belief was an Illinois corporation doing business in the state of Illinois.

7. That at all relevant times, defendant GROSSINGER was acting by and through their employees, servants and agents, acting within the course and scope of their employment, service and agency.

8. That on December 14, 2004, upon information and belief, defendant LEONARD W. JOHNSON, IV (hereinafter referred to as "JOHNSON") was a resident of the city of Harvey, county of Cook, state of Illinois.

9. That at all times relevant hereto, defendant, GMC was engaged in the business of designing, manufacturing, marketing, distributing, and selling automobiles.

10. That prior to December 14, 2004, defendant GMC, designed,

manufactured, assembled, sold, supplied and/or distributed a 1997 GMC Jimmy, vehicle identification number 1GKDT13W6V2504292, that was placed into the stream of commerce.

11. That prior to December 14, 2004, on information and belief, plaintiff decedent ROBERTS purchased from GROSSINGER, the 1997 GMC Jimmy, VIN# 1GKDT13W6V2504292.

12. That on December 14, 2004, the plaintiff decedent ROBERTS was the driver of the 1997 GMC Jimmy, VIN# 1GKDT13W6V2504292 when it was rear ended by an automobile driven by defendant JOHNSON.

13. That after the impact, ROBERTS' 1997 GMC Jimmy burst into flames, rolled over and came into contact with another vehicle, a 2001 Buick Centry. The Buick Centry then also caught fire.

14. That ROBERTS' struggled to free himself while in the 1997 GMC Jimmy. However, the 1997 GMC Jimmy rapidly became fully engulfed in smoke and flames, which caused ROBERTS' death.

**COUNT II - GENERAL MOTORS CORPORATION
STRICT LIABILITY - WRONGFUL DEATH**

1-14. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through fourteen (14) of Count I as paragraphs one (1) through fourteen (14) of this Count II with the same force and effect as though fully set forth herein.

15. That defendant GMC was guilty of one or more of the following careless and negligent acts or omissions, which made said 1997 GMC Jimmy unreasonably

dangerous:

- a. carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to complete/fit-out the SUV so as to minimize the risk of post-impact fuel fed fires;
- b. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which lacked all necessary safety features to protect users of said product from post-impact fuel fed fires;
- c. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product that was unreasonably dangerous to the user;
- d. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product without appropriate safety devices;
- e. carelessly, negligently, and improperly failed to incorporate safeguards that would have prevented the risk of post-collision fire;
- f. carelessly, negligently, and improperly violated applicable federal, state, local and/or industry standards;
- g. carelessly, negligently, and improperly failed to properly test the component parts of the SUV after its manufacture and prior to sale;
- h. carelessly, negligently, and improperly failed to adequately and properly test said product after its design and/or assembly under reasonably foreseeable circumstances;
- i. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which was not reasonably fit, suitable or safe for its intended and represented purpose;
- j. carelessly, negligently, and improperly failed to design and/or utilize proper designs or procedures for the manufacture, assembly, sale and/or distribution of the SUV so as to minimize the risk of post-collision fire;
- k. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed the SUV without

incorporating therein the state of the art of the industry and the state of the art in the science and engineering of fuel systems;

- l. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product in a defective condition;
- m. carelessly, negligently, and improperly failed to recall and/or retrofit the SUV with an adequately designed fuel system;
- n. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which could be designed more safely;
- o. carelessly, negligently, and improperly designed, manufactured, assembled, sold, and/or distributed a SUV that was not crashworthy;
- p. carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to adhere to applicable safety regulations and standards;
- q. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a SUV with a defective fuel system;

16. That as a direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent, ROBERTS suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

17. That as a further direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent, ROBERTS' vehicle was a total loss.

18. That plaintiff decedent left surviving as his heirs his wife MAZIE ROBERTS, and his children: JOHN ROBERTS, JR., MILTON ROBERTS, MELVIN

ROBERTS, MARILYN ROBERTS, MALCOM ROBERTS, and MICHAEL ROBERTS, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of JOHN ROBERTS, SR.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement against defendant GENERAL MOTORS CORPORATION in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

**COUNT III - GENERAL MOTORS CORPORATION
NEGLIGENCE - WRONGFUL DEATH**

1-18. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through eighteen (18) of Count II as paragraphs one (1) through eighteen (18) of this Count III with the same force and effect as though fully set forth herein.

19. That defendant GMC owed decedent ROBERTS, as a purchaser, owner, and user of said 1997 GMC Jimmy, a duty to design, manufacture, distribute, market, and sell a safe, crashworthy vehicle which had an impact resistant fuel system and fuel tank.

20. That defendant GMC breached its aforementioned duty and was guilty of one or more of the following careless and negligent acts or omissions, which made said 1997 GMC Jimmy unreasonably dangerous:

- a. carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to complete/fit-out the SUV so as to minimize the risk of post-impact fuel fed fires;

- b. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which lacked all necessary safety features to protect users of said product from post-impact fuel fed fires;
- c. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product that was unreasonably dangerous to the user;
- d. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product without appropriate safety devices;
- e. carelessly, negligently, and improperly failed to incorporate safeguards that would have prevented the risk of post-collision fire;
- f. carelessly, negligently, and improperly violated applicable federal, state, local and/or industry standards;
- g. carelessly, negligently, and improperly failed to properly test the component parts of the SUV after its manufacture and prior to sale;
- h. carelessly, negligently, and improperly failed to adequately and properly test said product after its design and/or assembly under reasonably foreseeable circumstances;
- i. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which was not reasonably fit, suitable or safe for its intended and represented purpose;
- j. carelessly, negligently, and improperly failed to design and/or utilize proper designs or procedures for the manufacture, assembly, sale and/or distribution of the SUV so as to minimize the risk of post-collision fire;
- k. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed the SUV without incorporating therein the state of the art of the industry and the state of the art in the science and engineering of fuel systems;
- l. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product in a defective condition;

- m. carelessly, negligently, and improperly failed to recall and/or retrofit the SUV with an adequately designed fuel system;
- n. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which could be designed more safely;
- o. carelessly, negligently, and improperly designed, manufactured, assembled, sold, and/or distributed a SUV that was not crashworthy;
- p. carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to adhere to applicable safety regulations and standards;
- q. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a SUV with a defective fuel system;

21. That as a direct and proximate result of one or more of the aforementioned careless and negligent acts or omissions by defendant GMC, plaintiff decedent, ROBERTS suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

22. That as a further direct and proximate result of one or more of the foregoing careless and negligent acts or omissions by defendant GMC, plaintiff decedent, ROBERTS' vehicle was a total loss.

23. That plaintiff decedent left surviving as his heirs his wife MAZIE ROBERTS, and his children: JOHN ROBERTS, JR., MILTON ROBERTS, MELVIN ROBERTS, MARILYN ROBERTS, MALCOM ROBERTS, and MICHAEL ROBERTS, all of whom have suffered severe pecuniary loss, and loss of society and companionship as

a direct result of the wrongful death of JOHN ROBERTS, SR.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement against defendant GENERAL MOTORS CORPORATION in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

**COUNT IV - GENERAL MOTORS CORPORATION
WILLFUL & WANTON - WRONGFUL DEATH**

1-23. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through twenty-three (23) of Count III as paragraphs one (1) through twenty-three (23) of this Count IV with the same force and effect as though fully set forth herein.

24. That on December 14, 2004, the defendant GMC was guilty of one or more of the following willful and wanton acts or omissions:

- a. With utter indifference and a conscious disregard for the safety of plaintiffs carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to complete/fit-out the SUV so as to minimize the risk of post-impact fuel fed fires;
- b. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product which lacked all necessary safety features to protect users of said product from post-impact fuel fed fires;
- c. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product that was unreasonably dangerous to the user;
- d. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product without appropriate safety devices;
- e. With utter indifference and a conscious disregard for the safety of

plaintiffs failed to incorporate safeguards that would have prevented the risk of post-collision fire;

- f. With utter indifference and a conscious disregard for the safety of plaintiffs violated applicable federal, state, local and/or industry standards;
- g. With utter indifference and a conscious disregard for the safety of plaintiffs failed to properly test the component parts of the SUV after its manufacture and prior to sale;
- h. With utter indifference and a conscious disregard for the safety of plaintiffs failed to adequately and properly test said product after its design and/or assembly under reasonably foreseeable circumstances;
- i. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product which was not reasonably fit, suitable or safe for its intended and represented purpose;
- j. With utter indifference and a conscious disregard for the safety of plaintiffs failed to design and/or utilize proper designs or procedures for the manufacture, assembly, sale and/or distribution of the SUV so as to minimize the risk of post-collision fire;
- k. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed the SUV without incorporating therein the state of the art of the industry and the state of the art in the science and engineering of fuel systems;
- l. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product in a defective condition;
- m. With utter indifference and a conscious disregard for the safety of plaintiffs failed to recall and/or retrofit the SUV with an adequately designed fuel system;
- n. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product which could be designed more safely;

- o. With utter indifference and a conscious disregard for the safety of plaintiffs designed, manufactured, assembled, sold, and/or distributed a SUV that was not crashworthy;
- p. With utter indifference and a conscious disregard for the safety of plaintiffs failed to direct and require finishing manufacturers/assemblers to adhere to applicable safety regulations and standards;
- q. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a SUV with a defective fuel system;

25. That as a direct and proximate result of one or more of the foregoing willful and wanton acts or omissions, plaintiff decedent, ROBERTS suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

26. That as a further direct and proximate result of one or more of the foregoing willful and wanton acts or omissions, plaintiff decedent, ROBERTS' vehicle was a total loss.

27. That plaintiff decedent left surviving as his heirs his wife MAZIE ROBERTS, and his children: JOHN ROBERTS, JR., MILTON ROBERTS, MELVIN ROBERTS, MARILYN ROBERTS, MALCOM ROBERTS, and MICHAEL ROBERTS, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of JOHN ROBERTS, SR.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement against defendant GENERAL MOTORS CORPORATION in a sum in excess of FIFTY

THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

**COUNT V - GENERAL MOTORS CORPORATION
SURVIVAL ACT**

1-27. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through twenty-seven (27) of Count IV as paragraphs one (1) through twenty-seven (27) of this Count V with the same force and effect as though fully set forth herein.

28. That JOHN ROBERTS SR. survived for a period of time between the impact, burning, and his death.

29. That during the aforesaid time, JOHN ROBERTS SR., suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures and the loss of future earning capacity as a direct and proximate result of the wrongful acts and/or omissions of the defendant GMC.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement against defendant GENERAL MOTORS CORPORATION in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

**COUNT VI - GENERAL MOTORS CORPORATION
STRICT LIABILITY - FRONT SEAT BELT LATCH
WRONGFUL DEATH**

1-29. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through twenty-nine (29) of Count V as paragraphs one (1) through twenty-nine (29) of this Count VI with the same force and effect as though fully set forth herein.

30. That for a long period of time ROBERTS' struggled to free himself but during this period the 1997 GMC Jimmy had rolled over and came to rest on its roof and therefore, ROBERTS was upside down. Plaintiff ROBERTS was unable to unlatch the seat belt and free himself. The 1997 GMC Jimmy rapidly became fully engulfed in smoke and flames, ROBERTS could not unlatch the seatbelt and when he finally did it was too late. ROBERTS was badly burned over his entire body and he eventually died.

31. That defendant GMC was guilty of one or more of the following careless and negligent acts or omissions, which made said 1997 GMC Jimmy unreasonably dangerous:

- a. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a vehicle with a defective front seat belt latch which lacked all necessary safety features to protect users of 1997 GMC Jimmy from being able to unlatch the seat belt during a roll-over accident;
- b. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product without appropriate safety devices;
- c. carelessly, negligently, and improperly failed to incorporate safeguards that would have prevented the plaintiff from being unable to unlatch the front seat belt of the 1997 GMC Jimmy while in the inverted position;
- d. carelessly, negligently, and improperly violated applicable federal, state, local and/or industry standards;
- e. carelessly, negligently, and improperly failed to properly test the component parts of the front seat belt latch's potential to trap the plaintiff or persons such as plaintiff in the vehicle once the vehicle has rolled over after its manufacture and prior to sale;
- f. carelessly, negligently, and improperly failed to adequately and properly test said front seat belt latch after its design and/or assembly under

reasonably foreseeable circumstances;

- g. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed front seat belt latch which was not reasonably fit, suitable or safe for its intended and represented purpose;
- h. carelessly, negligently, and improperly failed to design and/or utilize proper designs or procedures for the manufacture, assembly, sale and/or distribution of the SUV's front seat belt latch so as to minimize the risk of users/plaintiff being trapped in the automobile in the inverted position;
- i. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed the SUV front seat belt latch without incorporating therein the state of the art of the industry and the state of the art in the science and engineering regarding seat belt latches that would not fail in the event of a roll-over accident;
- j. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product in a defective condition;
- k. carelessly, negligently, and improperly failed to recall and/or retrofit the SUV with an adequately designed front seat belt latch;
- l. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which could be designed more safely;
- m. carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to adhere to applicable safety regulations and standards;
- n. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a SUV with a defective front seat belt latch;

32. That as a direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent, ROBERTS suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and

emotional and other intangible losses such as the loss of life and of life's pleasures.

33. That as a further direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent, ROBERTS' vehicle was a total loss.

34. That plaintiff decedent left surviving as his heirs his wife MAZIE ROBERTS, and his children: JOHN ROBERTS, JR., MILTON ROBERTS, MELVIN ROBERTS, MARILYN ROBERTS, MALCOM ROBERTS, and MICHAEL ROBERTS, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of JOHN ROBERTS, SR.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement against defendant GENERAL MOTORS CORPORATION in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

**COUNT VII - GROSSINGER AUTOPLEX
STRICT LIABILITY - WRONGFUL DEATH**

1-34. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through thirty-four (34) of Count VI as paragraphs one (1) through thirty-four (34) of this Count VII with the same force and effect as though fully set forth herein.

35. That on information and belief, at all times relevant, defendant GROSSINGER placed in to the stream of commerce for distribution and sales to the public in the county of Cook, state of Illinois, the 1997 GMC Jimmy VIN# 1GKDT13W6V2504292, which was thereafter purchased by decedent ROBERTS from

GROSSINGER of Lincolnwood at its facility in Lincolnwood, county of Cook, state of Illinois and which vehicle he was occupying and driving near the intersection of Sibley Boulevard and Greenwood Avenue, in the city of Dolton, county of Cook, state of Illinois on December 14, 2004.

36. That on information and belief, at all times relevant, defendant GROSSINGER, in the course of business marketed, offered for sale, sold to decedent ROBERTS and thereby placed in the stream of commerce at Lincolnwood, county of Cook, state of Illinois a certain consumer product, to wit: the 1997 GMC Jimmy automobile, which vehicle ROBERTS was occupying and driving near the intersection of Sibley Boulevard and Greenwood Avenue, in the city of Dolton, county of Cook, state of Illinois immediately prior to his death.

37. That defendant GROSSINGER was guilty of one or more of the following careless and negligent acts or omissions, which made said 1997 GMC Jimmy unreasonably dangerous:

- a. carelessly and negligently failed to properly inspect the 1997 GMC Jimmy prior to transferring possession thereof to decedent ROBERTS;
- b. carelessly and negligently failed to market, provide, and/or sell a safe and crashworthy vehicle which had an impact resistant fuel system and fuel tank to decedent ROBERTS;
- c. carelessly and negligently failed to incorporate in, use, install, utilize, and/or provide sufficiently and adequately safe, suitable and sturdy parts, components and/or materials and procedures and/or techniques with respect to said fuel system and fuel tank in the vehicle purchased by decedent ROBERTS;
- d. carelessly and negligently failed to provide consumers, including

decedent, with timely, adequate and sufficient warnings alerting them as to the inadequate construction of the vehicle's fuel tank and lack of a safety, crashworthiness and/or impact resistance to such rear impact as decedent encountered in the incident;

- e. carelessly and negligently failed to conduct timely, adequate and/or sufficient tests related to the construction of the vehicle's fuel tank safety, crashworthiness and/or impact resistance to rear impacts such as the one the decedent encountered in the incident;
- f. carelessly and negligently failed to provide consumers, including decedent with timely, adequate and sufficient warnings alerting them as to the fuel tanks inadequate construction and the potential for the fuel tank rupturing;
- g. carelessly and negligently failed to provide consumers, including decedent, a safe, crashworthy and impact resistance fuel tank and fuel system.

38. That as a direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent, ROBERTS suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

39. That as a further direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent, ROBERTS' vehicle was a total loss.

40. That plaintiff decedent left surviving as his heirs his wife MAZIE ROBERTS, and his children: JOHN ROBERTS, JR., MILTON ROBERTS, MELVIN ROBERTS, MARILYN ROBERTS, MALCOM ROBERTS, and MICHAEL ROBERTS, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of JOHN ROBERTS, SR.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement against defendant GROSSINGER AUTOPLEX in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

**COUNT VIII - GROSSINGER AUTOPLEX
NEGLIGENCE - WRONGFUL DEATH**

1-40. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through forty (40) of Count VII as paragraphs one (1) through forty (40) of this Count VIII with the same force and effect as though fully set forth herein.

41. That defendant GROSSINGER owed decedent ROBERTS, as a purchaser, owner, and user of said 1997 GMC Jimmy, a duty to distribute, market, and sell a safe, crashworthy vehicle which had an impact resistant fuel system and fuel tank.

42. That defendant GROSSINGER breached its aforementioned duty and was guilty of one or more of the following careless and negligent acts or omissions, which made said 1997 GMC Jimmy unreasonably dangerous:

- a. carelessly and negligently failed to properly inspect the 1997 GMC Jimmy prior to transferring possession thereof to decedent ROBERTS;
- b. carelessly and negligently failed to market, provide, and/or sell a safe and crashworthy vehicle which had an impact resistant fuel system and fuel tank to decedent ROBERTS;
- c. carelessly and negligently failed to incorporate in, use, install, utilize, and/or provide sufficiently and adequately safe, suitable and sturdy parts, components and/or materials and procedures and/or techniques with respect to said fuel system and fuel tank in the vehicle purchased by decedent ROBERTS;

- d. carelessly and negligently failed to provide consumers, including decedent, with timely, adequate and sufficient warnings alerting them as to the inadequate construction of the vehicle's fuel tank and lack of a safety, crashworthiness and/or impact resistance to such rear impact as decedent encountered in the incident;
- e. carelessly and negligently failed to conduct timely, adequate and/or sufficient tests related to the construction of the vehicle's fuel tank safety, crashworthiness and/or impact resistance to rear impacts such as the one the decedent encountered in the incident;
- f. carelessly and negligently failed to provide consumers, including decedent with timely, adequate and sufficient warnings alerting them as to the fuel tanks inadequate construction and the potential for the fuel tank rupturing;
- g. carelessly and negligently failed to provide consumers, including decedent, a safe, crashworthy and impact resistance fuel tank and fuel system.

43. That as a direct and proximate result of one or more of the aforementioned careless and negligent acts or omissions by defendant GROSSINGER, plaintiff decedent, ROBERTS suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

44. That as a further direct and proximate result of one or more of the foregoing careless and negligent acts or omissions by defendant GROSSINGER, plaintiff decedent, ROBERTS' vehicle was a total loss.

45. That plaintiff decedent left surviving as his heirs his wife MAZIE ROBERTS, and his children: JOHN ROBERTS, JR., MILTON ROBERTS, MELVIN ROBERTS, MARILYN ROBERTS, MALCOM ROBERTS, and MICHAEL ROBERTS, all

of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of JOHN ROBERTS, SR.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement against defendant GROSSINGER AUTOPLEX in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

**COUNT IX - GROSSINGER AUTOPLEX
WILLFUL & WANTON - WRONGFUL DEATH**

1-45. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through forty-five (45) of Count VIII as paragraphs one (1) through forty-five (45) of this Count IX with the same force and effect as though fully set forth herein.

46. That on December 14, 2004, the defendant GROSSINGER was guilty of one or more of the following willful and wanton acts or omissions:

- a. With utter indifference and a conscious disregard for the safety of plaintiffs carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to complete/fit-out the SUV so as to minimize the risk of post-impact fuel fed fires;
- b. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product which lacked all necessary safety features to protect users of said product from post-impact fuel fed fires;
- c. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product that was unreasonably dangerous to the user;
- d. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product without appropriate safety devices;

- e. With utter indifference and a conscious disregard for the safety of plaintiffs failed to incorporate safeguards that would have prevented the risk of post-collision fire;
- f. With utter indifference and a conscious disregard for the safety of plaintiffs violated applicable federal, state, local and/or industry standards;
- g. With utter indifference and a conscious disregard for the safety of plaintiffs failed to properly test the component parts of the SUV after its manufacture and prior to sale;
- h. With utter indifference and a conscious disregard for the safety of plaintiffs failed to adequately and properly test said product after its design and/or assembly under reasonably foreseeable circumstances;
- i. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product which was not reasonably fit, suitable or safe for its intended and represented purpose;
- j. With utter indifference and a conscious disregard for the safety of plaintiffs failed to design and/or utilize proper designs or procedures for the manufacture, assembly, sale and/or distribution of the SUV so as to minimize the risk of post-collision fire;
- k. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed the SUV without incorporating therein the state of the art of the industry and the state of the art in the science and engineering of fuel systems;
- l. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product in a defective condition;
- m. With utter indifference and a conscious disregard for the safety of plaintiffs failed to recall and/or retrofit the SUV with an adequately designed fuel system;
- n. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or

distributed a product which could be designed more safely;

- o. With utter indifference and a conscious disregard for the safety of plaintiffs designed, manufactured, assembled, sold, and/or distributed a SUV that was not crashworthy;
- p. With utter indifference and a conscious disregard for the safety of plaintiffs failed to direct and require finishing manufacturers/assemblers to adhere to applicable safety regulations and standards;
- q. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a SUV with a defective fuel system;

47. That as a direct and proximate result of one or more of the foregoing willful and wanton acts or omissions, plaintiff decedent, ROBERTS suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

48. That as a further direct and proximate result of one or more of the foregoing willful and wanton acts or omissions, plaintiff decedent, ROBERTS' vehicle was a total loss.

49. That plaintiff decedent left surviving as his heirs his wife MAZIE ROBERTS, and his children: JOHN ROBERTS, JR., MILTON ROBERTS, MELVIN ROBERTS, MARILYN ROBERTS, MALCOM ROBERTS, and MICHAEL ROBERTS, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of JOHN ROBERTS, SR.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement

against defendant GROSSINGER AUTOPLEX in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

**COUNT X - GROSSINGER AUTOPLEX
SURVIVAL ACT**

1-49. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through forty-nine (49) of Count IX as paragraphs one (1) through forty-nine (49) of this Count X with the same force and effect as though fully set forth herein.

50. That JOHN ROBERTS SR. survived for a period of time between the impact, burning, and his death.

51. That during the aforesaid time, JOHN ROBERTS SR., suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures and the loss of future earning capacity as a direct and proximate result of the wrongful acts and/or omissions of the defendant GROSSINGER AUTOPLEX.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement against defendant GROSSINGER AUTOPLEX in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

**COUNT XI - GROSSINGER AUTOPLEX
STRICT LIABILITY - FRONT SEAT BELT LATCH
WRONGFUL DEATH**

1-51. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through fifty-one (51) of Count X as paragraphs one (1) through fifty-one (51) of this Count XI

with the same force and effect as though fully set forth herein.

52. That for a long period of time ROBERTS' struggled to free himself but during this period the 1997 GMC Jimmy had rolled over and came to rest on its roof and therefore, ROBERTS was upside down. Plaintiff ROBERTS was unable to unlatch the seat belt and free himself. The 1997 GMC Jimmy rapidly became fully engulfed in smoke and flames, ROBERTS could not unlatch the seatbelt and when he finally did it was too late. ROBERTS was badly burned over his entire body and he eventually died.

53. That defendant GMC was guilty of one or more of the following careless and negligent acts or omissions, which made said 1997 GMC Jimmy unreasonably dangerous:

- a. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a vehicle with a defective front seat belt latch which lacked all necessary safety features to protect users of 1997 GMC Jimmy from being able to unlatch the seat belt during a roll-over accident;
- b. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product without appropriate safety devices;
- c. carelessly, negligently, and improperly failed to incorporate safeguards that would have prevented the plaintiff from being unable to unlatch the front seat belt of the 1997 GMC Jimmy while in the inverted position;
- d. carelessly, negligently, and improperly violated applicable federal, state, local and/or industry standards;
- e. carelessly, negligently, and improperly failed to properly test the component parts of the front seat belt latch's potential to trap the plaintiff or persons such as plaintiff in the vehicle once the vehicle has rolled over after its manufacture and prior to sale;

- f. carelessly, negligently, and improperly failed to adequately and properly test said front seat belt latch after its design and/or assembly under reasonably foreseeable circumstances;
- g. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed front seat belt latch which was not reasonably fit, suitable or safe for its intended and represented purpose;
- h. carelessly, negligently, and improperly failed to design and/or utilize proper designs or procedures for the manufacture, assembly, sale and/or distribution of the SUV's front seat belt latch so as to minimize the risk of users/plaintiff being trapped in the automobile in the inverted position;
- i. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed the SUV front seat belt latch without incorporating therein the state of the art of the industry and the state of the art in the science and engineering regarding seat belt latches that would not fail in the event of a roll-over accident;
- j. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product in a defective condition;
- k. carelessly, negligently, and improperly failed to recall and/or retrofit the SUV with an adequately designed front seat belt latch;
- l. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which could be designed more safely;
- m. carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to adhere to applicable safety regulations and standards;
- n. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a SUV with a defective front seat belt latch;

54. That as a direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent, ROBERTS suffered

severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

55. That as a further direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent, ROBERTS' vehicle was a total loss.

56. That plaintiff decedent left surviving as his heirs his wife MAZIE ROBERTS, and his children: JOHN ROBERTS, JR., MILTON ROBERTS, MELVIN ROBERTS, MARILYN ROBERTS, MALCOM ROBERTS, and MICHAEL ROBERTS, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of JOHN ROBERTS, SR.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement against defendant GENERAL MOTORS CORPORATION in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

**COUNT XII - LEONARD W. JOHNSON IV
NEGLIGENCE - WRONGFUL DEATH**

1-14. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through fourteen (14) of Count I as paragraphs one (1) through fourteen (14) of this Count XII with the same force and effect as though fully set forth herein.

15. That on December 14, 2004 the defendant JOHNSON owned or possessed or controlled a 1992 Ford Crown Victoria that he was driving in a easternly direction along Sibley Boulevard near Greenwood Avenue in the city of Dolton, county of Cook,

state of Illinois.

16. That at aforesaid time and place the plaintiff decedent ROBERTS was the driver of the 1997 GMC Jimmy, VIN# 1GKDT13W6V2504292 and was waiting at a red light in the left-turn lane headed eastbound on Sibley Boulevard at the intersection of Sibley Boulevard and Greenwood Avenue, in the city of Dolton, county of Cook, state of Illinois.

17. That at aforesaid time, place and intersection, defendant JOHNSON operated the aforementioned motor vehicle in a negligent and careless manner, and caused said motor vehicle to crash into the rear-end of decedent ROBERTS's motor vehicle.

18. That as a result of the impact, ROBERTS' 1997 GMC Jimmy burst into flames, rolled over and came into contact with another vehicle, a 2001 Buick Centry. The Buick Centry then also caught fire.

19. That witnesses attempted to remove ROBERTS from his burning vehicle.

20. That according to witnesses, ROBERTS' struggled to free himself while in the 1997 GMC Jimmy. However, the Jimmy rapidly became fully engulfed in flames which eventually caused ROBERTS' death.

21. That the defendant JOHNSON owed a duty to use ordinary care and caution for the safety of the plaintiff decedent ROBERTS and the motor vehicle in which the decedent was traveling.

22. That at the aforesaid time and place the plaintiff decedent ROBERTS was

exercising reasonable care for his own safety and the safety of others.

23. That at said time, place, and intersection, defendant JOHNSON breached his aforementioned duty and was guilty of one or more of the following careless and negligent acts or omissions:

- a. Carelessly and negligently operated said motor vehicle at an excessive rate of speed;
- b. carelessly and negligently operated said motor vehicle without keeping a proper and sufficient lookout for other motor vehicles in and about the area and more particularly, for decedent's vehicle;
- c. carelessly and negligently failed to decrease the speed of said motor vehicle so as to avoid colliding into the rear end of the decedent's motor vehicle, contrary to and in violation of the provisions of Chapter 95 ½, Section 11-60 (a) of the Revised Statutes of the State of Illinois;
- d. carelessly and negligently failed to keep said motor vehicle under proper control and failed to stop, slow down or otherwise alter the speed, movement or direction of said vehicle when danger of collision with the decedent's motor vehicle was imminent;
- e. carelessly and negligently failed to sound horn prior to impact;
- f. In violation of Illinois Revised Statute Chapter 96 ½ Section 11-0003.1 failed to exercise due care to avoid colliding with the rear end of the decedent's motor vehicle;
- g. carelessly and negligently failed to make timely application of the brakes;
- h. Was otherwise careless and negligent.

24. That as a direct and proximate result of one or more of the foregoing careless and negligent acts or omissions by the defendant JOHNSON plaintiff decedent, ROBERTS suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life

and of life's pleasures.

25. That as a further direct and proximate result of one or more of defendant's aforementioned careless and negligent acts or omissions, the decedent's vehicle was a total loss.

26. That plaintiff decedent left surviving as his heirs his wife MAZIE ROBERTS, and his children: JOHN ROBERTS, JR., MILTON ROBERTS, MELVIN ROBERTS, MARILYN ROBERTS, MALCOM ROBERTS, and MICHAEL ROBERTS, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of JOHN ROBERTS, SR.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement against defendant LEONARD W. JOHNSON IV in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

**COUNT XIII - LEONARD W. JOHNSON IV
SURVIVAL ACT**

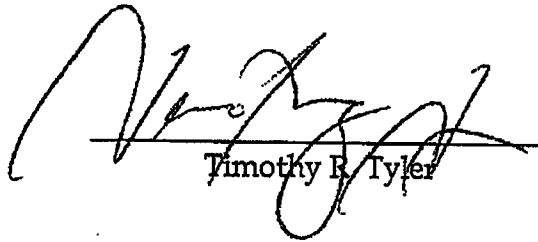
1-26. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through twenty-six (26) of Count XII as paragraphs one (1) through twenty-six (26) of this Count XIII with the same force and effect as though fully set forth herein.

27. That JOHN ROBERTS SR. survived for a period of time between the impact, burning, and his death.

28. That during the aforesaid time, JOHN ROBERTS SR., suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and

emotional and other intangible losses such as the loss of life and of life's pleasures and the loss of future earning capacity as a direct and proximate result of the wrongful acts and/or omissions of the defendant LEONARD W. JOHNSON IV.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased requests judgement against defendant LEONARD W. JOHNSON IV in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00), plus the cost of this action.

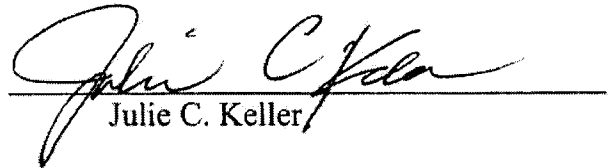


Timothy R. Tyler

Timothy R. Tyler
TIMOTHY R. TYLER & ASSOCIATES, P.C.
120 West Madison Street
Suite 505
Chicago, Illinois 60602
(312) 920-1745

CERTIFICATE OF SERVICE

I, Julie C. Keller, aver that on March 3, 2005 copies of the above document and **General Motor's Answer and Affirmative Defenses to Plaintiff's Amended Complaint**, were served via U.S. First Class Mail delivery from 10 S. Wacker, Suite 2300, Chicago, IL 60606 upon the attorney listed above before 5:00 p.m.


Julie C. Keller

CHICAGO\2089593.3
IDJCKE

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

MAZIE ROBERTS, Individually and as Special)
Administrator of the Estate of JOHN)
ROBERTS SR., deceased,)

Plaintiff,)

vs.)

LEONARD W. JOHNSON, IV, GENERAL)
MOTORS CORPORATION and)
GROSSINGER AUTOPLEX,)

Defendants.)

Case No. 04 L 013996

Calendar F

2004-12-13 FILED
CLERK OF COURT
JANICE L. GOSSETT

**GM'S ANSWER AND AFFIRMATIVE
DEFENSES TO PLAINTIFF'S AMENDED COMPLAINT**

General Motors Corporation ("GM"), by and through its attorneys, Dykema Gossett

Rooks Pitts PLLC, answers Plaintiff's amended complaint as follows:

**COUNT I
GENERAL ALLEGATIONS – ALL DEFENDANTS**

1. That Mazie Roberts is the wife of John Roberts Sr., and has been appointed Special Administrator of the Estate of John Roberts Sr. A copy of the Order appointing Mazie Roberts is attached hereto.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 1 and thus denies them.

2. That on December 14, 2004, plaintiff Mazie Roberts was and is a resident of the city of Dolton, county of Cook, state of Illinois.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 2 and thus denies them.

3. That on December 14, 2004, plaintiff decedent John Roberts Sr., (hereinafter referred to as "Roberts") was a resident of the city of Dolton, county of Cook, state of Illinois.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 3 and thus denies them.

4. That on December 14, 2004, and at all times pertinent hereto, defendant, General Motors Corporation (hereinafter referred to as "GMC"), was a Delaware corporation doing business in the state of Illinois, more particularly, Cook County.

ANSWER: GM admits that it is a Delaware corporation, and it conducts business in Illinois.

5. That at all relevant times, defendant GMC was acting by and through their employees, servants and agents, acting within the course and scope of their employment, service and agency.

ANSWER: GM does not understand the allegations contained in Paragraph 5 and thus cannot admit or deny them and thus denies them.

6. That on December 14, 2004, and at all times pertinent hereto, defendant, Grossinger Autoplex (hereinafter referred to as "Grossinger"), on information and belief was an Illinois corporation doing business in the state of Illinois.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 6 and thus denies them.

7. That at all relevant times, defendant Grossinger, was acting by and through their employees, servants and agents, acting within the course and scope of their employment, service and agency.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 7 and thus denies them.

8. That on December 14, 2004, upon information and belief, defendant Leonard W. Johnson, IV (hereinafter referred to as "Johnson") was a resident of the city of Harvey, county of Cook, state of Illinois.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 8 and thus denies them.

9. That at all times relevant hereto, defendant GMC was engaged in the business of designing, manufacturing, marketing, distributing, and selling automobiles.

ANSWER: GM admits only that it does design, manufacture, market, distribute, and sell certain automobiles.

10. That prior to December 14, 2004, defendant GMC designed, manufactured, assembled, sold, supplied and/or distributed a 1997 GMC Jimmy, vehicle identification number 1GKDT13W6V2504292, that was placed into the stream of commerce.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 10 and thus denies them.

11. That prior to December 14, 2004, on information and belief, plaintiff decedent Roberts purchased from Grossinger, the 1997 GMC Jimmy, VIN# 1GKDT13W6V2504292.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 11 and thus denies them.

12. That on December 14, 2004, the plaintiff decedent Roberts was the driver of the 1997 GMC Jimmy, VIN# 1GKDT13W6V2504292 when it was rear ended by an automobile driven by defendant Johnson.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 12 and thus denies them.

13. That after the impact, Roberts' 1997 GMC Jimmy burst into flames, rolled over and came into contact with another vehicle, a 2001 Buick Centry. The Buick Centry then also caught fire.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 13 and thus denies them.

14. That Roberts struggled to free himself while in the 1997 GMC Jimmy. However, the 1997 GMC Jimmy rapidly became fully engulfed in smoke and flames, which caused Roberts' death by asphyxiation.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 14 and thus denies them.

**COUNT II- GENERAL MOTORS CORPORATION
STRICT LIABILITY - WRONGFUL DEATH**

1-14. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through fourteen (14) of Count I as paragraphs one (1) through fourteen (14) of this Count II with the same force and effect as though fully set forth herein.

ANSWER: GM restates and incorporates its answers to Paragraphs 1 through 14 of Count I as its answers to Paragraphs 1 through 14 of Count II.

15. That defendant GMC was guilty of one or more of the following careless and negligent acts or omissions, which made said 1997 GMC Jimmy unreasonably dangerous:

- a. carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to complete/fit-out the SUV so as to minimize the risk of post-impact fuel fed fires;
- b. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which lacked all necessary safety features to protect users of said product from post-impact fuel fed fires;
- c. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product that was unreasonably dangerous to the user;
- d. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product without appropriate safety devices;
- e. carelessly, negligently, and improperly failed to incorporate safeguards that would have prevented the risk of post-collision fire;
- f. carelessly, negligently, and improperly violated applicable federal, state, local and/or industry standards;
- g. carelessly, negligently; and improperly failed to properly test the component parts of the SUV after its manufacture and prior to sale;
- h. carelessly, negligently, and improperly failed to adequately and properly test said product after its design and/or assembly under reasonably foreseeable circumstances;
- i. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which was not reasonably fit, suitable or safe for its intended and represented purpose;

- j. carelessly, negligently, and improperly failed to design and/or utilize proper designs or procedures for the manufacture, assembly, sale and/or distribution of the SUV so as to minimize the risk of post-collision fire;
- k. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed the SUV without incorporating therein the state of the art of the industry and the state of the art in the science and engineering of fuel systems;
- l. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product in a defective condition;
- m. carelessly, negligently, and improperly failed to recall and/or retrofit the SUV with an adequately designed fuel system;
- n. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which could be designed more safely;
- o. carelessly, negligently, and improperly designed, manufactured, assembled, sold, and/or distributed a SUV that was not crashworthy;
- p. carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to adhere to applicable safety regulations and standards;
- q. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a SUV with a defective fuel system;

ANSWER: GM denies the allegations contained in Paragraph 15 and each of its subparts because they are not true.

16. That as a direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent Roberts, suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

ANSWER: GM denies the allegations contained in Paragraph 16 because they are not true.

17. That as a further direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent Roberts' vehicle was a total loss.

ANSWER: GM denies the allegations contained in Paragraph 17 because they are not true.

18. That plaintiff decedent left surviving as his heirs his wife Mazie Roberts, and his children: John Roberts, Jr., Milton Roberts, Melvin Roberts, Marilyn Roberts, Malcom Roberts, and Michael Roberts, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of John Robert, Sr.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 18 and thus denies them.

COUNT III - GENERAL MOTORS CORPORATION NEGLIGENCE - WRONGFUL DEATH

1-18. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through eighteen (18) of Count II as paragraphs one (1) through eighteen (18) of this Count III with the same force and effect as though fully set forth herein.

ANSWER: GM restates and incorporates its answers to Paragraphs 1 through 18 of Count II as its answers to Paragraphs 1 through 18 of Count III.

19. That defendant GMC owed decedent Roberts, as a purchaser, owner, and user of said 1997 GMC Jimmy, a duty to design, manufacture distribute, market, and sell a safe, crashworthy vehicle which had an impact resistant fuel system and fuel tank.

ANSWER: GM denies the legal conclusions of Paragraph 19 to the extent that they are inconsistent with the applicable law. GM lacks sufficient information or knowledge upon which to admit or deny the remaining allegations contained in Paragraph 19 and thus denies them.

20. That defendant GMC breached its aforementioned duty and was guilty of one or more of the following careless and negligent acts or omissions, which made said 1997 GMC Jimmy unreasonably dangerous:

- a. carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to complete/fit-out the SUV so as to minimize the risk of post-impact fuel fed fires;
- b. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which lacked all necessary safety features to protect use of said product from post-impact

fuel fed fires;

- c. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product that was unreasonably dangerous to the user;
- d. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product without appropriate safety devices;
- e. carelessly, negligently, and improperly failed to incorporate safeguards that would have prevented the risk of post-collision fire;
- f. carelessly, negligently, and improperly violated applicable federal, state, local and/or industry standards;
- g. carelessly, negligently, and improperly failed to properly test the component parts of the SUV after its manufacture and prior to sale;
- h. carelessly, negligently, and improperly failed to adequately and properly test said product after its design and/or assembly under reasonably foreseeable circumstances;
- i. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which was not reasonably fit, suitable or safe for its intended and represented purpose;
- j. carelessly, negligently, and improperly failed to design and/or utilize proper designs or procedures for the manufacture, assembly, sale and/or distribution of the SUV so as to minimize the risk of post-collision fire;
- k. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed the SUV without incorporating therein the state of the art of the industry and the state of the art in the science and engineering of fuel systems;
- l. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product in a defective condition;
- m. carelessly, negligently, and improperly failed to recall and/or retrofit the SUV with an adequately designed fuel system;
- n. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a product which could be designed more safely;
- o. carelessly, negligently, and improperly designed, manufactured,

assembled, sold, and/or distributed a SUV that was not crashworthy;

- p. carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to adhere to applicable safety regulations and standards;
- q. carelessly, negligently, and improperly designed, assembled, manufactured, sold, supplied and/or distributed a SUV with a defective fuel system;

ANSWER: GM denies the allegations contained in Paragraph 20 and each of its subparts because they are not true.

21. That as a direct and proximate result of one or more of the aforementioned careless and negligent acts or omissions by defendant GMC, plaintiff decedent Roberts suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

ANSWER: GM denies the allegations contained in Paragraph 21 because they are not true.

22. That as a further direct and proximate result of one or more of the foregoing careless and negligent acts or omissions by defendant GMC, plaintiff decedent Roberts' vehicle was a total loss.

ANSWER: GM denies the allegations contained in Paragraph 22 because they are not true.

23. That plaintiff decedent left surviving as his heirs his wife Mazie Roberts, and his children: John Roberts, Jr., Milton Roberts, Melvin Roberts, Marilyn Roberts, Malcom Roberts, and Michael Roberts, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of John Roberts, Sr.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 23 and thus denies them.

COUNT IV - GENERAL MOTORS CORPORATION WILLFUL & WANTON - WRONGFUL DEATH

1-23. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through twenty-three (23) of Count III as paragraphs one (1) through twenty-three (23) of this Count IV with the same force and effect as though fully set forth herein.

ANSWER: GM restates and incorporates its answers to Paragraphs 1 through 23 of Count III as its answers to Paragraphs 1 through 23 of Count IV.

24. That on December 14, 2004, the defendant GMC was guilty of one or more of the following willful and wanton acts or omissions:

- a. With utter indifference and a conscious disregard for the safety of plaintiffs carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assemblers to complete/fit-out the SUV so as to minimize the risk of post-impact fuel fed fires;
- b. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product which lacked all necessary safety features to protect users of said product from post-impact fuel fed fires;
- c. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product that was unreasonably dangerous to the user;
- d. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product without appropriate safety devices;
- e. With utter indifference and a conscious disregard for the safety of plaintiffs failed to incorporate safeguards that would have prevented the risk of post-collision fire;
- f. With utter indifference and a conscious disregard for the safety of plaintiffs violated applicable federal, state, local and/or industry standards;
- g. With utter indifference and a conscious disregard for the safety of plaintiffs failed to properly test the component parts of the SUV after its manufacture and prior to sale;
- h. With utter indifference and a conscious disregard for the safety of plaintiffs failed to adequately and properly test said product after its design and/or assembly under reasonably foreseeable circumstances;
- i. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product which was not reasonably fit, suitable or safe for its intended and represented purpose;
- j. With utter indifference and a conscious disregard for the safety of plaintiffs failed to design and/or utilize proper designs or procedures for the manufacture, assembly, sale and/or distribution of the SUV so as to

minimize the risk of post-collision fire;

- k. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed the SUV without incorporating therein the state of the art of the industry and the state of the art in the science and engineering of fuel systems;
- l. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product in a defective condition;
- m. With utter indifference and a conscious disregard for the safety of plaintiffs failed to recall and/or retrofit the SUV with an adequately designed fuel system;
- n. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product which could be designed more safely;
- o. With utter indifference and a conscious disregard for the safety of plaintiffs designed, manufactured, assembled, sold, and/or distributed a SUV that was not crashworthy;
- p. With utter indifference and a conscious disregard for the safety of plaintiffs failed to direct and require finishing manufacturers/assemblers to adhere to applicable safety regulations and standards;
- q. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled., manufactured, sold, supplied and/or distributed a SUV with a defective fuel system;

ANSWER: GM denies the allegations contained in Paragraph 24 and each of its subparts because they are not true.

25. That as a direct and proximate result of one or more of the foregoing willful and wanton acts or omissions, plaintiff decedent Roberts suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

ANSWER: GM denies the allegations contained in Paragraph 25 because they are not true.

26. That as a further direct and proximate result of one or more of the foregoing willful and wanton acts or omissions, plaintiff decedent Roberts' vehicle was a total loss.

ANSWER: GM denies the allegations contained in Paragraph 26 because they are not true.

27. That plaintiff decedent left surviving as his heirs his wife Mazie Roberts, and his children: John Roberts, Jr., Milton Roberts, Melvin Roberts, Marilyn Roberts, Malcom Roberts, and Michael Roberts, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of John Roberst, Sr.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 27 and thus denies them.

COUNT V - GENERAL MOTORS CORPORATION SURVIVAL ACT

1-27. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through twenty-seven (27) of Count IV as paragraphs one (1) through twenty-seven (27) of this Count V with the same force and effect as though fully set forth herein

ANSWER: GM restates and incorporates its answers to Paragraphs 1 through 27 of Count IV as its answers to Paragraphs 1 through 27 of Count V.

28. That John Roberts Sr. survived for a period of time between the impact, burning, and his asphyxiation.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 28 and thus denies them.

29. That during the aforesaid time, John Roberts Sr., suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures and the loss of future earning capacity as a direct and proximate result of the wrongful acts and/or omissions of the defendant GMC.

ANSWER: GM denies the allegations contained in Paragraph 29 because they are not true.

COUNT VI - GROSSINGER AUTOPLEX STRICT LIABILITY - WRONGFUL DEATH

1-29. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through twenty-nine (29) of Count V as paragraphs one (1) through twenty-nine (29) of this Count VI with the same force and effect as though fully set forth herein.

ANSWER: GM restates and incorporates its answers to Paragraphs 1 through 29 of Count V as its answers to Paragraphs 1 through 29 of Count VI.

30. That on information and belief, at all times relevant, defendant Grossinger placed in to the stream of commerce for distribution and sales to the public in the county of Cook, state of Illinois, the 1997 GMC Jimmy VIN# 1GKDT13W6V2504292, which was thereafter purchased by decedent Roberts from Grossinger of Lincolnwood at its facility in Lincolnwood, county of Cook, state of Illinois and which vehicle he was occupying and driving near the intersection of Sibley Boulevard and Greenwood Avenue, in the city of Dolton, county of Cook, state of Illinois on December 14, 2004.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 30 and thus denies them.

31. That on information and belief, at all times relevant, defendant Grossinger, in the course of business marketed, offered for sale, sold to decedent Roberts and thereby placed in the stream of commerce at Lincolnwood, county of Cook, state of Illinois a certain consumer product, to wit: the 1997 GMC Jimmy automobile, which vehicle Roberts was occupying and driving near the intersection of Sibley Boulevard and Greenwood Avenue, in the city of Dolton, county of Cook, state of Illinois immediately prior to his death.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 31 and thus denies them.

32. That defendant Grossinger was guilty of one or more of the following careless and negligent acts or omissions, which made said 1997 GMC Jimmy unreasonably dangerous:

- a. carelessly and negligently failed to properly inspect the 1997 GMC Jimmy prior to transferring possession thereof to decedent Roberts;
- b. carelessly and negligently failed to market, provide, and/or sell a safe and crashworthy vehicle which had an impact resistant fuel system and fuel tank to decedent Roberts;
- c. carelessly and negligently failed to incorporate in, use, install, utilize, and/or provide sufficiently and adequately safe, suitable and sturdy parts, components and/or materials and procedures and/or techniques with respect to said fuel system and fuel tank in the vehicle purchased by decedent Roberts;
- d. carelessly and negligently failed to provide consumers, including decedent, with timely, adequate and sufficient warnings alerting them as to the inadequate construction of the vehicle's fuel tank and lack of a safety, crashworthiness and/or impact resistance to such rear impact as decedent

encountered in the incident;

- e. carelessly and negligently failed to conduct timely, adequate and/or sufficient tests related to the construction of the vehicle's fuel tank safety, crashworthiness and/or impact resistance to rear impacts such as the one the decedent encountered in the incident;
- f. carelessly and negligently failed to provide consumers, including decedent with timely, adequate and sufficient warnings alerting them as to the fuel tanks inadequate construction and the potential for the fuel tank rupturing;
- g. carelessly and negligently failed to provide consumers, including decedent, a safe, crashworthy and impact -resistance fuel tank and fuel system.

ANSWER: GM neither admits nor denies the allegations contained in Paragraph 32

and each of its subparts because they do not pertain to GM.

33. That as a direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent Roberts suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

ANSWER: GM denies that its 1997 GMC Jimmy was defectively designed or manufactured. GM neither admits nor denies the remaining allegations contained in Paragraph 33 because they do not pertain to GM.

34. That as a further direct and proximate result of one or more of the foregoing defective conditions of the 1997 GMC Jimmy, plaintiff decedent Roberts' vehicle was a total loss.

ANSWER: GM denies that its 1997 GMC Jimmy was defectively designed or manufactured. GM neither admits or denies the remaining allegations contained in Paragraph 34 because they do not pertain to GM.

35. That plaintiff decedent left surviving as his heirs his wife Mazie Roberts, and his children: John Roberts, Jr., Milton Roberts, Melvin Roberts, Marilyn Roberts, Malcom Roberts, and Michael Roberts, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of John Roberts, Sr.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 35 and thus denies them.

**COUNT VII - GROSSINGER AUTOPLEX
NEGLIGENCE - WRONGFUL DEATH**

1-35. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through thirty-five (35) of Count VI as paragraphs one (1) through thirty-five (35) of this Count VII with the same force and effect as though fully set forth herein.

ANSWER: GM restates and incorporates its answers to Paragraphs 1 through 35 of Count VI as its answers to Paragraphs 1 through 35 of Count VII.

36. That defendant Grossinger owed decedent Roberts, as a purchaser, owner, and user of said 1997 GMC Jimmy, a duty to distribute, market, and sell a safe, crashworthy vehicle which had an impact resistant fuel system and fuel tank.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 36 and thus denies them.

37. That defendant Grossinger breached its aforementioned duty and was guilty of one or more of the following careless and negligent acts or omissions, which made said 1997 GMC Jimmy unreasonably dangerous:

- a. carelessly and negligently failed to properly inspect the 1997 GMC Jimmy prior to transferring possession thereof to decedent Roberts;
- b. carelessly and negligently failed to market provide, and/or sell a safe and crashworthy vehicle which had an impact resistant fuel system and fuel tank to decedent Roberts;
- c. carelessly and negligently failed to incorporate in, use, install, utilize, and/or provide sufficiently and adequately, safe, suitable and sturdy parts, components and/or materials and procedures and/or techniques with respect to said fuel system and fuel tank in the vehicle purchased by decedent Roberts;
- d. carelessly and negligently failed to provide consumers, including decedent, with timely, adequate and sufficient warnings alerting them as to the inadequate construction of the vehicle's fuel tank and lack of a safety, crashworthiness and/or impact resistance to such rear impact as decedent encountered in the incident;
- e. carelessly and negligently failed to conduct timely, adequate and/or sufficient tests related to the construction of the vehicle's fuel tank safety,

crashworthiness and/or impact resistance to rear impacts such as the one the decedent encountered in the incident;

- f. carelessly and negligently failed to provide consumers, including decedent with timely, adequate and sufficient warnings alerting them as to the fuel tanks inadequate construction and the potential for the fuel tank rupturing;
- g. carelessly and negligently failed to provide consumers, including decedent, a safe, crashworthy and impact resistance fuel tank and fuel system.

ANSWER: GM neither admits nor denies the allegations contained in Paragraph 37 and each of its subparts because they do not pertain to GM.

38. That as a direct and proximate result of one or more of the aforementioned careless and negligent acts or omissions by defendant Grossinger, plaintiff decedent Roberts suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

ANSWER: GM denies that its 1997 GMC Jimmy was defectively designed or manufactured, and neither admits nor denies the remaining allegations contained in Paragraph 38 because they do not pertain to GM.

39. That as a further direct and proximate result of one or more of the foregoing careless and negligent acts or omissions by defendant Grossinger, plaintiff decedent Roberts' vehicle was a total loss.

ANSWER: GM denies that its 1997 GMC Jimmy was defectively designed or manufactured, and neither admits nor denies the remaining allegations contained in Paragraph 39 because they do not pertain to GM.

40. That plaintiff decedent left surviving as his heirs his wife Mazie Roberts, and his children: John Roberts, Jr., Milton Roberts, Melvin Roberts, Marilyn Roberts, Malcom Roberts, and Michael Roberts, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of John Roberts, Sr.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 40 and thus denies them.

**COUNT VIII - GROSSINGER AUTOPLEX
WILLFUL & WANTON - WRONGFUL DEATH**

1-40. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through forty (40) of Count VII as paragraphs one (1) through forty (40) of this Count VIII with the same force and effect as though fully set forth herein.

ANSWER: GM restates and incorporates its answers to Paragraphs 1 through 40 of Count VII as its answers to Paragraphs 1 through 40 of Count VIII.

41. That on December 14, 2004, the defendant Grossinger was guilty of one or more of the following willful and wanton acts or omissions:

- a. With utter indifference and a conscious disregard for the safety of plaintiffs carelessly, negligently, and improperly failed to direct and require finishing manufacturers/assembler, to complete/fit-out the SUV so as to minimize the risk of post-impact fuel fed fires;
- b. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product which lacked all necessary safety features to protect users of said product from post-impact fuel fed fires;
- c. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product that was unreasonably dangerous to the user;
- d. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product without appropriate safety devices;
- e. With utter indifference and a conscious disregard for the safety of plaintiffs failed to incorporate safeguards that would have prevented the risk of post-collision fire;
- f. With utter indifference and a conscious disregard for the safety of plaintiffs violated applicable federal, state, local and/or industry standards;
- g. With utter indifference and a conscious disregard for the safety of plaintiffs failed to properly test the component parts of the SUV after its manufacture and prior to sale;
- h. With utter indifference and a conscious disregard for the safety of plaintiffs failed to adequately and properly test said product after its design and/or assembly under reasonably foreseeable circumstances;
- i. With utter indifference and a conscious disregard for the safety of

plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product which was not reasonably fit, suitable or safe for its intended and represented purpose;

- j. With utter indifference and a conscious disregard for the safety of plaintiffs failed to design and/or utilize proper designs or procedures for the manufacture, assembly, sale and/or distribution of the SUV so as to minimize the risk of post-collision fire;
- k. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed the SUV without incorporating herein the state of the art of the industry and the state of the art in the science and engineering of fuel systems;
- l. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product in a defective condition;
- m. With utter indifference and a conscious disregard for the safety of plaintiffs failed to recall and/or retrofit the SUV with an adequately designed fuel system;
- n. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a product which could be designed more safely;
- o. With utter indifference and a conscious disregard for the safety of plaintiffs designed, manufactured, assembled, sold, and/or distributed a SUV that was not crashworthy;
- p. With utter indifference and a conscious disregard for the safety of plaintiffs failed to direct and require finishing manufacturers/assemblers to adhere to applicable safety regulations and standards;
- q. With utter indifference and a conscious disregard for the safety of plaintiffs designed, assembled, manufactured, sold, supplied and/or distributed a SUV with a defective fuel system.

ANSWER: GM denies that its 1997 GMC Jimmy was defectively designed or manufactured, and neither admits nor denies the remaining allegations contained in Paragraph 41 and each of its subparts because they do not pertain to GM.

42. That as a direct and proximate result of one or more of the foregoing willful and wanton acts or omissions, plaintiff decedent Roberts suffered severe burns, anxiety, fear,

injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

ANSWER: GM denies that its 1997 GMC Jimmy was defectively designed or manufactured, and neither admits nor denies the remaining allegations contained in Paragraph 42 because they do not pertain to GM.

43. That as a further direct and proximate result of one or more of the foregoing willful and wanton acts or omissions, plaintiff decedent Roberts' vehicle was a total loss.

ANSWER: GM denies that its 1997 GMC Jimmy was defectively designed or manufactured, and neither admits nor denies the remaining allegations contained in Paragraph 43 because they do not pertain to GM.

44. That plaintiff decedent left surviving as his heirs his wife Mazie Roberts, and his children: John Roberts, Jr., Milton Roberts, Melvin Roberts, Marilyn Roberts, Malcom Roberts, and Michael Roberts, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of John Roberts, Sr.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 44 and thus denies them.

COUNT IX - GROSSINGER AUTOPLEX SURVIVAL ACT

1-44. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through forty-four (44) of Count VIII as paragraphs one (1) through forty-four (44) of this Count IX with the same force and effect as though fully set forth herein.

ANSWER: GM restates and incorporates its answers to Paragraphs 1 through 44 of Count VIII as its answers to Paragraphs 1 through 44 of Count IX.

45. That John Roberts Sr. survived for a period of time between the impact, burning, and his asphyxiation.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations of Paragraph 45 and thus denies them.

45. That during the aforesaid time, John Roberst Sr., suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible

losses such as the loss of life and of life's pleasures and the loss of future earning capacity as a direct and proximate result of the wrongful acts and/or omissions of the defendant Grossinger Autoplex.

ANSWER: GM neither admits nor denies the allegations contained in Paragraph 45 because they do not pertain to GM.

**COUNT X - LEONARD W. JOHNSON IV
NEGLIGENCE - WRONGFUL DEATH**

1-14. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through fourteen (14) of Count 1 as paragraphs one (1) through fourteen (14) of this Count X with the same force and effect as though fully set forth herein.

ANSWER: GM restates and incorporates its answers to Paragraphs 1 through 14 of Count I as its answers to Paragraph 1 through 14 of Count X.

15. That on December 14, 2004 the defendant Johnson owned or possessed or controlled a 1992 Ford Crown Victoria that he was driving in a easternly direction along Sibley Boulevard near Greenwood Avenue in the city of Dolton, county of Cook, state of Illinois.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 15 and thus denies them.

16. That at aforesaid time and place the plaintiff decedent Roberts was the driver of the 1997 GMC Jimmy, VIN# 1GKDT13W6V2504292 and was waiting at a red light in the left-turn lane headed eastbound on Sibley Boulevard at the intersection of Sibley Boulevard and Greenwood Avenue, in the city of Dolton, county of Cook, state of Illinois.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 16 and thus denies them.

17. That at aforesaid time, place and intersection, defendant Johnson operated the aforementioned motor vehicle in a negligent and careless manner, and caused said motor vehicle to crash into the rear-end of decedent Roberts' motor vehicle.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 17 and thus denies them.

18. That as a result of the impact, Roberts' 1997 GMC Jimmy burst into flames, rolled over and came into contact with another vehicle, a 2001 Buick Centry. The Buick Centry then also caught fire.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 18 and thus denies them.

19. That witnesses attempted to remove Roberts from his burning vehicle.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 19 and thus denies them.

20. That according to witnesses, Roberts struggled to free himself while in the 1997 GMC Jimmy. However, the Jimmy rapidly became fully engulfed in flames which eventually caused Roberts' death by asphyxiation.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 20 and thus denies them.

21. That the defendant Johnson owed a duty to use ordinary care and caution for the safety of the plaintiff decedent Roberts and the motor vehicle in which the decedent was traveling.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 21 and thus denies them.

22. That at the aforesaid time and place the plaintiff decedent Roberts was exercising reasonable care for his own safety and the safety of others.

ANSWER: GM lacks sufficient information and knowledge upon which to admit or deny the allegations contained in Paragraph 22 and thus denies them.

23. That at said time, place, and intersection, defendant Johnson breached his aforementioned duty and was guilty of one or more of the following careless and negligent acts or omissions:

- a. carelessly and negligently operated said motor vehicle at an excessive rate of speed;
- b. carelessly and negligently operated said motor vehicle without keeping a proper and sufficient lookout for other motor vehicles in and about the area and more particularly, for decedent's vehicle;
- c. carelessly and negligently failed to decrease the speed of said motor vehicle so as to avoid colliding into the rear end of the decedent's motor vehicle, contrary to and in violation of the provisions of Chapter 95 ½,

Section 11-60 (a) of the Revised Statutes of the State of Illinois;

- d. carelessly and negligently failed to keep said motor vehicle under proper control and failed to stop, slow down or otherwise alter the speed, movement or direction of said vehicle when danger of collision with the decedent's motor vehicle was imminent;
- e. carelessly and negligently failed to sound horn prior to impact;
- f. In violation of Illinois Revised Statute Chapter 96 ½ Section 11-0003.1 failed to exercise due care to avoid colliding with the rear end of the decedent's motor vehicle;
- g. carelessly and negligently failed to make timely application of the brakes;
- h. Was otherwise careless and negligent.

ANSWER: GM neither admits nor denies the allegations contained in Paragraph 23 and each of its subparts because they do not pertain to GM.

24. That as a direct and proximate result of one or more of the foregoing careless and negligent acts or omissions by the defendant Johnson, plaintiff decedent Roberts suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures.

ANSWER: GM neither admits nor denies the allegations contained in Paragraph 24 because they do not pertain to GM.

25. That as a further direct and proximate result of one or more of defendant's aforementioned careless and negligent acts or omissions the decedent's vehicle was a total loss.

ANSWER: GM neither admits nor denies the allegations contained in Paragraph 25 because they do not pertain to GM.

26. That plaintiff decedent left surviving as his heirs his wife Mazie Roberts, and his children: John Roberts, Jr., Milton Roberts, Melvin Roberts, Marilyn Roberts, Malcom Roberts, and Michael Roberts, all of whom have suffered severe pecuniary loss, and loss of society and companionship as a direct result of the wrongful death of John Roberts, Sr.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 26 and thus denies them.

**COUNT XI- LEONARD W. JOHNSON IV
SURVIVAL ACT**

1-26. Plaintiff repeats, realleges, and incorporates paragraphs one (1) through twenty-six (26) of Count X as paragraphs one (1) through twenty-six (26) of this Count XI with the same force and effect as though fully set forth herein.

ANSWER: GM restates and incorporates its answers to Paragraphs 1 through 26 of Count X as its answers to Paragraphs 1 through 26 of Count XI.

27. That John Roberts Sr. survived for a period of time between the impact, burning, and his asphyxiation.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 27 and thus denies them.

28. That during the aforesaid time, John Roberts Sr., suffered severe burns, anxiety, fear, injuries, and conscious pain and suffering, both physical and emotional and other intangible losses such as the loss of life and of life's pleasures and the loss of future earning capacity as a direct and proximate result of the wrongful acts and/or omissions of the defendant Leonard W. Johnson IV.

ANSWER: GM lacks sufficient information or knowledge upon which to admit or deny the allegations contained in Paragraph 28 and thus denies them.

AFFIRMATIVE DEFENSES

Defendant General Motors Corporation ("GM") states its Affirmative Defenses to Plaintiff's Amended Complaint as follows:

General Allegations

1. GM restates and realleges its answers to Plaintiff's Amended Complaint.
2. Section 2-1116 of the Illinois Code of Civil Procedure provides, in relevant part,

that:

In all actions on account of death, bodily injury, or physical damage to property in which recovery is predicated upon fault, the contributory fault chargeable to the plaintiff shall be compared with the fault of all tortfeasors whose fault was a proximate cause of the death, injury, loss, or damage for which recovery is sought.

The plaintiff shall be barred from recovering damages if the trier of fact finds that the contributory fault on the part of the plaintiff is more than 50% of the proximate cause of the injury or damage for which recovery is sought. The plaintiff shall not be barred from recovering damages if the trier of fact finds that the contributory fault on the part of the plaintiff is not more than 50% of the proximate cause of the injury or damage for which recovery is sought, but any economic or non-economic damages allowed shall be diminished in the proportion to the amount of fault attributable to the plaintiff.

735 ILCS 5/2-1116.

3. During all times in which the alleged incident occurred, Plaintiff decedent John Roberts, Sr. had a duty to exercise reasonable care to safeguard his own personal safety.

4. The injuries in damages allegedly sustained by the Plaintiff are a proximate result of one or more of the following negligent acts and/or omissions on the part of the Plaintiff and/or Plaintiff decedent at the time of and immediately prior to the occurrence of which the Plaintiff complains:

- a. carelessly and negligently failing to keep a proper lookout;
- b. carelessly and negligently failing to obey the Illinois statutes and regulations regarding the operation of motor vehicles on Illinois roads and highways;
- c. carelessly and negligently operating a motor vehicle in an improper and unsafe manner;
- d. carelessly and negligently using the motor vehicle in a manner other than that which is its intended purpose;
- e. carelessly and negligently altering or modifying the motor vehicle in a manner other than it was at the time that it left GM's possession;
- f. carelessly and negligently maintaining, handling or caring for the motor vehicle; and
- g. other careless and negligent acts.

5. At the time of and immediately prior to the occurrence, Plaintiff decedent failed to exercise ordinary care for his own safety and such failure was the sole proximate cause of the

occurrence of which he now complains or alternatively, such failure of the Plaintiff decedent was a proximate cause of any and all damages alleged to have been sustained by the Plaintiff of a personal, permanent and pecuniary nature.

6. During all times in which the alleged incident occurred, defendant Leonard W. Johnson IV (“defendant Johnson”) had a duty to exercise reasonable care to safeguard his own personal safety and those of others using the streets with him.

7. The injuries and damages allegedly sustained by the Plaintiff are a proximate result of one or more of the following negligent acts and/or omissions on the part of the defendant Johnson at the time of and immediately prior to the occurrence of which the Plaintiff complains:

- a. carelessly and negligently failing to keep a proper lookout;
- b. carelessly and negligently failing to obey the Illinois statutes and regulations regarding the operation of motor vehicles on Illinois roads and highways;
- c. carelessly and negligently operating a motor vehicle in an improper and unsafe manner; and
- d. other careless and negligent acts.

8. At the time of and immediately prior to the occurrence, defendant Johnson failed to exercise ordinary care for his own safety and the safety of others and such failure was the sole proximate cause of the occurrence of which Plaintiff now complains or alternatively, such failure of defendant Johnson was a proximate cause of any and all damages alleged to have been sustained by the Plaintiff of a personal, permanent and pecuniary nature.

9. The GM products in question were altered, modified, changed and in a different condition than at the time that they left GM’s possession.

10. The GM products in question were mishandled, abused, and/or improperly

maintained by parties other than and unknown to GM.

11. The injuries and damages allegedly sustained by the Plaintiff are a proximate result of one or more of the following negligent acts and/or omissions on the part of the Plaintiff decedent or others during the course and usage of the GM products in question at the time of and immediately prior to the occurrence of which the Plaintiff complains:

- a. Failure to heed and follow instructions, directions or warnings supplied, provided or otherwise communicated or made known or available to Plaintiff or others during the course and usage of the product in question;
- b. Use of the product in a manner contrary to that for which it was suitable, designed or intended; and
- c. Use of the product for a purpose and/or with intent contrary to that for which it was suitable, designed and/or intended.

First Affirmative Defense

12. Plaintiff's claims against GM are barred in whole or in part because any injuries sustained by the Plaintiff were the proximate result of intervening/superseding conduct of a party or parties over which GM did not have control or any right of control.

Second Affirmative Defense

13. Plaintiff's claims against GM are barred in whole or in part by the doctrine of laches.

Third Affirmative Defense

14. Plaintiff's own negligence proximately caused the injuries that he sustained. Thus, his contributory negligence bars Plaintiff's claims against GM in whole or in part.

Fourth Affirmative Defense

15. Plaintiff's injuries may have been caused by a substantial modification of any GM product at issue in this case.

Fifth Affirmative Defense

16. Plaintiff's injuries may have been caused by the inappropriate use or misuse of any GM product at issue in this case.

Sixth Affirmative Defense

17. Plaintiff's remedies are limited by the applicable written warranties.

Seventh Affirmative Defense

18. That at all relevant times, GM complied with all applicable state and federal laws and regulations.

Eighth Affirmative Defense

19. That at all relevant times, GM complied with any and all relevant generally recognized and prevailing standards.

Ninth Affirmative Defense

20. Plaintiff's cause of action is barred, in whole or in part, by the applicable statute of limitations.

Tenth Affirmative Defense

21. Plaintiff's Amended Complaint, and all Counts thereof, fail to state a claim against GM upon which relief can be granted and, therefore, should be dismissed.

Eleventh Affirmative Defense

22. Plaintiff's Amended Complaint is barred, in whole or in part, to the extent that it seeks exemplary, double or punitive damages. Such damages violate GM's rights to procedural due process under the Fourteenth Amendment of the United States Constitution, to substantive due process under the Fifth and Fourteenth Amendments of the United States Constitution, to protection from excessive fines as provided by the Fifth Amendment to the United States Constitution, and the pertinent provisions of the Constitution of the State of Illinois.

RESERVATION OF RIGHT

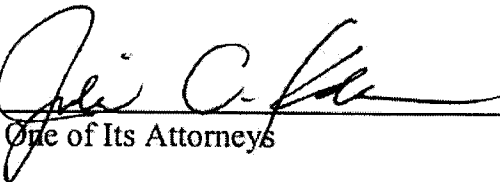
GM reserves its right to add additional or amend existing affirmative defenses and counterclaims upon the completion of discovery and as justice requires.

WHEREFORE, General Motors Corporation respectfully requests that judgment be entered in favor of General Motors and against Plaintiff, and that General Motors be awarded costs of suit and such further relief that this Court deem appropriate.

Date: March 3, 2005

Respectfully submitted,

GENERAL MOTORS CORPORATION

By _____
One of Its Attorneys

Julie C. Keller
Dykema Gossett Rooks Pitts PLLC
10 S. Wacker Drive
Suite 2300
Chicago, Illinois 60606
(312) 876-1700
Attorney Firm I.D. 40874

Michael Cooney
DYKEMA GOSSETT PLLC
400 Renaissance Center
Detroit, Michigan 48243

CHICAGO2092222.2
IDJCKE

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

MAZIE ROBERTS, Individually and as Special)
Administrator of the Estate of JOHN)
ROBERTS SR., deceased,)

Plaintiff,)

vs.)

LEONARD W. JOHNSON, IV GENERAL)
MOTORS CORPORATION and)
GROSSINGER AUTOPLEX,)

Defendant.)

Case No. 04 L 013996

Calendar F

1201118-3 FILED
JAN 27 2005
CLERK OF COURT
JULIE C. KELLER

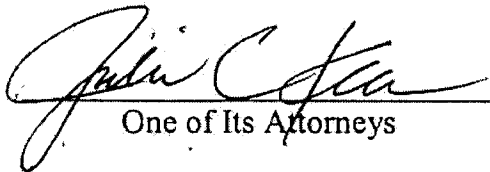
NOTICE OF FILING

To: Timothy R. Tyler
Timothy R. Tyler & Associates, P.C.
120 West Madison Street, Suite 505
Chicago, IL 60602

PLEASE TAKE NOTICE THAT on the 27th day of January, 2005 we filed with the Circuit Court of Cook County, County Department, Law Division, **General Motor's Answer and Affirmative Defenses to Plaintiff's Amended Complaint**, copies of which are attached hereto.

GENERAL MOTORS CORPORATION

By:


One of Its Attorneys

Julie C. Keller
DYKEMA GOSSETT ROOKS PITTS PLLC
10 S. Wacker, Suite 2300
Chicago, IL 60606
(312) 876-1700

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)

Plaintiff,)

vs.)

LEONARD W. JOHNSON, IV;)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)

Defendants.)

Case No. 04 L 013996

Calendar F

**GENERAL MOTORS RESPONSES TO
PLAINTIFF'S SECOND SUPPLEMENTAL INTERROGATORIES**

General Motors Corporation ("GM") responds to plaintiff's Second Supplemental

Interrogatories as follows:

1. Has defendant obtained from any witness or from any person any oral or written statement, account, report, memorandum or testimony concerning the incident involved in this case of action or the 1997 GMC Jimmy at Dynamic Safety in Mundelein, IL or like products? If so,

a. what is the name and last known address of each said person;

b. when, where, and by whom was each statement, account, report, memorandum or testimony made;

c. was it written or oral, and if said statement is written, please attach a copy, or if oral, please attach a detailed summary of said statement;

d. was it signed or witnessed. If so, by whom was it signed or witnessed.
Giver the names and addresses of all persons present;

e. give the name and address of the person having possession of such statements, accounts, reports, or memorandum or testimony.

RESPONSE NO. 1: GM has copies of statements provided by certain witnesses to emergency personnel and to representatives of Plaintiff's counsel. GM believes that Plaintiff has copies of these documents. GM has not obtained statements, as GM understands that term, directly from witnesses. GM's attorneys have interviewed certain witnesses. Any documents or information related to those interviews are protect attorney work product and/or privileged attorney-client communications.

2. List and describe any and al written forms and/or written instructions promulgated by the defendant to its officers, employees and agents for any testing of the 1997 GMC Jimmy at Dynamic Safety in Mundelein, IL or like products for a period of ten (10) years before the occurrence described in the Complaint.

RESPONSE NO. 2: GM has no responsive documents related to the subject 1997 GMC that GM representatives inspected at Dynamic Safety on June 10, 2005. If this interrogatory is asking about development testing performed to evaluate the fuel system on 1995-1998 model GMT 330 4 Door Utility Trucks (S/T 10506) without RPO NE2 ("Subject Model Trucks"), GM refers Plaintiff to GM's Responses to Plaintiff's First Request to Produce, Nos. 23, 35, 38-41. To the extent the interrogatory is directed at other information, GM objects because it is vague, ambiguous, overly broad, unduly and burdensome and ask for irrelevant information. GM also objects to the extent the interrogatory asks for protected attorney work product and/or privileged attorney-client communications.

3. List and describe any and all reports of tests of the 1997 GMC Jimmy at Dynamic Safety in Mundelein, IL and of like products for a period of ten (10) years before the occurrence described in the Complaint.

RESPONSE NO 3: GM does not understand this interrogatory. Plaintiff's representatives were present when a GM representative inspected the subject vehicle at Dynamic Safety on June 10, 2005. As Plaintiff therefore knows, GM did not perform any "tests" of the vehicle at that time.

GM has not subsequently inspected the vehicle. If this interrogatory is asking about development testing performed to evaluate the fuel system on 1995-1998 model GMT 330 4 Door Utility Trucks (S/T 10506) without RPO NE2 ("Subject Model Trucks"), GM refers Plaintiff to GM's Responses to Plaintiff's First Request to Produce, Nos. 23, 35, 38-41. To the extent the interrogatory is directed at other information, GM objects because it is vague, ambiguous, overly broad, unduly and burdensome and ask for irrelevant information. GM also objects to the extent the interrogatory asks for protected attorney work product and/or privileged attorney-client communications.

4. List the names and addresses of any and all agents, employees, or independent experts or organizations retained or hired by the defendant who conducted tests on the 1997 GMC Jimmy at Dynamic Safety in Mundelein, IL and like products manufactured by the defendant for a period of ten (10) years before the occurrence described in the Complaint.

RESPONSE NO. 4: GM refers Plaintiff to GM's response to Interrogatory No. 3.

5. Has defendant (including independent testing laboratories) performed tests to determine the capability of the 1997 GMC Jimmy at Dynamic Safety in Mundelein, IL or like products to operate to fail to operate as alleged in the Complaint. If so, state the following:

- a. who conducted the tests;
- b. the nature of the tests and the test results;
- c. when and where the tests were performed.

RESPONSE NO. 5: GM refers Plaintiff to GM's response to Interrogatory No. 3.

6. In defense of any lawsuit has defendant conducted tests to ascertain the capability of similar 1997 GMC Jimmy's to operate or fail to operate as alleged in the Complaint. If so, state the following:

- a. who requested the test;
- b. the caption of the lawsuit;
- c. who performed the test;

- d. when and where the test was performed;
- e. the nature of the tests and these results.

RESPONSE NO. 6: GM objects to this interrogatory because it is vague, ambiguous, overly broad, unduly and burdensome and ask for irrelevant information. GM also objects to the extent the interrogatory asks for protected attorney work product and/or privileged attorney-client communications.

Date: June 5, 2006

Respectfully submitted,

GENERAL MOTORS CORPORATION

By: 
One of Its Attorneys

Julie C. Keller
Dykema Gossett Rooks Pitts PLLC
10 S. Wacker Drive, Suite 2300
Chicago, Illinois 60606
(312) 876-1700
Attorney Firm I.D. 40874

Michael Cooney
DYKEMA GOSSETT PLLC
400 Renaissance Center
Detroit, Michigan 48243

DET01\507711.1
ID\MPG

Attorney #28788

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)
)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GLOSSINGER AUTOPLEX,)
Defendants.)

NOTICE OF ROUTINE MOTION

To: Michael P. Cooney
Dykema Gossett PLLC
100 Renaissance Center
Detroit, MI 48243

Julie C. Keller
Dykema Gossett PLLC
10 S. Wacker Drive
Suite 2300
Chicago, Illinois 60606

Please take notice that on the 9th day of **March, 2006**, at **8:45 a.m.** or as soon thereafter as counsel may be heard, I shall appear before the Honorable Judge **Elizabeth Budzinski** presiding in Room **2201** at the Daley Center, Chicago, Illinois and then and there present the attached **Motion for Leave to Amend Complaint**.

PROOF OF SERVICE BY MAIL & FAX

I, Melissa Bocanegra, non-attorney state on oath that I served a copy of the enclosed to the above-named attorney(s) by depositing the same in the U.S. Mail at 120 West Madison Street, Suite 505, Chicago, Illinois 60602, on **March 6, 2007**, before 5:00 p.m., with proper postage paid.


Melissa Bocanegra

Timothy R. Tyler

TIMOTHY R. TYLER & ASSOCIATES, P.C.

120 West Madison Street, Suite 505

Chicago, Illinois 60602

(312) 520-1745

Attorney No. 28788

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

**PLAINTIFF'S THIRD SUPPLEMENTAL REQUEST FOR PRODUCTION OF
DOCUMENTS AND THINGS**

1. Produce complete and legible copies of the below listed documents from the defendant's "VSIP" Permanent Collection.

Document Range	Description
(a) VSIP 0001-0049	VSIP Considerations
(b) VSIP 0050-0065	VSIP Safety Goals Process
(c) VSIP 0209-0235	1994/95 S/T Program
(d) VSIP 0236-0264	1993 GMT 325&1994 GMT 350 Truck Program
(e) VSIP 0265-0289	1994 GMT 325
(f) VSIP 0290-0353	1995 GMT 325/330
(g) VSIP 1266-1304	1982 S Truck Presentation to SRB
(h) VSIP 1496-1561	1992 S/T, M/L, G, P
(i) VSIP 1571-1572	1993 S/T Pickup & Utility

RECEIVED - A.C.D.C.
08 JAN 15 PM 4:28
CIRCUIT COURT OF COOK
COUNTY, ILLINOIS
LAW DIVISION
DOROTHY BROWN
ERK

(j)	VSIP 1577-1581	1994 S/T Utility
(k)	VSIP 1591-1598	1996 S/T Program
(l)	VSIP 2349-2380	1995 S/T Pickup (GMT 325)
(m)	VSIP 2582-2610	Vehicle Technical Specifications (VTS) and Corporate Product Performance Objectives (CPPO)
(n)	VSIP 2611-2725	VSIP Considerations 2/13/92
(o)	VSIP 2726-2735	Occupant Performance Reporting Format For Safety Goals and Final Safety Performance Report
(p)	VSIP 2736-2750	VSIP Considerations 1/4/91
(q)	VSIP 2751-2764	Crashworthiness Toolbox
(r)	VSIP 2765-2870	VSIP Considerations 2/14/90
(s)	VSIP 2871-2892	Occupant Performance Reporting Format For Safety Goals and Final Safety Performance Report
(t)	VSIP 2893-2901	MY 1994 VSIP Safety Goals Tracking
(u)	VSIP 2902-2958	Safety Leadership Strategy
(v)	VSIP 2959-3007	VSIP Considerations 6/18/93
(w)	VSIP 3008-3035	VSIP Safety Goals Process 9/29/89
(x)	VSIP 3036-3048	VSIP/Safety Areas
(y)	VSIP 3054-3102	Safety Goals/VSIP Considerations
(z)	VSIP 3115-3140	August, 1983 VSIP Status Report
(aa)	VSIP 3847-3883	VSIP Status Report 10/12/87

RESPONSE:

2. Produce complete and legible copies of all Product Development Team meeting

minutes regarding the 1995 thru 2003 model years S/T vehicles regarding the complete fuel system program.

RESPONSE:

3. Produce copies of all Financial Reviews regarding the 1995 thru 2003 model year S/T vehicles.

RESPONSE:

4. Produce copies of any and all written documents generated by the defendant's Truck and Bus Chassis Group regarding the 1995 thru 2003 model year S/T vehicles, fuel system and fuel system component parts.

RESPONSE:

5. Produce copies of all written documents by whatever named called generated by the Safety and Crashworthiness Group of GM Truck and Bus regarding the 1995 thru 2003 model year S/T vehicles, fuel system and fuel system component parts.

RESPONSE:

6. Produce copies of all documents, reports, presentations, correspondence or other written documents by whatever named called relating to the defendant's Vehicle Safety Improvement Program regarding the 1995 thru 2003 S/T truck program.

RESPONSE:

7. Produce full, complete and legible copies of the S/T Truck Plan Book for the model years 1995 thru 2003.

RESPONSE:

8. Produce a copy of the complete and final issue of the Product Description Manual for the 1995 thru 2003 model year S/T vehicles.

RESPONSE:

9. Produce copies of the Product Program Book for the 1995 thru 2003 model year S/T vehicles.

RESPONSE:

10. Produce copies of all 1995 thru 2003 model year S/T Project and/or Program Files relating to the roof structure, fuel system and fuel system component parts.

RESPONSE:

11. Produce copies of the 1995 thru 2003 model year S/T vehicles Project and/or Program files relating to cost reduction, mass reduction, weight reduction, material reduction and Project 1800.

RESPONSE:

12. Produce a clear and legible full size copy of the Seating Arrangement Drawing for the 1997 GMC Jimmy.

RESPONSE:

13. Produce a copy of the full size Body in White drawing for the 1997 GMC Jimmy.

RESPONSE:

14. Produce copies of all laboratory test reports, movies of tests, photographs of tests, test orders, test requests, test set-up sheets, reports of studies on the conduct or results of the laboratory test, summaries or reviews or engineering analysis of one or a series of tests, test incident reports and project files generated by the defendant of any laboratory testing of the fuel system for the 1995 thru 2003 model year S/T vehicles.

RESPONSE:

15. Produce copies of all durability testing, computer simulations, rollover simulations, roll moment of inertia testing, tilt table testing, side pull testing, rollover resistance testing, physical properties testing or other type testing by whatever name called conducted by the defendant wherein the test results in any way discusses the vehicle fuel system for S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

16. Produce a copy of the Organizational Chart for G. M. Truck and Bus in effect for the 1995 thru 2003 model years.

RESPONSE:

17. Produce a copy of the defendant's Product Compliance Program Manual.

RESPONSE:

18. Produce a copy of the defendant's Vehicle Safety Improvement Program (VSIP) manual.

RESPONSE:

19. Plaintiff requests that the defendant conduct a computer search of the defendant's

LAWPAC System for each and every lawsuit filed against General Motors wherein there was a claim of personal injury or death to one or more of the vehicle occupants due to a collision involving an S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicle involving a post collision fuel fed fire. This request further asks that the search results be printed in the below format:

- a. case caption;
- b. court where filed;
- c. case number;
- d. date filed;
- e. plaintiff's attorney's name;
- f. defense attorney's name;
- g. vehicle involved; and
- h. disposition of case.

RESPONSE:

20. Plaintiff requests that for each lawsuit found in the search requested in number 19 above, that the defendant produce copies of each lawsuit, copies of depositions and trial testimony of every employee of the defendant and every expert employed by attorneys representing the defendant.

RESPONSE:

21. Produce copies of the Engineering Program Plan (EPP) for the 1995 thru 2003 model year S/T vehicles.

RESPONSE:

22. Please conduct a search of the defendant's Test Incident Report (TIR) databases for all TIR's including crash test TIR's that involve the fuel system of S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles. Produce a printout of the search results in order for plaintiff to select the reports to be produced.

RESPONSE:

23. Produce copies of all meeting minutes, presentations, memos, studies, reports, correspondence, white pages or other written document by whatever name called that discuss in any manner the fuel system of the 1995 thru 2003 model year S/T vehicles.

RESPONSE:

24. Produce a copy of the defendant's Guide to FMVSS Regulations that relate to FMVSS numbers 208, 209, 210, 216 and 301.

RESPONSE:

25. Produce copies of the defendant's Certification files for the 1995 thru 2003 model year S/T vehicles with regard to FMVSS numbers 208, 209, 210, 216 and 301.

RESPONSE:

26. Produce clear and legible copies of all Truck Goals and Truck Safety Forward Direction documents for S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

27. Produce copies of the Design Failure Mode Analysis (DFMA) and the Failure Mode and Effects Analysis (FMEA) for the fuel system utilized in S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

28. Produce a copy of the defendant's "General Motors Automotive Defect Analysis Procedures Manual".

RESPONSE:

29. Produce clear and legible copies of all computer printouts and raw data entered

into the computer regarding any and all computer accident reconstructions, vehicle simulations, vehicle trajectories or other computer simulations run by the defendant, its agents, servants, employees or experts regarding the incident made the basis of this lawsuit. Said request to include but not be limited to any discarded computers runs. Said request to include but not limited to any animations.

RESPONSE:

30. Plaintiff requests that the defendant produce clear and legible copies of all technical writings, crash test reports, photographs of crash tests, moving pictures of crash tests, exhibits, models, photographs or other written documents by whatever name called that defendant or attorney's representing defendant intend to introduce as evidence in the trial of this lawsuit.

RESPONSE:

31. Plaintiff requests that the defendant produce clear and legible copies of all, crash test reports, photographs of crash tests, test orders, test requests, test protocols or other written documents by whatever named called regarding any crash testing conducted by the defendant, it's agents, servants, employees, attorneys or experts employed by the defendant or defendant's attorneys regarding the incident made the basis of this lawsuit or in anticipation for use in the trial of this lawsuit.

RESPONSE:

32. Produce copies of all sled test reports, test orders, test request, movies of sled test, photographs of sled test, test protocols and other written documents by whatever named called regarding any sled testing conducted by the defendant, it's agents, servants, employees, attorneys or experts employed by the defendant or defendant's attorneys regarding the incident made the basis of this lawsuit or in anticipation for use in the trial of this lawsuit.

RESPONSE:

33. Produce copies of all laboratory test reports, test orders, test request, movies of laboratory test, test protocols and other written documents by whatever named called regarding any laboratory testing conducted by the defendant, it's agents, servants, employees, attorneys or experts employed by the defendant or defendant's attorneys regarding the incident made the basis of this lawsuit or in anticipation for use in the trial of this lawsuit.

RESPONSE:

34. Produce a legible and complete copy of the defendant's "Service Operations Guide Manual".

RESPONSE:

35. Produced copies of any and all directives, memos, reports, correspondence, announcements, communications or written documents, by whatever name called generated by any level of management regarding the defendant's Project 1800 and/or Project 2500 including the reasons for the establishment of said project and the cancellation of said project and/or it's application to S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

36. Produce copies of any and all written documents, by whatever name called that shows or depicts the defendant's profit per vehicle for S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

37. Produce copies of all meeting minutes, memos, studies, reports, files or other written documents, by whatever name called generated by any of the defendant's Product Problem Evaluation Committee (PPEC), Field Product Evaluation Committee (FPEC), Field Product Engineering (FPE), and Field Product Assessment Group regarding fuel system for S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

38. Produce legible and complete copies of the minutes, transcripts, agenda, notebooks, manuals or other written documents, by whatever name called regarding the April, 1987 "Project 1800 Workshop" in Oshawa.

RESPONSE:

39. Produce legible and complete copies of the meeting presentations, visual aids, slides, or other written documents, by whatever name called generated by the below listed entities that discuss in any manner, S-10 pickup, Blazer, Jimmy, Sonoma or Bravada fuel systems:

- (a) Safety Integration Council
- (b) Global Safety Council
- (c) Safety center Council
- (d) N. American Executive Design & Engineering Council (EDEC)
- (e) Product Development Staff Meetings
- (f) North American Engineering Production Process Council
- (g) Chassis Center Council
- (h) Change Review Board
- (i) Body Center Council

RESPONSE:

40. Produce complete and legible copies of all meeting minutes, meeting

presentations, memos, files, studies, correspondence, communications, directives, or other written documents, by whatever name called generated by the defendant's Product Allegation Resolution Teams (PAR or PART) regarding S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

41. Produce a copy of the defendant's "Safety Reference Book for Marketing and Advertising Specialists".

RESPONSE:

42. Produce copies of any and all written documents, by whatever name called generated by the defendant in the design, development and testing of the fuel system for S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles. Said request to include but not be limited to all Design Logs, Design Work Orders (DWO's), Test Work Orders (TWO's), Build Work Orders (BWO's), Engineering Change Request (ECR's), Engineering Build Orders (EBO's) and Engineer Design Orders (EWO's).

RESPONSE:

43. Produce copies of the 1995 thru 2003 model year S/T vehicles project files relating to the Uniform Product Codes (UPC) 8, 8A, 8B, 8C and 8D. Said request to include but not be limited to those documents maintained in Central files.

RESPONSE:

44. Produce copies of all UPC files regarding the fuel system and its component parts for S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

45. Produce copies of all evaluations, studies, test or meetings conducted during the pre-program phase of the S/T vehicles to determine the need for any underbody protection devices for the fuel system.

RESPONSE:

46. Produce complete and legible copies of any and all written documents generated by the S/T Fuel System Product Development Team.

RESPONSE:

47. Produce fill size copies of the below listed drawings for the 1995 thru 2003 model year S/T vehicles:

- a) fuel tank layout and/or package study;
- b) fuel system layout and/or packaging study;
- c) exhaust system layout and/or packaging study;
- d) rear suspension layout and/or packaging study;
- e) rear-end/rear seat layout and/or packaging study;
- f) master checking layout and/or master rear-end layout;
- g) vehicle underbody showing components located underneath the vehicle
- h) general arrangement showing body floor pan, fuel tank, fuel tank attachments, fuel lines, brake lines, vapor lines, front suspension, engine/transmission, cross members, frame and exhaust system for all models;
- i) master clearance check drawings for all models; and
- j) ground clearances per SAE standards and/or corporate standards (GMUT's) that include approach, departure and ramp/breakdown angle(s) and any and all studies dedicated to evaluating/analyzing ground clearances, full jounce (full metal to metal compression) for tire sizes (static load), spring components of the vehicle, unsprung components of the vehicle, principle clearance line, secondary clearance line for all models.

RESPONSE:

48. Produce copies of all crash test reports, movies of tests, photographs of tests, test orders, test requests, test set-up sheets, reports of studies on the conduct or results of the crash test, summaries or reviews or engineering analysis of one or a series of tests, test incident reports and project files generated by the defendant's of any crash testing of S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles that mentions or describes the involvement of the fuel system.

RESPONSE:

49. Produce complete and legible copies of all Export Certification files for the 1995-2003 model year S/T vehicles. Said request to include every country where sold.

RESPONSE:

50. Produce complete and legible copies of the 1995-2003 model year S/T vehicles "Homologation" Manual(s).

RESPONSE:

51. Produce copies of all contracts, purchase orders, correspondence, memos, e-mails, reports, manuals or other written documents by whatever name called between the

defendant and IHS to operate the Data Review Center for the defendant. Said Data Center is more fully described in "Exhibit A" attached to this request.

RESPONSE:

52. Please search any computer database that contains the documents in the Data Review Center described in number 51, above for all documents related to S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles and provide a printout of the results. Plaintiff will review the printout and select those documents to be produced.

RESPONSE:

53. Produce complete and legible copies of all user manuals, instructions for searching, description manuals or other written documents by whatever name called that provide a description of how to search the computer databases listed in the attached "Exhibit B" affidavit of defendant's employee Ford H. Cotton, Jr. dated July 23, 2003.

RESPONSE:

54. Please search each and every computer database listed on the attached "Exhibit B" more fully described in number 53 above for all documents regarding S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles and provide a printout of the results of each.

database search. Plaintiff will review the printout and select those documents to be produced.

RESPONSE:

55. Produce complete and legible copies of all Oldsmobile Division Design Checklist documents for fuel systems that relate to S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

56. Produce a complete and legible copy of the Oldsmobile Product Engineering Chassis Department, Fuel System Development Group Manual entitled, "GM20 Design and Development Guidelines Chassis Fuel System and Brake Lines" or similar title that relates to S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

57. Produce complete and legible copies of all Fuel System Design Guides in effect during the design, testing and manufacture of the 1995-2003 model year S/T-vehicles.

RESPONSE:

58. Produce clear and legible copies of all test reports, test photographs, test videos, reports, memos, studies, correspondence or other written documents by whatever name called in the possession of the defendant regarding the defendant's Evaluation of Motor Vehicle Fire Mitigation and Propagation Program.

RESPONSE:

59. Produce the personal files of the below listed General Motors employees relating to their involvement in the Motor Vehicle Fire Mitigation and Propagation Program.

- | | |
|----------------------|-----------------------|
| (a) Jack L. Jenson | (e) Brian H. Frantz |
| (b) Jeffery Santrock | (f) Michael W. Rogers |
| (c) Howard Bender | (g) Willie E. Tate |
| (d) Yau Yun Chen | (h) Robert G. Wooley |

RESPONSE:

60. Produce complete and legible copies of all test reports, test films, test photographs, reports, memos, studies, correspondence, grants, contracts, purchase orders, agreements or other written documents by whatever name called in the possession of the defendant with regard to defendant's, GM Project No. PLBV00238 Vehicle Fire Safety Research Program.

RESPONSE:

61. Produce complete and legible copies of the personal files of defendant's employee, Dr. Douglas W. Kononen regarding defendant's Vehicle Safety Research Program.

RESPONSE:

62. Produce complete and legible copies of all test reports, test films, test photographs, reports, memos, studies, correspondence, grants, contracts, purchase orders, agreements or other written documents by whatever name called in the possession of the defendant regarding defendant's Cooperative Research and Development Agreement with the National Institute of Standards and Technology that addresses issues of post-crash automobile fire safety.

RESPONSE:

63. Produce complete and legible copies of all test reports, test films, test photographs, reports, memos, studies, correspondence, grants, contracts, purchase orders, agreements or other written documents by whatever name called in the possession of the defendant regarding defendant's contract with Washington State Transportation at the University of Washington that addresses issues of post-crash fires.

RESPONSE:

64. Produce complete and legible copies of all test reports, test films, test photographs, reports, memos, studies, correspondence, grants, contracts, purchase orders, agreements or other written documents by whatever name called in the possession of the defendant regarding defendant's agreement/contract with Factory Mutual Systems that addresses issues of vehicle fire.

RESPONSE:

65. Produce a list of all employees at General Motors that took part in any research regarding Vehicle Fire Safety as a result of the GM/DOT settlement agreement. Include the name of the project in which they were involved. An example would be Ismat A. Abu-Isa, Polymers Department.

RESPONSE:

66. Produce copies of all test reports, test photographs, test videos, studies, memos, correspondence, summaries or other written documents by whatever name called regarding the burning of vehicles and/or the burning of vehicle parts/components conducted by the defendant from the year 1980 to the date of the incident made the basis of this lawsuit.

RESPONSE:

67. Produce copies of full size drawings, blue prints, schematics, illustration sheets, assembly sheets and/or instructions regarding 1995 thru 2003 model year S/T vehicles that have to do with the fuel delivery system. Said request to include but not be limited to the fuel lines, fuel connectors, fuel damper, fuel rail, fuel pump and fuel sending unit.

RESPONSE:

68. Produce copies of all reports, studies, memos, correspondence or other written documents by whatever name called generated by the defendant's Global Delivery Survey regarding safety concerns with the fuel system of any General Motors vehicle. Said request to cover the period of time from 1990 to the date of the incident made the bases of this lawsuit.

RESPONSE:

69. Produce a copy of GM employee Courtland T. Kelly's deposition taken in the Harsh vs. General Motors lawsuit.

RESPONSE:

70. Please search the defendant's Central database for all 1241 reports involving S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles with the codes A50, A51, L01, L02,

L03, L04 and L05. Produce a printout of the search results in order for the plaintiff to select the reports to be produced.

RESPONSE:

71. Produce copies of any and all Corporate Performance Objectives that concern the fuel system and exhaust system utilized in S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

72. Produce copies of any and all written documents by whatever name called that show or depict the division or divisions having overall design responsibility for the fuel system, fuel system plumbing, emission system and exhaust system utilized in S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

73. Produce copies of all sled test reports, test orders, test requests, movies of sled tests, photographs of sled tests, test set-up sheets, reports of studies on the conduct or results of the sled tests, summaries or reviews or engineering analysis of one or a series of tests, test incident reports and project files generated by the defendant of any sled

testing of S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles which discuss or refer to the fuel system.

RESPONSE:

74. Please search the defendant's Collision Performance Investigations Report database (CPIR's) for any reports involving a fire or fuel leak in S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles. Plaintiff further requests that each report found in the search be produced.

RESPONSE:

75. Produce a copy of the written goal in existence since the 1970's at General Motors that states, in collisions which produce occupant impact forces from below the threshold level of fatality should be free of the hazard of post collision fuel fed fires and stipulated by G. M. defense counsel in the trial of David Drennen and Elizabeth Drennen vs. General Motors, Civil Action No: 2:98 CV163 PG, in the United States District Court for the Southern District of Mississippi, Hattiesburg Division.

RESPONSE:

76. Please produce true and accurate copies of all documents regarding the "numerous design alternatives for fuel systems" considered by General Motors referred to in response to Plaintiff's First Interrogatories Number 15.

RESPONSE:

77. Engineering change recommendations or authorizations related to changes in the design of the fuel storage system used in 1997 GMC Jimmy.

RESPONSE:

78. Please produce true and accurate copies of all engineering change recommendations or authorizations which incorporate a shield or guard to prevent puncture of a fuel tank in any General Motors vehicle.

RESPONSE:

79. Please produce true and accurate copies of all rear-impact testing in your possession in which a fuel tank was punctured.

RESPONSE:

80. Please produce true and accurate copies of all documentation, including audio or video recordings, of the witness interviews referred to in GM's response to Plaintiff's Second Interrogatories Number 1.

RESPONSE:

81. Please produce true and accurate copies of all testing conducted in the context of or for purposes of litigation in which there is an allegation of defect regarding the fuel system of a GM vehicle.

RESPONSE:

82. Please produce a true and accurate copy of the Information LifeCycle Management and Record Retention Policies that are applicable to the assembly inspection records which GM claims are no longer available.

RESPONSE:

83. Please produce the following documents or information: GM's computerized case inventory system (or Case Management Database System, sometimes referred to as "FAILUREA GM Information Management System"), including your "Virtual Partner Narratives", "Law Pack" or their current equivalents concerning injuries received by, or accidents involving a post-collision fuel fed fire. This request includes, but is not limited to, matters coded as PL7; PL23; PL44; F; PL22; PL24; L; EX; PL6; PL 50 and/or ID.

RESPONSE:

84. Please produce true and accurate copies of the following documents and information: all Discovery Review Reports, or the current equivalent, for actions commenced against GM claiming or alleging that GM was or is at fault for providing a defective fuel system in GM passenger vehicles. This request includes, but is not limited to, matters coded as PL7; PL23; PL44; F; PL22; PL24; L; EX; PL6; PL 50 and/or ID.

RESPONSE:

85. Please produce the following documents and information: GM's Inventory of Produced Documents Report(s), or Inventory Report(s), or a similar output from the Case Inventory System, or a current equivalent, for actions commenced against GM with allegations alleging that GM was at fault for providing a defective fuel system and/or fuel containment system and/or that a GM vehicle was defective because it was involved in a post-collision fuel fed fire.

RESPONSE:

86. Please produce complete, true, and accurate copies of GM's document retention policies, including hold orders, that encompass and/or pertain to S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles; and/or the fuel storage system of S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles and/or the fuel tank of S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

87. Please produce complete, true, and accurate copies of General Motors Corporation's document retention policies, including hold orders, that encompass and/or pertain to anti-siphoning devices.

RESPONSE:

88. Please produce complete, true and accurate copies of documents and/or materials subject to hold orders that encompass and/or pertain to the subject vehicle and/or the fuel storage system of the subject vehicle and/or the fuel tank of the subject vehicle.

RESPONSE:

89. Please produce complete, true and accurate copies of documents and/or materials subject to hold orders that encompass and/or pertain to post-collision fuel fed fires.

RESPONSE:

90. Please produce complete, true and accurate copies of documents and/or materials subject to hold orders that encompass and/or pertain to anti-siphoning devices.

RESPONSE:

91. Please produce true and accurate copies of any documents entitled Fuel Supply Design Guideline or relating to fuel supply design guidelines, including any documents from the Buick, Oldsmobile and Cadillac document collections.

RESPONSE:

92. Please produce true and accurate copies of all documents related to the campaign on propshaft (96070) referenced on the document produced at Bates Number ROBERTS0000000019.

RESPONSE:

93. Please produce true and accurate copies of all ESIS files or investigations which relate to vehicle fires in S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

94. Please provide true and accurate copies of all documents and information created in response to incidents of spillage during Fuel System Vehicle to Vehicle Impact Development Tests. This request includes but is not limited to materials presented to the special task team appointed by the Chassis Subcommittee.

RESPONSE:

95. Please provide true and accurate copies of documents which discuss or relate to the choice of materials used in the fuel system of the subject vehicle.

RESPONSE:

96. Please provide true and accurate copies of all documents which relate to the choice of materials used in fuel storage systems of S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

97. Please provide true and accurate copies of all documents which relates to the design or placement of the torsion bar(s) in S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

98. Please provide true and accurate copies of documents which relate to or refer to the choice of materials used in fuel sending units in S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

99. Please produce true and accurate copies of all documents produced in the case of

Bagwell v. General Motors.

RESPONSE:

100. Please produce true and accurate copies of all depositions taken in the case of

Bagwell v. General Motors.

RESPONSE:

101. Please produce a true and accurate copy of the GMC Light Truck Fact Book for the
1997 GMC Jimmy.

RESPONSE:

102. Please produce any and all impact fuel system integrity crash tests involving a
GM vehicle in which a fuel tank puncture occurred.

RESPONSE:

103. Please produce all documents related to the development, adoption or use of a shield or similar protective device to prevent fuel tank puncture in S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles, including any memoranda, analysis, engineering drawings, cost or financial documentation or other internal communication of any kind whatsoever related to its development or adoption.

RESPONSE:

104. Please produce all documents related to the placement or location of the fuel tank in S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles, including any memoranda, analysis, engineering drawings, cost or financial documentation or other internal communication of any kind.

RESPONSE:

105. Please produce all documents related to the cancellation or non-use of a shield or similar protective device to prevent fuel tank puncture in any S-10 pickup, Blazer, Jimmy, Sonoma or Bravada, including all memoranda, analysis, cost documentation, financial or cost reports, or other internal communication of any kind whatsoever related to its cancellation or non-use.

This request includes (but is not limited to) all documents related to any modifications of the frame which were the basis, justification, reason or bore any relationship to the non-

use cancellation of the shield or similar protective device, including testing or analytical documents or any kind, including CAE documentation or analysis.

RESPONSE:

106. Please produce true and accurate copies of documents which discuss or refer to 1995 to 2005 annual profits per vehicle regarding the Blazer/Jimmy/Bravada/Sonoma vehicle lines. This request includes but is not limited to profits or profitability, however defined by General Motors, including contribution to corporate profits, profit margins, economic profit, car line cash flow and financial targets for the Blazer/Jimmy/Bravada/Sonoma vehicle line.

RESPONSE:

107. Please produce true and accurate copies of documents which refer to the use of a filler pipe/tube check valve in S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

108. Please produce true and accurate copies of documents which refer to the filler pipe/tube in S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

109. Please produce any consumer or customer complaints reported to or kept in the possession of General Motors regarding any allegation pertaining to the fuel filler pipe/tube or sometimes referred to as the filler neck. The scope of this request pertains to any General Motors vehicle model year 1980 through present. Complaints may include, but are not limited to, letters, accident reports, lawsuit petitions, studies, summaries, statistical "documents", criticisms, grievances or expressions of consumer dissatisfaction kept and/or recorded in the regular and ordinary course of business or other "documents" of any kind or nature which show, report, picture, document, comment upon or discuss any alleged defect or problem within the scope of this request.

RESPONSE:

110. Please produce any consumer or customer complaints reported to or kept in the possession of General Motors regarding any allegation pertaining to a check valve located at the end of the filler pipe/tube or the failure to equip a vehicle with a check valve. The scope of this request pertains to any General Motors vehicle model year 1985 through present. Complaints may include, but are not limited to, letters, accident reports, lawsuit petitions, studies, summaries, statistical "documents", criticisms, grievances or expressions of consumer dissatisfaction kept and/or recorded in the regular and ordinary course of business or other "documents" of any kind or nature which show, report, picture, document, comment upon or discuss any alleged defect or problem within the scope of this request.

RESPONSE:

111. Please produce any consumer or customer complaints reported to or kept in the possession of General Motors regarding any allegation pertaining to the puncture or compromise of a fuel tank. The scope of this request pertains to any General Motors vehicle model year 1985 through present. Complaints may include, but are not limited to, letters, accident reports, lawsuit petitions, studies, summaries, statistical "documents", criticisms, grievances or expressions of consumer dissatisfaction kept and/or recorded in the regular and ordinary course of business or other "documents" of any kind or nature which show, report, picture, document, comment upon or discuss any alleged defect or problem within the scope of this request.

RESPONSE:

112. Please produce true and accurate copies of all documents which refer to or relate to crash test numbers C10863 and C11405.

RESPONSE:

113. Please produce true and accurate copies of documents referring to or describing a check valve located at the end of the filler pipe, breaking off or cracking during any type of testing.

RESPONSE:

114. Produce all documents related to or otherwise referencing 1995-2005 annual profit per vehicle information for S/T vehicles, including profitability (however defined by General Motors), contribution to corporate profits, profit margins, economic profit, carline case flow and financial targets.

RESPONSE:

115. Please produce clear and legible copies of all technical writings, crash test reports, photographs of crash tests, moving pictures of crash tests, exhibits, models, photographs or other written documents regarding or demonstrating the use of a check valve in the filler pipe or fuel tank of a GM vehicle.

RESPONSE:

116. Please provide true and accurate copies of documents which relate to or refer to check valves used in the fuel storage system of S-10 pickup, Blazer, Jimmy, Sonoma or Bravada vehicles.

RESPONSE:

117. Produce the Tear Down Assessment Report believed to be performed by GMTG engineers for vehicle SP8948. This request shall be for the complete report including copies of all color photographs and high-speed videotapes taken.

- A. Produce all memos, meeting minutes, reports, presentation outlines, and other documents that refer to the above-referenced Tear Down Assessment. Produce all memos, meeting minutes, reports, presentation outlines, and other documents that refer to the above-referenced Tear Down Assessment.
- B. Provide the names of the GMTG engineers involved in the above-referenced Tear Down Assessment and the name of the engineer in charge of the Assessment.

RESPONSE:

118. Produce the Tear Down Assessment Report believed to be performed by GMTG engineers for vehicle SP8817. This request shall be for the complete report including copies of all color photographs taken.

- A. Produce all memos, meeting minutes, reports, presentation outlines, and other documents that refer to the above-referenced Tear Down Assessment. Produce all memos, meeting minutes, reports, presentation outlines, and other documents that refer to the above-referenced Tear Down Assessment.
- B. Provide the names of the GMTG engineers involved in the above-referenced Tear Down Assessment and the name of the engineer in charge of the Assessment.

RESPONSE:

119. Produce color copies of photographs and test video taken in GM Crash Test number C11637 (SP8948) and C11646 (SP8817).

- A. Produce all Tear Down Assessments Reports that may have been generated from such crash test.
- B. Provide the names of the individuals who conducted and oversaw the assessments.

RESPONSE:

120. For the following Crash Tests, produce the complete test reports, color photographs and high-speed videotapes, and Tear Down Assessment Reports.

- A. SP6067
- B. SP4145
- C. SP5170
 - (1) Specifically photograph numbers A-1 through A-93
- D. SP6507
 - (1) Specifically photograph numbers A-1 through A-85 (NOTE: It is noted that the reference number provided above are for the vehicles involved.)

RESPONSE:

121. Produce a hard copy of the S/T Chassis Fuel System Log Book for the years 1982 through 2005.

RESPONSE:

122. Produce ECR32089 and Work Order 64708-023.

RESPONSE:

123. Produce all memos to and from the responsible design engineer regarding models of the S/T series that were to be provided with the extended shield, part number 15013153.

RESPONSE:

124. Produce all memos to and from the responsible design engineer regarding models of the S/T series that were to be provided with the short shield.

RESPONSE:

125. Produce all meeting minute notes, agendas, memoranda, presentation diagrams, drawings, and other materials generated as a result of all GMTG meetings for the years 1995 through 2000.

RESPONSE:

126. Produce the following Crash Test Reports along with color photographs, videotapes and any resulting Tear Down Assessments, including any photographs taken, performed with respect to the following tests:

- A. 09235
- B. C8736
- C. C10107
- D. C10284
- E. 010978
- F. 010762

RESPONSE:

127. Produce all meeting notes, minutes, agendas, presentations, notes and meeting minutes for all FPE Director's meetings for the years 1995 through 2000.

RESPONSE:

128. Produce all meeting notes, memos, agendas, presentations, and reports of the Truck Review Board where the topic of the fuel system of the S/T series was in any way discussed. This request shall be for the years of 1994 through 2000.

RESPONSE:

129. Produce all Senior Management Committee meeting notes, agendas, reports and presentations for the Senior Management Committee meeting of March 1, 1999.

RESPONSE:

130. Produce the FPE Report of January 9, 2001.

RESPONSE:

131. Produce the FPE Report of May 11, 2001.

RESPONSE:

132. Produce all memoranda relating to the FPE investigation that speak directly or indirectly to the issue that the fuel system architecture for the vehicles listed in Ex. D.

RESPONSE:

133. Produce a hard copy and the entire CAD file of the three dimensional drawing that depict the relationship of the fuel tank to the prop shaft which is attachment E to GM Response to EA99-012; GM5548.

RESPONSE:

134. Produce EWO and/or ECR U4531 which relates to the protector front shield for the fuel system in 1982.

RESPONSE:

135. Produce all fuel systems packaging and integrity evaluations performed with respect to the vehicle listed on Ex. D.

RESPONSE:

136. Produce the document that sets forth the engineering code and/or nomenclature for the 1995 through 2001 S/T series. This request shall be for numerical codes identifying variations of this vehicle series.

RESPONSE:

137. Produce the following regarding the subject 2001 Buick Century:

- (a) any photographs
- (b) any measurements
- (c) the vehicle itself if it in your possession or control
- (d) any data from the "black box" or ECM from the vehicle

RESPONSE:

138. Produce any documents which refer to or discuss the shield shown in Exhibit E.

RESPONSE:

139. Produce any crash tests that were conducted which resulted in the decision to place the shield on the fuel tank as shown on Exhibit E.

RESPONSE:

140. Produce any documents which refer to or discuss the shield shown in Exhibit F.

RESPONSE:

141. Produce any crash tests that were conducted which resulted in the decision to place the shield on the fuel tank as shown on Exhibit F.

RESPONSE:

142. Produce any documents which refer to or discuss the shield shown in Exhibit G.

RESPONSE:

143. Produce any crash tests that were conducted which resulted in the decision to place the shield on the fuel tank as shown on Exhibit G.

RESPONSE:

144. Produce any documents which refer to or discuss the shield shown in Exhibit H.

RESPONSE:

145. Produce any crash tests that were conducted which resulted in the decision to place the shield on the fuel tank as shown on Exhibit H.

RESPONSE:

146. Produce the following regarding the 1992 Ford Crown Victoria involved in this collision:

- (a) any photographs
- (b) any measurements
- (c) any data from the black box or ECM from the vehicle

RESPONSE:

Respectfully submitted,

By: 

Timothy Tyler
Timothy R. Tyler & Associates
120 W Madison Street, Ste 505
Chicago IL 60602

312/920-1745

312/920-1749 facsimile

and

LANGDON & EMISON

George Chronic, Cook County Attorney No.: 42939

Illinois Registration No. 6282658

911 Main Street, PO Box 220

Lexington MO 64067

Telephone: (660) 259-6175

Facsimile: (660) 259-4571

ATTORNEYS FOR PLAINTIFF

General Motors

General Motors' Data Review Center Expands Access to Engineering Documents to all North American Centers

General Motors' Data Review Center, established in 1999, provides the automaker's North American development centers access to legacy documents produced at other centers. Previously, documents were stored at the individual centers where they were created, making it almost impossible for engineers at other sites to locate and reuse the information. The documents, all 1.2 billion of them, are now being transferred to the Data Review Center. Operated by IHS, the center functions as a single point for document storage and retrieval. It has enforced a standardized document classification scheme for the documents and facilitates access to the information through an attribute database that permits users to search with key words and phrases. "Each engineering center now has access to other centers' information, which promotes data sharing and part re-use," says John Rupp, Sr. Manager of Data Review Center. "The other key benefit for GM is that now there is a validated process in place for dealing with these documents, giving absolute assurance that the company won't lose information. The ability to locate just one critical document could pay for the operation of this center for a long time."

GM has 25,000 engineers working at more than 100 engineering divisions in the U.S., Canada, and Mexico. Over the course of its 92-year history, General Motors has accumulated 1.2 billion pages of engineering documents. Prior to 1999, each GM engineering center maintained its own document library. Critical design data was scattered throughout North America under varying classification schemes, making access by other engineering centers nearly impossible. As a result, designers were more likely to start new projects from scratch, rather than trying to find existing parts they might re-use. Another drawback to having each center maintain its own document collection was the added cost of duplication of effort. Since there was no single, validated process for document classification used by all the centers, there was no guarantee that critical information was not disposed of inadvertently.

IHS' involvement with the Data Review Center dates back to the fall of 1997 when GM asked IHS to conduct a pilot program at its Truck Division in Pontiac, Michigan. "Our task in that program was to develop a system for processing GM's legacy documents that was acceptable to not just the truck division, but to all the engineering divisions," says Rupp. In the pilot program, IHS developed a process for evaluating each document to determine whether or not it should be saved or discarded. For documents that would be saved, IHS established a method of assigning attributes that would allow users to locate documents by searching key words and phrases.

Impressed with the process IHS had created, GM asked them to put it to the test at the Buick plant in Flint, Michigan. The automaker gave IHS 1,500 boxes of engineering documents and asked that they be classified and indexed. When the work was done, GM conducted an audit of the results. Members of the audit team came from the company's legal department and various engineering divisions. The process was a complete success. According to the auditors, IHS had classified the documents perfectly. "We had zero defects," says Rupp. "That led to our winning the contract to operate this Data Review Center."

According to its formal mission statement, the Data Review Center's role is to "provide a quality, standardized review process for engineering legacy documents, resulting in appropriately and accurately executed retention and indexing of retained documents." The center is located in the Chevrolet central office building at GM Technical Center in Warren, Michigan, and staffed by 25 people, 13 of whom are retired GM engineers. It began operation in August 1999 and received its ISO 9002 registration in January 2000.

Processing Documents

The center's processing methods begin as containers of documents arrive from GM offices in the U.S., Canada, and Mexico. Each container is assigned a number, which is attached, in bar code format, to its exterior. The number is also entered into a MS Access database that IHS customized for this application. In addition to the container number, other basic information is entered into the database, such as the owner of the container, the point of origin, the model, and the model year reference.

The next step is called a Level 3 review. An appropriate GM subject matter expert does a brief review of the contents. If the container has come from Powertrain Engineering Group, for example, the subject matter expert from Powertrain does the review. "The purpose of this review is to make a determination as to further processing," explains Rupp. "The documents in the container may not be engineering documents, so we mark the box and send it to the right department. There may be combinations of engineering and non-engineering documents that need to be sorted, or the box may contain documents that we believe are maintained electronically somewhere else."



In the Level 1 review, boxes are marked with color-coded stickers indicating what happens to them next. In most cases, they proceed to a Level 2 review. In situations where the reviewer thinks the documents are stored electronically somewhere else within GM, they make a random sampling of contents and send them to that department to see if that is correct.

The Level 2 review is a thorough review of each document in the container, which is performed by one of the retired GM engineers. The first step is to determine whether the document should be saved or discarded. "We first determine if the document is product-related, and if it isn't we dispose of it," explains Rupp. "If it is, we check to see if it is within the GM Information Security Practices Retention period. If it is within the GM Retention Period we next look to see if there is a legal or tax reason for keeping it. If so, we index it. Otherwise, we dispose of it."

For each document that will be retained, the reviewer fills out an attribute sheet on which they list information that will make it possible to locate the document in the future. Attributes include: document author, document type (such as correspondence, engineering work orders, test reports), vehicle system, model year, the platform, brand name (Buick, Chevrolet, etc.), and URG code. Before these attributes are entered into the database, the Level 2 quality control specialist, who is the retired GM engineer with the most experience of the group, checks the reviewer's work. The GM engineers make sure the items marked for disposal should actually be discarded and also look to see if the attribute sheet is filled out completely and accurately.

The final step is Level 3, where documents that are being retained are packed for storage. A bar code is prepared and attached to every page. The documents are then placed into an archiving box, which has its own bar code. First, the box's bar code is scanned. Then, as each document is put into the box, its bar code is also scanned, indicating to the database the location of that document. There is a final quality control check for each packed box and after that it is stored in the warehouse. Attribute sheets were removed as the documents were being placed into the box and they are sent to the data entry group to be entered into the database. Data entry personnel use scanners and drop down menus as much as possible to minimize typing errors.

Storage and Retrieval

Metadata from the database is uploaded to the computer system used by all GM engineers. This automation gives them the ability to find legacy documents by typing in keywords or phrases. For example, if GM engineers are interested in finding out what information is available regarding the brakes of a 1992 Buick, they can simply type in the year and model and see all the related documents. "The result is that GM is now aware of the documents they have," says Rupp. "Previously, each engineering center was an island of information. By indexing the documents and bringing them all into one location, we make them visible and accessible company-wide."

In addition to classifying all of GM's legacy documents, the Data Review Center also functions as the storage and retrieval point for these items. As part of the document review process, the center attempts to eliminate all copies so it controls the original. When someone wants one of the documents under the center's control, he or she sends an e-mail message with the request. The center has two people who receive these messages and retrieve the appropriate documents. They copy them, mark them as uncontrolled copies to be destroyed after use, and mail or fax the copies to the requestor. The center gets an average of 15 to 20 requests a week, although Rupp predicts that as the amount of information it controls increases, so will the number of requests. A typical retrieval can involve anywhere from 1 to 300 pages, but some can run as high as 5,000 pages. Turnaround time is 48 hours, from the time the center receives the request until the document is sent.

To date, the Data Review Center's mission is about 10 percent complete. The center has processed 135 million pages. Of that figure, 36 percent have been disposed of. The other 64 percent represent approximately 860,000 pages of engineering information that was formerly inaccessible to most engineers. Now it is visible and available throughout GM, making design reuse more likely than it was in the past. Just as importantly, GM now has a validated process in place for handling its legacy documents. The process established by IHS ensures that critical information is easily located and never misplaced or discarded unintentionally.

"Each engineering center now has access to other centers' information, which promotes data sharing and part re-use."

**For more information
Contact your local IHS
Sales representative**



15 Inverness Way East
Englewood, CO 80112-5776
800-716-3447 (USA/Canada)
tel +1-303-397-2896 (Worldwide)
www.ihs.com

EXHIBIT "B"

JUL 24 03 10:57A

P. 2

JUL-23-2003 18:33

BAKER STERCHI COWDEN RICE

615 472 0388

P.05/10

Exhibit "B"

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

LARRY BASS and MERIDITH BASS, et al.,

Plaintiffs,

v.

KULPACK TRUCKING, INC., et al., and all
cases consolidated for discovery,

Defendants.

Case Nos.: 01-CV-215701

01-CV-215723

01-CV-215741

01-CV-216154

01-CV-228952

01-CV-229627

02-CV-207281

Division 5

AFFIDAVIT OF FORD COTTON

STATE OF MICHIGAN)

COUNTY OF OAKLAND)

I, Ford H. Cotton, Jr., being of lawful age and being duly sworn upon my oath,
depose and state as follows:

1. I am an adult over the age of 18, am legally competent to execute this
Affidavit, and make this Affidavit based upon my own personal knowledge. If called to testify, I
would testify as to the following facts:

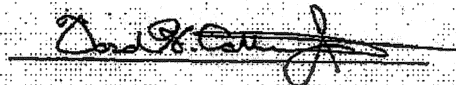
2. I am employed by General Motors Corporation as Global Process
Manager Information LifeCycle Management. I have reviewed Judge Nixon's Rule 61.01
Discovery Order dated June 17, 2003 (the "Order"). Pursuant to the terms of the Order, I have
participated in reviewing, preparing and assembling the attached listing of databases, computer
applications and/or other electronic media in which information is within the scope of the
Court's August 22, 2002 Order and the Roster Rule 58.01 requests are stored. The attached list

was prepared with the assistance and advice of employees, consultants, contractors, and counsel for General Motors, upon whose assistance and advice I have relied.

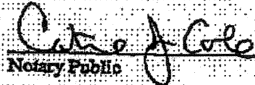
3. The attached list is comprehensive and complete to the best of my knowledge based upon my investigation and review of records and information in existence that falls within the scope of the Court's August 22, 2002 Order. If additional databases and information are discovered, this listing may have to be supplemented to account for that additional information.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

FURTHER AFFIANT SAYETH NOT.

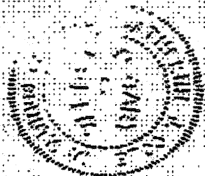


Sworn to and Subscribed before me
on this 23 day of July, 2003.


Notary Public

My Commission Expires:

CHENESE L. COLE
NOTARY PUBLIC, CALIFORNIA
MY COMMISSION EXPIRES 4/21/2005



General Motor Corporation's Database List Produced Pursuant to Paragraph 5 of Judge Stephen Nixon's Court Order Dated June 17, 2003

Acronym	System Name	APPLICATION DESCRIPTION	Remote Access? (Y or N)
LDG	Legacy Dynamometer System	Database that contains data produced from the Common Dynamometer Test System (CDTS-ID #86)	N
CTDM	Combustion Test Data Management	MS Access database that stores post process (synthesized data) produced from the Advanced Combustion Analysis Program (ACAP - ID# 102)	N
PDAMP	Index of Product Investigations and Campaign Records	This is an index of all FFE hard copy records	N
DRRC	DRRC Database	MS Access database used to store documents and records that have been processed by the Data Review and Retrieval Center. All records in the database are updated via EDM (ATS #8746).	N
WIOS	Test Work Order Search System	A document indexing storage and retrieval system that allows users to store, index and select documents required by the Vehicle Validation Department that need long term storage.	N
GTS	Green Tracking System	Was a mainframe application that housed all station communications and plant concerns. Was migrated to an Excel spreadsheet on a CD October 2002. This is a Manufacturing Engineering application.	N
TDAS	Test Data Acquisition System	Processes raw unprocessed instrumentation data gathered from combined stress testing performed at the lab. It consists of systems which acquire instrumentation data and storage the raw data produced. Data is stored temporarily in the system until it is archived to optical disk.	N
DRMS	Central Records Information Management System	DRMS is an integrated, relational system that allows GMNA Engineering to scan, retrieve, archive and perform on-line searches on various engineering-related records, particularly Production Records.	N
EDS	Electronic Drawing Imaging System	Mainstream of production released 2D drawings (also manages vehicle drawings).	Y
RTIS	Safety Test Information System	A client-server lab management app. Its primary purpose is to allow platform customers to electronically define safety tests from their facility thru the use of distributed processing and network infrastructure.	Y
FMEA PRO	Failure Mode and Effects Analysis Pro	A reliability engineering tool required in the design and manufacturing of G.M. products of the GMNA Vehicle Development Process.	Y
VIA-PE	ViewStar Image Archive-PE	Records stored on optical disks from every engineering aspect for Saturn, including test reports, PDCRs, printed files, build books, creative fitness tests.	Y
MED	Integrated Vehicle Electrical Design	Used by EE VSAS, controlled by Elec. Center. Integrated vehicle electrical design system for design, analysis and manufacturing. CAD tool for electrical design.	Y
HYPERGRAPH	Integrated set of applications for vehicle crash worthiness	It is not a database, but it does feed into a database that contains test data from Milford. Safety lab test data for crash worthiness.	Y
GPDS	Global Product Description System	A common GM application for releasing sys. It serves as centralized part catalog, a model/configuration, a list of material controller, a design work planner, an authorization/work order system and an information distributor.	Y
VIS	Vehicle Information System	GM's global, common program management tool for reading, accessing, storing, updating and tracking program info.	Y
EDM	Engineering Document Management - Domino.Doc	Document repository using Domino.doc to store engineering related documents such as test reports, evaluation reports, consultancy summaries, etc.	Y
LOADS	LOADS Database	Database that contains summary data produced from various tests, including RPC Pin, RPCII and RimTest.	Y
ASRRS	Alleged Safety Reports Retrieval System	MS Access database which holds information in five related tables about Central File Reports. Can be search to identify which Central File Case Numbers must be retrieved from the Image System.	Y

*All Databases have some search capability.
Date of Production: 7/23/2003

General Motor Corporation's Database List Produced Pursuant to Paragraph 5 of Judge Stephen Nixon's Court Order Dated June 17, 2003

Acronym	System Name	APPLICATION DESCRIPTION	Remote Access? (Y or N)
CCFD	Corporate Central File Database	Durability image system which holds GM724 (PAR) Reports, Owner Safety Reports, TIS Safety Reports and Field Safety Reports.	Y
SM	Serialized Document	Data management system for Saturn version of RADs. Illustrations related to Saturn S-series.	Y
SCD	CDIA	Data management system for Chevrolet, 30 main, etc for Saturn.	Y
CFTS	Corporate Field Incident Tracking System	Data tracking system to track field tests.	Y
VHTRMS	Vehicle Handling Test Resource & Information Management System	Its primary purpose is to allow engineers to electronically request Vehicle Dynamics tests, input test data and test object description, process and archive raw data, sort and retrieve processed test results.	Y
DEL	Durability Event Log (DEL) Web	A client/server application used to track durability testing on a vehicle.	Y
DVB	Durability Vehicle Reference	A client/server application used to track durability testing on a vehicle. This system is replaced by the Durability Event Log (DEL) Web system (PIS #6076).	Y
IRAN	GM IRAN - Product Data Management	Database used to hold the main data for design in general.	Y
EWS	Electronic Work Order System	Provides the ability to generate, distribute and track administrative, field and test work orders.	Y
ILIO	GM Corporate Library Information System	The GM Library Catalog (i.e., online electronic MARC records) contains the holdings of the GM Libraries (excluding the Tax Library) and includes books, journals, SAE technical reports, GM essential reports, SAE papers and standards, conference proceedings and papers, dissertations, patents, service manuals, and Printing Ground Reports through 2000.	Y
TRD	Test Track Database	A database used to store information about VSCU system service procedures. Database used to document and communicate various testing activities.	Y
PMREP	Project Incident Monitoring & Resolution Process	Enables engineering change to document, resolve and track to conclusion issues that arise during the Vehicle Development Process and production of vehicles.	Y
PRTS	Problem Resolution and Tracking System Plus	Captures and defines quality and durability issues for GM products, full pre-production and post-production.	Y
NMD	Nonlinear Material Database	A database of material properties for use in crash safety simulations. Collection of material models.	Y
VABA	Vehicle Assessment and Benchmarking Activity	Information regarding analysis of competitive vehicles.	
TAC	TAC (Technical Assistance Center)	Information regarding customer input and the field experience of GM vehicles.	
CARS PAR	CARS PAR (Product Allocation Resolution Center)	Information regarding customer input and the field experience of GM vehicles.	
FRD	FRD (Field Information Network Database)	Information regarding customer input and the field experience of GM vehicles.	
CARS CAC	CARS CAC (Customer Assistance Center)	Information regarding customer input and the field experience of GM vehicles.	
CQC	Customer Quality Clinic	Information regarding customer input and the field experience of GM vehicles.	
FRPD	FRPD (Field Performance Reporting Database)	Information regarding customer input and the field experience of GM vehicles.	
CVEP	CVEP (Customer Vehicle Evaluation Program)	Information regarding customer input and the field experience of GM vehicles.	
CIF	CIF (Customer Input File)	Information regarding customer input and the field experience of GM vehicles.	
CARD	CARD (Claims Analysis Reporting Database)	Information regarding customer input and the field experience of GM vehicles.	
VPC	VPC (Vehicle & Production Complaints)	Information regarding customer input and the field experience of GM vehicles.	
JPD	JPD (J.D. Powers Tracking Study)	Information regarding customer input and the field experience of GM vehicles.	
QAD	QAD Surveys	Information regarding customer input and the field experience of GM vehicles.	
LAWPACK	LAWPACK / ESIS	Information regarding customer input and the field experience of GM vehicles.	
ACE	ACE	Information regarding customer input and the field experience of GM vehicles.	
S-CAD	S-CAD (Customer Assistance Center)	Information regarding customer input and the field experience of GM vehicles.	
S-ESEFIND	S-ESEFIND (Saturn FBS / FND)	Information regarding customer input and the field experience of GM vehicles.	
EDF	EDF (Early Quality Feedback Surveys)	Information regarding customer input and the field experience of GM vehicles.	
GIWC	GIWC (Global The Warranty Claims)	Information regarding customer input and the field experience of GM vehicles.	
CCF	CCF (Corporate Central File)	Information regarding customer input and the field experience of GM vehicles.	

*All Databases have some search capability.
Date of Production: 7/23/2003

Page 2 of 3

JUL 23 2003 10:34
BRIER STERCHI CALDEN RICE

B16 472 2008 P. 09/10

"EXHIBIT C"

Signature:

In the Circuit Court of the City of Richmond, John Marshall Courts Building

LAMBERT B. COX

PLAINTIFF

v.

Case No. LS-1657-3

GENERAL MOTORS CORPORATION
and
PATRICK CHEVROLET, INC.

DEFENDANTS

ORDER

On September 15, 2005, came the parties, by counsel, on plaintiff's motion for admission of counsel *pro hac vice*, defendants' Motion to Compel and the parties' joint motion for a continuance of the trial date and was argued by counsel.

Upon Consideration Whereof, it is **ORDERED, ADJUDGED AND DECREED:**

1. that Amy B. Rothschild, Esquire, of Joye Law Firm, L.L.P., of North Charleston, South Carolina, is admitted *pro hac vice* on behalf of Plaintiff.

2. that Defendant shall supplement all of its discovery responses so as to include all two (2) and four (4) models (to the extent they existed) of the following vehicles as being within the scope of discovery:

1992-1999 GMT 410 Blazer/Tahoe/Yukon
1995-2000 GMT 420 Tahoe/Yukon
1999-2000 GMT 4250 Denali/Escalade
1992-1999 GMT 430 Suburban
1989-1999 GMT 400 Pickups including the C/K 10/20/30 & 15/35/3500.

SEP 16 2005

3. For all purposes with respect to this case, the terms, "substantially similar vehicles" or "scope of vehicles," are defined to include those vehicles outlined in this Order.

4. that Defendant shall produce to Plaintiff, all roof testing including, quasi-static roof crush resistance tests, animal impact tests, inverted drop tests, dolly rollover tests, ramp rollover tests and inverted roof drag tests as well as all videos of and photographs of the same for all Opel and Saab vehicles both nationally and globally for the years 1994 through 2003. This is without prejudice to Plaintiff to seek an order for the production of additional documents as to Opel and Saab as outlined in Plaintiff's Requests for Production.

5. that Plaintiff shall remove his objections to Defendant's Interrogatory No. 5, as Plaintiff agreed, but shall not be required to supplement his response at this time.

6. Neither party shall be prevented from filing successive Motions to Compel seeking the court-ordered production of any other discovery not addressed in this Order.

7. On the joint Motion to Continue Trial from November 1, 2005, said Motion is Granted.

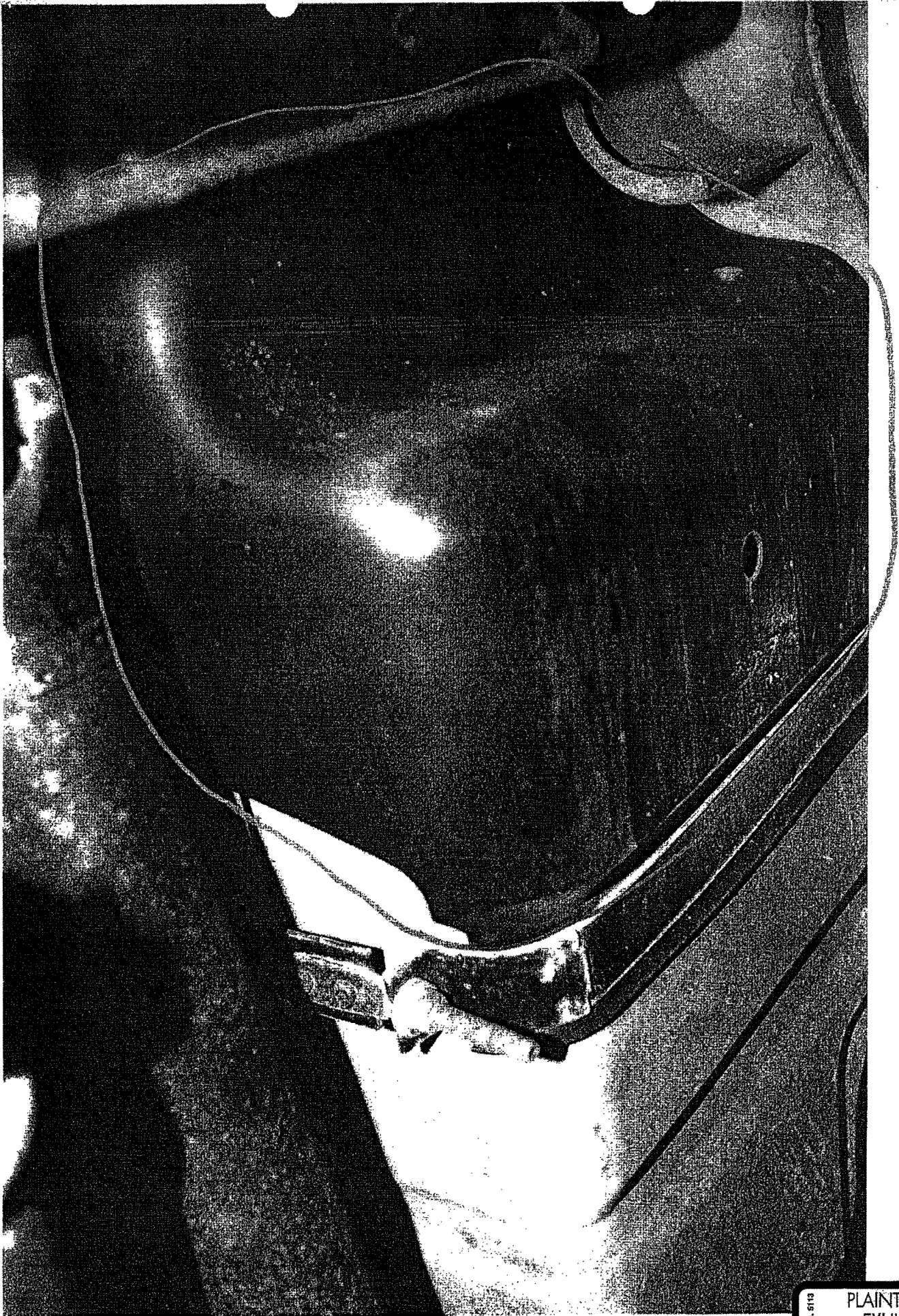
The parties' exceptions are noted.

It is so ORDERED.

Enter 10/6/05
Judge

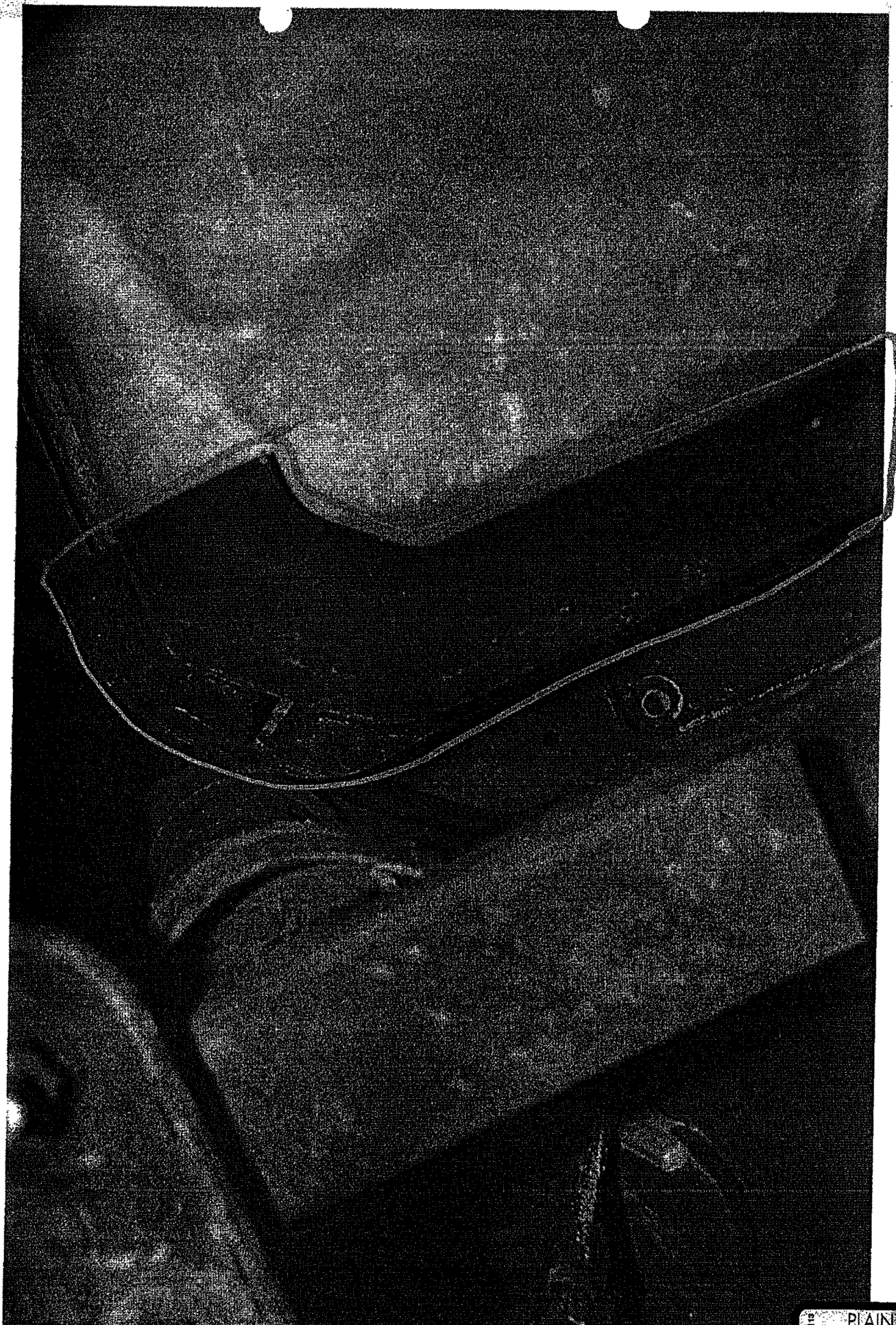
EXHIBIT D

Year Range	Models included
1982-1993	Chevy S-10/T-10 pickups and GMC S-15/T-15 pickups
1994-2004	Chevy S-10/T-10 pickups, GMC Sonoma pickups and Isuzu Hombre Pickups
1983-1994	Chevy S-10/T-10 Blazer and GMC S-15/T-15 Jimmy
1995-2001	Chevy Blazer, GMC Jimmy, Oldsmobile Bravada
1995-2005	Chevy Blazer
2002-2007	Chevy Trailblazer, GMC Envoy, Oldsmobile Bravada



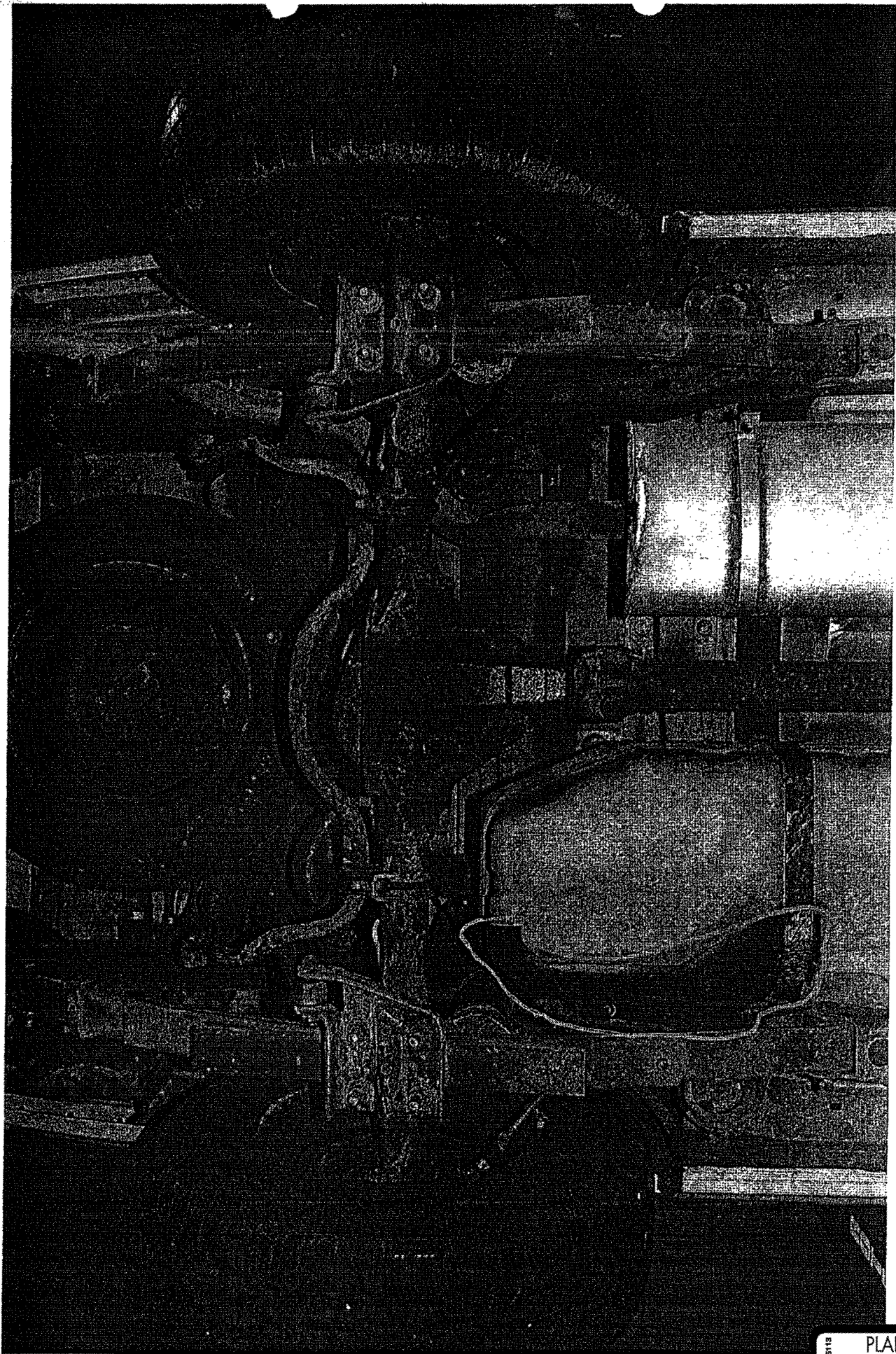
01519

PLAINTIFF'S
EXHIBIT





PLAINTIFFS
EXHIBIT



013

PLAINTIFF'S
EXHIBIT

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)

Plaintiff,)

Case No. 08 L 8751

vs.)

LEONARD W. JOHNSON, IV;)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)

Defendants.)

**GENERAL MOTORS' ANSWERS TO PLAINTIFF'S THIRD
SUPPLEMENTARY INTERROGATORIES**

General Motors Corporation ("GM") answers Plaintiff's Third Supplementary Interrogatories as follows:

INTERROGATORY NO. 1: Pursuant to Rule 213(f)(1) of the Illinois Supreme Court Rules, furnish the full name(s), address(es) and telephone number(s) of witnesses who will testify at trial, together with the subject of their testimony.

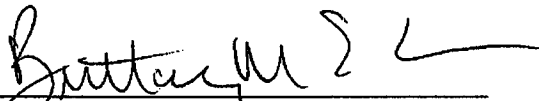
ANSWER: GM has not yet decided which witnesses it will call at trial. GM will supplement its response in accordance with the time frame set for such disclosure by order of the court.

INTERROGATORY NO. 2: Pursuant to Rule 213(f)(2) and Rule 213(f)(3) of the Illinois Supreme Court Rules, identify (by name and address), all expert witnesses, independent and controlled, and, with respect to each expert witness, state: the subject matter of which the expert witness is expected to testify; the conclusions and opinions of the expert witness and the bases therefore; and the qualifications of the expert witness; and provide all reports of the expert witness.

ANSWER: GM has not yet decided which witnesses it will call at trial. GM will supplement its response in accordance with the time frame set for such disclosure by order of the court.

As to Objections:

GENERAL MOTORS CORPORATION

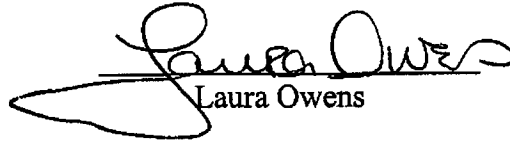
By: 
One of Its Attorneys

Katharine Dunn
DYKEMA GOSSETT PLLC
10 S. Wacker Drive, Suite 2300
Chicago, Illinois 60606
(312) 876-1700
Attorney Firm I.D.

Michael Cooney (*pro hac vice*)
Brittany M. Schultz (*pro hac vice*)
DYKEMA GOSSETT PLLC
400 Renaissance Center
Detroit, Michigan 48243

CERTIFICATE OF SERVICE

I, Laura Owens, a non-attorney, hereby certify that copies of the foregoing were served by first class mail, postage prepaid, addressed to counsel referenced thereon by depositing same in the U.S. mail depository at 39577 Woodward Avenue, Bloomfield Hills, MI 48304 on March 30, 2009 at or before 5:00 p.m.


Laura Owens

SERVICE LIST

Mazie Roberts, et al. v. General Motors Corporation, et al.
No. 08 L 8751

Attorney for Plaintiff, Mazie Roberts

Timothy R. Tyler
Timothy R. Tyler & Associates, P.C.
120 West Madison Street, Suite 505
Chicago, IL 60602
(312) 920-1745 (phone)
(312) 920-1749 (fax)

AND

J. Kent Emison
Langdon & Emison
911 Main Street
Lexington, MO 64067
(660) 259-6175
(660) 259-4571 (fax)

Attorneys for Defendant,
General Motors Corporation

Katharine Dunn
Dykema Gossett Rooks Pitts PLLC
10 South Wacker, Suite 2300
Chicago, IL 60606
(312) 627-2188 (phone)
(312) 627-2302 (fax)

-and-

Michael P. Cooney
Brittany M. Schultz
Dykema Gossett PLLC
400 Renaissance Center
Detroit, MI 48243
(313) 568-6800 (phone)
(313) 568-6594 (fax)

BH01\980017.1

10/27/08 10:00:00 AM

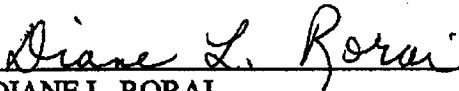
VERIFICATION

STATE OF MICHIGAN)
)
COUNTY OF WAYNE) SS.

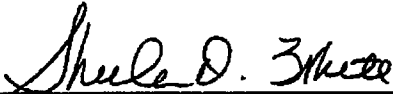
DIANE L. RORAI being first duly sworn, deposes and says that she is authorized pursuant to applicable law and rules to verify, on behalf of General Motors Corporation, the foregoing:

**GENERAL MOTORS CORPORATION'S ANSWERS
TO PLAINTIFF'S THIRD SUPPLEMENTARY INTERROGATORIES**

and that the same are hereby verified on behalf of General Motors Corporation.


DIANE L. RORAI

Sworn to and subscribed before me
this 30th day of March, 2009.



Notary Public

**SHEILA D. WHITE
Notary Public
Wayne County, Michigan
My Commission Expires 7/13/2012**

Re: John Roberts, Sr. v. General Motors Corporation

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

MAZIE ROBERTS, Individually and as Special)
Administrator of the Estate of JOHN)
ROBERTS SR., deceased,)

Plaintiff,)

vs.)

LEONARD W. JOHNSON, IV GENERAL)
MOTORS CORPORATION and)
GROSSINGER AUTOPLEX,)

Defendant.)

Case No. 04 L 013996

Calendar F

NOTICE OF FILING

To: Timothy R. Tyler
Timothy R. Tyler & Associates, P.C.
120 West Madison Street, Suite 505
Chicago, IL 60602

PLEASE TAKE NOTICE THAT on the 27th day of January, 2005 we filed with the Circuit Court of Cook County, County Department, Law Division, **General Motor's Jury Demand**, copies of which are attached hereto.

GENERAL MOTORS CORPORATION

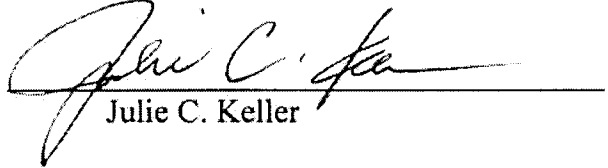
By: _____

One of Its Attorneys

Julie C. Keller
DYKEMA GOSSETT ROOKS PITTS PLLC
10 S. Wacker, Suite 2300
Chicago, IL 60606
(312) 876-1700

CERTIFICATE OF SERVICE

I, Julie C. Keller, aver that on March 3, 2005 copies of the above document and **General Motor's Jury Demand**, were served via U.S. First Class Mail delivery from 10 S. Wacker, Suite 2300, Chicago, IL 60606 upon the attorney listed above before 5:00 p.m.


Julie C. Keller

CHICAGO2089593.2
IDUCKE

MPC APR 01 2005

Attorney No. 28788

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV)
Defendant.)

GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Respondents in Discovery.)

2005 MAR 30 PM 2:02
CLERK OF CIRCUIT COURT
LAW DIVISION


NOTICE OF FILING

To: See Attached Service List

Please take notice that on the 30th day of **March, 2005**, I caused to be filed with the Clerk of the Circuit Court of Cook County, Chicago, Illinois the attached **First Set of Interrogatories Directed to the Defendant General Motors Corporation** concerning the above-entitled case.

PROOF OF SERVICE BY MAIL

I, Melissa Bocanegra, a non-attorney at law, state that I have served this notice by mailing a copy of the attached to the above-named attorney(s) by depositing the same in the U.S. Mail at 120 West Madison Street, Suite 505, Chicago, Illinois 60602 at 5:00 p.m. on **March 30th 2005** with proper postage paid.


Melissa Bocanegra

Timothy R. Tyler
TIMOTHY R. TYLER & ASSOCIATES, P.C.
120 West Madison Street, Suite 505
Chicago, Illinois 60602
(312) 920-1745

Service List

MAZIE ROBERTS, Individually and as Special Administrator of the Estate of John ROBERTS
SR., deceased,

vs.

LEONARD W. JOHNSON, IV, GENERAL MOTORS CORPORATION and GROSSINGER
AUTOPLEX

Case No. 04 L 013996

Julie C. Keller
Dykema Gossett Rooks Pitts PLLC
10 S. Wacker Drive
Suite 2300
Chicago, Illinois 60606
(312) 876-1700
(312)876-1155

Michael P. Cooney
Dykema Gossett PLLC
400 Renaissance Center
Detroit, MI 48243
(313) 568-6955
(313) 568-6549 fax

Leonard W. Johnson, IV
15942 Loomis
Harvey, Illinois 60426

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV)
Defendant.)

GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Respondents in Discovery.)

2006 MAR 30 PM 2:02
CLERK OF CIRCUIT COURT
LAW DIVISION

INTERROGATORIES DIRECTED TO DEFENDANT
GENERAL MOTORS CORPORATION

NOW COMES the Plaintiff, MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS SR., deceased, by and through her attorneys, **TIMOTHY R. TYLER & ASSOCIATES, P.C.**, and propounds the following interrogatories to the defendant, GENERAL MOTORS CORPORATION, to be answered within twenty-eight (28) days:

DEFINITIONS

The term "similar vehicle" as used hereinafter in these interrogatories shall mean vehicle other than "the subject vehicle" which have likeness in terms of designs, specifications, dimension or material composition or they have the same general uses as the "subject vehicle."

The term "subject vehicle" as used hereinafter in these interrogatories shall mean the vehicle which plaintiff was operating at the time of the alleged occurrence, specifically, the 1997 GMC Jimmy VIN# 1GKDT13W6V2504292.

The word "defendant" as used hereinafter, unless specified otherwise, shall refer to and include the named party defendant, its officers, directors, partners, attorneys, agents, or representatives of its attorneys, corporation counsel, liability insurance carriers and said carriers agents, employees and representatives, defendants employees and agents, any experts, specialist, or consultants commissioned, hired or retained by defendant, each of its foreign or domestic subsidiaries and parent entities, and all persons or entities with in the control and/or custody of defendant.

The word "identify" as used hereinafter, shall mean to state the person's (a) full name; (b) title or position; (c) present or last known business and home address and telephone numbers; (d) present or last known employer; (e) social security number; and (f) date of birth.

"Records" shall refer to any written, computer generated, tape recorded, tapes, photographs, video tapes or other recordation in any manner, shape or form.

"Document" shall mean writings, notes, memoranda, letters, correspondence, computer disks, computer generated materials, hand written notes, drawing, reports, or other written materials of any kind and sort.

"Photographs" shall include photographs, slides, motion picture, videotapes, computer graphic or other visual and/or audio visual representations.

"Drawings" shall include but is not limited to design drawings, working drawings, shop drawings, layout drawings, conceptual drawings, and blueprints.

"Visual Representations" shall include, but is not limited to, blueprints, drawings, photographs, slid, motion pictures, films, videotapes, sketches, x-rays, radiological studies, medical imaging, microfiche, microfilm, any retrievable image in computer storage including images stored on CD ROM, or any other recordings of the physical appearance of any subject by any means.

"Statement" shall include, but is not limited to, any statement, notes, or summaries of any statements, given by any person, whether a party or non-party, that is written (whether signed or unsigned), oral, recorded (whether transcribed or not), or held in any other medium, including, but not limited to, information in computer storage.

"Witness" means any person who had knowledge of, claims to have knowledge of, or that you believe may have knowledge of the occurrence, the injuries, the damages alleged, or any other matter in issue.

"Non- Disclosure" with respect to any information and/or documents which the respondent withholds, does not disclose, or exerts a claim of privilege of non-disclosure, a

statement shall be provided by the respondents counsel which indicates the following:

- (a) A description of the nature of the documents, communications or things claimed to be privileged; and
- (b) The exact privilege which is being claimed and the legal basis therefore.

INTERROGATORIES

1. Identify each of the following:

- (a) The person providing information to answer these interrogatories and the person signing same.
- (b) Each person who witnesses or claims to have witnessed the occurrence alleged in the complaint.
- (c) Any person not named above who was present or claims to have been present immediately before or at the time of or immediately after this occurrence.
- (d) Any other persons (other than the persons heretofore listed) who have knowledge of any of the facts regarding said occurrence or the injuries or damages following therefrom.

Answer:

2. Have the defendants obtained any photographs, motion picture or other visual representations of the plaintiffs, scene of the occurrence or the subject vehicle? If so, state the date or dates on which the photographs or visual representations were taken, the subjects thereof and then identify the person presently having custody of same.

Answer:

3. What test and analyses were used in analyzing the safety of fuel tank, the fuel line system, and the fuel line system parts and components in the 1997 GMC JIMMY (or similar General Motors automobiles) before and after they were put on the market?

Answer:

4. What are all of the documents (whether a part of plaintiffs request to produce or not) which General Motors believes are relevant or were used in formulating General Motors' assessment in the 1997 GMC JIMMY, fuel tank, the components of the fuel line system, the fuel line parts and components, and placement of the fuel tank at the rear of the vehicle without a protective shield to prevent punctures or piercing ?

Answer:

5. Identify the members of any biomechanics departments or committees for General Motors who were involved in the design, specification or evaluation of the subject fuel tank, fuel line system, fuel line system parts and components, and placement of the fuel tank at the rear of the subject vehicle.

Answer:

6. With regard to the subject vehicle, did defendant design:
- (a) The subject vehicle;
 - (b) The fuel tank, fuel line system and fuel line system parts and components.

Answer:

7. If the answer to any part of the previous interrogatories is negative, please state with respect to each part:
- (a) The identity of the designer of the product or component; and
 - (b) The complete terms of any contractual arrangement the defendant had or has with such designer.

Answer:

8. Identify the members of any automobile safety department or committee involved in the design and specification of the fuel tank, fuel line system, fuel line system parts, and components and placement of the fuel tank at the rear of the 1997 GMC vehicle.

Answer:

9. In the normal operating procedures of the defendants, what are the categories or types of documents which would be produced in conjunction with the design, development and testing of the fuel tank, fuel line system, the fuel line system parts and components, and placement of the fuel tank at the rear of the vehicles.

Answer:

10. Were any written design manual, guidelines, criteria, directives or protocols in effect and required to be used by persons who were involved in the design and development of the subject vehicle and in particular the fuel tank, fuel line system and the fuel line system parts, and components and placement of the fuel tank at the rear of the subject vehicles.

Answer:

11. Have the "defendants" obtained any statements from any "witnesses"? If so, state the name of the witness from whom the statement was taken, the date of the statement, identify the person taking the statement and identify the person personally having custody of this statement.

Answer:

12. Identify fully any reports, documents or visual representations of any crash test, sled tests or other similar test performed by or at the direction of the defendants or any of its subsidiaries with regard to the subject fuel tank, fuel line system, fuel line system parts and components, and placement of the fuel tank at the rear of the subject vehicle.

Answer:

13. Does the defendant have any knowledge of any crash testing to identify problems with the fuel line system, and fuel line system parts and components, and or fuel tank performed by any agency or the federal government of the 1997 GMC Jimmy or similar model for any prior or subsequent years? If so:

- (a) Fully identify the test conductor, test conditions, test date this data obtained and date of test;
- (b) Fully identify any test report or documentation resulting from such testing;
- (c) Fully identify any contract or correspondence with a governmental agency or contractor performing such test regarding General Motors assessment or evaluation of such tests;
- (d) Did the defendant supply any after sale memorandum, information sheet, technical bulletins or other writing to dealerships concerning safety items related to general interior occupants protection in specific any such materials relating to after market availability of a different type of fuel tank, or fuel line system, or the fuel line system parts and components and or placement of the fuel tank at the rear of the subject vehicle.

Answer:

14. At the time the 1997 GMC Jimmy was designed and the determination was made to use the particular fuel tank, and fuel line system parts and components that is currently on the GMC Jimmy what if any, understanding did G.M. have regarding the relative protection offered to occupants by utilizing a the type of fuel tank, and fuel line system, and fuel line system parts and components that are currently installed in the 1997 GMC Jimmy.

- (a) When did General Motors first have such knowledge; and

- (b) Fully identify any written documents evidenced in the acquisition of such information, knowledge or opinions.

Answer:

15. Has G.M. in the last twenty years consider installing a shield around the fuel tank to prevent piercing or punctures of the fuel tank by surrounding parts, and has G.M. in the last twenty years consider installing or using different materials to make up the fuel tank, or fuel line system in the subject vehicle or similar vehicle . If yes;

- (a) When did General Motors first consider using different parts or materials have such knowledge; and
- (b) Fully identify any written documents evidenced in the acquisition of such information, knowledge or opinions.

16. Fully identify any correspondence between the National Highway Traffic Safety administration and the defendant regarding formulation or changes or comments related to the fuel tank, fuel line system , fuel line system parts and components or placement of the fuel tank at the rear of the 1997 GMC Jimmy or any other standard proposed or enacted documents relating to guarding against or preventing the occurrence of fuel fed fires in rear impact vehicles crashes, such as the subject vehicle or similar vehicle.

Answer:

17. When did General Motors first install in a GMC vehicle similar to the one which is the subject of this lawsuit the type fuel tank, fuel line system, fuel line system parts and components on any vehicle sold and/or distributed by the defendant? And with regard to said vehicle state:

- (a) The specific model and make;
- (b) The country in which said vehicle was first sold; and
- (c) The date or dates on which said vehicle were first sold.

Answer:

18. State the first year in which General Motors ever produced and sold a vehicle in the United States that was equipped with a fuel tank at the rear of any G.M. vehicle the same or similar fuel line system or fuel line system parts and components as the 1997 GMC Jimmy.

- (a) The vehicle name plate;
- (b) The vehicle platform designation; and
- (c) The model year in which the vehicle was so equipped.

Answer:

19. Have any other claims or lawsuits been made against the defendant alleging either injury or death of occupants which claims or alleges that the vehicle as sold was negligently designed and/or sold or defective or unreasonably dangerous as a result of GMC not incorporating a different type of fuel tank, fuel line system; fuel line systems parts and components or failing to place a shield around the gas tank to prevent it being pierced by surrounding parts.

- (a) Identify fully the claimant;
- (b) Identify the attorney for said claimant;
- (c) Identify the date or dates upon which accident occurred; and
- (d) Identify fully any lawsuit which was filed or is currently in litigation.

Answer:

20. Has the defendant General Motors ever provided any type of design changes to or upgrades to the type of fuel tank, or fuel line system, fuel line system parts and

components on the 1997 GMC JIMMY or similar group of vehicles? If so, state:

- (a) The date or dates on which said design change became available;
- (b) The part number or other identification number; and
- (c) Identify any literature, notices or similar materials mailed to or circulated to users regarding these changes

Answer:

21. Has the defendant General Motors ever provided any type of changes or different design to prevent the fuel tank from being pierced or gasoline from siphoning after a crash similar to one stated in the plaintiff's complaint involving a 1997 GMC JIMMY or a similar group of vehicles? If so, state:

- (a) The date or dates on when said changes was realized and or became available;

Answer:

22. Were any alternative designs considered for the subject vehicle with regard to preventing the fuel line system, fuel line system parts and components from rupturing in the event of a rear impact crash and a resulting fire similar to the one stated in the plaintiff's complaint? If so state:

- (a) Fully identify any person or producer who considered such alternatives; and
- (b) Identify fully any reports, memos, minutes, sketches, schematics, engineering drawings or other specifications for such alternative designs.

Answer:

23. Has the defendant conducted any dynamic rear crash or sled test with dummies to evaluate the reliability of the fuel line system, fuel line system parts, and components, or

fuel tank of the subject vehicle or similar vehicles in the same generation as compared to a different type of fuel line system, or a fuel tank made of different component parts and /or materials?

Answer:

24. Identify any and all persons who participated in the design development or testing of the subject fuel line system, fuel line system parts, and components, or fuel tank that was ultimately installed on the subject vehicle.

Answer:

25. Did defendant General Motors produce any other passenger vehicles in the 1997 model year that were equipped with same type of fuel line system, and parts, or fuel tank for the U.S. market? If so, please state:

- (a) The vehicle name plate;
- (b) The vehicle plat form designation; and
- (c) The model year that the fuel line system, fuel line system parts and components, and fuel tank were first installed.

Answer:

26. Did defendant General Motor produce any passenger vehicles in 1997 which were equipped with the same or similar fuel line system, fuel line system parts, and components, or fuel tank as the vehicle which is the subject of this lawsuit. If so, please state:

- (a) The vehicle name plate
- (b) The vehicle plat form designation; and
- (c) The model year that the fuel tank, fuel line system, fuel line system parts,

and components were first installed.

Answer:

27. Identify any and all persons who inspected the subject vehicle, before it was delivered to the dealership and before it was sold, on behalf of the defendants, or its agents.

Answer:

28. Identify any and all General Motors dealerships in the County of Cook.

Answer:

29. State the number of employees working for General Motors Corporation in the County of Cook.

Answer:

30. Identify any and all General Motors distribution centers in the county of Cook.

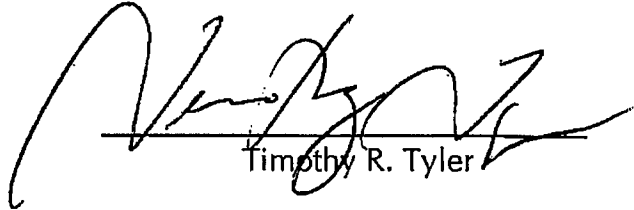
Answer:

31. Identify any and all assembly plants in the County of Cook.

Answer:

32. Did General Motors provide any warning or recalls, or letters of notice, or modification of the fuel line system, or parts, fuel tank, or information related to rear impact crashes, and resulting fuel fed fires to purchasers, distributors dealerships or federal governmental agencies prior to December 14, 2004? If yes, state to who, when and by what means was the information, warning or communications made.

Answer:



Timothy R. Tyler

Timothy R. Tyler
TIMOTHY R. TYLER & ASSOCIATES, P.C.
120 West Madison Street
Suite 505
Chicago, Illinois 60602
(312) 920-1745

November 1, 2005

Timothy R. Tyler
Timothy R. Tyler & Associates, P.C.
120 West Madison Street, Suite 505
Chicago, IL 60602

Re: [REDACTED] v. General Motors Corporation

Dear Mr. Tyler:

Thank you for your letter of October 10, 2005. I am writing to briefly respond to some of your observations regarding the case and the prospect of mediation.

It is GM's position that the fuel tank in this vehicle was well designed and safely located in a protected position between the axle and inside of the frame rails – the “preferred” location typically recommended by consultants retained by plaintiff's counsel in fire cases. This design performed exceptionally well in developmental crash testing and has an excellent record on the road, as reflected in the documents that we have produced to you. The impact energy here exceeded by many multiples any recognized government or industry performance standards or objectives.

I am not aware of any cases “similar” to this one, i.e., involving a rear impact in this or similar model vehicle, in which a jury has returned a verdict against GM. As you know, the Ford sedans that you referenced have a very different fuel storage system design. In any event, you may have read the Ford recently obtained a defense verdict in the most recent trial, in Kansas City, involving that model car.

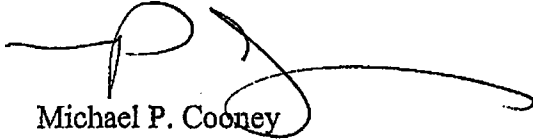
We appreciate, of course, the loss suffered by Mrs. [REDACTED]. Although your opening demand is not encouraging, a mediation at this juncture is probably the best mechanism for determining whether the case can be resolved before the parties further invest in experts and discovery. We

Timothy R. Tyler
November 1, 2005
Page 2

are happy to contact Judge Thomas and determine his availability. Please let us know if you want us to do so.

Sincerely,

DYKEMA GOSSETT PLLC

A handwritten signature in black ink, appearing to read "Michael P. Cooney", with a long horizontal flourish extending to the right.

MPC:mp

bcc: Kristi Fielder (w/ encl)
Julie Keller (w/ encl)

DET01459657.7
ID\MPC

TIMOTHY R. TYLER & ASSOCIATES, P.C.
ATTORNEYS AT LAW

120 WEST MADISON STREET, SUITE 505
CHICAGO, ILLINOIS 60602
312 / 920-1745
312 / 920-1749 FAX

October 10, 2005

Michael P. Cooney
Dykema Gossett PLLC
400 Renaissance Center
Detroit, MI 48243

Re: [REDACTED] v. Johnson, et al., Case No. 04 L 013996

Dear Mr. Cooney:

I am writing you regarding our conversation wherein we spoke about the possibility of settlement of this matter. I did speak to you and I told you I had forwarded a letter to Mike Rezerski and Judge Thomas Thomas regarding the possibility of mediation. However, after not receiving a response thus far and because of the December 22nd discovery status court date approaching in this matter, I decided to write you with a demand.

I am aware of a number of cases that are similar to this case wherein General Motors was either found guilty by a jury or the matter was settled before trial for a very substantial sum of money. As a matter of fact, I recently read in the New York Times that Ford Motors had acknowledged for a second time that fuel tanks in some of its large sedans posed an increased risk of explosion in rear-end collisions, and offered around the same period of time to provide a protective fire shields to certain Ford Motor Company manufactured vehicles.

I previously mentioned to you that I was aware that GM has had knowledge for a long period of time that there were problems with the placement of the fuel tank so close to the rear of the vehicle. In addition many of the component parts of the fuel assembly failed in tests that were conducted by GM, and that GM knew that there was a high potential for the fuel tank to be punctured by surrounding parts. These are some of the problems that have been identified as causing the fire that was a direct cause of Mr. [REDACTED] death.

October 10, 2005

Re: [REDACTED] v. Johnson, et al., Case No. 04 L 013996

Page 2

I have reviewed some of the documents that you forwarded to me. I will not make comments regarding the documents I have seen because of our agreement, that until an order of protection is entered I will not hand them over to the experts which we have retained.

As you are aware, Mr. Roberts was married to Mrs. [REDACTED] for 37 years and they have six children, [REDACTED]

[REDACTED] Mr. [REDACTED] worked for [REDACTED] Company for 20 years, he retired in August of 2003. On December 14, 2004, Mr. [REDACTED] was driving a 1997 GMC Jimmy. He was rear ended by [REDACTED] who was driving a 1992 Ford Crown Victoria and upon impact the gasoline tank ruptured. According to witnesses his vehicle immediately burst into flames. I have deposed several eyewitnesses and some of the witnesses have stated they actually saw gasoline pouring from the fuel tank. Not only did the fuel tank rupture but our position is that the tank was too close to the bumper, there were many objects surrounding the fuel tank that caused the gasoline to pour from the fuel tank and ignite. There is also an issue of the component parts including but not limited to the tank filler necks, that were defective that caused the fuel to ignite and continue to burn.

I have enclosed a copy of the coroner's report which identifies the cause of death as asphyxia due to automobile accident. Furthermore, it describes Mr. [REDACTED] body as "that of a completely charred adult male. The charring is so extensive as to make visual identification impossible. There is burning through the skin to portions of the skull." "The skin pigmentation appears heavy but difficult to ascertain because the extensive burns. The charring involves the upper and lower extremities and torso and to a certain extent, the posterior portion of the body. The body is covered with thick oily soot. There is a smell of smoke about the body. There is evidence of skin split in the right chest wall." Under the internal examination of the musculoskeletal system the findings are as follows: "the muscle development appears fair. There is abundant subcutaneous adipose tissue. No bone or joint deformity is appreciated." Examination of the scalp, skull and dura, "fail to reveal any evidence of trauma or hemorrhage."

I mentioned these facts because it is very apparent from the coroner's report that Mr. [REDACTED] suffered no major trauma as a result of this accident. There were no broken bones. Clearly, Mr. [REDACTED] would have survived but for the failures of the fuel tank and fuel system.

Lastly, I have had some success resolving a case at mediation with GM. However, in that case I did not have possession of the car. In this case, I do have possession of the car and enough evidence to go forward with a trial if necessary. I have reviewed jury verdicts against GM and against other automobile manufacturers. In light of the

October 10, 2005

Re: [REDACTED] v. Johnson, et al., Case No. 04 L 013996

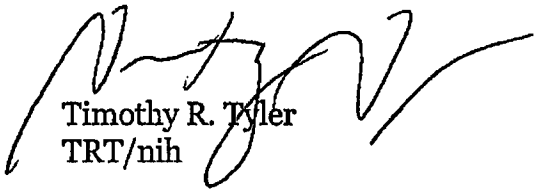
Page 3

information I have reviewed, the documents I have received, the experts that I have spoken to including a pathologist, on behalf of the Roberts family, I demanding a settlement of Seven Million Five Hundred Thousand Dollars (\$7,500,000.00).

Our demand is based part on the severity of this occurrence, and the likelihood that GM will request that I sign on behalf of my law firm and the family, a confidentiality agreement. Please review our demand and advise me of GM's position at your earliest convenience.

Very truly yours,

TIMOTHY R. TYLER & ASSOCIATES, P.C.


Timothy R. Tyler
TRT/nih

Attorney No. 28788

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

FILED-4
2008 APR 11 PM 3:43
JENNIFER BROWN
CLERK OF CIRCUIT COURT
LAW DIVISION

**PLAINTIFF'S MOTION TO COMPEL CORPORATE REPRESENTATIVE
DEPOSITION(S) OF DEFENDANT GENERAL MOTORS**

COMES NOW Plaintiff, by and through her attorneys of record, pursuant to Illinois Supreme Court Rules 206(a)(1) and 219(a) and for her Motion to Compel Corporate Representative Deposition(s) of Defendant Motors hereby moves for an order compelling Defendant General Motors ("GM") to produce persons to testify pursuant to Rule 206(a)(1) and in support thereof states as follows:

1. This case arises out of a post-collision fire involving a 1997 GMC Jimmy, which killed John Roberts Sr.
2. Plaintiff propounded a deposition notice pursuant to Rule 206(a)(1) to Defendant General Motors. (*see Exhibit A* attached hereto).
3. In an attempt to avoid the use of judicial resources, pursuant to Rule 201(k), Plaintiff's counsel sent correspondence to counsel for GM for dates to take these depositions. (*see Exhibit B* attached hereto).

4. Counsel for Defendant GM has failed to respond to Plaintiff's counsel's above-referenced letter.

5. Plaintiff is entitled to such corporate testimony by the Illinois Supreme Court Rules and Defendant GM's failure to produce corporate representative deponents is calculated to prejudice Plaintiff's discovery and trial preparation.

WHEREFORE, Plaintiff respectfully requests that the Court enter its Order compelling Defendant GM to produce corporate representatives on the topics contained in Plaintiff's notice and for such other and further relief as the Court deems just and proper.

Respectfully submitted,

By: 

Timothy Tyler
Timothy R. Tyler & Associates
120 W Madison Street, Ste 505
Chicago IL 60602
312/920-1745
312/920-1749 facsimile

And

LANGDON & EMISON
J. Kent Emison, MO Bar# 29721
Brett Emison, MO Bar# 52072
George E. Chronic
LANGDON & EMISON
911 Main Street
PO Box 220
Lexington MO 64067
660/259-6175
660/259-4571 facsimile

ATTORNEYS FOR PLAINTIFF

Attorney No. 28788

RECEIVED - A.C.D.C.

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT * LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

NOTICE OF FILING

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on January 15, 2008, I caused to be filed with the Clerk of the Circuit Court of Cook County, Law Division, Plaintiffs Notice of Taking Videotaped Evidentiary Deposition of Corporate Representative of General Motors Corporation, a copy of which is served upon you.


Attorney for Plaintiff

Name: Timothy R. Tyler
Address: 120 W Madison Street, Ste 505
Telephone: 312/920-1745

Attorney for: Plaintiff
City: Chicago IL 60602
Atty. No: 28788

PROOF OF SERVICE BY MAIL

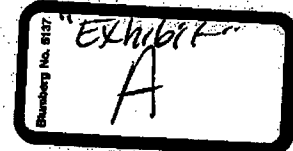
The undersigned, a non-attorney/attorney, on oath states, I served this notice by mailing a copy to the person listed above by depositing same in the U. S. Mail at 111 West Washington, Chicago, IL before 5:00 p.m. on January 15, 2008, with proper postage prepaid.

(X) Under penalties as provided by law
Pursuant to IL. Rev. Stat. Chap. 110
Sec. 1-109, I certify that the statements
set forth are true and correct.

1/15/08
DATE


SIGNATURE

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS



Attorney No. 28788

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

ATTORNEY SERVICE LIST

Michael Cooney
DYKEMA GOSSETT
400 Renaissance Center
Detroit MI 48243
Tel: 313/568-6800
Fax: 313/568-6832
mcooney@dykema.com

Julie Keller
DYKEMA GOSSETT
10 S. Wacker Drive Suite 2300
Chicago IL 60606
Tel: 312/876-1700
Fax: 312/627-2302
jkeller@dykema.com
ATTORNEYS FOR GENERAL MOTORS CORPORATION

Attorney No. 28788

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

**NOTICE OF TAKING OF VIDEOTAPED EVIDENTIARY DEPOSITION ON ORAL
EXAMINATION OF CORPORATE REPRESENTATIVE(S) OF GENERAL MOTORS
CORPORATION**

TO: Defendant General Motors Corporation, by and through their attorneys of record:

Plaintiff, by and through counsel of record, hereby gives notice that a videotaped
evidentiary deposition of General Motors' Corporate Representative(s) will be taken pursuant to
Civil Practice Act and Rules of the Supreme Court of Illinois at a mutually agreeable date, time
and location.

Plaintiff hereby requests that General Motors Corporation, identify and produce one or
more persons knowledgeable to testify on the following subjects, pursuant to Illinois Supreme
Court Rule 206(a)(1):

1. The engineering and design of the fuel storage systems in the vehicles described in Exhibit A.
2. Crash testing of the vehicles described in Exhibit A.
3. Lawsuits involving post collision fuel fed fires in the vehicles described in Exhibit A.

5. General Motors Vehicle Safety Improvement Program (VSIP) during the design, manufacture and sale of the vehicles described in Exhibit A.
6. General Motors Automotive Defect Analysis Procedure Manual.
7. The organizational structure of any departments or individuals involved in the design, testing and manufacture of the vehicles described in Exhibit A.
8. Any Design Failure Mode Analysis (DFMA) and Failure Mode and Effect Analysis (FMEA) for the fuel system, fuel lines, fuel system plumbing and fuel system component parts utilized in the vehicles described in Exhibit A.
9. Any Design Work Orders (DWO), Build Work Orders (BWO) and Test Work Orders (TWO), Engineering Change Request (ECR), Engineering Change Orders (ECO) related to the fuel system, fuel system plumbing and fuel system component parts for the vehicles described in Exhibit A.
10. General Motors' Product Allegation Resolution Teams.
11. General Motors' Evaluation of Motor Vehicle Fire Mitigation and Propagation Program.
12. General Motors' Vehicle Fire Safety Research Program.
13. General Motors' Cooperative Research and Development Agreement with the National Institute of Standards and Technology that addresses issues of post-crash automobile fire safety.
14. General Motors' LAWPAC database regarding the vehicles described in Exhibit A.
15. 1241 reports involving the vehicles described in Exhibit A.
16. Any cost/benefit and/or value analysis regarding the fuel system, fuel lines and fuel system components utilized in the vehicles described in Exhibit A.
17. General Motors' Record Retention Policy.
18. General Motors' Corporate Performance Objectives that concern the fuel systems utilized in the vehicles described in Exhibit A.
19. General Motors Uniform Test Specifications that concern the testing and/or performance of the fuel system and its component parts that were in effect during the design, testing and manufacture of the vehicles described in Exhibit A.
20. Collision Performance Investigations Report database (CPIR's) involving a fire or fuel leak in the vehicles described in Exhibit A.
21. General Motors' Post Collision Fuel Fed Fire (PCFFF) computerized document collection.

22. General Motors' Case Inventory Management Reports and Discovery Review Reports for claims and/or lawsuits involving post collision fuel fed fire in the vehicles described in Exhibit A.
23. The Product Recall Campaign (Bulletin No. 96070) regarding prop shaft/fuel tank contact.
24. General Motors' Team Connect Database
25. Federal Motor Vehicle Safety Standard compliance of the subject vehicle's design.
26. General Motors' PAR (or PART) Case Assessment system or database.
27. General Motors' ESIS system or database.
28. Real world performance of the vehicles described in Exhibit A.
29. The engineering and design of the rear axle and differential in the vehicles described in Exhibit A.
30. The engineering and design of the torsion bar(s) in the vehicles described in Exhibit A.
31. The engineering and design of the shield(s) on the fuel tank in the vehicles described in Exhibit A, including optional shields and shields considered but not utilized in production.
32. The engineering and design of the components circled on the photo(s) attached as Exhibit B taken of a 1997 GMC Jimmy.

Respectfully submitted

By: 

Timothy Tyler

Timothy R. Tyler & Associates

120 W Madison Street, Ste 805

Chicago IL 60602

312/920-1745

312/920-1749 facsimile

and

LANGDON & EMISON

George Chronic, Cook County Attorney No.: 42939

Illinois Registration No. 6282658

911 Main Street, PO Box 220

Lexington MO 64067

Telephone: (660) 259-6175

Facsimile: (660) 259-4571

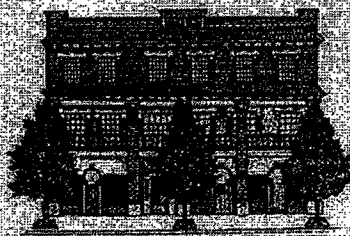
ATTORNEYS FOR PLAINTIFF

EXHIBIT A

Year Range	Models Included
1982-1993	Chevy S-10/T-10 pickups and GMC S-15/T-15 pickups
1994-2004	Chevy S-10/T-10 pickups, GMC Sonoma pickups and Isuzu Hombre Pickups
1983-1994	Chevy S-10/T-10 Blazer and GMC S-15/T-15 Jimmy
1995-2001	Chevy Blazer, GMC Jimmy, Oldsmobile Bravada
1995-2005	Chevy Blazer
2002-2007	Chevy Trailblazer, GMC Envoy, Oldsmobile Bravada

Robert L. Langdon
J. Kent Emison

Robert C. Sullivan
Brett A. Emison
Daniel L. Allen
Tim R. Morgan
George E. Chronic, II



The Eagle Building
P.O. Box 220
911 Main Street
Lexington, MO 64067
Telephone (660) 259-6175
Facsimile (660) 259-4571

LANGDON AND EMISON

Attorneys at Law

March 18, 2008

Via Email & US Mail

Michael Cooney
DYKEMA GOSSETT
400 Renaissance Center
Detroit, Michigan 48243-1668

Re: [REDACTED] v. GM, et al.

Dear Mike:

I am writing to follow-up on our conversation earlier today and my message following that discussion. In an effort to avoid a hearing on the issue of scope, I propose that GM produce responsive documents for 1995-2005 4-door Blazer/Jimmy/Bravada vehicles and 1994-2004 S/T pickups (S-10, Sonoma and Hombre). I am hopeful that this scope is acceptable to your client. That still leaves the issue of Plaintiff's Third Interrogatories and Third Request for Production which GM has objected to as untimely. If GM intends to maintain this objection then I will schedule a hearing with the Court on this issue.

Additionally, we served a corporate representative deposition notice on your client on January 15, 2008. I would like to pin down mutually convenient dates for these depositions in the next month or two. Please let me know when GM proposes that its representatives be deposed.

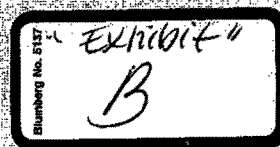
Finally, there were two test incident reports (C11403 & C10863) produced by GM in this case but the actual test reports, underlying data, photographs and videos were not produced for these two tests. Please produce this additional information for these two crash tests by February 28, 2008.

I appreciate your prompt attention to this matter and look forward to speaking with you soon regarding these issues.

Very truly yours,

LANGDON & EMISON

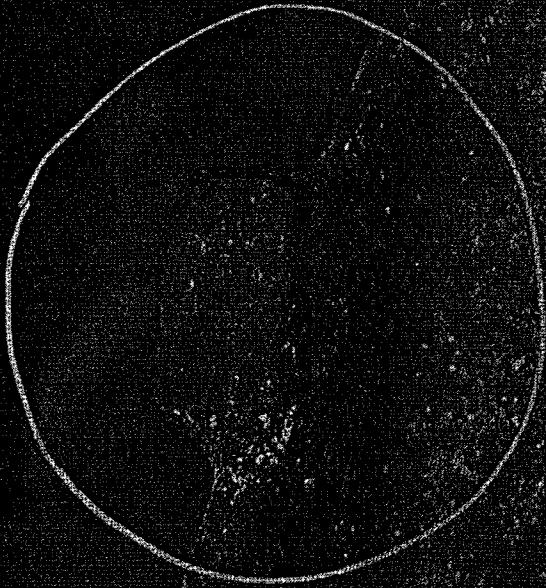
George "Red" Chronic





B

B



B



Attorney No. 28788

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 09 L 11625

GROSSINGER AUTOPLEX,)
Defendant.)

**PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS
TO DEFENDANT GROSSINGER AUTOPLEX**

1. Please admit that Grossinger Autoplex requested, by letter of September 8, 2008, that General Motors Corporation provide a complete defense for Grossinger Autoplex in the above-captioned matter.

RESPONSE:

2. Please admit that Grossinger Autoplex requested, by letter of September 8, 2008, that General Motors Corporation provide complete indemnification to Grossinger Autoplex in the above-captioned matter.

RESPONSE:

3. Please admit that the document attached hereto as Exhibit "A", is a true and accurate copy of a letter from Caroline Grossinger to the Office of the General Counsel of General Motors Corporation, dated September 8, 2008.

RESPONSE:

4. Please admit that Grossinger Autoplex requested, by letter of December 18, 2008, that General Motors Corporation provide a defense for Grossinger Autoplex in the above-captioned matter.

RESPONSE:

5. Please admit that Grossinger Autoplex requested, by letter of December 18, 2008, that General Motors Corporation indemnify Grossinger Autoplex from any costs or judgment that it may incur in the above-captioned matter.

RESPONSE:

6. Please admit that the document attached hereto as Exhibit "B", is a true and accurate copy of a letter from Kristi Fielder, an attorney in the Legal Staff of General Motors Corporation, to Grossinger Autoplex, dated January 16, 2009.

RESPONSE:

7. Please admit that the document attached hereto as Exhibit "C", is a true and accurate copy of a letter from Kristi Fielder, an attorney in the Legal Staff of General Motors Corporation, to Grossinger Autoplex, dated August 6, 2009.

RESPONSE:

8. Please admit that, through the letter of January 16, 2009, General Motors Corporation agreed to defend and indemnify Grossinger Autoplex in the above-captioned matter.

RESPONSE:

9. Please admit that, through the letter of August 6, 2009, General Motors Company agreed to defend and indemnify Grossinger Autoplex in the above-captioned matter.

RESPONSE:

10. Please admit that General Motors Corporation/General Motors Company selected and hired Michael P. Cooney of the firm Dykema Gossett LLP to defend Grossinger Autoplex in the above-captioned matter.

RESPONSE:

11. Please admit that General Motors Corporation/General Motors Company has paid and/or will pay all amounts due to Michael P. Cooney and his firm Dykema Gossett LLP for their efforts providing a defense to Grossinger Autoplex in the above-captioned matter.

RESPONSE:

12. Please admit that that General Motors Corporation/General Motors Company has paid and/or will pay all costs associated with the defense of Grossinger Autoplex in the above-captioned matter.

RESPONSE:

13. Please admit that that General Motors Corporation/General Motors Company has hired and/or will hire experts to serve in the defense of Grossinger Autoplex in the above-captioned matter.

RESPONSE:

14. Please admit that that General Motors Corporation/General Motors Company has paid and/or will pay all costs associated with experts used in the defense of Grossinger Autoplex in the above-captioned matter.

RESPONSE:

15. Please admit that General Motors Corporation/General Motors Company agreed to indemnify Grossinger Autoplex for the amount of any judgment rendered against Grossinger Autoplex in the above-captioned matter.

RESPONSE:

Respectfully submitted,

By: 

Timothy Tyler

Tyler Law Offices

120 W Madison Street, Ste 505

Chicago IL 60602

312/920-1745

and

LANGDON & EMISON

J. Kent Emison

David A. Brose

911 Main Street, PO Box 220

Lexington MO 64067

Telephone: (660) 259-6175

Facsimile: (660) 259-4571

ATTORNEYS FOR PLAINTIFF

Lincolnwood, Illinois
Grossinger AutoPlex 847.674.9000
Grossinger Toyota North 847.675.7100
Grossinger Volvo 847.675.4500

Grossinger
AutoGroup

September 8, 2008

Office of the General Counsel
General Motors Corporation
New Center One Building
3031 West Grand Boulevard
P.O. Box 33122, Mail Code #482-207-700
Detroit, Michigan 48232-5122

Re: Vehicle ID: 1GKDT13W6V2504292
Year and Model: 1997 GMC Jimmy

To whom it may concern:

We were served with a Summons and complaint with respect to the above captioned matter. Copies of the summons and complaint are enclosed. You will note that the allegations in the complaint all relate to a 1997 GMC Jimmy vehicle identification number 1GKDT13W6V2504292. Please accept this letter as Grossinger's request that General Motors Corporation Inc. will provide a complete defense and indemnification relating to the claims raised by Mazie Roberts.

Please note that the summons requires Grossinger to file an appearance in 30 days after service of this summons.

Sincerely,

GROSSINGER AUTOPLEX

Caroline Grossinger





General Motors Corporation
Legal Staff

Facsimile
248/267-4547

Telephone
313-665-7419

January 16, 2009

VIA FACSIMILE: 847 - 675-0655

Ms. Caroline Grossinger
GROSSINGER AUTOPLEX
6900 N. McCormick Blvd.
Lincolnwood, IL 60712

Dear Ms. Grossinger:

Re: **REQUEST FOR INDEMNIFICATION**
E/o John ROBERTS, Sr., et al. v. GMC and GROSSINGER AUTOPLEX
Circuit Court, Cook County, Illinois - Docket No.: N/A

I have your letter of December 18, 2008, asking General Motors Corporation to indemnify Grossinger Autoplex in this case. I understand you are searching for records the dealership may have with regard to the 1997 GMC S/T Jimmy involved in this case. Please let me know as soon as possible what your search for records reveals.

Even though we do not have a dealership file, General Motors agrees to defend and indemnify Grossinger Autoplex at this time. GM may reconsider its acceptance of your request, however, once it has received and reviewed the dealership file.

General Motors has selected Michael P. Cooney, Esq. of the firm of Dykema Gossett to defend Grossinger Autoplex and General Motors.

The provisions under which GM is agreeing to defend and, if necessary, indemnify Grossinger Autoplex require Grossinger Autoplex to cooperate fully in the defense of this case. Therefore, as soon as possible, please contact Mr. Michael P. Cooney and send him all pleadings and suit papers, together with copies of letters, repair orders, memoranda, notes and any other documents the dealership has that relate in any way to plaintiffs' claim. Please let Mr. Cooney know, immediately, the name, position, and telephone number of the most appropriate dealership employee to act as the contact between Mr. Cooney and Grossinger Autoplex.

400 RENAISSANCE CENTER P.O. Box 400 Detroit, MI 48265-4000 Mail Code: 482-028-205



Ms. Caroline Grossinger
January 16, 2009
Page 2

General Motors agreement to defend and indemnify Grossinger Autoplex in this case is not under Article 17.4 of the Dealership Agreement because Grossinger Autoplex may have failed to properly protect its interests in this lawsuit. Nevertheless, except for Section 7.1.3 of the Manual, GM agrees to defend and indemnify Grossinger Autoplex expressly subject to all other applicable terms and conditions just as if it had accepted your indemnification request under the Dealer Agreement and Manual. However, Grossinger Autoplex further agrees that, in the event GM withdraws its agreement to indemnify Grossinger Autoplex because Grossinger Autoplex is held in default or Grossinger Autoplex otherwise failed to comply with its obligations under the Agreement, Dykema may continue to represent GM in this matter and withdraw its representation of Grossinger Autoplex, and Grossinger Autoplex waives any conflict of interest that Dykema may have as a result of its representation of it in this matter.

We do not know if Grossinger Autoplex has already hired an attorney to represent it in this case, but if you have, you should immediately let that attorney know about this letter. If you have not, we hope that your failure to hire an attorney has not prejudiced your defense.

We are sending a copy of this letter to Mr. Michael P. Cooney.

Very truly yours,

Kristi K. Fielder

Kristi Fielder
Attorney

KKF:mjl

c: Michael P. Cooney, Esq.
Dykema Gossett
400 Renaissance Center
Detroit, MI 48243-1668
Email: mcooney@dykema.com
Phone: 313 - 568-6800 (main)
Fax: 313 - 568-6658

400 RENAISSANCE CENTER P.O. Box 400 Detroit, MI 48265-4000 Mail Code: 482-028-205



GM LEGAL STAFF

Kristi K. Fielder

Phone: 313/665-7419

Fax: 248/267-4547

Email: kristi.fielder@gm.com

GENERAL MOTORS COMPANY
LEGAL STAFF
Mail Code: 482-028-205
P.O. Box 400
Detroit, MI 48265-4000
U.S.A.

August 6, 2009

Via Facsimile: 847.674.9097

Ms. Caroline Grossinger
Grossinger Autoplex
6900 North McCormick Boulevard
Lincolnwood, IL 60712

Re: **REQUEST FOR INDEMNIFICATION**
John Roberts Sr. v. Grossinger Autoplex
and General Motors Corporation
Circuit Court, Cook County, Illinois
GM File No. 490277

Dear Ms. Grossinger:

As you know, substantially all the assets of General Motors Corporation ("GMC") were sold to General Motors Company ("GM") in connection with the bankruptcy proceedings relating to GMC pending in the United States Bankruptcy Court for the Southern District of New York. GMC had previously agreed to defend and indemnify Grossinger Autoplex in this matter in correspondence dated April 5, 2005. I am writing on behalf of GM, which is a new and separate entity from GMC. GM agrees to defend and indemnify Grossinger Autoplex in this matter under the terms and conditions set forth below.

Pursuant to Sections 5 (a) and (b) of the Wind-Down Agreement dated June 1, 2009 and under Article 17.4 of the Dealer Sales and Service Agreement and under the Indemnification provisions of the Manual referred to in that Article, GM agrees to defend Grossinger Autoplex in this case. Under those same provisions, GM will indemnify Grossinger Autoplex for the amount of any judgment rendered against it in this case.

Michael P. Cooney of the firm of Hanson Dykema Gossett LLP will defend the interests of Grossinger Autoplex.



Ms. Caroline Grossinger
August 6, 2009
Page 2

The provisions under which GM is agreeing to defend and, if necessary, indemnify Grossinger Autoplex require Grossinger Autoplex to cooperate fully in the defense of this case. Please let Mr. Cooney know, immediately, the name, position, and telephone number of the most appropriate dealership employee to act as the contact between Mr. Cooney and Grossinger Autoplex if that has changed since you first identified that individual.

Article 17.4 and the Manual provisions require the dealership to take all reasonable steps to ensure that its defense of this case has not been prejudiced in any way, either by something Grossinger Autoplex did or that it failed to do. GM is agreeing to defend Grossinger Autoplex on the assumption that Grossinger Autoplex has complied with this requirement. If GM learns that Grossinger Autoplex has not, GM has the right to withdraw its acceptance of the dealership's defense.

In addition, GM has the right to withdraw its agreement to indemnify and can tender the defense back to the dealership if GM reasonably concludes that the allegations the plaintiff is proceeding on are not limited to the kind described in subparts (a) through (c) of Article 17.4 of the Agreement, but also include the kind described in the Indemnification Limitation provisions of the Manual.

We are sending a copy of this letter to Mr. Cooney.

Very truly yours,

Kristi K. Fielder

Kristi K. Fielder
Attorney

KKF:dgj

c: Michael P. Cooney
DYKEMA GOSSETT
400 Renaissance Center
Detroit, MI 48226
Phone: 313-568-6800
Fax: 313-568-6549
Email: mcooney@dykema.com

Attorney #28788

MPC APR 01 2011

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and
as Special Administrator of the Estate of
JOHN ROBERTS SR., deceased,

Plaintiff,

v.

GROSSINGER AUTOPLEX,

Defendant.

No. 09 L 11625

NOTICE OF FILING

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on **March 29, 2011**, I caused to be filed with the Clerk of The Circuit Court of Cook County, Law Division, the attached, **PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS TO DEFENDANT GROSSINGER AUTOPLEX** concerning the above-captioned case.

PROOF OF SERVICE BY MAIL

I, Melissa Bocanegra, non-attorney state that I have served this notice by mailing a copy of the enclosed to the above-named individuals by depositing the same in the U. S. Mail as 120 West Madison Street, Suite 505, Chicago Illinois on **March 29, 2011** at **5:00 pm** with proper postage paid.


Signature

TYLER LAW OFFICES
120 West Madison Street - Suite 505
Chicago Illinois 60602
(312) 920-1745

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and as
Special Administrator of the Estate of
JOHN ROBERTS SR., deceased,
Plaintiff,

v.

GROSSINGER AUTOPLEX,
Defendants.

No. 09 L 11625

ATTORNEY SERVICE LIST

Michael Cooney
Dykema Gossett
400 Renaissance Center
Detroit MI 48243
Tel: 313/568-6800
Fax: 313/568-6832
mcooney@dykema.com

Brittany M. Schultz
Dykema Gossett, PLLC
39577 Woodward Avenue, Suite 300
Bloomfield Hills, MI 48304-2820
Main: (248) 203-0797
Fax: (248) 203-0763

Sara Arroyo
Dykema Gossett
10 S. Wacker Drive
Suite 2300
Chicago, Illinois 60606
(312) 876-1700
Attorney Firm I.D. 40874

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Roberts

v.

No. 09 L 11625Grossinger Autoplex

ORDER

This cause coming to be heard on Grossinger Autoplex's Motion to Strike Plaintiff's First Reg for Admissions to Defendant Grossinger Autoplex, due notice being given and the court being fully advised in the premises, it is hereby ordered:

Grossinger Autoplex's motion to strike is denied and objections to Requests to Admit are overruled.

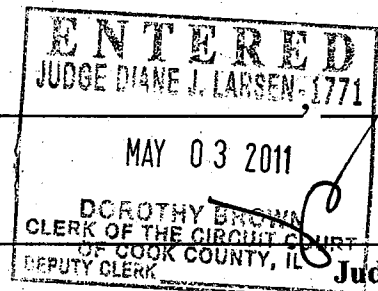
Grossinger Autoplex is hereby given 30 days, or until June 2, 2011, to answer Plaintiff's Requests for Admissions.

Atty. No.: 42297Name: Dykema Gossett PLLCAtty. for: Grossinger AutoplexAddress: 10 S Wacker Dr., 2300City/State/Zip: Chicago, IL 60606Telephone: 312 876 1700

ENTERED:

Dated: _____

Judge



Judge's No. _____

Attorney #28788

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and
as Special Administrator of the Estate of
JOHN ROBERTS SR., deceased,

Plaintiff,

v.

GROSSINGER AUTOPLEX,

Defendant.

No. 09 L 11625

NOTICE OF FILING

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on **June 16, 2011**, I caused to be filed with the Clerk of The Circuit Court of Cook County, Law Division, the attached, **PLAINTIFF'S NOTICE OF VIDEOTAPED EVIDENTIARY DEPOSITION ON ORAL EXAMINATION OF CORPORATE REPRESENTATIVE(S) OF DEFENDANT GROSSINGER AUTOPLEX** concerning the above-captioned case.

PROOF OF SERVICE BY MAIL

I, Melissa Bocanegra, non-attorney state that I have served this notice by mailing a copy of the enclosed to the above-named individuals by depositing the same in the U. S. Mail as 120 West Madison Street, Suite 505, Chicago Illinois on **June 16, 2011 at 5:00 pm** with proper postage paid.

Melina Bocanegra
Signature

TYLER LAW OFFICES

120 West Madison Street - Suite 505

Chicago Illinois 60602

(312) 920-1745

Attorney No. 28788

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 09 L-11625

GROSSINGER AUTOPLEX,)
Defendant.)

ATTORNEY'S SERVICE LIST

Michael P. Cooney
Dykema Gossett PLLC
400 Renaissance Center
Detroit, MI 48243
Tel: (313) 568-6800
Fax: (313) 568-6832

Brittany M. Schultz
Dykema Gossett PLLC
39577 Woodward Avenue - Suite 300
Bloomfield Hills, MI 48304-2820
Tel: (248) 203-0797
Fax: (248) 203-0763

Sara Arroyo
Dykema Gossett PLLC
10 S. Wacker Drive
Suite 2300
Chicago, Illinois 60606
Tel: (312) 876-1700
Fax: (312) 627-2302

Attorney No. 28788

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

GROSSINGER AUTOPLEX,)
Defendant.)

No. 09 L 11625

**NOTICE OF VIDEOTAPED EVIDENTIARY DEPOSITION ON ORAL
EXAMINATION OF CORPORATE REPRESENTATIVE(S)
OF DEFENDANT GROSSINGER AUTOPLEX**

TO: Defendant Grossinger Autoplex, by and through their attorneys of record:

Plaintiff, by and through counsel of record, hereby gives notice that a videotaped deposition of Grossinger Autoplex's Corporate Representative(s) will be taken pursuant to Civil Practice Act and Rules of the Supreme Court of Illinois at a mutually agreeable date, time and location.

Plaintiff hereby requests that Grossinger Autoplex, identify and produce one or more persons knowledgeable to testify on the following subjects, pursuant to Illinois Supreme Court Rule 206(a)(1):

1. General Motors, LLC agreement to defend and indemnify Grossinger Autoplex in the above-captioned matter.
2. The scope of and any limitation on General Motors, LLC's agreement to defend and indemnify Grossinger Autoplex in the above-captioned matter.
3. General Motors, LLC agreement or refusal to indemnify Grossinger Autoplex from any judgment entered in the above-captioned matter.

Respectfully submitted,

By: 

Timothy Tyler

TYLER LAW OFFICES

120 W Madison Street, Ste 505

Chicago IL 60602

312/920-1745

312/920-1749 facsimile

-AND-

LANGDON & EMISON

J. Kent Emison, MB#29721

David R. Brose, MB#56244

911 Main Street, PO Box 220

Lexington MO 64067

Telephone: (660) 259-6175

Facsimile: (660) 259-4571

ATTORNEYS FOR PLAINTIFF

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

MAZIE ROBERTS, Individually and as Special)		
Administrator of the Estate of JOHN ROBERTS))		
SR., deceased,)		
)	Case No. 04 L 013996
Plaintiff,)		
)	Calendar F
vs.)		
)	
LEONARD W. JOHNSON, IV, GENERAL)		
MOTORS CORPORATION and)		
GROSSINGER AUTOPLEX,)		
)	
Defendants.)		

AFFIDAVIT OF KRISTI FIELDER

STATE OF MICHIGAN)
)
COUNTY OF WAYNE)

Kristi Fielder, being duly sworn, deposes and states as follows:

1. I am employed as an attorney on the Legal Staff of General Motors Corporation ("GM"). I submit this Affidavit in response to Plaintiff's Third Request to Production, Nos. 83, 84, and 93. I have personal knowledge of the facts set forth herein and am otherwise competent to testify regarding these matters.

2. Plaintiff in this case has asked for GM's "computerized case inventory system (or Case Management Database System...) including your 'Virtual Partner Narratives', 'Law Pack' or their current equivalents)..." for accidents involving a post-collision fuel fed fire. (See Plaintiff's Third Request for Production, No. 83). Plaintiff has also asked for "all Discovery Review Reports...for actions commenced against GM claiming or alleging that GM was or is at fault for providing a defective fuel system in GM passenger vehicles." (See Plaintiff's Third

Request for Production, No. 84). Finally, Plaintiff has asked for “SIS [or ESIS] files or investigations which relate to vehicle fires....” (*See* Plaintiff’s Third Request for Production, No. 93).

3. The GM Legal Staff maintains a case and matter management system that, among other things, tracks information about claims and pending litigation against GM. That system, known as TeamConnect, is not limited to claims involving fuel systems, but tracks litigation involving every type of claim asserted against GM and stores such information electronically.

4. TeamConnect is an application that was configured to meet the needs of GM’s in-house attorneys to track information about claims and litigation brought against GM. It is a tool used by the Legal Staff to assist in defending GM. TeamConnect contains codes, descriptions, and analyses for each case or claim, including the mental impressions, opinions, and conclusions of attorneys representing GM.

5. When a case or claim is brought against GM, it is typically assigned to an attorney on the Legal Staff. That attorney selects information about that case to be included in TeamConnect, including a short narrative description of the defect allegation. When a Legal Staff attorney obtains materials relating to the case or claim, the attorney selects or extracts information from the materials that he or she thinks is important for that case. In preparing the case narratives, each lawyer uses judgment to determine the information deemed important or relevant to the description of the case and/or claim. In pre-suit claims, GM’s claim handling representatives (ESIS), working at the direction of GM Legal Staff, select or extract information from the materials that he or she thinks is important for that case.

6. TeamConnect is used exclusively by the Legal Staff attorneys and employees working with, and at the direction of, GM Legal Staff attorneys. TeamConnect is not and never

has been used by GM as part of the design, testing, manufacturing, or marketing of motor vehicles. It is used to help the Legal Staff manage, monitor, and evaluate claims and defend GM in litigation. The fundamental structure, format, fields, and function of the system (including the so-called Discovery Review Reports) reflect the judgments, impressions, and conclusions of the Legal Staff.

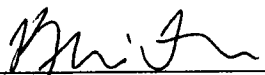
7. TeamConnect is not accessible to the general public, or even to most of GM's employees. Only Legal Staff attorneys and those working with Legal Staff attorneys may access TeamConnect. Even those authorized Legal Staff personnel must have a valid password and comply with other security measures to access and use the database. GM does not knowingly or voluntarily disclose the contents of the database beyond GM's attorneys and those working closely with, and at the direction of, GM's attorneys. GM has always intended that the database, including "Discovery Review Reports," be protected from disclosure by the attorney work product doctrine and the attorney-client privilege.

8. As noted above, GM's claim handling representatives with ESIS work at the direction of GM Legal Staff, as well as GM's retained outside counsel, to assist GM's counsel in investigating and defending claims and lawsuits. GM counsel provide instruction to ESIS based upon the attorneys' judgments, analysis, and conclusions regarding issues in cases or claims. ESIS representatives confidentially communicate with GM counsel in response to those instructions and directives.

9. The confidential communications contained in ESIS investigation files are not and never have been used by GM as part of the design, testing, manufacturing, or marketing of motor vehicles. It is used to help the Legal Staff manage, monitor, and evaluate claims and defend GM in litigation. Those communications reflect the judgments, impressions, and conclusions of the

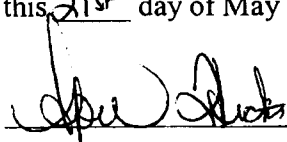
Legal Staff and GM outside counsel. The communications are not accessible to the general public, or even to most of GM's employees. Only Legal Staff attorneys and those working with Legal Staff attorneys may access ESIS confidential communications. GM has always intended that the confidential communications be protected from disclosure by the attorney work product doctrine and the attorney-client privilege.

Further affiant sayeth not.



Kristi Fielder

Subscribed to and sworn before me
this 21st day of May 2008



APRIL M. HICKS
Notary Public, State of Michigan
County of Wayne
My Commission Expires May 11, 2012
Acting in the County of Wayne

To protect the privacy of individuals, NHTSA does not make medical records available to the public without authorization. For this reason, documents falling into this category have not been included in this complaint record.

MPC JUN 19 2006

Attorney No. 28788

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

No. 04 L 013996

FILED
06 JUN 16 PM 3:43
DOROTHY E. COONEY
CLERK OF CIRCUIT COURT
LAW DIVISION

NOTICE OF MOTION

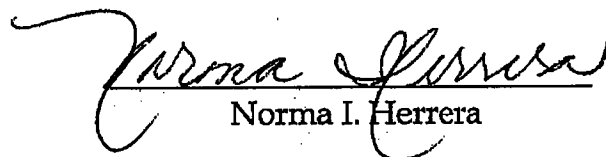
To: Julie C. Keller
Dykema Gossett PLLC
10 S. Wacker Drive
Suite 2300
Chicago, Illinois 60606

Michael P. Cooney
Dykema Gossett PLLC
400 Renaissance Center
Detroit, MI 48243

Please take notice that on the 23 day of June, 2006, at 10:00 or as soon thereafter as counsel may be heard, I shall appear before the Honorable Judge Hogan in Room 2201 of the Richard Daley Center, 50 West Washington, Chicago, Illinois, and then and there present the attached Motion for Hearing on Defendant General Motors Corporation's Response to Plaintiff's Second Supplemental Interrogatories.

PROOF OF SERVICE BY MAIL

I, Norma I. Herrera, non-attorney state that I have served this notice by mailing a copy of the enclosed to the above-named individuals by depositing the same in the U.S. Mail at 120 West Madison Street, Suite 505, Chicago, Illinois on June 16, 2006, before 4:00 p.m. with proper postage paid.


Norma I. Herrera

TIMOTHY R. TYLER & ASSOCIATES, P.C.
120 West Madison Street, Suite 505
Chicago, Illinois 60602
(312) 920-1745

Attorney No. 28788

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

US JUN 16 PM 3:43
Clerk of Circuit Court
Law Division

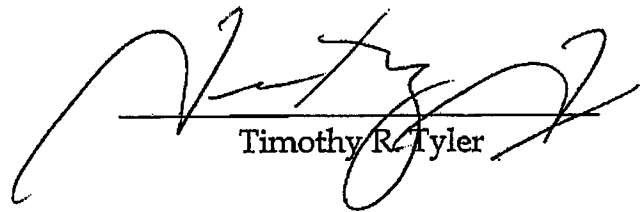
**MOTION FOR HEARING ON DEFENDANT
GENERAL MOTORS CORPORATION'S RESPONSE TO
PLAINTIFF'S SECOND SUPPLEMENTAL INTERROGATORIES**

NOW COMES the plaintiff, MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased, by and through her attorneys, TIMOTHY R. TYLER & ASSOCIATES, P.C. and moves this Honorable Court for a hearing on defendant's response to plaintiff's second supplemental interrogatories, stating as follows:

1. That on April 17, 2006, plaintiff propounded her second supplemental interrogatories on defendant GENERAL MOTORS CORPORATION ("GM").
2. That on June 5, 2006, defendant GM responded to plaintiff's second supplemental interrogatories. (Exhibit A).
3. That in response to interrogatories GM has objected to several interrogatories stating that "GM objects because it is vague, ambiguous, overly broad, unduly and burdensome and ask for irrelevant information."
4. That as of June 16, 2006, defendant GM has not responded or produced any

documents in lieu of responses to the interrogatories and have made various objections.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased moves that this Honorable Court conduct a hearing on defendant GENERAL MOTORS CORPORATION's refusal to completely respond to plaintiff's second supplemental interrogatories and requests of this Court, where appropriate, that the defendant GENERAL MOTORS CORPORATION comply with Supreme Court Rule 201(n).



Timothy R. Tyler

Timothy R. Tyler
TIMOTHY R. TYLER & ASSOCIATES, P.C.
120 West Madison Street
Suite 505
Chicago, Illinois 60602
(312) 920-1745

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

MAZIE ROBERTS, Individually and as Special)
Administrator of the Estate of JOHN ROBERTS))
SR., deceased,)

Plaintiff,)

vs.)

LEONARD W. JOHNSON, IV, GENERAL)
MOTORS CORPORATION and)
GROSSINGER AUTOPLEX,)

Defendant.)

Case No. 04 L 013996

Calendar F

NOTICE OF FILING

To: Timothy R. Tyler
Timothy R. Tyler & Associates, P.C.
120 West Madison Street, Suite 505
Chicago, IL 60602

PLEASE TAKE NOTICE THAT on the 5th day of June, 2006 we filed with the Circuit Court of Cook County, County Department, Law Division, General Motors Corporation's Answers to Plaintiff's Second Supplemental Interrogatories, a copy of which is attached hereto.

GENERAL MOTORS CORPORATION

By: 

One of Its Attorneys

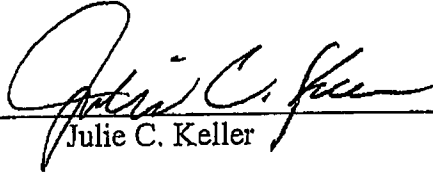
Julie C. Keller
DYKEMA GOSSETT PLLC
10 S. Wacker, Suite 2300
Chicago, IL 60606
(312) 876-1700

Michael Cooney (*pro hac vice*)
DYKEMA GOSSETT PLLC
400 Renaissance Center
Detroit, Michigan 48243
(313) 568-6594



CERTIFICATE OF SERVICE

I, Julie C. Keller, aver that on June 5, 2006 a copy of the above document and **General Motors Corporation's Answers to Plaintiff's Second Supplemental Interrogatories**, were served via U.S. First Class Mail delivery from 10 S. Wacker, Suite 2300, Chicago, IL 60606 upon the attorney listed above before 5:00 p.m.



Julie C. Keller

CHICAGO\2089593.5
IDUCKE

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

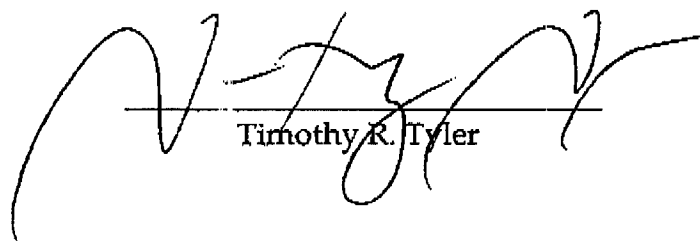
LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

MOTION FOR LEAVE

NOW COME the plaintiff, MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased, by and through her attorneys **TIMOTHY R. TYLER & ASSOCIATES, P.C.**, and move this Honorable Court to allow plaintiffs leave to file a Second Amended Complaint, and in support thereof state as follows:

1. The plaintiff died as a result of an automobile collision on December 14, 2004.
2. The plaintiff alleges that the defendant G.M. was a cause of plaintiff death, because the vehicle which was manufactured by G.M. was defective.
3. That one of the resulting injuries to the plaintiff was that he was burned extensively while trapped in his vehicle.
4. That the plaintiff respectfully request that she be allowed to file her second amended complaint.

WHEREFORE, the plaintiff MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS, SR., deceased, pray that this Court grant her leave to file her Second Amended Complaint.



Timothy R. Tyler

Timothy R. Tyler
TIMOTHY R. TYLER & ASSOCIATES, P.C.
120 West Madison Street
Suite 505
Chicago, Illinois 60602
(312) 590-1745



Dykema Gossett PLLC
400 Renaissance Center
Detroit, Michigan 48243
WWW.DYKEMA.COM
Tel: (313) 568-6800
Fax: (313) 568-6832
Michael P. Cooney
Direct Dial: (313) 568-6955
Email: MCOONEY@DYKEMA.COM
Via Facsimile

March 20, 2007

Timothy R. Tyler
Timothy R. Tyler & Associates, P.C.
120 West Madison Street, Suite 505
Chicago, IL 60602

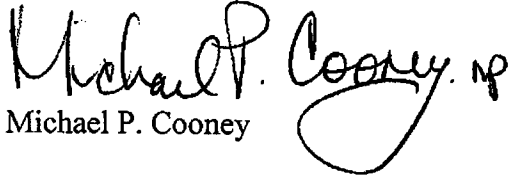
Re: [REDACTED] v. General Motors Corporation

Dear Tim:

In response to your February, 22, 2007 letter, GM objects to Dr. Croft taking possession of the items removed from the vehicle and now stored at Dynamic Safety. Your letter does not describe what Dr. Croft intends to do with the items in order to "complete his investigation." GM objects to any destructive testing of any components or contents of the vehicle. Further, any laboratory analysis of those items should be performed by an independent facility and subject to a mutually agreed handling and testing protocol. Please contact me if you wish to further discuss any such testing.

Sincerely,

DYKEMA GOSSETT PLLC


Michael P. Cooney

cc: Julie Keller



bcc: Kristi Fielder

DET01\520047.10
ID\MPC

Attorney No. 28788

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

NOTICE OF FILING

To: Michael P. Cooney
Dykema Gossett PLLC
400 Renaissance Center
Detroit, MI 48243

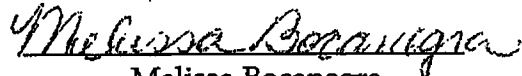
Julie C. Keller
Dykema Gossett PLLC
10 S. Wacker Drive, Suite 2300
Chicago, Illinois 60606

FILED B-7
2007 AUG 16 PM 4:01
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, ILL.

Please take notice that on August 16, 2007, I caused to be filed with the Circuit Court of Cook County, Illinois, the attached Plaintiffs Rule 213(f)(1)(2) Disclosures concerning the above case.

PROOF OF SERVICE BY MAIL

I, Melissa Bocanegra, non-attorney state on oath that I served a copy of the enclosed to the above-named attorney(s) by depositing the same in the U.S. Mail at 120 West Madison Street, Suite 505, Chicago, Illinois 60602, on August 16, 2007 before 5:00 p.m., with proper postage paid.


Melissa Bocanegra

Timothy R. Tyler
Timothy R. Tyler & Associates, P.C.
120 West Madison, Suite 505
Chicago, Illinois 60602
(312) 920-1745

Attorney No. 28788

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

FILED B-7
2007 AUG 16 PM 4:01
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

PLAINTIFFS' RULES 213(f)(1)(2) DISCLOSURES

NOW COME the plaintiff, MAZIE ROBERTS, Individually and as Special Administrator of the Estate of JOHN ROBERTS SR., deceased by and her attorneys, TIMOTHY R. TYLER & ASSOCIATES, P.C., and disclose the following witnesses, pursuant to Rule 213(f)(1)(2), who will testify at trial:

1. Furnish the identity, address and subject on which each lay witness will testify at trial.

Lay Witnesses 213(f)(1)

Mazie Roberts 14208 S. Ingleside Dolton, Illinois 60419. Mazie Roberts is the wife of John Roberts Sr, and she will be called to testify as to her relationship with her husband, her social event she shared with her husband, events that occurred on the days before and the day of the accident, John Roberts general health her loss of society and damages as a result of his death.

Melvin Roberts 329 N. Virginia Glenwood, Illinois 60425. Melvin Roberts is the son of John Roberts Sr., and he will be called to testify as to his relationship with his father, his social events he shared with his father, events that occurred on the days before and the day of the accident, John Roberts general health his loss of society and damages as result of his death.

Michael Roberts 13301 Garcia Street Quantico, Virginia 22134. Michael Roberts is the son of John Roberts Sr., and he will be called to testify as to his relationship with his father, his social events he shared with his father, events that occurred on the days before and the day of the accident, John Roberts general health his loss of society and damages as a result of his death.

Leonard W. Johnson IV 13146 S. St. Lawrence Chicago, Illinois 60627. He will testify as to the events leading up to the accident involving Mr. Roberts. It is anticipated that he will testify as to the speed of his vehicle the impact and the events after the impact the scene after the motor vehicle accident of December 14, 2004, including but not limited to, the placement of the vehicles involved, the condition of traffic controls; his general understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses.

Ron DeClements 14641 Lincoln Avenue Dolton, Illinois 60419. It is anticipated that Mr. DeClements will be called to testify regarding his observations while at the scene of the accident on December 14, 2004. His observations of John Roberts Sr., during and after the vehicles fires were extinguished. In addition, he will testify regarding the scene after the motor vehicle accident of December 14, 2004, including but not limited to, the placement of the vehicles involved, the condition of traffic controls; his general understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses. It further expected that Ron DeClements will testify consistent with his deposition testimony.

Linda Smith 145 East 148th Street Harvey, Illinois 60426. It is anticipated that Ms. Smith will be called to testify regarding her observations while at the scene of the accident on December 14, 2004. Her observations of John Roberts Sr., during and after the vehicles fires were extinguished. In addition, she will testify regarding the scene after the motor vehicle accident of December 14, 2004, including but not limited to, the placement of the vehicles involved, the condition of traffic controls; her general understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses. It further expected that Linda Smith will testify consistent with her deposition testimony.

Peter Shannon 14305 Maryland Dolton, Illinois 60419. It is anticipated that Mr. Shannon will be called to testify regarding his observations while at the scene of the accident on December 14, 2004. His observations of John Roberts Sr., during and after the vehicles fires were extinguished. In addition, he will testify regarding the scene after the motor vehicle accident of December 14, 2004, including but not limited to, the placement of the vehicles involved, the condition of traffic controls; his general

understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses. It further expected that Peter Shannon will testify consistent with his deposition testimony.

Randolph Darden 14312 South Edbrooke Riverdale, Illinois 60827. It is anticipated that Mr. Shannon will be called to testify regarding his observations while at the scene of the accident on December 14, 2004. His observations of John Roberts Sr., during and after the vehicles fires were extinguished. In addition, he will testify regarding the scene after the motor vehicle accident of December 14, 2004, including but not limited to, the placement of the vehicles involved, the condition of traffic controls; his general understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses. It further expected that Randolph Darden will testify consistent with his deposition testimony.

2. Furnish the identity, address, and subject on which each independent expert witnesses will testify at trial and the opinions the party expects to elicit.

Independent Witnesses 213(f)(2)

Steve Hotkiewicz 13135 South Escanaba Chicago, Illinois 60633. Mr. Hotkiewicz is a Firefighter from Dolton Fire Department and will be called to testify at trial as to the facts contained in the fire department reports and regarding his observations of the vehicles before, during and after the vehicles fires were extinguished. His observations of John Roberts Sr., before during and after the vehicles fires were extinguished. In addition, he will testify regarding the scene after the motor vehicle accident of December 14, 2004, including but not limited to, the placement of the vehicles involved, the condition of traffic controls; his general understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses. It further expected that Steve Hotkiewicz will testify will testify consistent with his deposition testimony.

Gordon E. Bradshaw Dolton Fire Department 14022 S. Park Avenue Dolton, Illinois 60419. Gordon E. Bradshaw and will be called to testify at trial as to the facts contained in the fire department reports and regarding his observations of the vehicles before, during and after the vehicles fires were extinguished. His observations of John Roberts Sr., before during and after the vehicles fires were extinguished. In addition, he will testify regarding the scene after the motor vehicle accident of December 14, 2004, including but not limited to, the placement of the vehicles involved, the condition of traffic controls; his general understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses. It further expected that Gordon E. Bradshaw will testify consistent with deposition that he may give in this case.

Ron Robertson Buds Ambulance Service P.O. Box 659 Dolton, Illinois 60419. Mr. Robertson will testify at trial as to the facts contained in the Buds Ambulance Report and regarding his observations of Mr. Roberts while in the vehicle , after the vehicle fire was extinguished. In addition, he will testify regarding his observations at the scene after the motor vehicle accident of December 14, 2004, including but not limited to, the placement of the vehicles involved, the condition of Mr. Roberts body when it was received by Buds Ambulance service. His general understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses. It further expected that Ron Robertson will testify consistent with deposition that he may give in this case.

Buds Ambulance Service Crew ID# 1041 Lenzen Buds Ambulance Service P.O. Box 659 Dolton, Illinois 60419. Crew ID#1041 Lenzen will testify at trial as to the facts contained in the Buds Ambulance Report and regarding his/her observations of Mr. Roberts while in the vehicle , and after the vehicle fire was extinguished. In addition, he/she will testify regarding his/her observations at the scene after the motor vehicle accident of December 14, 2004, including but not limited to, position and the condition, of Mr. Roberts body when it was received by Buds Ambulance Service. His/her general understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses. It further expected that Crew ID # 1041 Lenzen will testify consistent with deposition that he/she may give in this case.

Buds Ambulance Service Crew ID#1283 Allison Buds Ambulance Service P.O. Box 659 Dolton, Illinois 60419. Crew ID# 1283 Allison will testify at trial as to the facts contained in the Buds Ambulance Report and regarding his/her observations of Mr. Roberts while in the vehicle , and after the vehicle fire was extinguished. In addition, he/she will testify regarding his/her observations at the scene after the motor vehicle accident of December 14, 2004, including but not limited to, position and the condition, of Mr. Roberts body when it was received by Buds Ambulance Service. His/her general understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses. It further expected that Crew ID# 1283 Allison will testify consistent with deposition that he/she may give in this case

Buds Ambulance Service Crew ID# 668 M. Rigoni Buds Ambulance Service P.O. Box 659 Dolton, Illinois 60419. Crew ID#668 M. Rigoni will testify at trial as to the facts contained in the Buds Ambulance Report and regarding his/her observations of Mr. Roberts while in the vehicle , and after the vehicle fire was extinguished. In addition, he/she will testify regarding his/her observations at the scene after the motor vehicle accident of December 14, 2004, including but not limited to, position and the condition,

of Mr. Roberts body when it was received by Buds Ambulance service. His/her general understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses. It further expected that Crew ID#668 M. Rigoni will testify consistent with deposition that he/she may give in this case.

Chief Ron Burge Dolton Police Department, 14030 Park Avenue Dolton, Illinois 60419. Chief Ron Burge will be called to testify at trial as to the facts contained in the Police Report and regarding his observations of the vehicles, and the scene after the motor vehicle accident of December 14, 2004, including but not limited to, the placement of the vehicles involved, the condition of traffic controls; his general understanding of the circumstances and facts leading up to the incident; conversations with and/ or between the parties and/ or witnesses. It is further expected that Chief Ron Burge will testify consistent with the deposition that he may give in this case.

Juan Bautista 9511 West Harrison Des Plaines, Illinois 60016. Juan Bautista is a Illinois State Trooper. Mr. Bautista will be called to testify at trial as to the facts contained in the Illinois accident reconstruction report and regarding his observations of the vehicles, during and after the vehicles fires were extinguished. His observations of John Roberts Sr., during and after the vehicles fires were extinguished. In addition, he will testify regarding the scene after the motor vehicle accident of December 14, 2004, including but not limited to, the placement of the vehicles involved, the condition of traffic controls; his general understanding of the circumstances and facts leading up to the incident; and conversations with the witnesses. It further expected that Juan Bautista will testify consistent with his deposition testimony.

Joseph Lawrence Cogan 328 North Cuyler Oak Park, Illinois 60302. Cook County Medical Examiner Joseph Lawrence Cogan will be called to testify at trial as to the findings stated in the Certificate of Death and Report of Postmortem Examination. In addition, he is expected to testify consistent with his deposition testimony.

Unknown Former and Current General Motors Corporation Employees will be called to testify at trial that have information concerning any facts or circumstances in any way related to the subject matter of this action. These employees may be called to testify as to their knowledge of facts and circumstances or issues that are in any way related to this matter including Corporate Designees, Release Engineers, Design Engineers, Fuel Tank Placement Engineers, Fuel Tank Components Parts Engineers, and Designers of the Component Parts, before and after market Fuel Tank inspectors, and various research employees.

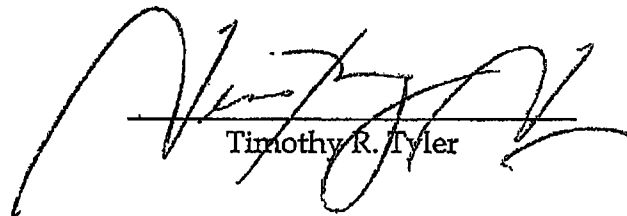
Plaintiff reserves the right to supplement her responses to the Illinois Supreme Court Rule 213(f) Interrogatories pursuant to Illinois Supreme Court Rule 213(i).

At trial, Plaintiff reserve the right to elicit any opinion expressed by a witness at his or her deposition.

Plaintiff expressly adopts those opinions expressed by Defendants Supreme Court Rule 213(f)(1) and(2) opinion witnesses, with respect to all witnesses, Plaintiff reserve the right to elicit information and opinions in subject areas which are not listed in these answers, but which are first introduced by the Defendant in the cross-examination of any witness or in their respective cases.

Plaintiff reserve the right to elicit opinions from Defendants opinion witnesses, including those expressed at the depositions of those witnesses; those expressed by opinion witnesses in writings authored or coauthored by the witnesses; and to elicit the opinions of Defendants; and their opinion witnesses with respect to statements made by Defendants opinion witnesses in deposition, at trial or in writings authored or coauthored by his opinions witnesses.

Plaintiff reserve the right to refrain from calling any listed witnesses and to refrain from calling any listed witness to testify with regard to any listed subject. Moreover, by listing a witness or subject matter, Plaintiff do not waive any rights to object to that witness being called by another party, or to objections which Plaintiff may have to a witness' testimony on any subject.



Timothy R. Tyler

Timothy R. Tyler
Timothy R. Tyler & Associates, P.C.
120 West Madison
Suite 505
Chicago, Illinois 60602
(312) 920-1745

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

FILED

2007 AUG 23 PH 3:26

CIRCUIT COURT OF COOK
COUNTY, ILLINOIS
LAW DIVISION

DOROTHY BROWN CLERK

MAZIE ROBERTS, Individually and as Special)
Administrator of the Estate of JOHN ROBERTS)
SR., deceased,)

Plaintiff,)

vs.)

LEONARD W. JOHNSON, IV, GENERAL)
MOTORS CORPORATION and)
GROSSINGER AUTOPLEX,)

Defendant.)

Case No. 04 L 013996

Calendar F

NOTICE OF FILING

To: Timothy R. Tyler
Timothy R. Tyler & Associates, P.C.
120 West Madison Street, Suite 505
Chicago, IL 60602

PLEASE TAKE NOTICE THAT on the 23rd day of August, 2007 we filed with the Circuit Court of Cook County, County Department, Law Division, **Defendants' Answers to Plaintiff's Rule 213(f)(1) & (2) Interrogatories**, a copy of which is attached hereto and served upon you.

**GENERAL MOTORS CORPORATION
and GROSSINGER AUTOPLEX**

By: 

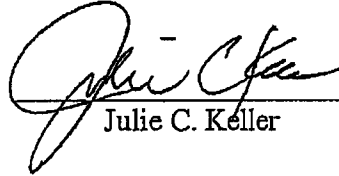
One of their Attorneys

Julie C. Keller
DYKEMA GOSSETT PLLC
10 S. Wacker, Suite 2300
Chicago, IL 60606
(312) 876-1700

Michael Cooney (*pro hac vice*)
DYKEMA GOSSETT PLLC
400 Renaissance Center
Detroit, Michigan 48243
(313) 568-6594

CERTIFICATE OF SERVICE

I, Julie C. Keller, aver that on August 23, 2007 a copy of the above document and Defendants' Answers to Plaintiff's Rule 213(f)(1) & (2) Interrogatories, were served via facsimile and U.S. First Class Mail delivery from 10 S. Wacker, Suite 2300, Chicago, IL 60606 upon the attorney listed above before 5:00 p.m.



Julie C. Keller

Attorney No. 28788

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

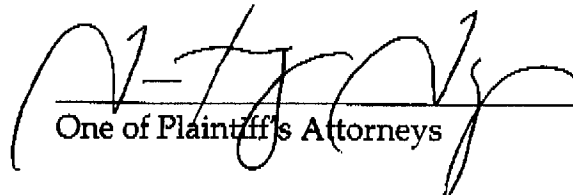
No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

ROUTINE MOTION FOR LEAVE TO APPEAR PRO HAC VICE

Now comes the Plaintiffs, MAZIE ROBERTS, individually and as Special Administrator for the estate of JOHN ROBERTS SR., Deceased, by and through her attorney, TIMOTHY R. TYLER & ASSOCIATES, P.C., and hereby request that J. Kent Emison, Robert Langdon, Brett Emison, Robert Sullivan, and LANGDON & EMISON be admitted to appear *pro hac vice* before the Circuit Court of Cook County, Illinois solely for the purpose of appearing in the above-captioned case as lead counsel for Plaintiffs, MAZIE ROBERTS, Individually and as Special Administrator for the estate of JOHN ROBERTS SR., Deceased, and in support thereof, attach the Affidavits of J. Kent Emison, Robert Langdon, Robert Sullivan and Brett Emison as Exhibit A.

Respectfully submitted,


One of Plaintiff's Attorneys

Timothy Tyler
TIMOTHY R. TYLER & ASSOCIATES, P.C.
120 W Madison Street, Suite 505
Chicago IL 60602
312/920-1745

State of Missouri)
County of Lafayette)

AFFIDAVIT BRETT A. EMISON

BRETT A. EMISON, being first duly sworn on oath, deposes and states as follows:

1. I am an Attorney licensed to practice law in the State of Missouri in the firm of LANGDON & EMISON, which is located in Lexington, Missouri. I am one of the Attorneys responsible for the prosecution of the above-referenced matter on behalf of our clients Mazie Roberts.

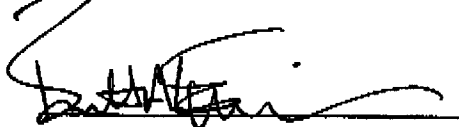
2. I am competent to testify to the allegations contained within this Affidavit based on my own personal knowledge (unless otherwise stated on information and belief).

3. Our firm has been requested to represent Mazie Roberts in this matter. I am a member in good standing of the Bar of the State of Missouri. There are no disciplinary proceedings pending against me in any jurisdiction where I have appeared as a practicing Attorney.

4. I am familiar with the Illinois Code of Civil Procedure, Rules of the Illinois Supreme Court and local Court Rules of the Cook County Circuit Court. Our client has requested that our firm and myself represent them in this matter. Timothy R. Tyler a licensed Illinois Attorney is acting as Local Counsel.

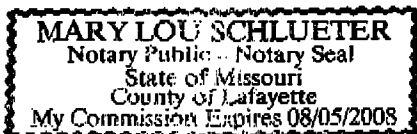
5. I respectfully request that this Honorable Court admit me *Pro Hac Vice* in order to represent our client Mazie Roberts in this pending matter.

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Brett A. Emison, MB# 52072
LANGDON & EMISON
911 Main Street
P.O. Box 220
Lexington, Missouri 64067
(660)259-6175
(660)259-4571 facsimile

SUBSCRIBED and SWORN to this 27 day of November, 2007.


NOTARY PUBLIC

State of Missouri)
County of Lafayette)

AFFIDAVIT OF J. KENT EMISON

J. KENT EMISON, being first duly sworn on oath, deposes and states as follows:

1. I am an Attorney licensed to practice law in the State of Missouri in the firm of LANGDON & EMISON, which is located in Lexington, Missouri. I am one of the Attorneys responsible for the prosecution of the above-referenced matter on behalf of our clients Mazie Roberts.

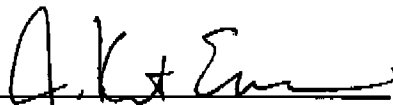
2. I am competent to testify to the allegations contained within this Affidavit based on my own personal knowledge (unless otherwise stated on information and belief).

3. Our firm has been requested to represent Mazie Roberts in this matter. I am a member in good standing of the Bar of the State of Missouri. There are no disciplinary proceedings pending against me in any jurisdiction where I have appeared as a practicing Attorney.

4. I am familiar with the Illinois Code of Civil Procedure, Rules of the Illinois Supreme Court and local Court Rules of the Cook County Circuit Court. Our client has requested that our firm and myself represent them in this matter. Timothy R. Tyler a licensed Illinois Attorney is acting as Local Counsel.

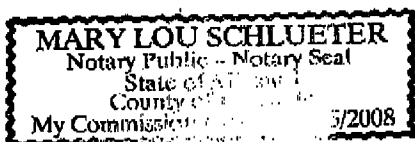
5. I respectfully request that this Honorable Court admit me *Pro Hac Vice* in order to represent our clients Mazie Roberts in this pending matter.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


J. Kent Emison - MO Bar #29721
LANGDON & EMISON
911 Main Street
P.O. Box 220
Lexington, Missouri 64067
(660)259-6175
(660)259-4571 facsimile

SUBSCRIBED and SWORN to this 28 day of November, 2007.


NOTARY PUBLIC



State of Missouri)
County of Salisbury)

AFFIDAVIT ROBERT C. SULLIVAN

ROBERT C. SULLIVAN, being first duly sworn on oath, deposes and states as follows:

1. I am an Attorney licensed to practice law in the State of Missouri in the firm of LANGDON & EMISON, which is located in Lexington, Missouri. I am one of the Attorneys responsible for the prosecution of the above-referenced matter on behalf of our clients Mazie Roberts.

2. I am competent to testify to the allegations contained within this Affidavit based on my own personal knowledge (unless otherwise stated on information and belief).

3. Our firm has been requested to represent Mazie Roberts in this matter. I am a member in good standing of the Bar of the State of Missouri. There are no disciplinary proceedings pending against me in any jurisdiction where I have appeared as a practicing Attorney.

4. I am familiar with the Illinois Code of Civil Procedure, Rules of the Illinois Supreme Court and local Court Rules of the Cook County Circuit Court. Our client has requested that our firm and myself represent them in this matter. Timothy R. Tyler a licensed Illinois Attorney is acting as Local Counsel.

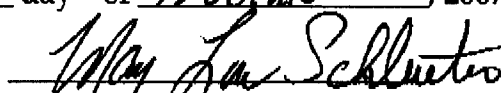
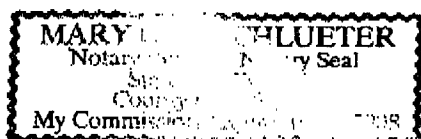
5. I respectfully request that this Honorable Court admit me *Pro Hac Vice* in order to represent our client Mazie Roberts in this pending matter.

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Robert C. Sullivan, Mo. Bar #52408
LANGDON & EMISON
911 Main Street
P.O. Box 220
Lexington, Missouri 64067
(660)259-6175
(660)259-4571 facsimile

SUBSCRIBED and SWORN to this 28 day of November, 2007.


NOTARY PUBLIC

State of Missouri)

County of Lafayette)

AFFIDAVIT OF ROBERT L. LANGDON

ROBERT LANGDON, being first duly sworn on oath, deposes and states as follows:

1. I am an Attorney licensed to practice law in the State of Missouri in the firm of LANGDON & EMISON, which is located in Lexington, Missouri. I am one of the Attorneys responsible for the prosecution of the above-referenced matter on behalf of our clients Mazie Roberts.

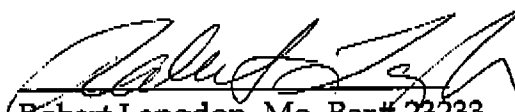
2. I am competent to testify to the allegations contained within this Affidavit based on my own personal knowledge (unless otherwise stated on information and belief).

3. Our firm has been requested to represent Mazie Roberts in this matter. I am a member in good standing of the Bar of the State of Missouri. There are no disciplinary proceedings pending against me in any jurisdiction where I have appeared as a practicing Attorney.

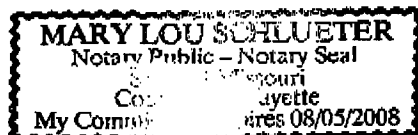
4. I am familiar with the Illinois Code of Civil Procedure, Rules of the Illinois Supreme Court and local Court Rules of the Cook County Circuit Court. Our client has requested that our firm and myself represent them in this matter. Timothy R. Tyler a licensed Illinois Attorney is acting as Local Counsel.


5. I respectfully request that this Honorable Court admit me *Pro Hac Vice* in order to represent our clients Mazie Roberts in this pending matter.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


Robert Langdon, Mo. Bar# 23233
LANGDON & EMISON
911 Main Street
P.O. Box 220
Lexington, Missouri 64067
(660)259-6175
(660)259-4571 facsimile

SUBSCRIBED and SWORN to this 28 day of November, 2007.




NOTARY PUBLIC

Attorney No. 28788

FILED-4

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

08 JAN 15 PM 11:10
CIRCUIT COURT OF COOK
COUNTY, ILLINOIS
LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

CLERK
DOROTHY BROWN

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

NOTICE OF FILING

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on January 15, 2008, I caused to be filed with the Clerk of the Circuit Court of Cook County, Law Division, Plaintiff's 3rd Supplemental Interrogatories to Defendant General Motors Corporation, a copy of which is served upon you.


Attorney for Plaintiff

Name: Timothy R. Tyler
Address: 120 W Madison Street, Ste 505
Telephone: 312/920-1745

Attorney for: Plaintiff
City: Chicago IL 60602
Atty. No: 28788

PROOF OF SERVICE BY MAIL

The undersigned, a non-attorney/attorney, on oath states, I served this notice by mailing a copy to the person listed above by depositing same in the U. S. Mail at 111 West Washington, Chicago, IL before 5:00 p.m. on January 15, 2008, with proper postage prepaid.

(X) Under penalties as provided by law
Pursuant to IL. Rev. Stat. Chap. 110
Sec. 1-109, I certify that the statements
set forth are true and correct.

1-15-08

DATE


SIGNATURE

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Attorney No. 28788

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 04 L 013996

LEONARD W. JOHNSON, IV,)
GENERAL MOTORS CORPORATION)
and GROSSINGER AUTOPLEX,)
Defendants.)

ATTORNEY SERVICE LIST

Michael Cooney
DYKEMA GOSSETT
400 Renaissance Center
Detroit MI 48243
Tel: 313/568-6800
Fax: 313/568-6832
mcooney@dykema.com

Julie Keller
DYKEMA GOSSETT
10 S. Wacker Drive Suite 2300
Chicago IL 60606
Tel: 312/876-1700
Fax: 312/627-2302
jkeller@dykema.com

ATTORNEYS FOR GENERAL MOTORS CORPORATION

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

FILED-2

2009 JUN 16 PM 2:37

CIRCUIT COURT OF COOK
COUNTY, ILLINOIS
LAW DIVISION

DOROTHY BROWN, CLERK

MAZIE ROBERTS, Individually and as Special)
Administrator of the Estate of JOHN ROBERTS))
SR., deceased,)

Plaintiff,)

vs.)

LEONARD W. JOHNSON, IV, GENERAL)
MOTORS CORPORATION and)
GROSSINGER AUTOPLEX,)

Defendant.)

Case No. 04 L 013996

Calendar F

NOTICE OF BANKRUPTCY

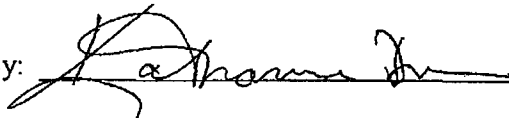
PLEASE TAKE NOTICE that, on June 1, 2009, (the "Commencement Date"), General Motors Corporation and certain of its subsidiaries, including GENERAL MOTORS CORPORATION filed a voluntary petition seeking bankruptcy protection under chapter 11 of title 11 of the United States Code (11 U.S.C. § 101 *et seq.*) ("Bankruptcy Code") in the United States Bankruptcy Court for the Southern District of New York ("Bankruptcy Court"). The bankruptcy case has been assigned Case No. 09-50026 (REG). A copy of GM's chapter 11 petition is attached hereto as Exhibit A.

PLEASE BE ADVISED that, as of the Commencement Date, any new or further action against GENERAL MOTORS CORPORATION is stayed pursuant to section 362 of the Bankruptcy Code (the "Automatic Stay"), which provides that the filing of the petition, among other things, "operates as a stay, applicable to all entities, of ...the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could

have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title” and of “any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate.” 11 U.S.C. § 362(a)(1) & 362(a)(3).

PLEASE BE FURTHER ADVISED that any action taken against GENERAL MOTORS CORPORATION without obtaining relief from the Automatic Stay from the Bankruptcy Court may be void ab initio and may result in a finding of contempt against Plaintiffs. GENERAL MOTORS CORPORATION reserves and retains its statutory right to seek relief in the Bankruptcy Court from any judgment, order, or ruling entered in violation of the Automatic Stay.

Dated: June 9, 2009

By: 

Attorneys for Defendant
GENERAL MOTORS CORPORATION

AFFIRMATION OF SERVICE BY FEDERAL EXPRESS

Katharine N. Dunn, an attorney duly admitted to practice law before the Courts of the State of Illinois, hereby affirms the following to be true under penalty of perjury:

I am over the age of eighteen (18) years, am employed by the law firm of Dykema Gossett PLLC, and am not a party to this action.

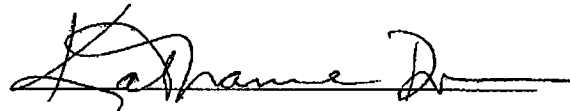
On the 9th day of June, 2009, I served a copy of the foregoing Notice of Bankruptcy in the above-captioned action upon:

Timothy R. Tyler
Timothy R. Tyler & Associates, P.C.
120 West Madison Street, Suite 505
Chicago, IL 60602

J. Kent Emison
Langdon & Emison
911 Main Street
Lexington, MO 64067

by depositing true copies of the same in a properly addressed wrapper into the custody of UPS, an overnight delivery service to plaintiff's counsel and via regular mail to remaining counsel, prior to the latest time designed by UPS for overnight delivery.

Dated: June 9, 2009

A handwritten signature in black ink, appearing to read "Katharine N. Dunn", with a long horizontal line extending to the right.

CHICAGO\2695173.1
ID\KND - 102607/0012

EXHIBIT A

Chapter 11 Petition of General Motors Corporation

United States Bankruptcy Court of 24
Southern District of New York

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): GENERAL MOTORS CORPORATION		Name of Joint Debtor (Spouse) (Last, First, Middle): N/A	
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): See Schedule 1 Attached		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): N/A	
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): 38-0572515		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): N/A	
Street Address of Debtor (No. and Street, City, and State): 300 Renaissance Center		Street Address of Joint Debtor (No. and Street, City, and State): N/A	
Detroit, Michigan	ZIP CODE 48265-3000		ZIP CODE
County of Residence or of the Principal Place of Business: Wayne County		County of Residence or of the Principal Place of Business: N/A	
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address): N/A	
	ZIP CODE		ZIP CODE
Location of Principal Assets of Business Debtor (if different from street address above): 767 Fifth Avenue, New York, New York		ZIP CODE 10153	

<p>Type of Debtor (Form of Organization) (Check one box.)</p> <p><input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i></p> <p><input checked="" type="checkbox"/> Corporation (includes LLC and LLP)</p> <p><input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)</p>	<p>Nature of Business (Check one box.)</p> <p><input type="checkbox"/> Health Care Business</p> <p><input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B)</p> <p><input type="checkbox"/> Railroad</p> <p><input type="checkbox"/> Stockbroker</p> <p><input type="checkbox"/> Commodity Broker</p> <p><input type="checkbox"/> Clearing Bank</p> <p><input checked="" type="checkbox"/> Other</p> <p><u>Automotive Manufacturing</u></p> <p>Tax-Exempt Entity (Check box, if applicable.)</p> <p><input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).</p>	<p>Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)</p> <p><input type="checkbox"/> Chapter 7</p> <p><input type="checkbox"/> Chapter 9</p> <p><input checked="" type="checkbox"/> Chapter 11</p> <p><input type="checkbox"/> Chapter 12</p> <p><input type="checkbox"/> Chapter 13</p> <p><input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding</p> <p><input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding</p> <hr/> <p>Nature of Debts (Check one box)</p> <p><input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."</p> <p><input checked="" type="checkbox"/> Debts are primarily business debts.</p>
<p>Filing Fee (Check one box)</p> <p><input checked="" type="checkbox"/> Full Filing Fee attached</p> <p><input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.</p> <p><input type="checkbox"/> Filing Fee waiver requested (applicable to Chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.</p>		<p>Chapter 11 Debtors</p> <p>Check one box:</p> <p><input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).</p> <p><input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).</p> <p>Check if:</p> <p><input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.</p> <hr/> <p>Check all applicable boxes:</p> <p><input type="checkbox"/> A plan is being filed with this petition.</p> <p><input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(B).</p>

Statistical/Administrative Information											THIS SPACE IS FOR COURT USE ONLY
<input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.											
Estimated Number of Creditors (on a Consolidated Basis)											
<input type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input checked="" type="checkbox"/> Over 100,000		
Estimated Assets (on a Consolidated Basis)											
<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input checked="" type="checkbox"/> More than \$1 billion		
Estimated Liabilities (on a Consolidated Basis)											
<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input checked="" type="checkbox"/> More than \$1 billion		

EXHIBIT

A

Attorney No. 42297

IN THE CIRCUIT COURT FOR COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT – LAW DIVISION

FILED-5
11 JUN -2 PM 4:17
DOROTHY L. BROWN
CLERK OF CIRCUIT COURT
LAW DIVISION

MAZIE ROBERTS, Individually and as)
Special Administrator of the Estate of)
JOHN ROBERTS SR., deceased,)
Plaintiff,)

v.)

No. 09 L 11625

GROSSINGER AUTOPLEX,)
Defendant.)

**DEFENDANT GROSSINGER AUTOPLEX'S RESPONSE
TO PLAINTIFF'S SECOND SET OF INTERROGATORIES
TO DEFENDANT GROSSINGER AUTOPLEX**

Defendant Grossinger Autoplex, Inc. ("Grossinger"), through its attorneys, Dykema Gossett, PLLC, responds as follows to Plaintiff's Second Set of Interrogatories:

INTERROGATORY NO. 1:

To the extent you deny any of Plaintiffs First Request for Admissions to Defendant Grossinger (sic) Autoplex, for each such denial, please provide the following:

- (a) Please state, with particularity, each fact on which you rely to support your denial;
- (b) Please identify each person with knowledge on which you rely to support your denial;
- (c) Please identify each document on which you rely to support your denial.

RESPONSE TO INTERROGATORY NO. 1:

Grossinger denied Request Nos. 1-2, 4-5, and 8-9 because the letters/exhibits referenced in Plaintiff's Requests were mailed prior to the filing "of the above-captioned matter" and pertain to prior filings of this lawsuit, which has been filed, dismissed and re-filed several times. Grossinger identifies counsel for Plaintiff, counsel for Defendant and the sender and recipients of the referenced letters as persons with knowledge of the denial. Grossinger further refers Plaintiff

to her complaints previously filed regarding this accident and to the referenced letters for information responsive to this request.

With respect to Request No. 15, Grossinger denied this request because General Motors, LLC did not agree to indemnify Grossinger for any judgment rendered against it in this matter. Grossinger refers Plaintiff to the letters from Kristi Fielder for additional information responsive to this request. Representatives from Grossinger and/or GM have knowledge of the basis of this denial.

X

VERIFICATION

I, Rick Lanham being first duly sworn on oath depose and state that I have read the foregoing answers interrogatories and that the information contained therein is true and accurate to the best of my knowledge.

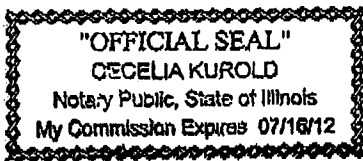
Rick Lanham

Rick Lanham

SUBSCRIBED AND SWORN to
before me this 2nd day
of June, 2011.

Cecelia Kurola

Notary Public



Michael P. Cooney (*pro hac vice*)
Brittany M. Schultz (*pro hac vice*)
Sara Arroyo Francis
DYKEMA GOSSETT PLLC
10 S. Wacker Drive
Suite 2300
Chicago, Illinois 60606
(312) 876-1700
Firm ID 42297

Attorney #28788

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

MAZIE ROBERTS, Individually and
as Special Administrator of the Estate of
JOHN ROBERTS SR., deceased,

Plaintiff,

v.

GROSSINGER AUTOPLEX,

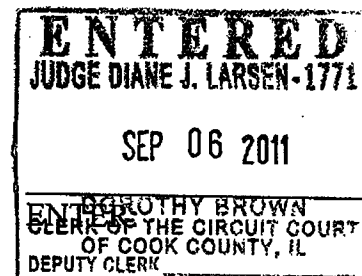
Defendant.

No. 09 L 11625

ORDER

THIS CAUSE COMING TO BE HEARD on Plaintiffs' Motion for Approval of Distribution of Settlement Funds and Removal and Sealing of Documents related to Settlement Amount, that this cause of action has been settled by agreement between plaintiffs and defendant Grossinger Autoplex, due notice having been given and the Court being advised of the premises.

IT IS HEREBY ORDERED that all documents which identify the settlement(the September 6, 2011 motion) amount be removed by the clerk of the court and stricken from file number 09 L 11625 instantler. The court finds that the settlement and distribution in this lawsuit is reasonable and fair and that the parties are granted leave to settle this matter. Further, it is ordered that Mazie Roberts special administrative and special representative shall sign all releases and documents related to settlement of this matter. It is therefore order that this lawsuit has been settled in its entirety between the parties. This lawsuit is dismissed with prejudice and without costs. The court shall retain jurisdiction over this lawsuit for thirty (30) days from the date of this order.



JUDGE

Timothy R. Tyler
TYLER LAW OFFICES
120 West Madison Street-Suite 505
Chicago, Illinois 60602
(312) 920-1745