



1025 South Semoran Boulevard - Suite 1093  
Winter Park, Florida 32792

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**PHOTOGRAPHS OF ADVERSE VEHICLE**

**Subject:** [REDACTED] v. SUZUKI  
**Vehicle:** 1999 Ford F150 Pickup Truck  
**Date Taken:** May 15, 2002  
**DOA:** April 12, 2002  
**Our File #:** [REDACTED]

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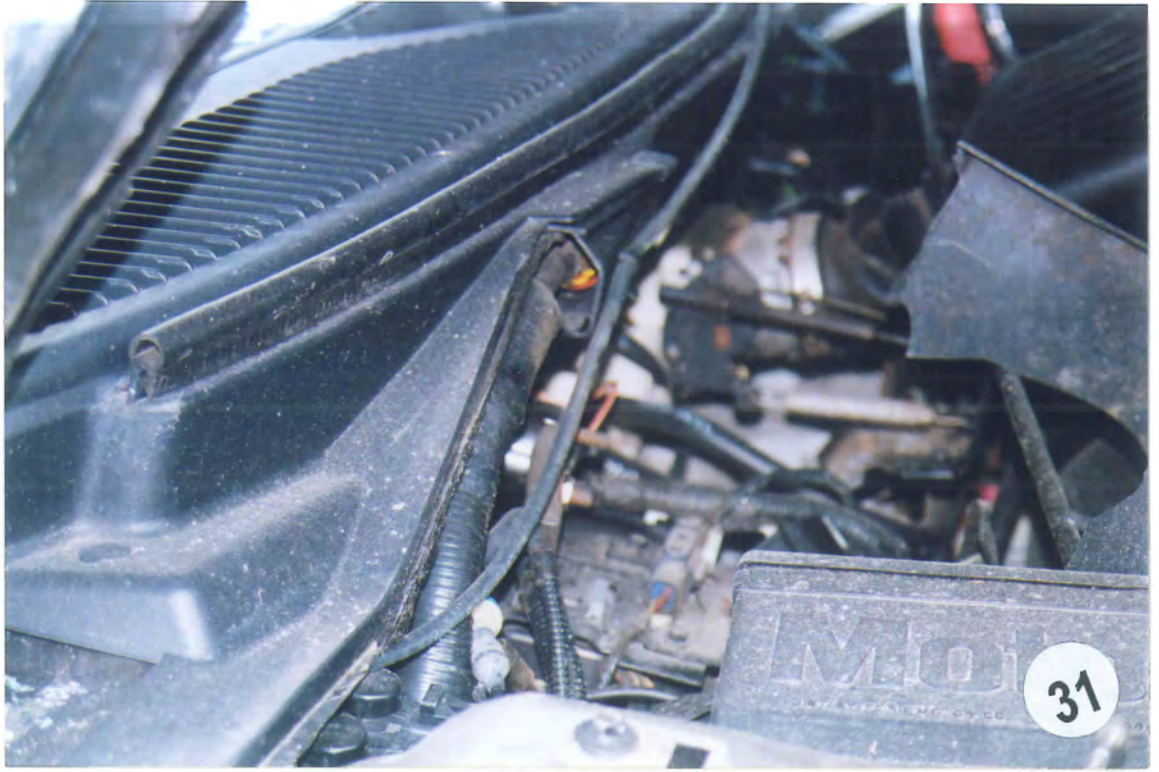


















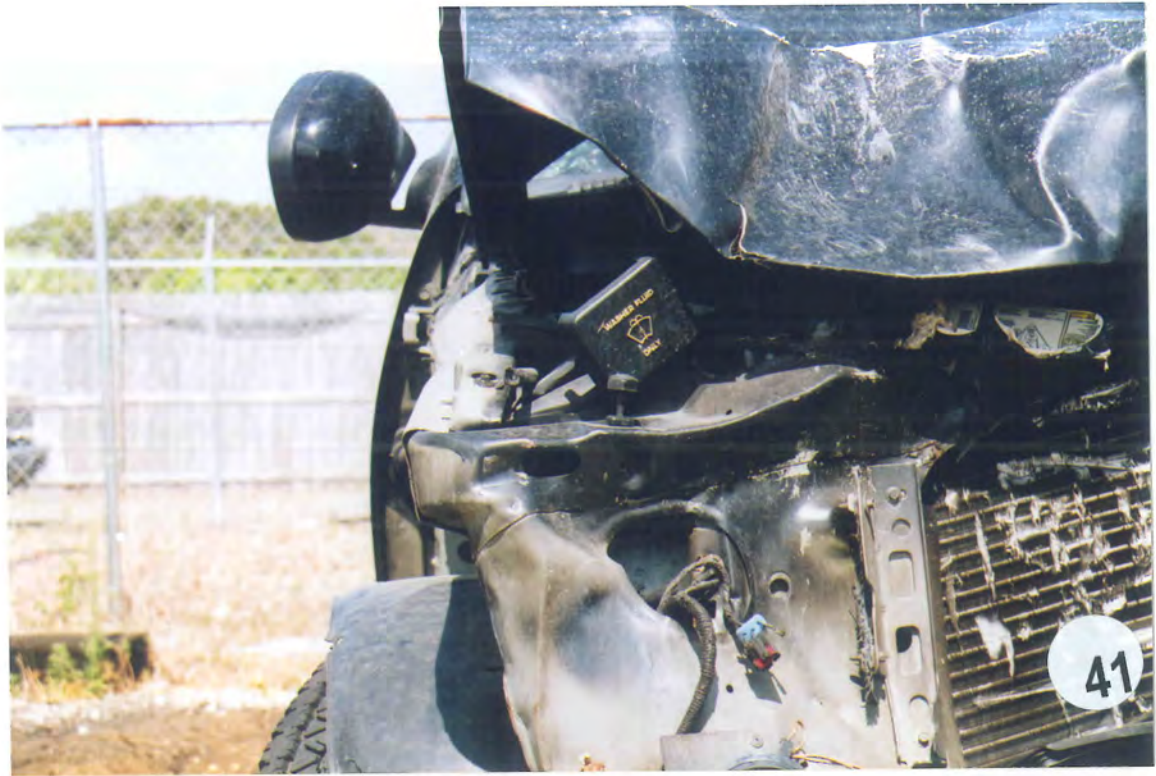




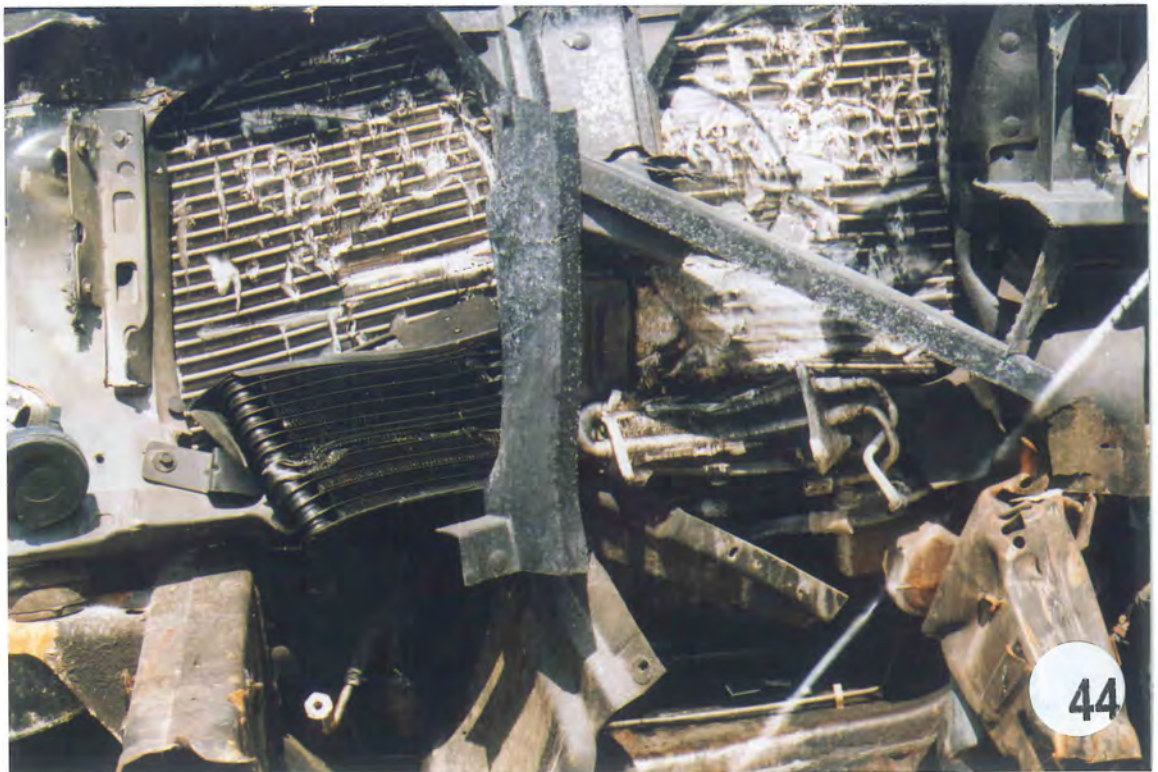


































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June 10, 2002

Karl Pearson, Esquire  
Roth, Powell & Pierson  
399 Carolina Avenue  
Winter Park, Florida 32789

Re: Subject: [REDACTED] v. SUZUKI  
Product: 2001 Suzuki Grand Vitara  
Accident Date: April 12, 2002  
Accident Location: Brevard County, Florida  
Our File Number: [REDACTED]  
Report #: 1

**THIS IS A CONFIDENTIAL COMMUNICATION. THIS REPORT AND ALL ATTACHMENTS HEREIN HAVE BEEN OBTAINED OR COMPLETED AT THE DIRECTION OF LEGAL COUNSEL. ALL WORK DONE WAS UNDER THE DIRECT SUPERVISION OF SAID COUNSEL. THIS COMMUNICATION IS CONFIDENTIAL AND PRIVILEGED IN NATURE, AND IS SUBJECT TO OUR ATTORNEY/CLIENT AND WORK PRODUCT PRIVILEGES.**

Dear Mr. Pearson:

Thank you for the new assignment. Enclosed is the first report in the above-referenced case for your review.

**ENCLOSURES:**

1. Florida Traffic Crash Report No. 02-28-06263-19
2. Accident Scene Photographs (Under separate cover)

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Phone: 407-379-1005

1025 South Semoran Boulevard, Suite 1093  
Winter Park, Florida 32792

Fax: 407-677-1472



**DEFENSE LITIGATION GROUP**

**INVESTIGATIVE REPORT**

**June 10, 2002**

3. Vehicle Inspection Worksheet for Suzuki Grand Vitara.
4. Inspection photographs of Suzuki Grand Vitara (Under separate cover).
5. Vehicle Inspection Worksheet for Ford F150 Pickup Truck.
6. Inspection Photographs of Ford F150 Pickup Truck (Under separate cover.)
7. Newspaper Article from the Saturday, April 14, 2002 Edition of The Orlando Sentinel.

**BRIEF DESCRIPTION OF ACCIDENT:**

Enclosed is the Florida Traffic Crash Report No. 02-28-06263-19 related to the subject accident. The report shows that the subject accident occurred on April 12, 2002, at approximately 11:40 a.m., .5 miles west of the City of West Melbourne, in Brevard County, Florida. The exact location is .10 mile from nodes 02240 and 02241. This is approximately 2/10 mile north of the intersection of Interstate-95 and U.S. 192, which is State Road 500.

There were three vehicles involved in the subject accident. Vehicle No. 1 is described as a 2001 Suzuki. It bore a State of Florida License No. GY1-02T. The VIN was JS3TD62VX14 [REDACTED]. The damage was primarily contained to the rear of the vehicle, totaling approximately \$15,000.00. The vehicle was removed from the scene by Lee's Towing. It was owned by [REDACTED]. They are located at [REDACTED] Lauderdale Lakes, Florida [REDACTED].

The driver of the vehicle was [REDACTED]. The report notes that his address was [REDACTED], Ft. Pierce, Florida [REDACTED]. He is described as a black male, born October 21, 1972. He carried State of Florida Driver License No. [REDACTED] 297

It is interesting to note that there are pending blood alcohol tests for the driver, [REDACTED]. [REDACTED] died as a result of his injuries sustained in the subject

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**June 10, 2002**

accident. It is known there was a second individual located in this vehicle, but it is not noted on the report.

Vehicle No. 2 is described as a 1999 Ford F150 pickup truck. It bore State of Florida License No. [REDACTED]. The VIN was 2FTRX08L7XC[REDACTED]. This vehicle sustained an estimated \$8,000-worth of damage. Most of the damage was contained to the front portion of the vehicle. It was removed from the scene by Lee's Towing, Palm Bay, Florida.

The vehicle was owned by [REDACTED] of [REDACTED] [REDACTED] Melbourne, Florida [REDACTED]. Note, the Accident Report lists the name in error as "Harb."

The Ford truck was driven by [REDACTED]. She resided at [REDACTED] [REDACTED] Melbourne, Florida [REDACTED]. She is described as a white female, born October 5, 1965. She carried a State of Florida Driver License No. [REDACTED].

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The third and final vehicle involved in the subject accident was a 1999 Chrysler. This vehicle bore State of Virginia License No. [REDACTED]. The VIN was 2C3HE66G4X[REDACTED]. It sustained estimated damage of \$8,000.00. This vehicle was also removed by Lee's Towing.

The driver was [REDACTED]. His address was listed as [REDACTED] [REDACTED] Galax, Virginia [REDACTED]. [REDACTED] is described as a white male, born July 16, 1934. He carries a current State of Virginia Drivers License No. [REDACTED].

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The report shows that the accident occurred on a blacktop interstate. The roadway was straight and level. The report notes that the pavement was wet, and that there was rain. It was during daylight hours. There are no known defects with any of the vehicles.

It is interesting to note that "careless driving" is noted as a contributing cause for Vehicle No. 1, which is the Suzuki. Included as part of this report is Page 4 of 4, which shows a diagram of the subject accident.



**DEFENSE LITIGATION GROUP**

**INVESTIGATIVE REPORT**

**June 10, 2002**

**BRIEF DESCRIPTION OF VEHICLE:**

The vehicle which is the subject of this possible litigation is a 2001 Suzuki Grand Vitara. It was manufactured in November of 2000, and carries VIN JS3TD62VX14[REDACTED]. It has a State of Florida License Tag No. [REDACTED]. The entire vehicle was extremely burned. It is believed it is silver in color. All other specifics related to the subject vehicle are included in the enclosed Vehicle Inspection Worksheet.

**MEDIA:**

Newspaper Article, Saturday, April 14, 2002 edition

*The Orlando Sentinel*

"Car crosses I-95 median: 2 dead, 4 hurt."

Enclosed is a newspaper article from the Saturday, April 14, 2002 edition of *The Orlando Sentinel*. The article is entitled, "Car crosses I-95 median: 2 dead, 4 hurt."

The enclosed article states that two people were killed, and four injured early Friday [4/15/02], when their "Suzuki Samurai slid across the median of Interstate 95 during heavy rains, and collided with three other vehicles." We know that the model of the Suzuki was actually a Grand Vitara, and it only collided with two other vehicles.

Florida Highway Patrol troopers are quoted as saying that the Suzuki was traveling northbound, when it "suddenly veered across the roadway, and was hit by three southbound vehicles." The Suzuki caught fire as a result of the collision, and killed both men inside. Apparently, Interstate-95 southbound was closed for approximately three hours.

The names of the deceased were not released as of the date of this article. FHP officials surmised that the men were traveling to Daytona Beach, Florida, for Black College Reunion. No other specifics related to this accident were discussed in the article.

**DEFENSE LITIGATION GROUP**  
**INVESTIGATIVE REPORT**  
**June 10, 2002**

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**REMARKS:**

At the present time, only the inspections of the scene, and two of the three vehicles involved in the accident, have been completed. I will await further instructions from Counsel. Preliminary discussions have been held with the Traffic Homicide Investigator, which led to the above-noted investigation. Further research in this area can be conducted.

The investigation continues.

Cordially,

Defense Litigation Group, Inc.



Billy Lee

BL/mmp





# FLORIDA TRAFFIC CRASH REPORT

CRASH FORM

FLORIDA DEPT. OF HIGHWAY SAFETY & MOTOR VEHICLES, TRAFFIC CRASH RECORDS, NEEL KIRKMAN BUILDING TALLAHASSEE, FL 32399-0537

DO NOT WRITE IN THIS SPACE

DATE OF CRASH 04 12 02	TIME OF CRASH 11:40 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	TIME OFFICER NOTIFIED 11:47 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	TIME OFFICER ARRIVED 11:52 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	INVEST. AGENCY REPORT NUMBER 02-28-06263-19	HSMV CRASH REPORT NUMBER 70722682
HTY / CITY CODE 19-00	FEET or MILE(S) 5	N S E W <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	CITY OR TOWN W. Melbourne	(CHECK if in City or Town)	COUNTY Brevard
AT NODE NO. or FEET or MILE(S) 1/10	FROM NODE NO. 02241	NEXT NODE NO. 02240	NO. OF LANES 4	1. DIVIDED 2. UNDIVIDED 1	ON STREET, ROAD OR HIGHWAY I95 (S.R. 9)
AT THE INTERSECTION OF (street, road or highway)			FEET 2/10	N S E W <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	FROM INTERSECTION OF (street, road or highway) U.S 192 (S.R. 500)

VEHICLE 1. Phantom 2. HR & Run 3. N/A 3	CAR 01	MAKE Suzi	TYPE 03	USE 01	VEH. LICENSE NUMBER [REDACTED]	STATE FL	VEHICLE IDENTIFICATION NUMBER JS3TD62VX14	18. Undercarriage 19. Overbars 20. Windshield 21. Trailer SHOW FIRST POINT OF VEHICLE DAMAGE AND CIRCLE DAMAGED AREA(S) 8
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VEHICLE TRAVELING N S E W <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> I95	ON AT	Est. MPH 80+	Posted Speed 70	EST. VEHICLE DAMAGE \$15,000.00	1. Disabling 2. Functional 3. No Damage 1	EST. TRAILER DAMAGE	DAMAGE AND CIRCLE DAMAGED AREA(S) 8
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MOTOR VEHICLE INSURANCE COMPANY (LIABILITY OR PIP) Self Insured	POLICY NUMBER Unknown	VEHICLE REMOVED BY Lee's Towing	1. Tow Rotation List 2. Tow Owner's Request 3. Driver 4. Other 1
--	--------------------------	------------------------------------	--

NAME OF VEHICLE OWNER (Check Box if Same As Driver) [REDACTED]	CURRENT ADDRESS (Number and Street) [REDACTED]	CITY AND STATE Lauderdale Lakes FL	ZIP CODE [REDACTED]
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NAME OF OWNER (Trailer or Towed Vehicle) [REDACTED]	CURRENT ADDRESS (Number and Street) [REDACTED]	CITY AND STATE [REDACTED]	ZIP CODE [REDACTED]
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NAME OF MOTOR CARRIER (Commercial Vehicle Only) [REDACTED]	CURRENT ADDRESS (Number and Street) [REDACTED]	CITY, STATE AND ZIP CODE [REDACTED]	US DOT or ICC MC IDENTIFICATION NUMBERS [REDACTED]
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NAME OF DRIVER (Take From Driver License) / PEDESTRIAN [REDACTED]	CURRENT ADDRESS (Number and Street) [REDACTED]	CITY, STATE & ZIP CODE Ft. Pierce FL	DATE OF BIRTH [REDACTED]
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DRIVER LICENSE NUMBER [REDACTED]	STATE FL	DL TYPE 7	REQ. EXP. 3	ALC/DRUG TEST TYPE 1 Blood 3 Urine 5 None 2 Breath 4 Refused	RESULTS 1	ALC/DRUG 6	PHYS. DEF. 1	RES. 2	RACE 2	SEX 1	INL. 5	S. EQUIP. 2	EJECT 4
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HAZARDOUS MATERIALS BEING TRANSPORTED 2	PLACARDED 2	IF YES INDICATE NAME OR FOUR DGT NUMBER FROM DIAMOND OR BOX ON PLACARD AND 1 DIGIT NUMBER FROM BOTTOM OF DIAMOND. [REDACTED]	WAS HAZARDOUS MATERIAL SPILLED? 2	RECOMMEND DRIVER RE-EXAM. IF YES EXPLAIN IN NARRATIVE. 2	DRIVER'S PHONE NO. [REDACTED]
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VEHICLE TRAVELING N S E W <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> I95	ON AT	Est. MPH 60-70	Posted Speed 70	EST. VEHICLE DAMAGE \$3,000.00	1. Disabling 2. Functional 3. No Damage 1	EST. TRAILER DAMAGE	DAMAGE AND CIRCLE DAMAGED AREA(S) 1
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MOTOR VEHICLE INSURANCE COMPANY (LIABILITY OR PIP) State Farm Ins	POLICY NUMBER [REDACTED]	VEHICLE REMOVED BY Lee's Towing	1. Tow Rotation List 2. Tow Owner's Request 3. Driver 4. Other 1
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NAME OF VEHICLE OWNER (Check Box if Same As Driver) [REDACTED]	CURRENT ADDRESS (Number and Street) [REDACTED]	CITY AND STATE Melbourne FL	ZIP CODE [REDACTED]
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NAME OF OWNER (Trailer or Towed Vehicle) [REDACTED]	CURRENT ADDRESS (Number and Street) [REDACTED]	CITY AND STATE [REDACTED]	ZIP CODE [REDACTED]
--	---	------------------------------	------------------------

NAME OF MOTOR CARRIER (Commercial Vehicle Only) [REDACTED]	CURRENT ADDRESS (Number and Street) [REDACTED]	CITY, STATE AND ZIP CODE [REDACTED]	US DOT or ICC MC IDENTIFICATION NUMBERS [REDACTED]
---	---	--	---

NAME OF DRIVER (Take From Driver License) / PEDESTRIAN [REDACTED]	CURRENT ADDRESS (Number and Street) [REDACTED]	CITY, STATE & ZIP CODE Melbourne FL	DATE OF BIRTH [REDACTED]
--	---	--	-----------------------------

DRIVER LICENSE NUMBER [REDACTED]	STATE FL	DL TYPE 5	REQ. EXP. 3	ALC/DRUG TEST TYPE 2 Blood 3 Urine 5 None 2 Breath 4 Refused	RESULTS 5	ALC/DRUG 1	PHYS. DEF. 1	RES. 1	RACE 1	SEX 2	INL. 2	S. EQUIP. 2	EJECT 4
-------------------------------------	-------------	--------------	----------------	---	--------------	---------------	-----------------	-----------	-----------	----------	-----------	----------------	------------

HAZARDOUS MATERIALS BEING TRANSPORTED 2	PLACARDED 2	IF YES INDICATE NAME OR FOUR DGT NUMBER FROM DIAMOND OR BOX ON PLACARD AND 1 DIGIT NUMBER FROM BOTTOM OF DIAMOND. [REDACTED]	WAS HAZARDOUS MATERIAL SPILLED? 2	RECOMMEND DRIVER RE-EXAM. IF YES EXPLAIN IN NARRATIVE. 2	DRIVER'S PHONE NO. [REDACTED]
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VEHICLE TYPE	VEHICLE USE	TRAILER TYPE	RESIDENCE (Driver / Ped.)	PHYSICAL DEFECTS	ALCOHOL / DRUG USE	LOCATION IN VEHICLE
Automobile	01 Private Transportation	01 Single Semi Trailer	1 County of Crash	1 No Defects Known	1 Not Drinking or Using Drugs	
Van	02 Commercial Passengers	02 Tandem Semi Trailer	2 Elsewhere in State	2 Eyesight Defect	2 Alcohol - Under Influence	
Light Truck P.U.-2 or 4 rear tires	03 Commercial Cargo	03 Tank Trailer	3 Non-Resident Out of State	3 Fatigue / Asleep	3 Drugs - Under Influence	1 Front Left
Medium Truck - 4 rear tires	04 Public Transportation	04 Saddle Mount / Flatbed	4 Foreign	4 Hearing Defect	4 Alcohol & Drugs - Under Influence	2 Front Center
Heavy Truck - 2 or more rear axles	05 Public School Bus	05 Boat Trailer	5 Unknown	5 Illness	5 Had Been Drinking	3 Front Right
Tractor (Cab-Substit)	06 Private School Bus	06 Utility Trailer		6 Seizure, Epilepsy, Blackout	6 Pending ALC/DRUG Test Results	4 Rear Left
Motor Home (RV)	07 Ambulance	07 House Trailer		7 Other Physical Defect		5 Rear Center
Bus (driver + seats for 9-15)	08 Law Enforcement	08 Pole Trailer				6 Rear Right
Bus (driver + seats for over 15)	09 Fire / Rescue	09 Towed Vehicle				7 In Body Of Truc
Bicycle	10 Military	10 Auto Transport				8 Bus Passenger
Motorcycle	11 Other Government	77 Other				9 Other
Moped	12 Dump					
AT Terrain Vehicle	13 Concrete Mixer					
Train	14 Garbage or Refuse					
Low Speed Vehicle	15 Cargo Van					
Other	77 Other					

EA12-005

PRODUCED BY SUZUKI MOTOR CORPORATION



04/17/02 12:44 FAX 5616845459  
04/17/02 WED 10:20 FAX 5614892840

ENTERPRISE RAC ADMIN + ELCO  
STATE FARM FTPIERCE

008/011  
004

04/17/2002 10:07 0000000

91487737222

PAGE 04  
P. 23

### NARRATIVE/DIAGRAM

DO NOT WRITE IN THIS SPACE

TIME OF CALL 11:44 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	TIME OF ACCIDENT 11:50 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	DATE OF CALL 04 12 02	COUNTY/CITY CODE 19-00	INVEST. AGENCY REPORT NUMBER 02-28-05263-19	REPORTING AGENCY NUMBER 70722682
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Section 3 V-3 was traveling south on 195 in the right lane. Section 2 V-2 was traveling south on 195 in the left lane a short distance in front of V-3.

Section 1 V-1 was traveling north on 195 in the left lane approaching V-2 and V-3. For an unknown reason V-1 traveled to the left and into the median. V-1 lost control of V-1 and V-1 spun approx 180 degrees and into the left southbound lanes right in the path of V-2 and V-3 which caused the front of V-2 to strike the rear of V-1 and the front left of V-3 to strike the rear of V-1. V-3 came to rest south of impact in a safety zone on the west shoulder. V-2 came to rest east of impact in the middle of 195 facing southeast. V-1 came to rest north of impact in the left southbound lane facing northeast. V-1 spun caught on fire.

Presented By: Firmmedic Goinell

Name of Deceased: Wilho Lovison Long Date of Birth: 08-07-75  
 Date of Death: 04-12-02 Time of Death: 11:52am

Name of Deceased: Tavrus Bernard Jones Date of Birth: 05-12-74  
 Date of Death: 04-12-02 Time of Death: 11:51am

Traffic homicide Investigator: Corporal W. H. Corbett ID #0507 Partner by Corporal D. O'Neill

Traffic Homicide Case Number: FHP 702-19-16

SECTION #	NAME OF VIOLATOR	FL. STATUTE #	CHARGE	CITATION NUMBER
1				
2				
3				

City & State: Dekota Fl City & State: Cocoa Fl

**B.C.F.R.**

Investigation Complete?  YES  NO

Case of Report: 2 Holmes Hospital

Date of Report: 04/12/02

Investigator: T.H.J.

Phone: 1727-1326

Department: Florida Highway Patrol

VEHICLE TYPE	VEHICLE USE	VEHICLE LICENSE NUMBER	STATE	VEHICLE IDENTIFICATION NUMBER	18. Underage 19. Overage 20. Invalid 21. Other
3	99	C	01 01	D305 VA 2C3HE66G4XH	SHOW FIRE POINT OF VEHICLE DAMAGE AND CIRCLE DAMAGED AREA(S) 14

VEHICLE TRAVELING	ON	AT	Est MPH	Posted Speed	EST. VEHICLE DAMAGE	1. Disabling 2. Functional 3. No Damage	EST. TRAILER DAMAGE
<input checked="" type="checkbox"/> N <input checked="" type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W			60-70	70	\$8,000.00	1	
MOTOR VEHICLE INSURANCE COMPANY (LIABILITY OR PIP)			POLICY NUMBER		VEHICLE REMOVED BY		1. Tow Robot List 2. Tow Owner's Request 3. Driver 4. Other
Unknown			Unknown		Lee's Towing		1

NAME OF VEHICLE OWNER (Check Box if Same As Driver)	CURRENT ADDRESS (Number and Street)	CITY AND STATE	ZIP CODE											
<input checked="" type="checkbox"/> Same as Driver														
NAME OF OWNER (Trailer or Towed Vehicle)	CURRENT ADDRESS (Number and Street)	CITY AND STATE	ZIP CODE											
NAME OF MOTOR CARRIER (Commercial Vehicle Only)	CURRENT ADDRESS (Number and Street)	CITY, STATE AND ZIP CODE	US DOT or ICC MC IDENTIFICATION NUMBERS											
NAME OF DRIVER (Take From Driver License)	CURRENT ADDRESS (Number and Street)	CITY, STATE & ZIP CODE	DATE OF BIRTH											
		Galax VA												
DRIVER LICENSE NUMBER	STATE	DL TYPE	REQ. EXD.	ALC/DRUG TEST TYPE	RESULTS	ALC/DRUG	PHYS. DEF.	RES.	RACE	SEX	INJ.	S EQUIP	EJECT.	
	VA	5	3	1 Blood 3 Urine 5 None 2 Breath 4 Refused	5		1	1	3	1	2	2	4	1
HAZARDOUS MATERIALS BEING TRANSPORTED	PLACARDED	IF YES INDICATE NAME OR FOUR DOT NUMBER FROM DIAMOND OR BOX ON PLACARD AND 1 DIGIT NUMBER FROM BOTTOM OF DIAMOND.		WAS HAZARDOUS MATERIAL SPILLED?	RECOMMEND DRIVER RE-EXAM. IF YES EXPLAIN IN NARRATIVE.	DRIVERS PHONE NO.								
1 Yes 2 No	2	1 Yes 2 No	2			2	( )							

PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNERS NAME	ADDRESS	CITY	STATE ZIP
None					
PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNERS NAME	ADDRESS	CITY	STATE ZIP

CONTRIBUTING CAUSES - DRIVER / PEDESTRIAN	VEHICLE DEFECT	VEHICLE MOVEMENT	VEHICLE SPECIAL FUNCTIONS
No Improper Driving (Action Careless Driving (Explain in Narrative) Failed to Yield Right-of-Way Improper Backing Improper Lane Change Improper Turn Alcohol - Under Influence Drugs - Under Influence Alcohol & Drugs - Under Influence Followed Too Closely Ignored Traffic Signal Exceeded Safe Speed Limit Disregarded Stop Sign Failed to Maintain Equip./Vehicle Improper Passing Drove Left of Center Exceeded Stated Speed Limit Obstructing Traffic	01 No Defects 02 Def Brakes 03 Worn / Smooth Tires 04 Defective / Improper Lights 05 Puncture / Blowout 06 Steering Mech. 07 Windshield Wipers 08 Equipment / Vehicle Defect 77 All Other (Explain in Narrative)	01 Straight Ahead 02 Slowing / Stopped / Stalled 03 Making Left Turn 04 Backing 05 Making Right Turn 06 Changing Lanes 07 Entering / Leaving / Parking Space 08 Property Parked 09 Improperly Parked 10 Making U-Turn	1 None 2 Farm 3 Police Pursuit 4 Recreational 5 Emergency Operation 6 Construction / Maintenance
1 2 3 02 01 01 \ \ \	1 2 3 01 01 01 \ \ \	1 2 3 01 01 01 11 Passing 12 Driverless or Runaway Vehicle 77 All Other (Explain in Narrative)	1 2 3 1 1 1 SOURCE OF CARRIER INFORMATION 1 Not Applicable 2 Shipping Papers 3 Vehicle Side 4 Driver 5 Other
18 Improper Lead 20 Disregarded Other Traffic Control 21 Driving Wrong Side/Way 22 Fleeing Police 23 Vehicle Modified 24 Driver Distraction (Explain in Narrative) 77 All Other (Explain in Narrative)	POINT OF COLLISION 01 On Road 02 Not On Road 03 Shoulder 04 Median 05 Turn Lane WORK AREA 01 None 02 Nearby 03 Entered	PEDESTRIAN ACTION 01 Crossing Not at Intersection 02 Crossing at Mid-block Crosswalk 03 Crossing at Intersection 04 Walking Along Road With Traffic 05 Walking Along Road Against Traffic 06 Working on Vehicle in Road 07 Working In Road 08 Standing/Playing In Road 09 Standing in Pedestrian Island 77 All Other (Explain in Narrative) 88 Unknown	LOCATION TYPE 1 Primary Business 2 Primary Residential 3 Open Country

LIST/SUBSEQUENT HARMFUL EVENT(S)	ROAD SYSTEM IDENTIFIER	LIGHTING CONDITION
Collision With MV in Transport (Rear End) Collision With MV in Transport (Head On) Collision With MV in Transport (Angle) Collision With MV in Transport (Left Turn) Collision With MV in Transport (Right Turn) Collision With MV in Transport (Sideswipe) Collision With MV in Transport (Backed Into) Collision With Parked Car Collision With MV on Roadway Collision With Pedestrian Collision With Bicycle Collision With Bicycle (Bike Lane) Collision With Moped Collision With Train	01 Interstate 02 U.S. 03 State 04 County 05 Local 06 Turnpike / Toll 07 Forest Road 08 Private Roadway 77 All Other explain in Narrative	01 Daylight 02 Dusk 03 Dawn 04 Dark (Street Light) 05 Dark (No Street Light) 88 Unknown
15 Collision With Animal 16 MV Hit Sign / Sign Post 17 MV Hit Utility Pole / Light Pole 18 MV Hit Guardrail 19 MV Hit Fence 20 MV Hit Concrete Barrier Wall 21 MV Hit Bridge/Pier/Abutment/Rail 22 MV Hit Tree / Shrubby 23 Collision With Construction Barricade Sign 24 Collision With Traffic Gate 25 Collision With Crash Attenuators 26 Collision With Fixed Object Above Road 27 MV Hit Other Fixed Object 28 Collision With Movable Object On Road	29 MV Ran Into Ditch/Culvert 30 Ran Off Road into Water 31 Overtumed 32 Occupant Fell From Vehicle 33 Tractor Trailer Jackknifed 34 Fire 35 Explosion 36 Downhill Runaway 37 Cargo Loss or Shift 38 Separation of Units 39 Median Crossover 77 All Other (Explain in Narrative)	01 Dry 02 Wet 03 Slippery 04 Icy 77 All Other (Explain in Narrative)
01 03 \	1	1

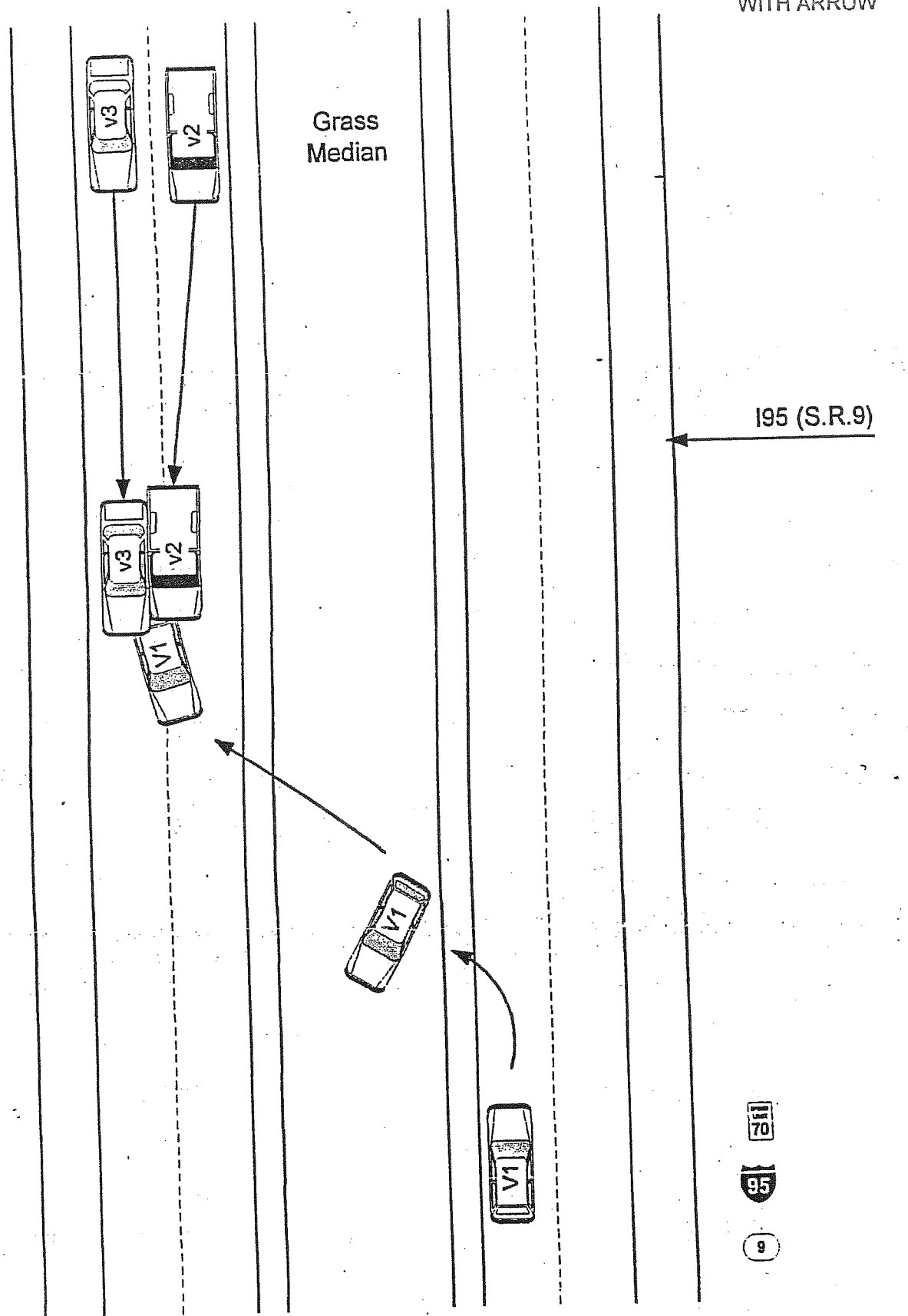
AD CONDITIONS AT TIME OF CRASH	VISION OBSTRUCTED	TRAFFIC CONTROL	SITE LOCATION	TRAFFIC WAY CHARACTER
No Defects Obstruction With Warning Obstruction Without Warning Road Under Repair / Construction Loose Surface Materials Shoulders - Soft / Low / High Holes / Ruts / Unsafe Paved Edge Standing Water Vorn / Polished Road Surface Other (Explain in Narrative)	01 Vision Not Obscured 02 Inclement Weather 03 Parked / Stopped Vehicle 04 Trees / Crops / Bushes 05 Load On Vehicle 06 Building / Fixed Object 07 Signs / Billboards 08 Fog 09 Smoke 10 Glare 77 All Other (Explain in Narrative)	01 No Control 02 Special Speed Zone 03 Speed Control Sign 04 School Zone 05 Traffic Signal 06 Stop Sign 07 Yield Sign 08 Flashing Light 09 Railroad Signal 10 Officer / Guard / Flag person 11 Posted No U-Turn 12 No Passing Zone 77 All Other Explain in Narrative	01 Not At Intersection / RR Crossing / Bridge 02 At Intersection 03 Influenced By Intersection 04 Driveway Access 05 Railroad 06 Bridge 07 Entrance Ramp 08 Exit Ramp 09 Parking Lot - Public 10 Parking Lot - Private 11 Private Property 12 Toll Booth 13 Public Bus Stop Zone 77 All other (Explain in Narrative)	01. Straight - Level 02. Straight-Upgrade / Downgrade 03. Curve - Level 04. Curve-Upgrade / Downgrade TYPE SHOULDER 01. Paved 02. Unpaved 03. Curb
1	1	1	1	1

SECTION #	NAME OF VIOLATOR	FL STATUTE NUMBER	CHARGE	CITATION NUMBER
			NONE	





INDICATE NORTH  
WITH ARROW



# FLORIDA HIGHWAY PATROL INVENTORY AND VEHICLE STORAGE RECEIPT

Officer / Other Dept. Code No. \_\_\_\_\_ Date 04/12/2022 Time \_\_\_\_\_  A.M.  P.M. RFP Code No. \_\_\_\_\_

Name / Owner \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_  
Address / Owner \_\_\_\_\_

Name / Driver  Check if same \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_  
Address / Driver \_\_\_\_\_

Year Vehicle 01 Make of Vehicle SUV Body Type SUV

Color Gray Title # \_\_\_\_\_ State FL VIN 1G537T222K1

Vehicle Red Tagged On Date \_\_\_\_\_ Time \_\_\_\_\_  A.M.  P.M. By Name \_\_\_\_\_

Location Vehicle Inwrt. & Towed From 549 SB W- 57500

Name of Towing Service LEE'S Phone (\_\_\_\_) \_\_\_\_\_

Address of Towing Company \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

Address Where Vehicle is Stored  Check if Same As Towing Company

Owner Present  Driver Request  Rotation

Reason Vehicle Towed:  Crash  Abandoned/Disabled  Arrest  Seizure  Other \_\_\_\_\_

Equipment in Vehicle:  Cellular Phone: \_\_\_\_\_ Make / Model \_\_\_\_\_  Wheel Covers: \_\_\_\_\_

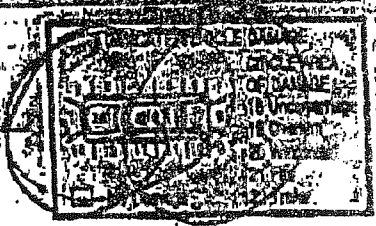
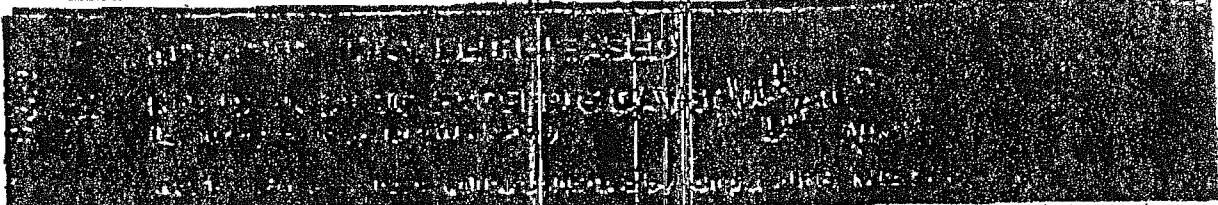
Radar Detector: \_\_\_\_\_ Make / Model \_\_\_\_\_  Custom Wheel Piles / No. of \_\_\_\_\_

AM/FM Radio / Tape / CD \_\_\_\_\_ No. of Tires (including spare) \_\_\_\_\_  Trunk Accessible  Yes  No

CB Radio / 2 Way Radio \_\_\_\_\_  Rear Spoiler \_\_\_\_\_

Trailer Hitch \_\_\_\_\_

List Property in Vehicle Best up



RECEIVED

WE THE UNDERSIGNED OFFICER(S) AND TOW DRIVER, HEREBY CERTIFY THAT THE ABOVE LISTED JOINT PROPERTY INVENTORY IS CORRECT TO THE BEST OF OUR KNOWLEDGES

Signature \_\_\_\_\_ (Tow Truck Driver) Signature \_\_\_\_\_ (Trooper)

NAME \_\_\_\_\_ (Printed) TROOPER'S NAME \_\_\_\_\_ (Printed)

Inventory Continued on HSP-803 (1) TROOP \_\_\_\_\_ DISTRICT \_\_\_\_\_

HSP-803 (Rev. 8/98) B

WHITE - Office Copy

CANARY - Owner / Driver

PINK - Leave in Vehicle

GREEN - Towing Company





**PHOTOGRAPH MOUNTING FORM**  
**Photographs of Accident Scene**

**RE: Subject:** [REDACTED] **SUZUKI**  
**Product:** **2001 Suzuki Grand Vitara**  
**Date of Incident:** **April 12, 2002**  
**Location:** **Brevard County, Florida**  
**Our File No.:** **P02CF010063**

**Equipment Used**

**Photographs were taken by:** **Billy Lee**  
**Date Photographs taken:** **Monday, April 22, 2002**  
**Camera Type:** **Cannon EOS Rebel XS**  
**Camera Lenses:** **35 to 80 Millimeter**  
**Camera Film:** **200 ASA**

The accident that is the subject of this possible litigation occurred on April 12, 2002. At the time of the scene inspection, a copy of the accident report had not been made Public Record, and was not available. Prior telephone conversations with FHP Cpl. Corbett, who was the Homicide Investigator, revealed the approximate location of the accident. On the date of the inspection, a visual survey was made, and the accident scene was located. Note, the subject vehicle was originally traveling northbound on Interstate-95 prior to the accident. After the driver lost control, the vehicle traveled in a northwesterly direction, through the grass median, before contacting the adverse vehicle in the left outside southbound lane. The burned area located in the photographs is believed to be the final rest of the subject vehicle.

While speaking with Cpl. Corbett, he explained that the final rest of the vehicle was approximately 1020' north of the intersection with U.S. Highway 192. Due to the amount of travel, and the dangerous conditions, this specific measurement was not taken. The "0" point used for the below-noted photographs is the northernmost point of the striped safety zone, which is located between the off-ramp and outside travel lane in the southbound lanes of Interstate-95. There are a total of ten V-shaped stripes in the safety zone.

The burn mark, which denotes the final rest of the subject vehicle, is approximately 98-1/2' south of the "0" point. For reference, the distance between the "0" point, and the 35-mph speed limit sign located on the off-ramp in the southbound lanes, is approximately 227'. There was also a secondary burn mark, which was located approximately 51-1/2' south of the "0" point in the



**PHOTOGRAPH MOUNTING FORM**  
**Photographs of Accident Scene**  
**██████████. Suzuki**

outside paved shoulder of the southbound lanes. At this time, it is not known if this was associated with the subject accident.

During the inspection, marks were located in the grass median, which were believed to have belonged to the subject vehicle as it left the northbound lanes of travel on the left side. These marks were also photographed, and are included below. These marks, which are noted in Photographs No. 29.-34., are highlighted by a red arrow. These marks were photographed from the west shoulder of the northbound lanes, just south of a drainage grate which is located in the center of the grass median.

1. Looking north from the far right paved shoulder of the southbound lanes of travel from "0" point.
2. Looking southeast at final rest of subject vehicle from "0" point.
3. - 5. Clockwise panoramic view from prior photograph.
6. Looking south at burned debris located outside of paved shoulder, west of southbound lanes of travel. It is not known if this is associated with the subject accident.
7. Looking north from the left inside paved apron of the southbound lanes of Interstate-95 from "0" point.
8. Looking south from the left paved apron of the southbound lanes of travel, standing at "0" point.
9. - 10. Counter-clockwise panoramic photograph from prior photograph.
11. - 12. Standing in grass median, facing south, looking at final rest of subject vehicle.
13. - 19. Close-up photographs of burned areas of left inside southbound lane, noting final rest of subject vehicle.
20. Looking at burned athletic shoe, located in median in approximate area of final rest of subject vehicle.

**PHOTOGRAPH MOUNTING FORM**  
**Photographs of Accident Scene**

██████████ v. Suzuki

- 21. - 25. Panoramic view from center of median, noting final rest of subject vehicle.
- 26. Standing on inside edge of southbound lanes of Interstate-95, south of final rest, looking north.
- 27. - 28. Panoramic photographs from prior photograph, noting lane of travel by subject vehicle through median.
- 29. - 34. Standing on west edge of northbound lanes of Interstate-95, noting area of travel by subject vehicle through median. Marks denoted by red arrow.
- 35. Drainage grate located on right shoulder of northbound lanes of Interstate-95, opposite from where Photographs 29.-34. were taken.

\* \* \*

BL/mmp





# VEHICLE INSPECTION WORKSHEET - SUV

## INSPECTION DETAILS

Case Style: [REDACTED] . SUZUKI  
Inspector: BILLY LEE  
Inspection Location: [REDACTED]  
LAUDERDALE LAKES, FL [REDACTED]  
Inspection Date/Time: THURSDAY, MAY 9, 2002  
Present for inspection: Billy Lee, Karl Pearson, Tanya Blok (ELCO)  
Michael Ryan, Alexander Clark

## VISUAL EQUIPMENT

Sill Camera Type: CANON EOS REBEL XS  
Lens: 35-80 MM  
Film: 200 ASA  
Video Camera Type: N/A  
Video Format: N/A

## VEHICLE

### VEHICLE SPECIFICS

Make: SUZUKI  
Model Name: GRAND VITARI  
Model Year: 2000  
VIN #: JS3TD62VX14 [REDACTED]  
Manufacture Date: Nov-00  
Color: SILVER  
Odometer Reading: NONE (BURNED)  
Trip Reading: NONE (BURNED)  
License #: GY1 0T2  
License State: FLORIDA  
Inspection Decal : NONE  
  
Special Equipment: NONE  
Dealership Decal: NONE  
A/C Control Settings: UNREADABLE (BURNED)  
Radio Setting: UNREADABLE (BURNED)  
Gear Shift Position: UNKNOWN  
General Condition: Good \_\_\_\_\_ Fair \_\_\_\_\_ Poor   X





# VEHICLE INSPECTION WORKSHEET - SUV

## TIRES (CONTINUED)

Spare:

Make:	<u>BRIDGESTONE DUELLER H/T 687</u>
Size:	<u>P235/60R16</u>
Pressure:	<u>UNKNOWN</u>
Dot #:	<u>DOT EJKUDAF4500</u>
Tread:	Outside: <u>7/32</u>
	Middle: <u>7/32</u>
	Inside: <u>7/32</u>
Damage:	Tire: <u>SOME BURN DAMAGE ON TREAD</u>
	Wheel: <u>NONE</u>

*Page Three*



# VEHICLE INSPECTION WORKSHEET - SUV

## SEATBELTS

Left Front:

Type: 3-Point   X   Lap           
Label: Mfg.: UNKNOWN  
Mfg. Date: UNKNOWN  
Model #: UNKNOWN  
Lot #: UNKNOWN  
Latchplate: Model #: INTACT IN BUCKLE ASSEMBLY  
Marks: UNKNOWN - FIRE  
Receiver: Model #: UNKNOWN  
Marks: UNKNOWN  
Webbing: MISSING - BURNED  
Retracts: Yes N/A No N/A  
Latches: Yes   X   No           
ELR Test: Functions: Yes          No           
How Test:         N/A        

Left Front Center

**NOT APPLICABLE**

Type: 3-Point          Lap           
Label: Mfg.:           
Mfg. Date:           
Model #:         NOT APPLICABLE          
Lot #:           
Latchplate: Model #:           
Marks:           
Receiver: Model #:           
Marks:           
Webbing:           
Retracts: Yes          No           
Latches: Yes          No           
ELR Test: Functions: Yes          No           
How Test:         

*Page Four*

# VEHICLE INSPECTION WORKSHEET - SUV

## SEAT BELTS (CONTINUED)

Left Middle

**NOT APPLICABLE**

Type: 3-Point \_\_\_\_\_ Lap \_\_\_\_\_  
Label: Mfg.: \_\_\_\_\_  
Mfg. Date: \_\_\_\_\_  
Model #: \_\_\_\_\_ **NOT APPLICABLE** \_\_\_\_\_  
Lot #: \_\_\_\_\_  
Latchplate: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Receiver: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Webbing: \_\_\_\_\_  
Retracts: Yes \_\_\_\_\_ No \_\_\_\_\_  
Latches: Yes \_\_\_\_\_ No \_\_\_\_\_  
ELR Test: Functions: Yes \_\_\_\_\_ No \_\_\_\_\_  
How Test: \_\_\_\_\_

Left Middle Center

**NOT APPLICABLE**

Type: 3-Point \_\_\_\_\_ Lap \_\_\_\_\_  
Label: Mfg.: \_\_\_\_\_  
Mfg. Date: \_\_\_\_\_  
Model #: \_\_\_\_\_ **NOT APPLICABLE** \_\_\_\_\_  
Lot #: \_\_\_\_\_  
Latchplate: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Receiver: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Webbing: *No marks* \_\_\_\_\_  
Retracts: Yes \_\_\_\_\_ No \_\_\_\_\_  
Latches: Yes \_\_\_\_\_ No \_\_\_\_\_  
ELR Test: Functions: Yes \_\_\_\_\_ No \_\_\_\_\_  
How Test: \_\_\_\_\_

*Page Five*

# VEHICLE INSPECTION WORKSHEET - PICKUP

*Labels found on Frame Rail:*

*Right: Part No:*

*Frame Code:*

*Caster/Camber:*

*Serial No:*

*Left: Part No:*

*Frame Code:*

*Caster/Camber:*

*Serial No:*



# VEHICLE INSPECTION WORKSHEET - SUV

## SEAT BELTS (CONTINUED)

Left Rear:

**UNKNOWN**

Type: 3-Point \_\_\_\_\_ Lap \_\_\_\_\_  
Label: Mfg.: \_\_\_\_\_  
Mfg. Date: \_\_\_\_\_  
Model #: **UNKNOWN**  
Lot #: \_\_\_\_\_  
Latchplate: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Receiver: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Webbing: *no marks*  
Retracts: Yes \_\_\_\_\_ No \_\_\_\_\_  
Latches: Yes \_\_\_\_\_ No \_\_\_\_\_  
ELR Test: Functions: Yes \_\_\_\_\_ No \_\_\_\_\_  
How Test: \_\_\_\_\_

Left Rear Center

**NOT APPLICABLE**

Type: 3-Point \_\_\_\_\_ Lap \_\_\_\_\_  
Label: Mfg.: \_\_\_\_\_  
Mfg. Date: \_\_\_\_\_  
Model #: \_\_\_\_\_  
Lot #: **NOT APPLICABLE**  
Latchplate: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Receiver: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Webbing: \_\_\_\_\_  
Retracts: Yes \_\_\_\_\_ No \_\_\_\_\_  
Latches: Yes \_\_\_\_\_ No \_\_\_\_\_  
ELR Test: Functions: Yes \_\_\_\_\_ No \_\_\_\_\_  
How Test: \_\_\_\_\_

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# VEHICLE INSPECTION WORKSHEET - SUV

## SEAT BELTS (CONTINUED)

Right Rear

**UNKNOWN**

Type: 3-Point \_\_\_\_\_ Lap \_\_\_\_\_  
Label: Mfg.: \_\_\_\_\_  
Mfg. Date: \_\_\_\_\_  
Model #: **UNKNOWN**  
Lot #: \_\_\_\_\_  
Latchplate: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Receiver: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Webbing: \_\_\_\_\_  
Retracts: Yes \_\_\_\_\_ No \_\_\_\_\_  
Latches: Yes \_\_\_\_\_ No \_\_\_\_\_  
ELR Test: Functions: Yes \_\_\_\_\_ No \_\_\_\_\_  
How Test: \_\_\_\_\_

Right Middle

**NOT APPLICABLE**

Type: 3-Point \_\_\_\_\_ Lap \_\_\_\_\_  
Label: Mfg.: \_\_\_\_\_  
Mfg. Date: \_\_\_\_\_  
Model #: \_\_\_\_\_  
Lot #: **NOT APPLICABLE**  
Latchplate: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Receiver: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Webbing: \_\_\_\_\_  
Retracts: Yes \_\_\_\_\_ No \_\_\_\_\_  
Latches: Yes \_\_\_\_\_ No \_\_\_\_\_  
ELR Test: Functions: Yes \_\_\_\_\_ No \_\_\_\_\_  
How Test: \_\_\_\_\_

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# VEHICLE INSPECTION WORKSHEET - SUV

## SEAT BELTS (CONTINUED)

Right Front

**UNKNOWN**

Type: 3-Point \_\_\_\_\_ Lap \_\_\_\_\_  
Label: Mfg.: \_\_\_\_\_  
Mfg. Date: \_\_\_\_\_  
Model #: **UNKNOWN**  
Lot #: \_\_\_\_\_  
Latchplate: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Receiver: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Webbing: \_\_\_\_\_  
Retracts: Yes \_\_\_\_\_ No \_\_\_\_\_  
Latches: Yes \_\_\_\_\_ No \_\_\_\_\_  
ELR Test: Functions: Yes \_\_\_\_\_ No \_\_\_\_\_  
How Test: \_\_\_\_\_

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# VEHICLE INSPECTION WORKSHEET - SUV

## AIRBAGS

### APPEARED TO NOT HAVE DEPLOYED

Drivers:

Deployed: Yes: \_\_\_\_\_ No: \_\_\_\_\_  
**APPEARED TO NOT HAVE DEPLOYED** \_\_\_\_\_

Bag ID #: \_\_\_\_\_

Door ID #: \_\_\_\_\_

Markings: \_\_\_\_\_

Passenger:

Deployed: Yes:   X   No: \_\_\_\_\_  
**APPEARED TO NOT HAVE DEPLOYED** \_\_\_\_\_

Bag ID #: *None* \_\_\_\_\_

Door ID #: \_\_\_\_\_

Markings: \_\_\_\_\_

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\_\_\_\_\_

# VEHICLE INSPECTION WORKSHEET - SUV

## GLASS

## ALL GLASS MISSING

Front Windshield:

Condition: **MISSING**

ID #'s:

Left Front Window:

Condition: **MISSING**

ID #'s:

Left Center Window:

Condition: **MISSING**

ID #'s:

Left Rear Window

Condition: **MISSING**

ID #'s:

Rear Windowshield:

Condition: **MISSING**

ID #'s:

Right Rear Window:

Condition: **MISSING**

ID #'s:

Right Center Window:

Condition: **MISSING**

ID #'s:

Right Front Window

Condition: **MISSING**

ID #'s:

*Page Ten*

# VEHICLE INSPECTION WORKSHEET - SUV

## INTERIOR

Steering Wheel: BURNED  
Dashboard: BURNED  
Seats: Right Front: BURNED  
Left Front: BURNED  
Rear: BURNED  
Items in Interior: \_\_\_\_\_

## DOORS

Left Front: Opens: Yes \_\_\_\_\_ No   X    
Latch: Damage: \_\_\_\_\_  
Striker Bolt: Damage: \_\_\_\_\_

Left Rear: Opens: Yes \_\_\_\_\_ No   X    
Latch: Damage: \_\_\_\_\_  
Striker Bolt: Damage: \_\_\_\_\_

Right Rear: Opens: Yes \_\_\_\_\_ No   X    
Latch: Damage: \_\_\_\_\_  
Striker Bolt: Damage: \_\_\_\_\_

Right Front: Opens: Yes \_\_\_\_\_ No   X    
Latch: Damage: \_\_\_\_\_  
Striker Bolt: Damage: \_\_\_\_\_

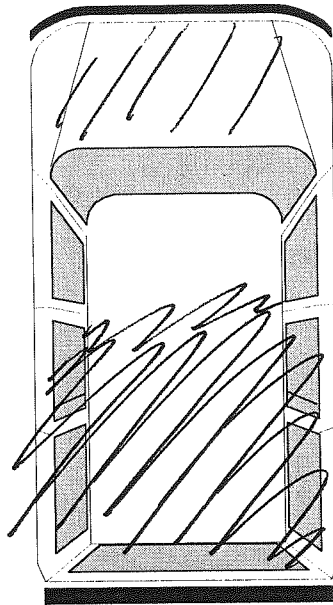
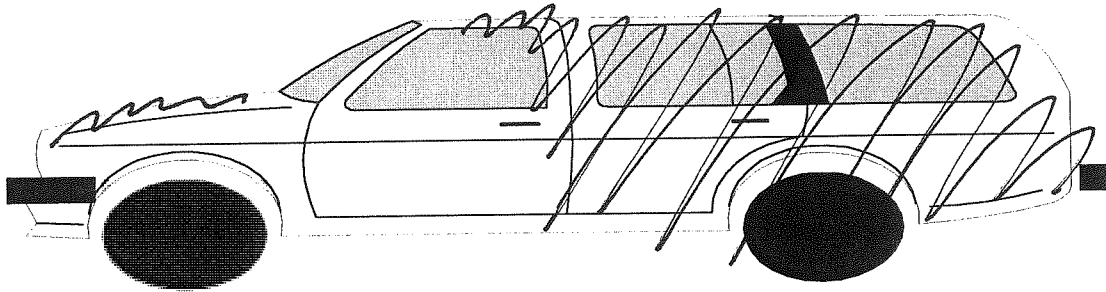
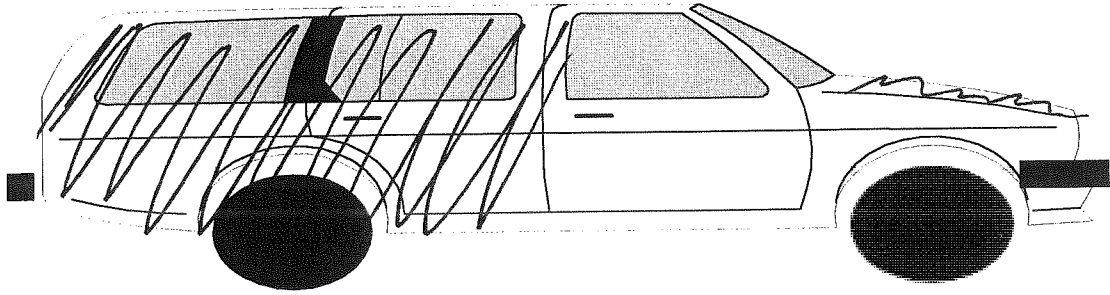
## COMMENTS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ *Page Eleven*



# VEHICLE INSPECTION WORKSHEET - SUV

## DAMAGE



## **BURN DAMAGE**



**PHOTOGRAPH MOUNTING FORM**  
**Photographs of Subject Vehicle**  
**(Suzuki Grand Vitara)**

**RE: Subject:** [REDACTED] *Suzuki*  
**Product:** 2001 Suzuki Grand Vitara  
**Date of Incident:** April 12, 2002  
**Location:** Brevard County, Florida  
**Our File No.:** P02CF010063

**Equipment Used**

**Photographs were taken by:** Billy Lee  
**Date Photographs taken:** Thursday, May 9, 2002  
**Camera Type:** Cannon EOS Rebel XS  
**Camera Lenses:** 35 to 80 Millimeter  
**Camera Film:** 200 ASA  
**Present for Inspection:** Billy Lee, Karl Pearson, Tanya Blok (ELCO), Michael Ryan, and Alexander Clark.  
**Location of Inspection:** [REDACTED]  
Lauderdale Lakes, Florida [REDACTED]

1. Looking at left side of subject vehicle.
2. Looking at left rear of subject vehicle.
3. Looking at right side of subject vehicle.
4. Looking at front of subject vehicle.
5. - 8. Close-up photographs of left front side of subject vehicle.
9. - 21. Close-up photographs of left side of subject vehicle.
22. - 38. Close-up photographs of rear of subject vehicle.
39. - 42. Standing on right rear of subject vehicle, looking at rear.
43. - 48. Close-up photograph of right side of subject vehicle.





# VEHICLE INSPECTION WORKSHEET - PICKUP

## INSPECTION DETAILS

Case Style:                      v. SUZUKI  
Inspector: Billy Lee  
Inspection Location: Lee's Towing & Recovery  
3778 Dixie Highway NE  
Palm Bay, FL 32905  
Inspection Date/Time: Wednesday, 5/15/02, 9:30 am  
Present for inspection: Billy Lee

## VISUAL EQUIPMENT

Sill Camera Type: Canon EOS Rebel XS  
Lens: 35 - 80 mm  
Film: 200 ASA  
Video Camera Type: N/A  
Video Format: N/A

## VEHICLE

### VEHICLE SPECIFICS

Make: Ford  
Model Name: F150 Pickup Truck  
Model Year: 1999  
VIN #: 2FTRX08L7XC                      
Manufacture Date: Jun-05  
Color: Black w/silver stripe on bottom  
grey leather interior  
Odometer Reading: unknown  
Trip Reading: unknown  
License #: FB3 97A  
License State: Florida  
Inspection Decal : 06-02 Florida vehicle FB3 97A  
Special Equipment: Triton V8  
Super Cab, Flairside 4X4, Lariat  
Dealership Decal: None  
A/C Control Settings: Low cool defrost  
Radio Setting: digital - unknown  
Gear Shift Position: unknown - digital display  
General Condition      Good                                Fair                                Poor      X

Page One

# VEHICLE INSPECTION WORKSHEET - PICKUP

## TIRES

Left Front:

Make: Goodyear Wrangler RT/S  
Size: P265/70R17  
Pressure: 0 psi  
Dot #: unknown  
Tread: Outside: 11/32  
Middle: 11/32  
Inside: 11/32  
Damage: Tire: some minor burn damage  
Wheel: 1 8" dent, some burn damage(discoloration)

Left Rear:

Make: Goodyear Wrangler RT/S  
Size: P265/70R17  
Pressure: 6 psi  
Dot #: DOT MKT6 C6WR 4500  
Tread: Outside: 11/32  
Middle: 11/32  
Inside: 11/32  
Damage: Tire: none  
Wheel: some very minor burn damage/discoloration

Right Rear:

Make: Goodyear Wrangler RT/S  
Size: P265/70R17  
Pressure: 32 psi  
Dot #: DOT MKT6 C6WR 2800  
Tread: Outside: 11/32  
Middle: 11/32  
Inside: 10/32  
Damage: Tire: none  
Wheel: none

Right Front:

Make: Goodyear Wrangler RT/S  
Size: P265/70R17  
Pressure: 0 psi  
Dot #: DOT MKT6 C6WR 5100  
Tread: Outside: 11/32  
Middle: 11/32  
Inside: 11/32  
Damage: Tire: @ 5" gash outboard side  
Wheel: 13" outward bend on rib

*Page Two*



# VEHICLE INSPECTION WORKSHEET - PICKUP

## TIRES (CONTINUED)

Spare:

Make:	Goodyear Wrangler RT/S
Size:	P265/70R17
Pressure:	35 psi
Dot #:	unknown
Tread:	Outside: 16/32
	Middle: 16/32
	Inside: none 16/32
Damage:	Tire: none
	Wheel: _____

*Page Three*

# VEHICLE INSPECTION WORKSHEET - PICKUP

## SEATBELTS

Left Front:

Type: 3-Point   X   Lap: \_\_\_\_\_  
Label: Mfg.:   TRW    
Mfg. Date:   unknown    
Model #:   unknown    
Lot #:   unknown    
Latchplate: Model #:   TC315 326008A    
Marks:   some use marks    
Receiver: Model #:   TRW    
Marks:   none    
Webbing:   some red markings (blood/makeup)    
Retracts: Yes   X   No \_\_\_\_\_  
Latches: Yes   X   No \_\_\_\_\_  
ELR Test: Functions: Yes   X   No \_\_\_\_\_  
How Test:   3-pull test  

Middle Front:

Type: 3-Point   NONE    
Label: Mfg.: \_\_\_\_\_  
Mfg. Date: \_\_\_\_\_  
Model #: \_\_\_\_\_  
Lot #: \_\_\_\_\_  
Latchplate: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Receiver: Model #: \_\_\_\_\_  
Marks: \_\_\_\_\_  
Webbing: \_\_\_\_\_  
Retracts: Yes \_\_\_\_\_ No \_\_\_\_\_  
Latches: Yes \_\_\_\_\_ No \_\_\_\_\_  
ELR Test: Functions: Yes \_\_\_\_\_ No \_\_\_\_\_  
How Test: \_\_\_\_\_

Page Four

# VEHICLE INSPECTION WORKSHEET - PICKUP

## SEAT BELTS (CONTINUED)

Left Rear:

Type: 3-Point     X      
Label: Mfg.: TRW  
Mfg. Date: unknown  
Model #: H 42 65  
Lot #: unknown  
Latchplate: Model #: TD009 326026B  
Marks: none  
Receiver: Model #: TRW  
Marks: none  
Webbing: some scratches  
Retracts: Yes     X     No       
Latches: Yes     X     No       
ELR Test: Functions: Yes     X     No       
How Test: 3-pull test

Middle Rear:

Type: 3-Point      Lap     X      
Label: Mfg.: TRW  
Mfg. Date: unknown  
Model #: unknown  
Lot #: unknown  
Latchplate: Model #: TD741 32695D  
Marks: none  
Receiver: Model #: unknown  
Marks: none  
Webbing: no marks  
Retracts: Yes      No     X      
Latches: Yes     X     No       
ELR Test: Functions: Yes     X     No       
How Test: 3-pull test

Page Five



# VEHICLE INSPECTION WORKSHEET - PICKUP

## SEAT BELT (CONTINUED)

Right Rear:

Type: 3-Point   X   Lap         
Label: Mfg.:   TRW    
Mfg. Date:   unknown    
Model #:   unknown    
Lot #:   unknown    
Latchplate: Model #:   TD0019 326026B    
Marks:   none    
Receiver: Model #:   unknown    
Marks:   none    
Webbing:   no marks    
Retracts: Yes   X   No         
Latches: Yes   X   No         
ELR Test: Functions: Yes   X   No         
How Test:   3-pull test  

Right Front:

Type: 3-Point   X   Lap         
Label: Mfg.:   TRW    
Mfg. Date:   unknown    
Model #:   52 14 9    
Lot #:   unknown    
Latchplate: Model #:   TC334 326008A    
Marks:   none    
Receiver: Model #:   unknown    
Marks:   none    
Webbing:   some small abrasions    
Retracts: Yes   X   No         
Latches: Yes   X   No         
ELR Test: Functions: Yes   X   No         
How Test:   3-pull test  

Page Six

# VEHICLE INSPECTION WORKSHEET - PICKUP

## AIRBAGS

Drivers: Deployed: Yes:  X  No \_\_\_\_\_  
Bag ID #:  unknown   
Door ID #:  unknown   
Markings:  some grease stains

Passenger: Deployed: Yes:  X  No \_\_\_\_\_  
Bag ID #:  unknown   
Door ID #:  unknown   
Markings:  none

## GLASS

Front Windshield: Condition:  Intact, but completely spidercracked   
ID #'s:  unknown

Left Front Window: Condition:  Intact   
ID #'s:  DOT 75FM M175

Left Rear Window Condition:  Intact   
ID #'s:  Unable to determine

Rear Windshield  
**(3-piece slide glass)** Condition:  Intact   
ID #'s:  Unable to determine

Right Rear Window Condition:  Intact   
ID #'s:  Unable to determine

Right Front Window Condition:  Intact   
ID #'s:  DOT 75FM M175

# VEHICLE INSPECTION WORKSHEET - PICKUP

## INTERIOR

Steering Wheel: Bent forward at top & bottom/deployed airbag  
Dashboard: Shattered glass, deployed passenger airbag  
Seats: Right Front: middle of seat track inclined upward  
Left Front: middle of seat track inclined upward  
Rear: 2-piece bench  
Items in Interior: green jacket, shirt, umbrella

## DOORS

Left Front: Opens: Yes \_\_\_\_\_ No X  
Latch: Damage: exterior burn damage  
Striker Bolt: Damage: unknown

Left Rear: Opens: Yes \_\_\_\_\_ No X  
(Hideaway Door) Latch: Damage: exterior burn damage  
Striker Bolt: Damage: unknown

Right Rear: Opens: Yes X No \_\_\_\_\_  
(Hideaway Door) Latch: Damage: none  
Striker Bolt: Damage: none

Right Front: Opens: Yes X No \_\_\_\_\_  
Latch: Damage: none  
Striker Bolt: Damage: none  
Damage to outside mirror

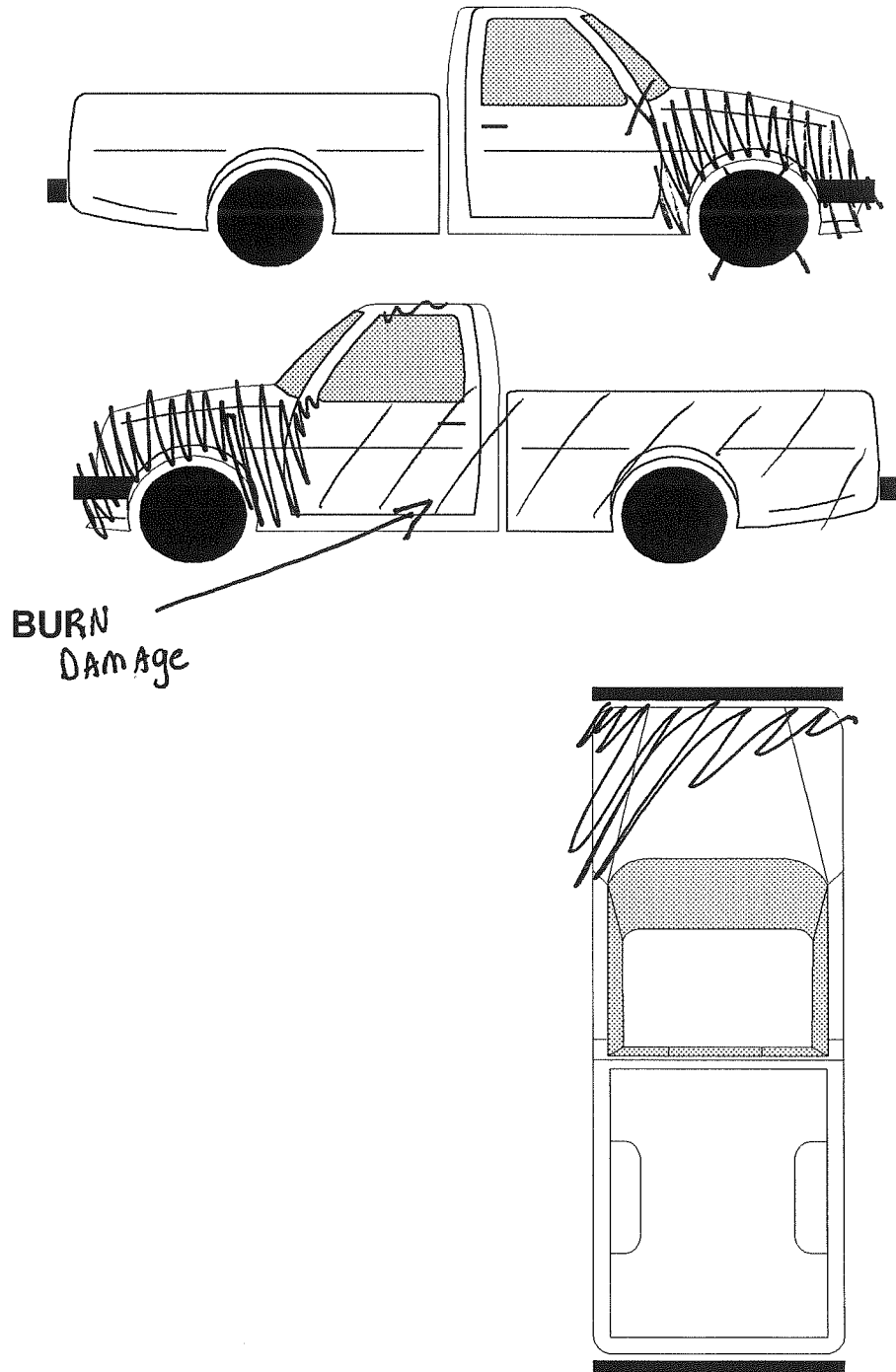
## COMMENTS

Minor exterior burn damage to left side of truck.

Major front end damage.

# VEHICLE INSPECTION WORKSHEET - PICKUP

## DAMAGE



BURN  
DAMAGE





**PHOTOGRAPH MOUNTING FORM**  
**Photographs of Adverse Vehicle**  
**(Ford F150 Pickup Truck)**

**RE: Subject:** [REDACTED], *Suzuki*  
**Product:** 2001 Suzuki Grand Vitara  
**Date of Incident:** April 12, 2002  
**Location:** Brevard County, Florida  
**Our File No.:** P02CF010063

**Equipment Used**

**Photographs were taken by:** Billy Lee  
**Date Photographs taken:** Wednesday, May 15, 2002  
**Camera Type:** Cannon EOS Rebel XS  
**Camera Lenses:** 35 to 80 Millimeter  
**Camera Film:** 200 ASA  
**Present for Inspection:** Billy Lee  
**Location of Inspection:** Lee's Towing & Recovery  
3778 Dixie Highway, N.E.  
Palm Bay, Florida 32905

1. Looking at left side of adverse vehicle.
2. Looking at left rear of adverse vehicle.
3. Looking at rear of adverse vehicle.
4. Looking at right rear of adverse vehicle.
5. Looking at right side of adverse vehicle.
6. Looking at right side of adverse vehicle.
7. Looking at front right side of adverse vehicle.
8. Looking at front of adverse vehicle.
9. Looking at front left fender of adverse vehicle.
10. - 18. Close up photographs of left front fender of adverse vehicle.
19. - 22. Burn damage located on left side of adverse vehicle.

**PHOTOGRAPH MOUNTING FORM**  
**Photographs of Adverse Vehicle**  
**██████████ v. Suzuki**

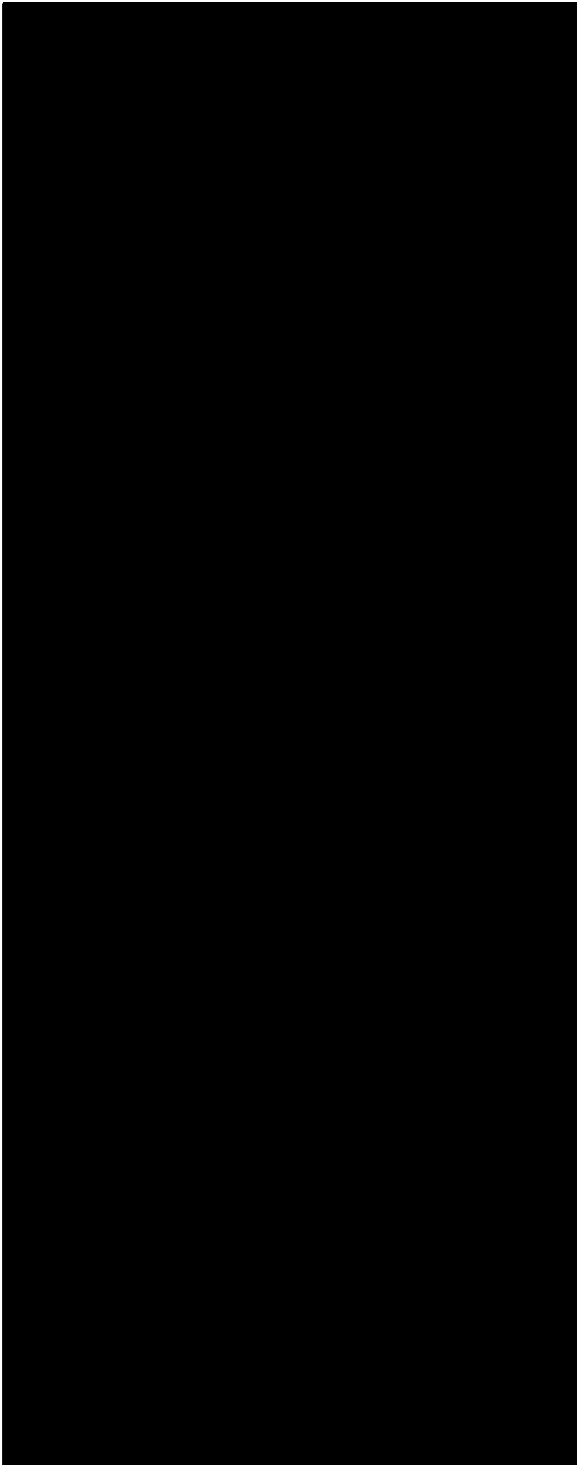
- 23. Looking at front right side of adverse vehicle.
- 24. - 29. Close-up photographs of front right side of adverse vehicle.
- 30. - 33. Close-up photographs of engine compartment from front right side of adverse vehicle.
- 34. - 36. Close-up photographs of front right side of adverse vehicle.
- 37. Looking at windshield of adverse vehicle.
- 38. Looking at front of adverse vehicle.
- 39. - 53. Close-up photographs of front of adverse vehicle.
- 54. Looking at interior of adverse vehicle, from right side door.
- 55. Looking at vehicle debris located in rear compartment.

\* \* \*

BL/mmp









1025 South Semoran Boulevard - Suite 1093  
Winter Park, Florida 32792

---

***PHOTOGRAPHS OF ACCIDENT SCENE***

**Subject:** [REDACTED] v. **SUZUKI**  
**Location:** **Brevard County, Florida**  
**Date Taken:** **April 22, 2002**  
**DOA:** **April 12, 2002**  
**Our File #:** **P02CF010-063**

































































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Faint, illegible text from a document page, possibly a technical drawing or manual page, showing faint outlines of text and diagrams.



1025 South Semoran Boulevard - Suite 1093  
Winter Park, Florida 32792

**PHOTOGRAPHS OF SUBJECT VEHICLE**

**Subject:** [REDACTED] **v. SUZUKI**  
**Vehicle:** **2001 Suzuki Grand Vitari**  
**Date Taken:** **May 9, 2002**  
**DOA:** **April 12, 2002**  
**Our File #:** **P02CF010-063**



































日産自動車株式会社 販売部 営業課 佐藤 誠一 様へお送りいたします

日産自動車株式会社 販売部 営業課 佐藤 誠一 様へお送りいたします







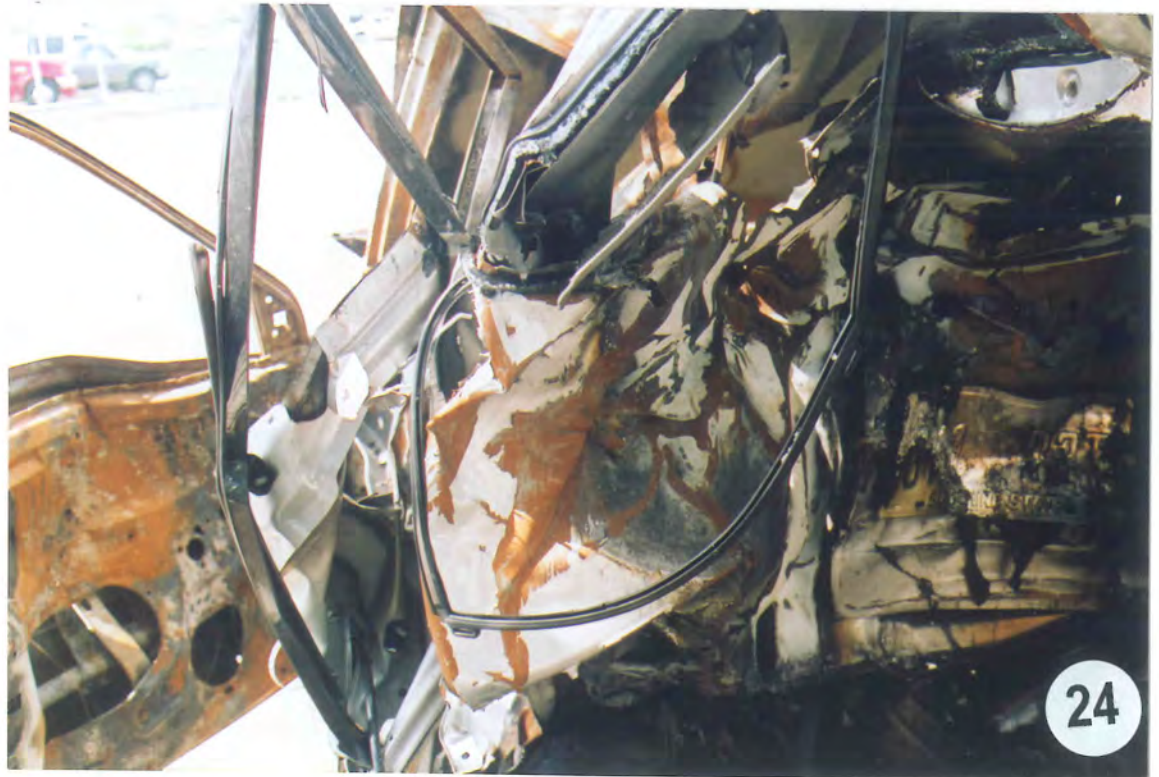
























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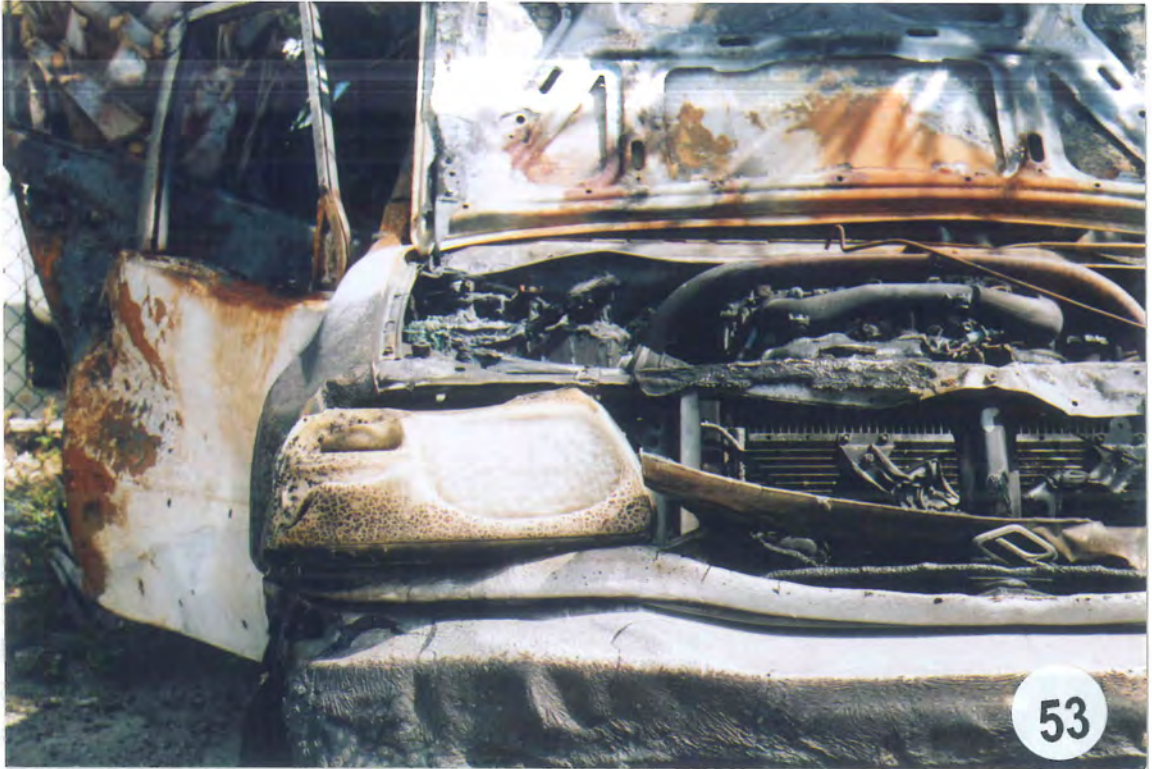




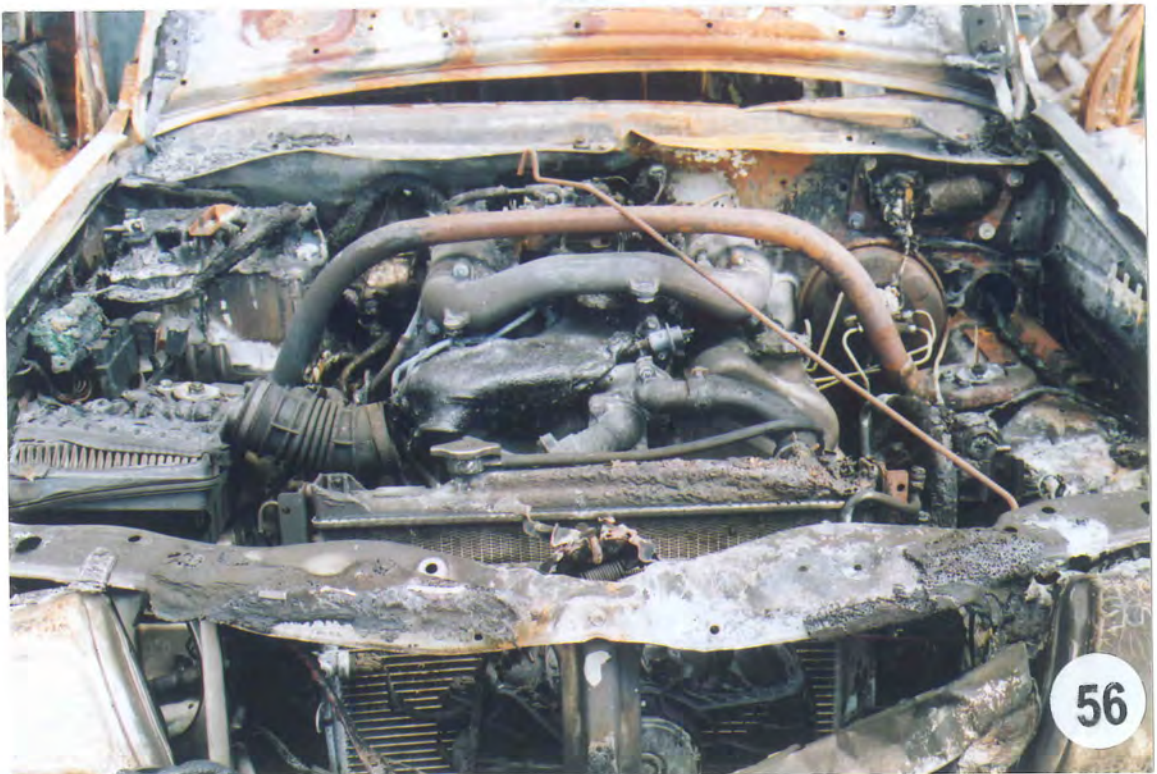




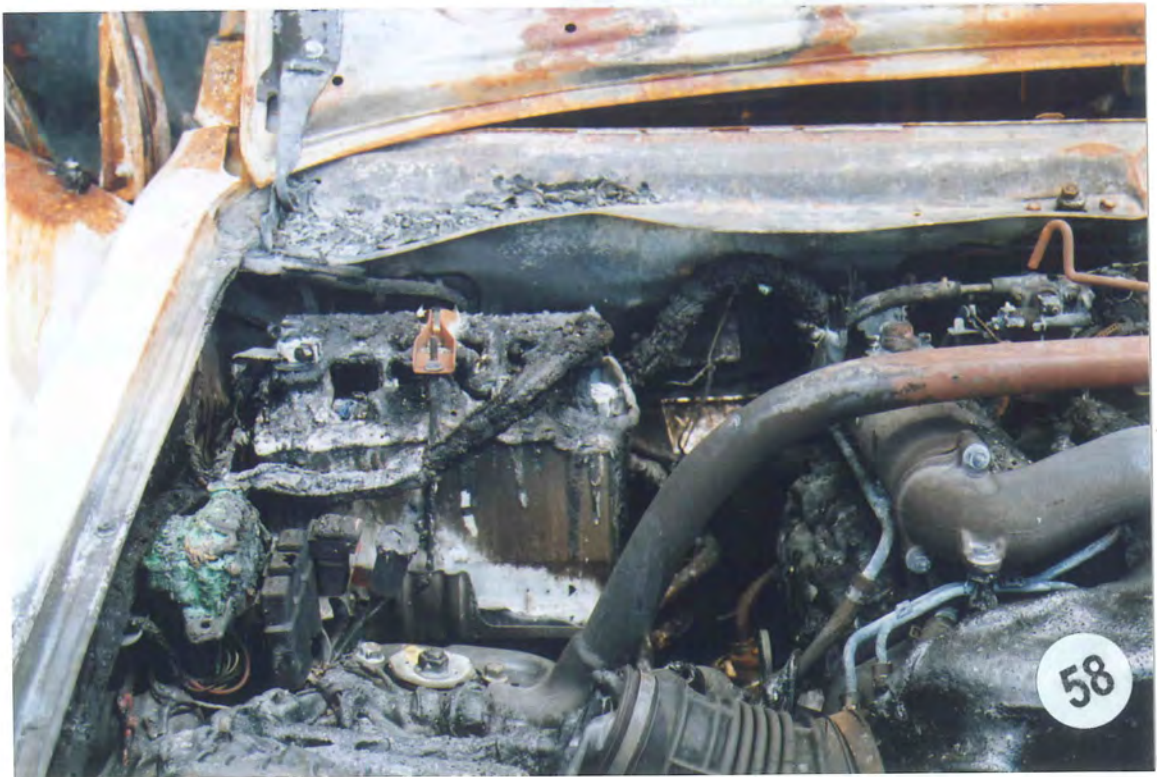
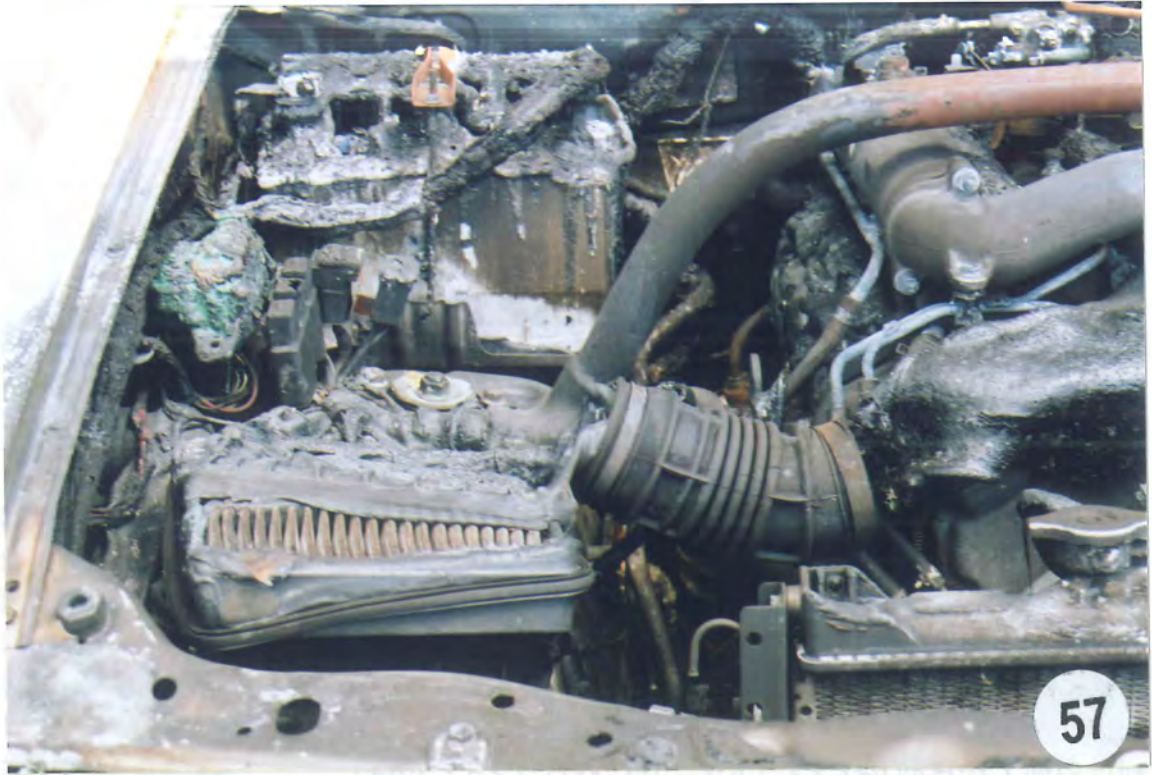




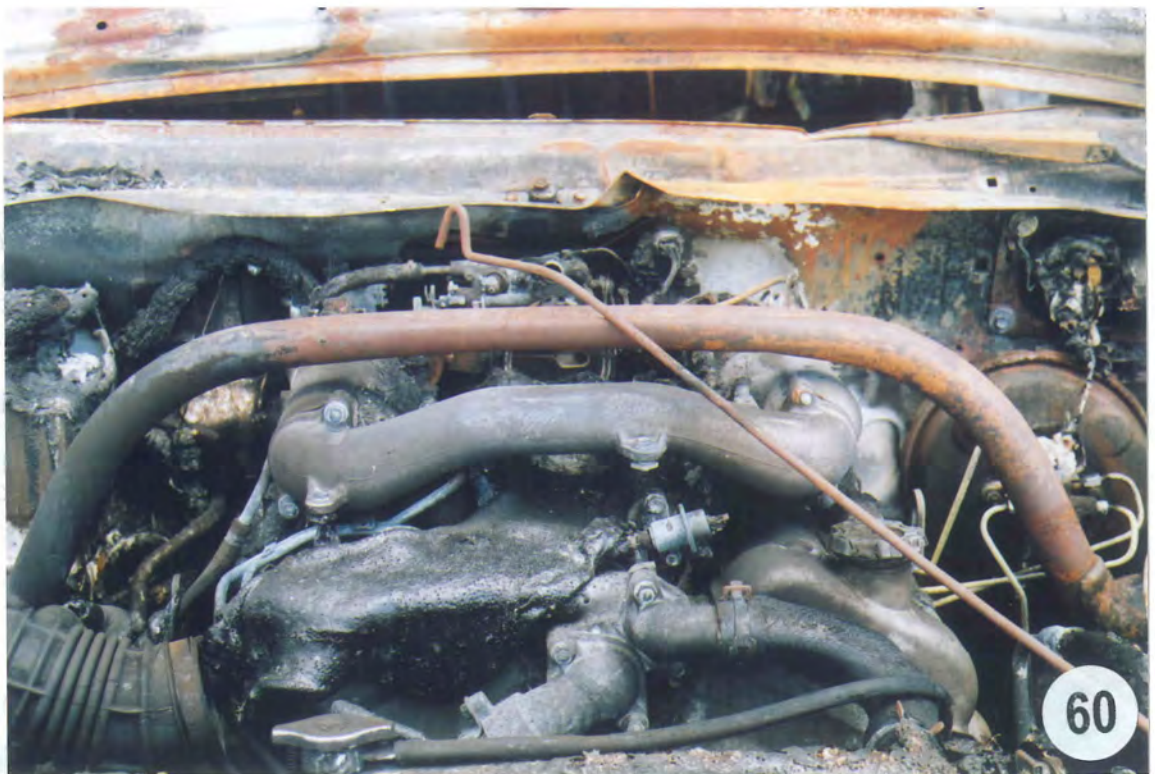
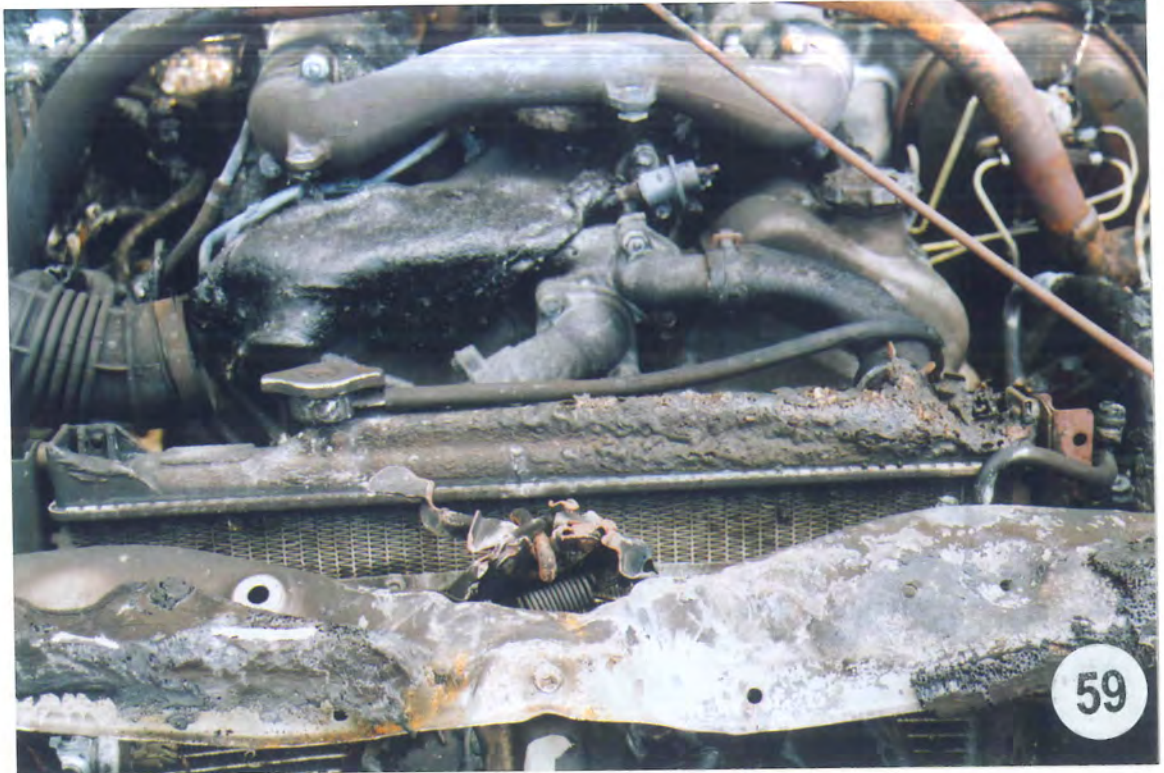




































































1 IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT  
2 IN AND FOR BROWARD COUNTY, FLORIDA  
3

4 WILLIE H. LONG, JR., individually )  
5 and as Personal Representative of )  
6 the Estate of Willie L. Long, III, )  
Deceased, )  
Plaintiff(s), )

**CERTIFIED ORIGINAL**

7 VS. )

CASE NO. )  
02-019116 08 )  
Consolidated cases )

8 ENTERPRISE LEASING COMPANY, a )  
9 FLORIDA corporation; AMERICAN SUZUKI )  
10 MOTOR CORPORATION, a foreign )  
corporation, )  
Defendant(s). )

11 ----- )  
12 JACQUELYN JONES-BROWN, Personal )  
Representative of the Estate of )  
13 Taurus B. Jones, )  
Plaintiff, )

14 VS. )

15 ENTERPRISE LEASING COMPANY, a )  
16 Florida corporation; AMERICAN SUZUKI )  
MOTOR CORPORATION, a foreign )  
Corporation, )  
Defendant(s). )

18 DEPOSITION OF ALEXANDER BUTT

19 ORANGE, CALIFORNIA

20 WEDNESDAY, SEPTEMBER 10, 2003

21  
22 REPORTED BY:

23 Sophilia T. Wiist

24 CSR No. 11068



25 Certified Shorthand Reporters

15250 Ventura Boulevard, Suite 410  
Sherman Oaks, CA 91403

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EA12-005  
PRODUCED BY SUZUKI MOTOR CORPORATION



1 APPEARANCES OF COUNSEL:

2  
3 FOR THE PLAINTIFF:

4 LAW OFFICES OF WINSTON & CLARK, P.A.

5 By: Alexander Clark (telephonically)

6 8211 West Broward Boulevard

7 Suite 420

8 Plantation, Florida 33324

9  
10  
11 FOR THE DEFENDANT, AMERICAN SUZUKI:

12 ROTH, POWELL & PEARSON, P.A.

13 By: Larry M. Roth

14 399 Carolina Avenue

15 Winter Park, Florida 32790

16  
17  
18 FOR THE PLAINTIFF, TAURUS B. JONES:

19 ROSENBLUM AND ROSENBLUM, P.A.

20 By: Randy Rosenblum (telephonically)

21 700 Andrews Avenue

22 Suite 200

23 Ft. Lauderdale, Florida 33316

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APPEARANCES CONTINUED:

FOR THE DEFENDANT, ENTERPRISE LEASING COMPANY:

COONEY, MATTSON, LANCE, BLACKBURN,  
RICHARDS & O'CONNOR, P.A.

By: Marla Bullock (telephonically)

P.O. Box 14546

Fort Lauderdale, Florida 33302

EA12-005  
PRODUCED BY SUZUKI MOTOR CORPORATION



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I N D E X

Wednesday, September 10, 2003

WITNESS	EXAMINATION
Alexander Butt	
By: Mr. Clark.....	6, 18, 21
By: Mr. Rosenblum.....	18, 21
By: Mr. Roth.....	19, 23

( E X H I B I T S )

(None Offered)

1 Orange, California

2 Wednesday, September 10, 2003

3 9:10 a.m.

4  
5 ALEXANDER BUTT,

6 called as a witness on behalf of the Plaintiffs, having  
7 been first duly sworn by the certified shorthand  
8 reporter, was examined and testified as follows:

9  
10 MR. CLARK: Before we get going, Mr. Roth, just  
11 to make sure we don't buckle down the road, we've agreed  
12 that this deposition is to be taken for the limited  
13 purposes of discovering the facts, like ASMC's motion for  
14 partial summary judgment on the issues of design and  
15 manufacturing. That is what we're taking it for today.  
16 That is going to be the scope of our inquiry.  
17 Personally, we're not limiting our right to take any  
18 deposition down the road that we might feel necessary and  
19 appropriate.

20 MR. ROTH: On behalf of the defendant, American  
21 Suzuki Motor Corporation, this is Larry Roth. This does  
22 not preclude you or Mr. Rosenblum from seeking other  
23 depositions on other issues. This pertains to our motion  
24 for summary judgment on the negligence count against  
25 American Suzuki, which I think is Count 4, at least of



1 the long complaint.

2 MR. CLARK: Right. Exactly.

3 MR. ROSENBLUM: Larry, this is Randy Rosenblum.  
4 With respect to that agreement, let me just clarify to  
5 make sure it's been very specific that I think this is  
6 what we intended is that it doesn't prohibit our ability  
7 to take other depositions, but more specifically, it does  
8 not prohibit our ability to take the deposition of  
9 Mr. Butt on other issues not related to the summary  
10 judgment.

11 MR. ROTH: That is correct. We may differ as to  
12 whether or not he should be deposed or something, but  
13 it's not because he's being deposed today.

14 MR. ROSENBLUM: Okay. Thank you.

15 MR. ROTH: So we're all on the same page.

16  
17 EXAMINATION

18 BY MR. CLARK:

19 Q. With all of that out of the way, Mr. Butt, would  
20 you please give me your name and professional address for  
21 the record.

22 A. Alexander Butt, B-u-t-t. The address is 3251  
23 East Imperial Highway, Brea, California 92821.

24 Q. I apologize this deposition is being done  
25 telephonically. There are a lot of people on the line.

1 Please make sure I get through my question before you  
2 start to answer. If you do not understand any of my  
3 questions or anybody else's questions, please make sure  
4 you let us know. And if at any point there is something  
5 you need to clarify, make sure we hear about it. Most  
6 importantly, everybody speak one at a time so that we  
7 don't drive the court reporter crazy.

8 Fair enough?

9 A. I'll try to do that.

10 Q. What is your position with ASMC?

11 A. I'm senior engineer in the legal office.

12 Q. Have you had a chance to review American  
13 Suzuki's motion for partial summary judgment on the issue  
14 of negligent design and manufacture as we have alleged in  
15 this case?

16 A. I have seen that document. Yes.

17 Q. You are familiar with your company's position on  
18 the issues; correct?

19 A. I think so. Yes.

20 Q. It's not a secret. All I want to do is go  
21 through this and find out what you know about what is  
22 alleged in there because there is not a large amount of  
23 material on the record to really let anybody know one way  
24 or the other whether this motion ought to be granted, but  
25 that is -- by the end of the day, who knows.



1           In any case, do you have personal knowledge of  
2 who designed and manufactured the Suzuki Grand Vitara  
3 that is the subject of this lawsuit?

4           A.    The identification plate on the vehicle states  
5 that Suzuki Motor Corporation manufactures the vehicle.

6           Q.    Having taken your deposition before, I have a  
7 little bit of an understanding about Suzuki, but not  
8 anywhere near as good as you do.

9           A.    American Suzuki Motor Corporation is a company  
10 that you represent; correct?

11          A.    It's the company I work for.    Yes.

12          Q.    Work for, excuse me.    Suzuki Motor Corporation  
13 is what?

14          A.    Suzuki Motor Corporation is a manufacturer based  
15 in Japan.    They design, manufacture, and test vehicles  
16 which are imported by American Suzuki.    Our geographical  
17 part of the world is the continental United States.

18          Q.    I appreciate -- I'm not trying to -- I'm trying  
19 to -- I don't understand the relationship because one of  
20 the grounds for your motion is that you're not the right  
21 party in terms of design and manufacture.    I have to  
22 figure out who is who.

23                 With that out of the way, Suzuki Motor  
24 Corporation of Japan, this is a Japanese corporation?

25          A.    Correct.

1 Q. You know from personal knowledge in your job  
2 with American Suzuki that the vehicle was actually  
3 designed and manufactured by Suzuki Motor Corporation of  
4 Japan; correct?

5 A. That is correct.

6 Q. How does the vehicle get to you to distribute?  
7 It's made in Japan, put on freighters and shipped over  
8 here, and you guys wholesale it out? How does it work?

9 A. My understanding is that American Suzuki  
10 purchases vehicles manufactured by Suzuki Motor  
11 Corporation. We take control of the vehicle on the dock  
12 in Japan. The vehicle is loaded onto a ship. The ship  
13 comes to one of several ports of entry in the  
14 United States. It's unloaded from the ship. It's  
15 warehoused or sent to a lot that is near that port. And  
16 at some point, it is then transported to an authorized  
17 Suzuki dealer.

18 Q. Then sold to other dealers or public or  
19 whatever?

20 A. Right.

21 MR. ROTH: Alex, hang on one second. He was not  
22 quite finished.

23 BY MR. CLARK:

24 Q. Go ahead.

25 A. The dealer is the entity that conducts the



1 retail sale to the final customer. That is typically the  
2 case.

3 Q. In this particular case, you know for a fact  
4 that it was Suzuki Motor Corporation of Japan that  
5 designed this vehicle; correct?

6 A. Yes.

7 Q. As opposed to some other corporation or some  
8 other Suzuki entity; correct?

9 A. It was Suzuki Motor Corporation in Hamamatsu,  
10 Japan.

11 Q. Same question for manufacturing. The vehicle  
12 was manufactured by Suzuki Corporation in Japan, correct,  
13 and not some other Suzuki entity?

14 A. That is my belief with respect to this vehicle.  
15 The identification number, as I recall, starts with J.S.  
16 That indicates that it was manufactured by Suzuki Motor  
17 Corporation in Japan.

18 Q. When you guys pick up the vehicles in Japan and  
19 bring them to the United States, at what point does  
20 ownership transfer from Suzuki Motor Corporation of Japan  
21 to ASMC?

22 A. I don't know that there is a specific time. The  
23 way it was explained to me at one time by somebody in the  
24 logistics department who coordinates that stuff is that  
25 sometime when the boat is on the water between Japan and

1 the United States is when the transaction actually takes  
2 place.

3 Q. As to this particular vehicle, do you know  
4 whether or not, when it arrived in the United States, it  
5 was at that point actually owned by ASMC?

6 A. When the boat gets to the dock, the vehicle is  
7 the property of American Suzuki Motor Corporation.

8 Q. Not just possessed legally?

9 A. I guess I don't understand that question. Could  
10 you ask that a different way?

11 Q. When you say the property of, I can take my  
12 sister's car and I guess I can drive it around and say  
13 it's my car, but I don't actually own it. When you say  
14 it's the property of, you mean it's actually legally  
15 titled to ASMC?

16 A. Yes.

17 Q. When the vehicle arrives in the United States,  
18 what does ASMC do to check the vehicle out to make sure  
19 it's okay for sale?

20 MR. ROTH: Object to the form.

21 THE WITNESS: The next step is as the vehicles  
22 are unloaded from the ship, they go to a -- I'll call it  
23 a holding pen. At that time, there is what is called a  
24 marine survey is conducted. And that is an evaluation of  
25 the vehicle by a third party whose services have been



1 agreed to by American Suzuki, the shipper, and the  
2 insurance company for the shipper. There are three  
3 parties. And I know American Suzuki and the insurance  
4 company are two of them and I think it's the shipping  
5 company is the third one.

6 BY MR. CLARK:

7 Q. But the vehicle is actually inspected by a  
8 marine surveyor working on behalf of ASMC when it arrives  
9 to the states; correct?

10 MR. ROTH: Object to the form.

11 THE WITNESS: That is one inspection that takes  
12 place. And then there is also an inspection done by the  
13 port that is independent of the marine survey.

14 BY MR. CLARK:

15 Q. In terms of agents or employees of ASMC itself,  
16 an inspection is done by a marine surveyor of the  
17 vehicles when they arrive; correct?

18 A. Correct.

19 Q. Are there any other inspections that are done by  
20 ASMC after the vehicle arrives in the United States?  
21 When I say the vehicle, I'm talking about the Grand  
22 Vitara in this case.

23 A. From that point on, no.

24 Q. When the surveyors do the inspection when they  
25 arrive, generally what do they do? Walk around, make

1 sure the car is not damaged, look under it to see if it  
2 is rusted? Generally, what is the scope, as you  
3 understand it, of their inspection?

4 A. I think it's primarily a visual inspection to  
5 see that the vehicle has survived the ocean trip.

6 Q. This would involve looking at the -- just the  
7 top, the bottom, or all around the vehicle? Describe it,  
8 as far as you understand it, how inspected the vehicle  
9 is. Is it actually started up or is it such a complete  
10 inspection that diagnostic tests are done on each engine?  
11 Is it just a visual inspection? How far does it go?

12 A. I have not participated in one of these, but my  
13 understanding is the vehicle is driven off of the boat.  
14 So it has been started up.

15 Q. Okay.

16 A. It is driven to this holding pen area where the  
17 marine survey takes place. And the surveyor has a  
18 standard form, which he fills out for each vehicle and  
19 I'm not exactly sure what categories are on that form.

20 Q. Well, fair statement that we know when the  
21 vehicle gets to the states, we know at least it runs  
22 because it is driven off the boat; correct?

23 A. Correct.

24 Q We also know a marine surveyor, probably at  
25 least walks around and eyeballs the vehicle, as it were,



1 or inspects it visually for physical damage; correct?

2 A. As a minimal. Correct.

3 Q. Okay. And do you know, do they get underneath  
4 the chassis to see if it is rusted? How far do they go?  
5 Do you know?

6 A. I'm not sure if raising the vehicle on a lift  
7 and looking at the undercarriage is part of that  
8 inspection or not.

9 Q. Okay. Obviously, any damage of any significance  
10 that may have occurred to the vehicle during the ocean  
11 voyage, you would expect to be picked up and reported so  
12 that you could get back to Suzuki of Japan about it and  
13 discuss whatever arrangements you need to do to make sure  
14 you received a vehicle capable of being sold?

15 A. There is the marine survey and then there is  
16 also a port survey.

17 Q. Tell me about the port survey. Who is this done  
18 by?

19 A. My understanding is that is done by some  
20 representative of the port itself.

21 Q. Okay. For what purpose? Custom purposes?  
22 California state law of pollution emission purposes? Why  
23 does the port inspect the vehicle, as far as your  
24 understanding?

25 A. I don't know the reason why they conduct their

1 independent evaluation of the vehicle, but it is done by  
2 them and then the results of the two are compared with  
3 one another. And if this are differences, then  
4 whoever -- I guess both parties, the marine surveyor and  
5 the port evaluator go back to look at the vehicle so they  
6 can resolve their differences to have a consistent  
7 report.

8 Q. You, I would assume, maintain records of who the  
9 marine surveyors are that inspect these vehicles?

10 A. I suspect that is known to the logistics  
11 department.

12 Q. Is there actually an American Suzuki Motor  
13 Corporation Logistics department?

14 A. Yes, sir. There is.

15 Q. By that name?

16 A. That is the name of the department.

17 Q. After those two inspections are done, what  
18 happens to the vehicle, then, in terms of American Suzuki  
19 Motor Corporation's inspection or further examination of  
20 the vehicle, if anything?

21 A. Typically, the next step in the vehicle's life  
22 is to be loaded onto a truck and taken to a dealership.

23 Q. In this particular case, with this particular  
24 vehicle, do you have any specific knowledge about the  
25 inspection of this vehicle, this particular one?



1 A. I do not.

2 Q. So what we have been talking about so far is  
3 general practice and procedure for the Grand Vitaras that  
4 arrived in the year that this one arrived; correct?

5 A. The 2001 model year, correct.

6 MR. CLARK: Hold on a second. I will probably  
7 let you go.

8 (Brief pause in proceedings.)

9 BY MR. CLARK:

10 Q. Are you familiar with the actual 2001 Grand  
11 Vitara?

12 A. Yes.

13 Q. The gas tank on the Grand Vitara is located  
14 where?

15 A. It's located between the chassis rails toward  
16 the rear of the vehicle.

17 Q. Outside the rear bumper; correct?

18 A. It's not outside the rear bumper on any one I  
19 have seen.

20 Q. Excuse me. I meant to say rear axle. It's  
21 behind the rear axle; correct?

22 A. It's behind the rear axle and ahead of the rear  
23 bumper, correct.

24 Q. Have you ever actually walked around one of  
25 those vehicles yourself?

1 A. Sure.

2 Q. If you're standing in back of the Grand Vitara,  
3 as I recollect -- and please correct me if I'm wrong --  
4 there is kind of like a little plate. You can see where  
5 the gas tank is from the back of the vehicle; correct?

6 MR. ROTH: Let me object to the form of the  
7 question.

8 THE WITNESS: I don't believe you can see the  
9 gas tank itself. You may be able to see a cover or a  
10 shield, but I don't believe you can see the actual fuel  
11 tank from the rear.

12 BY MR. CLARK:

13 Q. That is why I phrased the question the way I  
14 did.

15 You can see where the gas tank is, but there is  
16 a little shield in front of it; correct?

17 A. If you stoop down low enough, you can see the  
18 general area where the fuel tank is. I don't believe you  
19 can see the actual fuel tank.

20 Q. Right. I'm not trying to quibble with you. I  
21 have seen the new ones and walked around them. I'm  
22 trying to establish with you if you are standing six, ten  
23 feet in back of the vehicle, staring at the rear door,  
24 you can see the rear door, the bumper and below it a  
25 little black -- an area that is likely the shield that



1 protects the gas tank.

2 Is that a fair statement?

3 MR. ROTH: Object to the form.

4 THE WITNESS: I would like to have one to look  
5 at right this minute to confirm my memory. But I think  
6 what you are saying is true.

7 MR. CLARK: I have no further questions. I  
8 appreciate your time.

9

10 EXAMINATION

11 BY MR. ROSENBLUM:

12 Q. Mr. Butt, this is Randy Rosenblum. What is the  
13 full name of the entity that manufactured the vehicle?  
14 You said Suzuki Motor Corporation.

15 Is the actual name Suzuki Motor Corporation of  
16 Japan?

17 A. No. It's just Suzuki Motor Corporation.

18 MR. ROSENBLUM: Thank you. That is all I have.

19 MS. BULLOCK: I don't have any questions for  
20 you. Thank you, sir.

21

22 FURTHER EXAMINATION

23 BY MR. CLARK:

24 Q. What was -- you gave us the name of a Japanese  
25 city, which I was not skilled enough to write down. What

1 is it?

2 A. Suzuki Motor Corporation is based in Hamamatsu,  
3 Japan.

4 Q. What island is Hamamatsu on?

5 A. It's about 130 miles south of Tokyo.

6 MR. CLARK: Okay, sir. I do appreciate it.  
7 That is all I have.

8 MR. ROTH: I have just a couple of questions  
9 just for the record.

10

11

EXAMINATION

12

BY MR. ROTH:

13

Q. Mr. Butt, are you familiar with the corporate  
14 functions of American Suzuki Corporation?

15

A. Yes, sir.

16

Q. Where are they located?

17

A. In Brea, California.

18

Q. Was American Suzuki Motor Corporation involved  
19 in the design of the 2001 Suzuki Grand Vitara?

20

A. No, sir.

21

Q. Was American Suzuki Motor Corporation involved  
22 in the manufacture of the 2001 Suzuki Grand Vitara?

23

MR. CLARK: Object to the form.

24

And I apologize. Madam Court Reporter, please  
25 note my objection to the previous question.



1 MR. ROTH: To both of them?

2 MR. CLARK: Yes.

3 BY MR. ROTH:

4 Q. Mr. Butt, you were asked about the marine survey  
5 and the port survey.

6 Do you recall those questions?

7 A. Yes.

8 Q. To your knowledge, are those surveys done for  
9 purposes of evaluating the design of the vehicle?

10 A. No. They are done to evaluate any damage that  
11 might have occurred during the shipment of the vehicle.

12 Q. Are those surveys, either the marine survey or  
13 the port survey, are they performed for the purpose of  
14 looking for any manufacturing defects in the vehicle?  
15 We're talking about the 2001 Grand Vitara.

16 MR. CLARK: Object to the form.

17 THE WITNESS: No. Those surveys, as I stated  
18 before, are done to evaluate the cosmetic condition of  
19 the vehicle after it leaves the boat.

20 MR. ROTH: That is all I have, guys.

21 MR. CLARK: I apologize, Larry. The famous one  
22 last question.

23 ///

24 ///

25 ///

FURTHER EXAMINATION

BY MR. CLARK:

Q. So we're clear, the marine surveyors that do this are acting on behalf of American Suzuki as opposed to the port inspectors who are not; correct?

A. My understanding is that the marine survey done at the request of three entities and American Suzuki is one of those three. The insurance company for the boat people is one of them. And I'm sorry I cannot remember if the third one is the actual boat people themselves or somebody else. I don't know.

MR. ROTH: I have one more, too. I'm sorry.

MR. ROSENBLUM: I also have one or two when you you done.

MR. ROTH: Maybe you should go. I may have another one after you're finished.

MR. ROSENBLUM: Okay.

FURTHER EXAMINATION

BY MR. ROSENBLUM:

Q. Mr. Butt, do you know if any representative of American Suzuki Motor Corporation inspected the 2001 Grand Vitara that is the subject of this case, specifically inspecting the gas tank of that car?

A. I don't know that anybody from American Suzuki



1 did that inspection.

2 Q. Do you know if any representative of American  
3 Suzuki Motor Corporation ever inspected the fuel system  
4 of the 2001 Grand Vitara that is the subject of this  
5 case?

6 MR. ROTH: Object to the form.

7 THE WITNESS: What do you mean when you say  
8 "inspected the fuel system"?

9 BY MR. ROSENBLUM:

10 Q. Are you familiar with the terms "fuel system" as  
11 they relate to automobiles?

12 A. I'm somewhat familiar with it, but there is a  
13 lot to it. Is there a specific part of it you are  
14 referring to?

15 Q. Why don't you tell me what your understanding of  
16 the words "fuel system" mean in the context of an  
17 automobile.

18 A. In the context of this automobile, it would be  
19 the fuel tank, it would be the fuel hoses that run  
20 between the tank and the engine itself, it would be the  
21 fuel injection nozzles themselves, the fuel rail, the  
22 fuel pump, the pressure regulator, the return line to the  
23 tank, the venting. That is all that comes to mind. I  
24 think there are probably some more components in there.

25 Q. Using that definition that you just gave, are

1 you aware if American Suzuki Motor Corporation ever  
2 inspected the fuel system of the 2001 Grand Vitara that  
3 is the subject of this case?

4 MR. ROTH: Object to the form.

5 THE WITNESS: I don't think they ever  
6 specifically looked at the fuel system.

7 MR. ROSENBLUM: Thank you. That's all I have,  
8 Larry.

9 MR. ROTH: Just a couple more.

10

11

FURTHER EXAMINATION

12

BY MR. ROTH:

13

Q. Mr. Butt, how long have you been employed with  
14 American Suzuki Motor Corporation?

15

A. I started in January of 1986.

16

Q. And has your employment been continuous from  
17 January 1986 until today, September 10th, 2003?

18

A. Yes, sir.

19

Q. During that time, have you become familiar with  
20 the business purposes of American Suzuki, what kind of  
21 business they are in?

22

A. Yes.

23

Q. What kind of business is American Suzuki Motor  
24 Corporation in?

25

A. Our charter is to import, market, and distribute



1 Suzuki badged vehicles in the continental  
2 United States. And to do that, we also maintain --  
3 attempt to maintain the dealer body and the aftermarket  
4 service of vehicles with parts and technical service  
5 help.

6 Q. And I will reask an earlier question, but I will  
7 make it broader.

8 Has American Suzuki Motor Corporation ever been  
9 involved in the designing of motor vehicles?

10 A. Not in the direct designing of vehicles.

11 Q. Do they have any sort of manufacturing capacity,  
12 "they," being American Suzuki Motor Corporation?

13 A. For automobiles, no.

14 MR. ROTH: That is all I have.

15 MR. CLARK: That ought to wrap it up. Thanks  
16 for your time, Mr. Butt and Mr. Roth.

17 MR. ROTH: I just happened to be in the  
18 neighborhood today.

19 We'll reserve reading and signing.

20 MR. CLARK: Madam Court Reporter, if you would  
21 be so kind as to shoot me an e-mail. I'm not sure who is  
22 going to be ordering this. I think American Suzuki  
23 probably wants it to be used more than I do, but let me  
24 give you my e-mail address and you can let me know what  
25 is going on.

1           It's AClark, A-c-l-a-r-k, at Winstonlaw,  
2 W-i-n-s-t-o-n-l-a-w, dot com. And let me know if -- I  
3 don't need it, but if anybody else is ordering it, just  
4 give me a chat and I will let you know what I'm going to  
5 do.

6           MR. ROTH: I will go ahead and order it.

7           MS. BULLOCK: I'm not going to take a copy at  
8 this time. Thank you.

9           MR. CLARK: That ought to do it. I appreciate  
10 talking to you.

11           (Deposition concluded at 9:35 a.m.)

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

\* \* \* \*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2003, at \_\_\_\_\_, California.

\_\_\_\_\_

Alexander Butt



C E R T I F I C A T E

I, Sophilia T. Wiist, California CSR No. 11068,  
do hereby certify that prior to being examined, the  
witness named in the foregoing proceeding was by me duly  
sworn to testify the truth, the whole truth, and nothing  
but the truth.

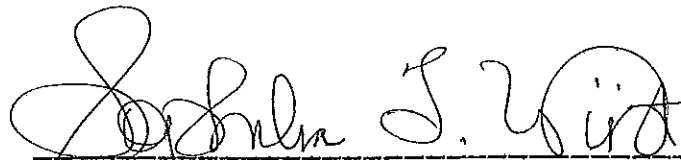
That the foregoing is a full, true and correct  
transcript of my said notes, and a full, true and correct  
statement of said testimony to the best of my ability.

I further certify that I am not interested in  
the events of the action.

I declare under penalty of perjury that the  
foregoing is true and correct.

Executed at Santa Ana, California.

Dated: SEP 29 2003



Sophilia T. Wiist, CSR NO. 11068

EA12-005

PRODUCED BY SUZUKI MOTOR CORPORATION

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**TRANSCRIPT OF RECORDED STATEMENT OF**

**KATHY SMITH COX**  
**5490 Florida Palm Avenue**  
**Cocoa, Florida 32927**  
**321-638-4252 - Residence**  
**321-536-6084 - Cellular**

MR. LEE: My name is Billy Lee. I'm an investigator working on behalf of the Law Firm of Roth, Powell & Pearson in reference to a traffic accident which is now a lawsuit. I am also a Notary. I am speaking with [REDACTED] in regards to the subject accident.

BY MR. LEE:

Q: Ms. [REDACTED] you understand that I am a Notary?

A: Yes, I do.

Q: Okay. And I'm taking a recorded, sworn statement from you?

A: Yes.

Q: Do you swear and affirm -- raise your right hand -- do you swear and affirm that you are going to give me truthful answers?

A: Yes, I will.

Q: Okay. Just state your name to begin the recording.

A: [REDACTED].

Q: Okay. We talked briefly before we started the recording. You were, do you recall the exact date of the accident?

A: Yes, I do.

Q: Okay.

1           A:    Um, I had a doctor's appointment that day, so I had gotten on  
2                    the interstate as soon as, um, um, I finished the appointment, I  
3                    was going to my mother's, so I was heading southbound on I-  
4                    95, and it was April 12, 2002.

5           Q:    Okay. About what time was that?

6           A:    Um, it was around eleven o'clock. I'm not sure, because I had  
7                    just left the doctor's office, and I wasn't paying a whole lot of  
8                    attention to the time.

9           Q:    Um-hum.

10          A:    So I'm not sure if it had been raining all day, and it was still  
11                   raining at that point.

12          Q:    Okay. Tell me about the rain. Was it hard rain, medium rain,  
13                   light rain?

14          A:    It was pretty medium. But it had been raining for a couple of  
15                   days, so --

16          Q:    Um-hum.

17          A:    -- and everything was really wet, and, um, therefore the traffic,  
18                   you were getting mist off of the, like the semis and stuff --

19          Q:    Off the tires?

20          A:    -- off the road, off the tires. And, um, traffic was pretty heavy.  
21                   I had to merge into the traffic, and people got over, or slowed  
22                   down, or speeded up so that I could get in --



1 Q: Right.

2 A: -- because it was real, traffic was heavy.

3 Q: Let me ask you all that about the traffic in just a second. As far  
4 as the rain, how would you characterize it, heavy rain, or -- you  
5 said it had been raining for a couple of days.

6 A: Yeah. It was about a medium. It, you know, it, it was sporadic,  
7 you know, you would run into a patch where it would be harder,  
8 and at that point in was kind of a medium rain, and, uh --

9 Q: Okay. How about where the accident occurred?

10 A: Uh, it was still raining about medium. It wasn't really heavy  
11 there.

12 Q: Okay.

13 A: Um, I had moved to the left hand lane --

14 Q: Let me stop you. Was there water on the roadway, like  
15 puddles?

16 A: Yes.

17 Q: Okay.

18 A: Yeah, there was --

19 Q: It was raining that hard? Okay.

20 A: There had been puddles and stuff on the road from the rain.

21 Q: Puddles in the median, as well?

22 A: Yeah, yeah, I'm sure.

1 Q: Okay. Tell me -- well, let's go ahead and describe traffic, and  
2 then tell me where the accident happened. Traffic you said was  
3 pretty heavy?

4 A: It was pretty heavy.

5 Q: Okay.

6 A: Like I said, there was -- when I got on, I had to merge into  
7 traffic, and there was immediately in front of me was a semi that  
8 was carrying a heavy, heavy machinery on the back of the truck.

9 Q: Where did you merge in from?

10 A: I merged in on Eau Gallie Boulevard, which is the exit before this  
11 happened.

12 Q: Okay.

13 A: It's just north of the 192 exit.

14 Q: Okay. And we're traveling on inter- --

15 A: Southbound Interstate-95.

16 Q: Okay. Go ahead. I'm sorry.

17 A: I came behind this truck, this truck was traveling slower than the  
18 rest of us. We were traveling probably about 55, because  
19 everybody had slowed down, and it was, it was pretty wet, you  
20 know.

21 Q: Tell me again who you were with.

22 A: I was alone.

1 Q: You were alone, I'm sorry.

2 A: Yeah, yeah.

3 Q: You said "we," I didn't --

4 A: Well, the traffic around me.

5 Q: Okay.

6 A: All of us seemed to be about 55, because like I said it had been  
7 raining and the roads were wet.

8 Q: Okay. The accident happened on-or-about -- Interstate-95, on-  
9 or-about 192?

10 A: Yes. It was almost at the exit.

11 Q: Okay. Can you describe that portion of the roadway for me?  
12 How many lanes of travel are there?

13 A: You have two lanes, and then you have a good size lane on  
14 either side for pull offs if you would have, you know, you have to  
15 pull off ...

16 Q: Are they paved?

17 A: Yes.

18 Q: So there's a paved apron and a paved shoulder?

19 A: Yeah, yeah.

20 Q: And the lanes, Interstate-95 in that area travels primarily north  
21 and south?

22 A: Yes.



1 Q: Okay. Are the north and south lanes divided by a median?

2 A: A grassy median, yes.

3 Q: Okay. How about, how wide do you think that median is?

4 A: Oh, it's a pretty good, um, distance there, um, I have no idea.

5 But it's a very wide median.

6 Q: Okay. Does it slope downward from the roadway?

7 A: No, but you have the overpass there, um, we, it happened just

8 before the overpass.

9 Q: Okay. And, the overpass is 192?

10 A: Yes.

11 Q: Okay.

12 A: It goes over 192. Also, if you're coming northbound, which the

13 white Suzuki was, um, there's a curve just before you get to this,

14 um, overpass.

15 Q: Okay.

16 A: So, you know, he would have just come around the curve, and

17 then up over the overpass.

18 Q: Okay. Final rest of the vehicles. How far north of 192 are we

19 talking about?

20 A: Aww, they were just almost across from it.

21 Q: Okay.

22 A: Just very few feet.

1 Q: So they're almost on the --

2 A: They're almost on the over -- almost on the overpass.

3 Q: Okay. Okay. Back me up. You're traveling in which lane?

4 A: I moved to the left hand lane to pass the, the truck.

5 Q: Okay.

6 A: And, um --

7 Q: And how fast do you think you were going?

8 A: I was doing about 55, 60.

9 Q: Okay.

10 A: Um, because as I said, traffic was pretty much around 55 then,

11 because it seemed like, you know, 55, 60, 65 --

12 Q: Um-hum.

13 A: -- people were right there, because it was hard to see in places,

14 and the roads were wet. Um, I noticed a white, um, Suzuki SUV

15 leave the, the lane going northbound, and kind of arched across

16 the median.

17 Q: Do you know which lane he was traveling in?

18 A: He was in, when I saw him leave the road, he was in the left

19 hand lane.

20 Q: Okay.

21 A: So he was --

22 Q: How, how did he leave the road, was he --

1 A: It was just like he was going off an exit, he just kind of just  
2 drove off. It -- he never slowed the car at all. There was no  
3 attempt to brake, nothing, you know.

4 Q: You didn't see the tires lock up, or anything like that?

5 A: Unh-unh.

6 Q: How far away from him were you when you first saw him?

7 A: Um, a pretty good distance, because, um, it took me a while to  
8 flip on my -- I flipped on my blinker, checked to see where the  
9 traffic was beside me, and moved over into the right hand lane,  
10 and moved onto the shoulder, and off.

11 Q: And you did this after you noted him coming through the  
12 median?

13 A: Yes. Because I knew where he was going, and I knew he was  
14 going to cream into traffic in front of it -- in front of me.

15 Q: Did he appear to be in control when he was leaving the  
16 roadway?

17 A: I don't know. Like I said, it was just like he drove off. He drove  
18 off onto the -- you know.

19 Q: That was my point --

20 A: Yeah.

21 Q: -- did it appear like he had just steered off, or --

22 A: Yeah.



1 Q: -- did it appear like he was in a slide, or anything like that?

2 A: I -- it, it, I didn't see him hit any brakes or anything to cause a

3 slide.

4 Q: You didn't note any brake lights?

5 A: Um, not really. But there was, there was heavy traffic on that

6 side, too, so --

7 Q: Okay.

8 A: -- I don't know whether he, he maybe left the road to avoid

9 hitting the car in front of him, I don't know. But it just, it was

10 just like he had driven down the exit, like he was driving down

11 an exit.

12 Q: Let me stop you there. Farther north of where he was traveling?

13 A: Uh-huh.

14 Q: Had the cars stopped there, or was that -- you said it was heavy

15 traffic, was it just heavy traffic?

16 A: Yeah. But it was all moving, you know.

17 Q: I didn't know if he had come up on some cars that had stopped,

18 or you don't know.

19 A: No, he had -- they weren't stopped, they were moving.

20 Q: Okay. So it appears that he steers to the left; is that correct?

21 A: Uh-huh.

22 Q: Okay. How does he come through the median?

1 A: Sort of an arc.

2 Q: Okay.

3 A: You know, just kind of like that, you know. And I think maybe  
4 what he was trying to do was perhaps pull onto the left hand  
5 lane of the southbound traffic, you know, and I think he tried to  
6 get in front of her, because when I saw him coming across, I  
7 assumed that he was going to hit the Ford truck in the door --

8 Q: Um-hum.

9 A: -- because that's what it looked like, but I think he, you know,  
10 he kept it turned, he kept the wheel turned, so he actually pulled  
11 in front of her, and she hit him from behind.

12 Q: Okay. Did -- so, I guess what you saying is when he's coming  
13 through the median, he may have seen the Ford truck, and was  
14 attempting to steer in front of it?

15 A: I think so, yeah.

16 Q: Okay. Was the vehicle still traveling in a straight path, or was it  
17 sliding?

18 A: No, um, well, yeah. His, his vehicle just made a half circle --

19 Q: Okay.

20 A: -- you know. And, um, the Ford truck --

21 Q: A leftward arc?

22 A: Yes. Uh-huh.

1 Q: Okay.

2 A: And, um, he was actually, he, he started, almost like he was  
3 turning around to go southbound.

4 Q: Um-hum. How fast do you think he was traveling through the  
5 median?

6 A: Uh, that I couldn't tell you. I, I told the policeman, I have no  
7 way of judging. He, he seemed like he was traveling with the  
8 rest of the pack, and he never slowed up.

9 Q: About the same speed as the northbound lanes?

10 A: Yeah.

11 Q: Okay.

12 A: So, and it, there was no attempt, as far as I could see, for him  
13 to hit the brakes and even try to slow up. So I think what he  
14 was trying to do was, since he had gone into the median, and,  
15 um, there was no slide, or whatever, I think he was trying to  
16 reverse himself so he could get onto the southbound traffic, you  
17 know, and --

18 Q: You feel he left the roadway for some reason, and then was  
19 attempting to steer back --

20 A: Yeah.

21 Q: -- onto the southbound lanes?

22 A: Exactly.



1 Q: I understand. Okay. So, how does he vehicle enter the  
2 northbound -- or the southbound lanes of travel?  
3 A: He was almost completely southbound by the time he had  
4 gotten onto the road.  
5 Q: So the rear of his vehicle was coming -- Okay.  
6 A: I was facing the rear of his vehicle.  
7 Q: Okay. So you're in the left lane when you see this occur?  
8 A: Exactly.  
9 Q: Okay. And you're traveling, what did you say, 60?  
10 A: It was about 55, 60.  
11 Q: Okay. Who was in front of you?  
12 A: Um, there was a space, and then there was an, um, a dark car  
13 in the right hand lane, and there was like a navy blue Ford  
14 double cab in the left hand lane.  
15 Q: A "double cab" meaning a pickup truck?  
16 A: Big pickup truck, yeah.  
17 Q: Okay.  
18 A: One of the big ones, one of the "dualies" [sic].  
19 Q: So it was a dualie?  
20 A: Yeah.  
21 Q: Okay. How far, how many car lengths would you say you were,  
22 this vehicle was in front of you?

1 A: Um, it was probably about 20 car lengths of so, because I hadn't  
2 caught up with them, you know, they were quite a bit in front of  
3 me when I came onto the interstate, so I hadn't caught up with  
4 them.

5 Q: Okay.

6 A: And, um --

7 Q: And there was nobody between you and the F150?

8 A: No.

9 Q: Okay. And where was the dark-colored car?

10 A: It was in the right hand lane, pretty much beside of that truck.

11 Q: Okay.

12 A: I don't know what it was, I'm not sure.

13 Q: Okay. That's fine. Go ahead.

14 A: Um, when I realized he was coming on across, I immediately got  
15 off on the right hand shoulder --

16 Q: Um-hum.

17 A: -- to get as far away from impact as possible.

18 Q: And you had already passed the semi at this point?

19 A: I had passed the semi. And, in fact, when he saw what had  
20 happened, he moved all the way over into the left hand lane,  
21 and blocked the Suzuki, so no one else would hit the Suzuki.

22 Q: Okay.

1 A: But I got off and, uh, he got in front of her somehow. She had  
2 moved as far as possible to the left. She actually hit the car  
3 beside of her --

4 Q: To the right? You're motioning to the right.

5 A: I know, to the right. I'm sorry. She had moved over as far as  
6 she could, she actually hit the car beside of her, trying to avoid  
7 hitting him.

8 Q: And you're referring to "she," meaning the driver of the F150?

9 A: The driver of the F150.

10 Q: Did she hit the brakes at all?

11 A: Um, I think so, I'm not really sure. I know that she was, she  
12 was getting over, and I know she had taken her foot off, off the  
13 gas, because I was catching up with her faster, you know --

14 Q: Okay.

15 A: -- and, and I did the same thing. I looked, made sure I had  
16 enough room, took my foot off the gas, signaled to the right,  
17 and got off as quickly as possible.

18 Q: Okay.

19 A: Because I knew, you know, there -- I just didn't see any way  
20 possible that he could get around in front of her and not be hit.

21 Q: So you think -- you're assuming that she saw him coming  
22 through the median?



1 A: I believe so, yes.

2 Q: Okay.

3 A: Because, like I said, she tried to get over. And so did the car  
4 beside her, they went over. But they were also approaching the  
5 overpass and there's a guardrail.

6 Q: Um-hum.

7 A: So rather than hit the guardrail, the car stayed on the road --

8 Q: Um-hum.

9 A: -- but he moved -- whoever was driving that one moved over as  
10 far as they could --

11 Q: But they were still in the right lane?

12 A: Yeah, they were still --

13 Q: And she's still in the left hand, but on the right side of it?

14 A: She was kind of straddling the line by then.

15 Q: Okay.

16 A: She was, the truck was almost in the middle of the, of the two  
17 lanes --

18 Q: Okay.

19 A: -- trying to get over.

20 Q: Okay. Um, all right, go ahead.

21 A: Um, after the impact, the first thing I saw --

22 Q: Where did they impact?

1 A: She, um, the dualie, and I understand later on from the police  
2 department that the other car also hit --

3 Q: Um-hum.

4 A: -- the back end of the Suzuki. They impacted the back of the  
5 Suzuki.

6 Q: So you think the dualie hit the, um, the other car?

7 A: I know, I know she --

8 Q: Or did they all three hit at the same time, or ---

9 A: Um, it's kind of hard to tell, because it happened so fast. I know  
10 she hit the other car, and I know they both hit the Suzuki, and  
11 I'm not sure if they hit together, or what, you know --

12 Q: Okay.

13 A: -- because you had spray, and stuff, and steam, and --

14 Q: Okay.

15 A: -- the car went off to the right.

16 Q: Okay.

17 A: The dualie went across the lanes, facing east. She stopped  
18 almost directly eastbound, across from me --

19 Q: Where exactly did they contact? Is the Suzuki going exactly  
20 backwards when it, or facing south when it enters the  
21 southbound lanes?

22 A: Yeah. It was almost straight south.

1 Q: Okay. Which lane was the contact in?

2 A: Dead center between the right and left lanes.

3 Q: Right in the middle of the road?

4 A: They were right in the middle of the road, because --

5 Q: Okay.

6 A: -- everybody had moved over, trying to avoid the accident, but

7 there was just nowhere to go.

8 Q: If, if, if the Suzuki is coming with the back toward it, is it more

9 to the left, or more to the right when it contacted the Ford?

10 A: I would say it was a little bit to the left --

11 Q: Okay.

12 A: -- but I'm not sure. I'm, you know, I'm, it was hard to see with

13 the truck, because the truck is so large --

14 Q: Sure.

15 A: -- you know, and it kind of dwarfed the Suzuki, you couldn't see

16 real well where the positioning was.

17 Q: Was the contact in the front of the, of the truck, or was it more

18 to the left or the right?

19 A: It was front right hand side, more than, than the left hand side.

20 Q: Okay.



1 A: Because he spun her, he spun the Ford truck, and it was, like I  
2 said, it was across the lane facing eastbound, the Suzuki was  
3 across the lane facing westbound.

4 Q: Okay. We covered the sedan, it just pulls off the side of the  
5 road.

6 A: It just -- yeah.

7 Q: The F150, the, the Ford truck, after the collision, you said it  
8 rotates, is that counter-clockwise? You're motioning this way.

9 A: Yes. It went counter-clockwise, it was facing to the east.

10 Q: Just one-quarter turn?

11 A: Yeah.

12 Q: Okay. And comes to stop?

13 A: Yes.

14 Q: Okay. Where does the Suzuki come to stop?

15 A: The Suzuki was right beside of it, on my, on my side of the  
16 truck. And it had gone clockwise, so it was facing westbound.

17 Q: Okay.

18 A: And it was across the left hand lane also.

19 Q: Okay. So it's, it remains in the left hand lane?

20 A: Um-hum.

21 Q: Okay. Where does the -- and the truck comes to stop in the  
22 middle of the road, or the left, or the right?

1 A: They're, they're both in the left hand lane.

2 Q: Um-hum.

3 A: And like I said, facing opposite directions.

4 Q: Okay. How close are they apart?

5 A: They were probably a good five feet apart.

6 Q: Um-hum. When you stop your vehicle, are you directly west of  
7 them, or where?

8 A: I'm almost directly west of the Suzuki.

9 Q: Okay. Did anybody, do you know how many people were in the  
10 Suzuki?

11 A: Um, no.

12 Q: Okay.

13 A: I had no idea at that time.

14 Q: Did you see the windows break out, or the doors open, or  
15 anything like that?

16 A: The only thing I saw was there was gas leaking out of the  
17 bottom. As soon as I stopped, I realized the gas was already on  
18 fire.

19 Q: Okay.

20 A: And it had run underneath the Suzuki, out across toward the  
21 right hand lane.

1 Q: Okay. Tell me first about the damage to the Suzuki, and then  
2 tell me about the gas.

3 A: The, um, back of the Suzuki --

4 Q: Um-hum.

5 A: -- was clear up against, I would estimate against the back seat  
6 of --

7 Q: The back of the back seat?

8 A: The back seats, you know, the driver seat and the passenger  
9 seat.

10 Q: All the way to the front seats?

11 A: All the way to the front seats.

12 Q: Okay. Where is the, so the most of the damage to the Suzuki  
13 from the impact was in the rear?

14 A: Right.

15 Q: The rear of the vehicle -- what you're telling me is the rear of  
16 the vehicle is pushed all the way forward?

17 A: It's clear up against their back, back seats.

18 Q: Where is the gas leaking from?

19 A: It seems to be coming from underneath the driver's side, and  
20 has rolled across toward the right hand lane, kind of toward me,  
21 angled toward me, and, um, um, it was already on fire when I  
22 realized it was gas coming out from underneath.



1 Q: Is that how you noticed what it was, because of the rain?

2 A: Yes.

3 Q: Okay.

4 A: Yes. Because, you know, it was already on fire, and I realized it

5 was gas leaking out, 'cause I've seen gas trail, a fire trail a gas

6 line before --

7 Q: Okay.

8 A: -- like that, you know, if you've got gas leaking. It happened

9 across the street from us. And it was already on fire. And

10 people --

11 Q: How long after the initial impact did the fire start?

12 A: Um, it was just almost instantaneous.

13 Q: Okay. You noted the leaking of the gas --

14 A: Yeah.

15 Q: -- and it was already on fire?

16 A: By the time, by the time I stopped my car, and I grabbed my cell

17 phone -- I had a cell phone, because I looked, and people were

18 jumping out of their cars, and running for -- to assist the

19 accident victims --

20 Q: Um-hum.

1 A: -- I didn't see anybody with a phone, so I got on the phone  
2 immediately calling 9-1-1 for an ambulance, and a fire truck, and  
3 whatever.  
4 Q: Okay. And you're watching this as you're calling?  
5 A: Yes.  
6 Q: Okay. Tell me what happens. Who was where?  
7 A: Um, I saw nobody in the Suzuki move. I, I saw nothing because  
8 it went, I said -- it went up so quickly.  
9 Q: Um-hum.  
10 A: Um, the fire was just almost instantaneous.  
11 Q: You didn't see anybody moving around inside, is that what  
12 you're telling me?  
13 A: I, I couldn't see anybody inside.  
14 Q: Couldn't see, or you didn't see?  
15 A: I didn't see anybody. You, you --  
16 Q: Okay.  
17 A: -- you know, with the tint of the windshield, and it being a gray  
18 day --  
19 Q: Um-hum.  
20 A: -- you couldn't see inside of it, you know.  
21 Q: I understand.

1 A: People had just pulled over everywhere. And they were jumping  
2 out of their cars, and running.

3 Q: Um-hum.

4 A: And before anyone could even reach -- uh, most people had  
5 passed the accident, and pulled over. Some went down 192, the  
6 exit, actually went down the exit, and pulled their cars over, and  
7 jumped out, and ran.

8 Q: Um-hum.

9 A: And before they could approach the Suzuki, it was on fire.

10 Q: Okay.

11 A: So, um, they went to the truck --

12 Q: Okay.

13 A: -- to get the people out of there, because they were close  
14 enough that they could, you know, if it exploded, then it could  
15 have ....

16 Q: Did they open one of the doors, or how did they get people out  
17 of the truck?

18 A: Um, they opened the passenger door, which was away from me.  
19 And the first thing I saw them was lift out a baby in a carseat.

20 Q: Okay.

21 A: They took it to the side of the road. Um, there was a gentleman  
22 taking it to the side of the road. Um --



1 Q: Can you describe him at all?

2 A: All I know is a white male, kind of thin, probably five-three, five-

3 four, somewhere around there.

4 Q: Okay. Do you know whether he parked behind you, or in front

5 of you?

6 A: He came from in front of me somewhere.

7 Q: Okay.

8 A: Um, like I said, there was, there was just so many people all of a

9 sudden.

10 Q: Okay.

11 A: Um ---

12 Q: Could you guesstimate about how many people had stopped at

13 that point?

14 A: There was the other car. They pulled over, actually starting up

15 the overpass by the time they got stopped. They passed the

16 exit and were up over the overpass. There were at least two

17 cars on the, um, exit ramp.

18 Q: Can you describe either of those?

19 A: I don't remember.

20 Q: Okay.

21 A: Um, there was a guy that came from across. He had pulled over

22 into the median going northbound.

1 Q: Um-hum.

2 A: Um, I think that's where the younger guy came from. There  
3 was a younger guy that I know they took a statement from.

4 Q: Um-hum.

5 A: He told me that there was someone else that he had taken a  
6 statement from. Um, he was not from this area.

7 Q: Okay.

8 A: He must have been traveling, I don't know. But they did take a  
9 statement from him. And I did see someone pacing [laughs] in  
10 the median after I gave my statement --

11 Q: Okay.

12 A: -- so I, I don't know if that was him or not, I didn't ask. But  
13 there was -- I would say five or six people immediately on the  
14 scene.

15 Q: Okay. The only one you can specifically remember is a white  
16 male.

17 A: I remember that man. And then he put the baby seat on the, on  
18 the berm of the road, on the side. And --

19 Q: On the outer edge?

20 A: On the outer edge, toward the, toward the exit. And, um --

21 Q: That would be near your car, right?

1 A: Yeah, but he was on the other side of the -- see, I was, I was,  
2 um, north of the, of the exit --

3 Q: I gotcha.

4 A: -- and he was on the other side. He put it so that if anybody  
5 came through to use the exit, the baby wouldn't be in danger --

6 Q: I understand.

7 A: -- so he had put the baby on the other side of the exit. And  
8 there was a women, I don't know where she came from, she  
9 was just there, and she was leaning over the baby, as it was still  
10 raining pretty good.

11 Q: Uh-huh.

12 A: It was raining hard enough that when you opened your door,  
13 the car door got wet, you know.

14 Q: I understand.

15 A: Um, when I talked to the police officer, um, the car door got  
16 wet. He was wearing his raincoat. So it was raining pretty  
17 good.

18 Q: Okay.

19 A: So she kind of shielded the baby. And then I looked to see  
20 what he was doing, he ran back to the truck, and by then he  
21 was showing back up with other people. I don't know where  
22 they came from.



1 Q: Uh-huh.

2 A: And, uh --

3 Q: Who else came out of the, out of the truck at that point?

4 A: There was a woman, uh, kind of heavy set with dark hair. And

5 she was favoring one of her legs. And, um --

6 Q: Do you remember which one?

7 A: Ufff, it seems to me it was the left one, but I'm not really sure. I

8 know there was a man on either side of her, holding her up.

9 Q: Okay.

10 A: And they took her off to the side of the road --

11 Q: Okay.

12 A: -- and at that point I, I was distracted, I don't remember. I

13 think that was when they answered the phone, you know, and I

14 was trying to give them the information.

15 Q: Okay.

16 A: But, um --

17 Q: So at this point had anybody responded to the, uh, Suzuki.

18 A: Nobody could get anywhere near it.

19 Q: Okay.

20 A: You know, it was just, it was fully engulfed in flames --

21 Q: Okay.

1 A: -- so there was no way that anybody could, um, could get near  
2 it. And when the fire truck came, they parked in the median,  
3 facing, uh, the Suzuki. And, um --

4 Q: In the median, meaning the northbound lanes, or the  
5 southbound lanes?

6 A: No, they were in, in between.

7 Q: They were in the median.

8 A: They pulled up in the median --

9 Q: Okay.

10 A: -- beside the Suzuki.

11 Q: Did they come up from the south, or the north?

12 A: They had come from, um, the north --

13 Q: Okay.

14 A: -- so they came, came up southbound, came up from behind  
15 me. I didn't realize they were there until they pulled up beside  
16 of me. And, like I said, the other truck had pulled up, and he  
17 was blocking the Suzuki, so no one else could get through.

18 Q: Okay.

19 A: And the traffic was exiting off of 192, because like I said, it was  
20 right before the exit there.

21 Q: Um-hum.

1 A: And so if they stayed in the right hand lane, they could still get  
2 off, and get right back on 95 south of the accident, so ...

3 Q: So there was parked vehicles like yours in the, in the shoulder --

4 A: Yeah.

5 Q: -- and then these vehicles were in the left --

6 A: Actually there was cars going around me on the shoulder. They  
7 were going around me on both sides, so I just set still.

8 Q: Okay. So as far as the -- you pull over, you start dialing 9-1-1 --

9 A: Yes.

10 Q: -- I'm assuming, or FHP?

11 A: I called 9-1-1.

12 Q: And you're watching, first of all, I guess, the northernmost  
13 vehicle, which would be the truck --

14 A: Yes.

15 Q: -- and you watch some man come and pull an infant out, and  
16 then come back, and then two men helped a lady out?

17 A: Yes.

18 Q: And the Suzuki you said was on fire during that time?

19 A: Yeah, it was on fire. They, they, they looked -- you could tell,  
20 you know, they checked it out, and it was like there was no way  
21 that anybody could get anywhere near it, it was fully engulfed.



1 Q: So did anybody respond to it at all, or they couldn't because of  
2 the flames?  
3 A: Nobody.  
4 Q: Okay. Did anybody come out of the Suzuki?  
5 A: I didn't see anyone, and I was facing, like I said, I was facing  
6 the passenger door.  
7 Q: Okay.  
8 A: Because it was just slightly ahead of me --  
9 Q: Okay.  
10 A: -- you know, on the road, so, um, I could see the passenger  
11 door, and, um, um, no, I couldn't see anybody attempt to get  
12 out.  
13 Q: Okay. How about the third vehicle?  
14 A: I didn't even pay attention. I didn't realize that it was involved.  
15 Q: Okay.  
16 A: You know, I wasn't paying attention to it. I was, I was  
17 concerned with the two that were in the middle of the road.  
18 Q: Okay. What happens next? Does -- they pull mom and infant  
19 out. Nobody goes to the Suzuki, or nobody comes out of the  
20 Suzuki.  
21 A: No.

1 Q: Is that it, or is anybody else removed from either of those  
2 vehicles?

3 A: Um, the, uh, the fire department -- the fire went out pretty  
4 quickly.

5 Q: Um-hum.

6 A: I'm not even sure if they put anything on it, because I was more  
7 concerned on, you know, the people that were being removed,  
8 to see if they were all right, and trying to, um, give the  
9 information all to the dispatcher, and things, you know. And  
10 then, of course, I had police officers coming to the car --

11 Q: Okay.

12 A: -- um, I had one Palm Bay police officer come and ask me why I  
13 was sitting there. And I explained to him that I had already  
14 been talked to by the Sheriff's Department and, uh, FHP. And  
15 FHP had asked me to wait and give a statement to the Sheriff's  
16 Department.

17 Q: After these first, like, what'd you say, five or six bystanders that  
18 had showed up? How many were the initial bystanders?

19 A: I would say there were about five or six. Because, you know, as  
20 they approached the, the truck, and started getting people out,  
21 the one guy was getting people out, there were several other

1                   guys that were throwing pieces of the vehicles into the bed of  
2                   the pickup truck to get them out of the right hand lane --

3           Q:     Uh-huh.

4           A:     -- to clear the right hand lane so people could get through. Oh!  
5                   There was also someone directing traffic.

6           Q:     Okay. Can you describe that person at all?

7           A:     Um, it's another white male, you know, with dark hair, um --

8           Q:     Okay.

9           A:     -- I wasn't really paying too much attention. He was directing  
10                   traffic and, um, you know, just getting everybody off --

11          Q:     How long after this point did the first emergency personnel show  
12                   up?

13          A:     I couldn't even tell you.

14          Q:     Who was the first emergency personnel? Was it a fire engine, or  
15                   was it a police officer, or was it a sheriff, or ...

16          A:     Um, FHP was first, I believe.

17          Q:     Okay. Where did they park?

18          A:     He parked in the median.

19          Q:     Okay. North, or south, or where?

20          A:     He was, um, I think he came, he came from the south, because  
21                   he was driving one of the new Cameros, and it was parked up in  
22                   front of the accident area, so he was --



1 Q: So he drove up the southbound lanes?

2 A: I think so.

3 Q: Okay. And he parked south of the scene?

4 A: Uh-huh.

5 Q: Okay. What did he do?

6 A: He came, well, he got out and, you know, checked everything,  
7 and came over and talked to me, and asked me if I would wait --

8 Q: Um-hum.

9 A: -- and give my statement. And I said, you know, that was the  
10 reason, I had seen it, I was in front of the rest of the traffic, and  
11 that's the reason I had pulled over, to wait.

12 Q: Was the fire out at that point?

13 A: I think it was, yeah.

14 Q: Okay.

15 A: Because it didn't burn for very long, you know, but it was just so  
16 intense.

17 Q: How long is "very long," do you think?

18 A: Just a few minutes. It's, it's kind of like everything moves in  
19 slow motion, you know.

20 Q: Well, was the fire out by the time you got off the phone?

21 A: No. I don't think so.

22 Q: Okay.

1 A: So, you know, it burned for a few minutes, but --

2 Q: Okay.

3 A: -- by the time, uh, I'm pretty sure that by the time the, um, the  
4 fire department got there, that it was already ...

5 Q: Okay. So the, the trooper comes up from the, from the -- he  
6 comes north from the southbound lanes --

7 A: Uh-huh.

8 Q: -- and parks. What does he do first?

9 A: I don't remember, 'cause I didn't even see him arrive, you know,  
10 I didn't even realize he was there until he came to talk to me.

11 Q: Okay.

12 A: So I'm sure he ...

13 Q: Who was the second emergency personnel?

14 A: Um, I think the fire department was, I think the small truck, you  
15 know, they usually send a small truck out to check the situation  
16 out, but the big fire truck was there shortly after, so ...

17 Q: Okay. The one that you said came from the north southbound --

18 A: Uh-huh.

19 Q: -- and went into the median, is that a smaller truck?

20 A: That was, that was the full --

21 Q: That was an engine, okay.

22 A: -- fire truck, yeah, that was an engine, a fire engine.

1 Q: Okay. Where does the small truck come, you said it comes  
2 before that?

3 A: Um, yeah, and I think he parked in the median, also. There was  
4 quite a few vehicles in the median. And, um, cause I know  
5 there was guys in full gear, they had their, um, their helmets,  
6 boots and stuff on, and I believe, you know, they were going to  
7 try to do what they could to put the fire out.

8 Q: Okay.

9 A: And they seemed to be dressed, ready to work on the fire.

10 Q: Okay. This smaller unit parks in the median. The larger engine  
11 comes right behind it?

12 A: Yeah.

13 Q: Who was next?

14 A: Sheriff's Department, I believe.

15 Q: Okay. Where did they come from?

16 A: He had to have come from the south, 'cause he was on the  
17 other side of the fire engine.

18 Q: He came from the -- you're pointing backwards. You mean from  
19 the north to south?

20 A: Yeah, yeah.

21 Q: Okay.



1 A: He had to have come from the north. He was headed  
2 southbound, so he must have come up like the median.

3 Q: Um-hum.

4 A: From, like I said, we weren't very far from the exit. Those two  
5 exits are not very far apart.

6 Q: Okay.

7 A: So he must have come up from there, 'cause he was headed  
8 southbound in the median, and he was on the other side of the  
9 fire truck, so I'm not sure when he arrived.

10 Q: Okay.

11 A: But he had to have arrived after they did, because I couldn't see  
12 him at all.

13 Q: And these are the first initial people are one FHP officer in a  
14 Camero --

15 A: Yeah.

16 Q: -- a smaller fire truck, a larger engine, and then this Sheriff's  
17 deputy?

18 A: Yeah.

19 Q: Does he come from Brevard County?

20 A: Yeah, he was Brevard County.

21 Q: Okay. Who else was next?

1 A: I don't know. I don't remember if they even brought an  
2 ambulance.

3 Q: Okay.

4 A: I'm sure they did, but ...

5 Q: You said at some point you spoke to a Palm Beach -- I mean,  
6 excuse me, a Palm Bay police officer?

7 A: Yeah, because that's, that's Melbourne, and you're just north of  
8 the Palm Bay.

9 Q: Um-hum.

10 A: So he was, he was coming down the interstate, and he pulled up  
11 beside of me, and asked me what I was doing sitting there, you  
12 know. And I explained to him I was waiting to make my  
13 statement. Because when I called 9-1-1, the Dispatcher says,  
14 "Okay, where are you?" And I told her, and she said, "Okay,  
15 well that would be FHP."

16 Q: Um-hum.

17 A: So then she transferred me over to the Dispatcher for FHP. So  
18 they're the ones I initially talked to, so ...

19 Q: Okay. Tell me what happens while you're on scene.

20 A: Um ...

21 Q: Tell me what happens after you get off the phone, I guess.

1           A:    I sat there.  And, like I said, it was, you know, I was kind of,  
2                    well, I was really upset.  Because I knew that there was no way  
3                    that the people in the car could have gotten out --

4           Q:    Okay.

5           A:    -- in the Suzuki.  And, um, when the Florida Highway Patrolman  
6                    comes, he comes to the passenger side, and he leaned in, and  
7                    told me to just stay put, to stay dry, there was no reason for me  
8                    to get out, that he would come and get me when they were  
9                    ready for the statement, and then he appreciated me waiting.  
10                   And I asked him at that point if anyone survived in the Suzuki,  
11                   and he said, "No."

12          Q:    Okay.

13          A:    So, um, at that point I knew that they had been killed.  And I  
14                    said, "Well, what about everybody else?"  And he said, "They  
15                    seem to be okay, you know, minor injuries."

16          Q:    Okay.

17          A:    And, um, then he just thanked me, and he went to work.

18          Q:    Okay.  And you stayed put.

19          A:    I just stayed, and waited, you know.  It took, I called my mother  
20                    and told her, you know, because she was expecting me --

21          Q:    Um-hum.



1 A: -- and I called her and told her that I would be there as soon as  
2 possible, and it was probably an hour and fifteen minutes or so,  
3 maybe an hour --

4 Q: That you stayed on scene?

5 A: -- and a half, or so, that I had to wait --

6 Q: Okay.

7 A: -- before they could get the statement. And, at one point, uh, I  
8 noticed that they had removed, they had opened the passenger  
9 door, and they had removed someone, and laid them down in  
10 the median --

11 Q: Let me stop you. Passenger door on which vehicle?

12 A: The Suzuki.

13 Q: Okay. Who opened the door?

14 A: The fire department. It was one of the fire medics, whatever,  
15 you know. And, um --

16 Q: And the fire is out at this point?

17 A: The fire was out.

18 Q: Okay.

19 A: Of course, they were wearing the gloves, and you know,  
20 everything, they still had everything was still on, and they had  
21 laid the person down, and the person was, um ...

22 Q: They physically took him out of the --

1 A: Yes.

2 Q: So he was in the front passenger seat?

3 A: Yes. He would have to have been in the front passenger seat.

4 And you couldn't tell what type of person it was, because it was

5 burned black.

6 Q: Okay.

7 A: And, uh, it was like, you know, they just covered him with a

8 blanket and left him right there, they laid him --

9 Q: They placed him on the ground?

10 A: They had laid him on the ground. So that's why I'm not sure

11 that there was an ambulance there at that point.

12 Q: How many fire personnel did that?

13 A: There was a couple of them, and at that point, that's when I

14 believe when I noticed the other guy that was kind of pacing.

15 Q: Gotcha.

16 A: Sort of blonde hair.

17 Q: He was a fireman?

18 A: I don't think so. I think he was the other witness --

19 Q: Okay.

20 A: -- that they took the statement from. I'm not sure.

21 Q: Did they have to like pop the door open, or how did they get the

22 door open?

1 A: I think he just, um, walked up and opened it.

2 Q: Okay.

3 A: Um, because I didn't realize they were even there, you know,  
4 until -- 'cause I said I was, it was very distracting, 'cause I had  
5 cars -- it was very wet, and there was cars passing me on the  
6 right hand side in the grass --

7 Q: Uh-huh.

8 A: -- you know, so I was also trying to keep an eye out to make  
9 sure that nobody was going to hit my car.

10 Q: Were you driving this car?

11 A: Yeah.

12 Q: Okay. A gold Grand Am?

13 A: Yeah, I had just gotten it in September, and this was in April, so  
14 ... the end of September, so, um, as I said I was close enough  
15 that the ash from the car did fall on my car --

16 Q: Um-hum.

17 A: -- and that was, that was the last I remember was the, you  
18 know, they covered him over, and I never saw them try to  
19 remove the driver.

20 Q: When they took him out, where did they place him?

21 A: Um, over in front -- I think the smaller truck was over more --

22 Q: Um-hum.



1 A: -- and it was over more in front of that.

2 Q: "The smaller truck," meaning the Suzuki?

3 A: The, um, the, um, um, the fire department --

4 Q: Oh, the fire department.

5 A: -- the fire department truck.

6 Q: So they took him to the median?

7 A: Yes, they took him in the median, laid him in the median.

8 Q: And then covered him up with a blanket, or a sheet, or

9 something?

10 A: Yeah, a blanket.

11 Q: Okay. What else did the fire personnel do?

12 A: Um, I think at that point, very shortly thereafter, they left

13 because there was nothing they could do at that point.

14 Q: Okay. And that would be both -- both units?

15 A: Yeah.

16 Q: Okay.

17 A: And, um, and it was, I said it was about an hour and a half, an

18 hour and 15 minutes, an hour and a half I was there --

19 Q: Um-hum.

20 A: -- and when they finally said I could go, um, they had not

21 moved any of the vehicles.

22 Q: Okay.

1 A: And when I left my mother's, it was like two and a half hours  
2 later, and when I passed the area, they still had the, the Suzuki  
3 was still there.

4 Q: Okay.

5 A: And they were, you know, they were just getting ready to load  
6 them up. Um --

7 Q: By the wrecker, you mean?

8 A: Yeah. And I think what they did was, was they stopped, they  
9 must have stopped traffic down on 192, because they brought  
10 the ambulances up the exit. Now I remember, because they  
11 had taken everybody off, away from the accident scene, so they  
12 had taken them off the right hand side, and they brought, there  
13 were two ambulances I know that they brought. And they  
14 brought them up, and ....

15 Q: And these came later?

16 A: Yeah.

17 Q: Okay.

18 A: And as I, as I left an hour and a half or so later, they had not  
19 removed the driver --

20 Q: Okay.

21 A: -- from the Suzuki, so, um, I don't know, you know, they may  
22 have had a problem ...

1 Q: So during your hour and a half, you first, you witnessed it, and  
2 you made a 9-1-1 call --

3 A: Um-hum.

4 Q: -- you spoke to the trooper, who told you to sit tight for just a  
5 minute?

6 A: Yeah.

7 Q: Okay. Did he, he comes back later and takes a statement from  
8 you?

9 A: No, he told me to wait, and he went out, and he started working  
10 the scene --

11 Q: Um-hum.

12 A: -- you know. I think he was the one that took over the traffic  
13 detail, or whatever, but it was the deputy sheriff that took me to  
14 his car for my statement.

15 Q: Okay. So this was a Brevard County sheriff?

16 A: Uh-huh.

17 Q: Can you describe him at all?

18 A: [Sighs] He even gave me his name, and I can't tell you what it  
19 is. I have it at home.

20 Q: It's a man?

21 A: Yeah, it was a gentleman, and, uh ...

22 Q: White, Black, Hispanic?



1 A: White, white guy. And, um, sort of grayish hair.

2 Q: Okay.

3 A: And, um, the, um, I know that the, when I asked her, I called  
4 FHP later on, and asked about a copy of the accident report if I  
5 needed it, and she said it would be at the Cocoa, if you have any  
6 problem, you can pick it up, you know --

7 Q: Um-hum.

8 A: -- because I did want to know if I needed to answer questions  
9 later on, I could go pick up the statement from them --

10 Q: Um-hum.

11 A: -- and they do have it over at the Cocoa, it's out on --

12 Q: Um-hum.

13 A: -- so if you need it, a statement there, they have that. And the  
14 trooper's name is on the, the names are on there.

15 Q: Now I'm confused. Did you give the statement to a Brevard  
16 County sheriff, or to a patrolman?

17 A: I gave it to the Sheriff's Department.

18 Q: Okay. But the Florida Highway Patrol was the one working the  
19 scene?

20 A: Yeah, because that's actually their jurisdiction.

21 Q: And who did the accident report?

1 A: The accident report, I believe, was signed by him, by the deputy  
2 sheriff.

3 Q: By the deputy sheriff.

4 A: But it's, like I say, it's filed at FHP, that's where I picked one up,  
5 because, um ...

6 Q: So you went and got one?

7 A: Yes, I did.

8 Q: Okay. Okay. Um, is it, was it a recorded, or sworn statement?

9 A: No. Oh, my statement? Yes. It was recorded, yes.

10 Q: Okay. Okay. Was it sworn?

11 A: Yes.

12 Q: Same as we're doing now?

13 A: Yes.

14 Q: Okay. What else did you do while on scene?

15 A: I just waited. [Laughs]

16 Q: Okay. And then eventually they came and got you, went to their  
17 vehicle, and took ... was their vehicle, I guess you know the  
18 difference between a deputy vehicle and an FHP vehicle?

19 A: Yes.

20 Q: Um, anything else you did on scene?

21 A: Nope.

22 Q: Okay. And then you went --

1 A: I, I spoke to no one.

2 Q: Okay.

3 A: You know, 'cause that was something that all the insurance  
4 people asked me was did I speak to anyone else. I spoke to the  
5 two .. I spoke to three police officers --

6 Q: Um-hum.

7 A: -- and that was all I spoke to.

8 Q: Okay. And you said you were there about an hour, hour and a  
9 half?

10 A: Yeah.

11 Q: And then you went farther south to --

12 A: Yes, I did.

13 Q: -- uh, where's your mom, Melbourne?

14 A: Palm Bay.

15 Q: Palm Bay.

16 A: She's in Palm Bay.

17 Q: And then you came back by the scene two and a half hours  
18 later?

19 A: Two and a half hours later, yeah.

20 Q: And they're still, the Suzuki is still there?

21 A: Uh-huh.

22 Q: Was the Ford still there as well?



1 A: They were, um, they had wreckers on scene at that point, and  
2 they were trying to move the vehicles at that time.

3 Q: Okay. Since that time -- when did you go get the accident  
4 report?

5 A: Um, it was probably about a week, a week and half later, I went  
6 and got an accident report, so that if, when I had a lot of  
7 insurance calls, you know, and stuff, people calling, and I had to  
8 give statements, and everything, over the phone. And so I went  
9 and got an accident report, so that if --

10 Q: You went and got it because this was happening --

11 A: Yes.

12 Q: -- or you figured it was going to happen?

13 A: It was, it was already happening.

14 Q: Okay.

15 A: And that way, if, um, you know, 'cause they were asking me  
16 things like, you know, who took the statement, and I couldn't  
17 remember, I really couldn't.

18 Q: Is that why you went and got it?

19 A: He had introduced himself to me, but I couldn't remember. He  
20 was, they were very, very nice, everybody was very, very nice --

21 Q: Okay.

1 A: -- you know, and they thanked me several times for waiting, you  
2 know.

3 Q: Okay. So anything else about the accident that we didn't cover?

4 A: I don't think so. Like I said, people really tried, and we all felt so  
5 bad, you know, I'm sure we did, be -- I'm sure the other people  
6 did, I know how badly I felt to sit there and not be able to do  
7 anything.

8 Q: As far as the accident goes, do you have any, any knowledge as  
9 to why he left the roadway?

10 A: No! I, I just never understood that. That was the only thing  
11 that I couldn't understand, you know, why he left.

12 Q: Do you have any information as to why the vehicle caught on  
13 fire?

14 A: No, other than the fact that, like I said, the back end was  
15 mashed clear up to the back of the --

16 Q: Okay. -

17 A: -- of the driver's seat, so ...

18 Q: Okay. Since the subject accident, has anybody contacted you,  
19 you said a couple of insurance companies had called you?

20 A: Everybody's insurance has called me. I --

21 Q: Um-hum.

1 A: -- 'cause I didn't really realize that the other vehicle was that  
2 damaged --

3 Q: Uh-huh

4 A: -- until the -- I think they called me first.

5 Q: Who?

6 A: The, the insurance company, it was, um, I'm trying to remember  
7 which one it was. Um, I think it might have been Allstate. I'm  
8 not sure who, who contacted me. But it was the insurance  
9 company, she identified herself as the insurance agent for the  
10 other couple that were in the car. There was an elderly couple  
11 in the car, which at --

12 Q: Okay.

13 A: -- the time I didn't know, I never really saw them.

14 Q: Um-hum.

15 A: Because as I said, they pulled off over here, and I was watching  
16 close over here. And, uh, so I never saw that couple. And I  
17 didn't realize that the truck had hit their car as badly as it had,  
18 but --

19 Q: "Truck" meaning the Suzuki, or the other one?

20 A: The Ford, yeah. Because, you know, there, I guess there was  
21 extensive damage to it, also.

22 Q: Okay.



1 A: And, uh, so she had called me first, and, uh --

2 Q: How long after the accident did that call take place?

3 A: Just a few days, couple of days, and they started calling.

4 Q: And, and you didn't have the accident report at that time?

5 A: No, I didn't. That's why I said, the reason I went and got it,

6 because I, you know, I, they were asking questions and stuff,

7 and I wasn't sure, I also asked the Dispatcher, you know, there

8 about it, and she said, well, you know, I didn't have to give any

9 statement to the insurance companies if I didn't want to.

10 Q: Sure.

11 A: But, um, you know...

12 Q: Was that a recorded, or a sworn statement?

13 A: Most of them, they would call, and they would tell me they were

14 going to record my statement. And I'm not sure if they were

15 sworn statements, all of them, but I know that they were

16 recorded, yes..

17 Q: Most of them were recorded --

18 A: They were --

19 Q: -- or all of them?

20 A: All of them were recorded, yes.

1 Q: Who's the next statement? So we got the first one is a couple of  
2 days after the accident, and it's the insurance company for the  
3 car.

4 A: The car. And then, um, I had another lady call, um, from the,  
5 um, Ford truck --

6 Q: Um-hum.

7 A: -- and she took a statement also. And, um --

8 Q: When was that?

9 A: It was just a day or so after -- I've been through it, you know.

10 Q: Your phone's going off the hook, okay.

11 A: It's been several, several people have called. And, um, then the  
12 last one was the, the guy, um, somebody called from the Suzuki,  
13 of course, for a statement, but then there was a guy that came  
14 by --

15 Q: Meaning the insurance company for Suzuki?

16 A: Um-hum.

17 Q: Okay.

18 A: Uh, for the, uh, for Enterprise, you know. They actually came  
19 by.

20 Q: Okay.

21 A: Somebody actually came by from Enterprise, I believe it was.

22 Q: Um-hum.

1 A: And took a statement there at the house, he came to my house.

2 Q: And that was a recorded statement, as well?

3 A: And took a recorded statement there. Everybody finds it's just

4 simpler --

5 Q: It is.

6 A: -- you know, and then you just sign the Affidavit saying that

7 what you, similar to what I did with this --

8 Q: Right.

9 A: -- you know. And, um, you know, that's all I remember.

10 Q: What kind of things are they asking you in the statement?

11 A: Mainly it's, it's to go over the instance, you know, step-by-step,

12 how it happened, and basically the position of all the cars, you

13 know, like you said, who responded, um --

14 Q: Uh-huh.

15 A: -- who did I see, who did I talk to.

16 Q: Okay.

17 A: Everybody wanted to know who I talked to. And I said I talked

18 to police officers, and no one else.

19 Q: Okay. So we start with the sedan, and then go to the Ford, you

20 said?

21 A: Um-hum.

22 Q: And then somebody from Enterprise called you third?



1 A: Yeah.

2 Q: Anybody else?

3 A: I don't think so.

4 Q: Okay. And Enterprise, the final one, actually came to your  
5 house?

6 A: Yeah.

7 Q: Who was that, was that a guy, or ...

8 A: It was a gentleman, and I don't remember what his name was.  
9 As I said, you know, it's just, I get so upset when I have to talk  
10 about it, you know --

11 Q: Right. You're doing real well today.

12 A: Yeah, it's just -- my hands shake, and stuff, you know. It's just,  
13 it was just so hard, you know --

14 Q: Uh-huh.

15 A: -- to sit there, I was that close, and not be able to do anything --

16 Q: Sure, sure.

17 A: -- you know.

18 Q: Anybody else talk to you besides those three?

19 A: No, I haven't talked to anyone else, as far as I know. You know,  
20 like I said, when they called, you know, they told me who they  
21 were, and I just assumed that they were being honest, so I  
22 don't know if I have talked to anyone else.

1 Q: When did you get the accident report?

2 A: Um ---

3 Q: After the first one, or after the second one?

4 A: After the second one. I had it by the time the guy came from

5 [REDACTED]

6 Q: Okay.

7 A: -- because I showed it to him.

8 Q: Okay.

9 A: And I meant to bring it today, and I forgot it. But, like I said, I

10 wasn't even aware that the third -- I knew that she had moved

11 over, but I didn't realize the truck had actually hit the sedan --

12 Q: Um-hum.

13 A: -- as hard as it did, trying to avoid the accident.

14 Q: Okay. Um, anybody else contact you besides those three?

15 A: As far as I know, no.

16 Q: Okay. How about the lawsuit against Suzuki, were you aware of

17 that?

18 A: No, not until you called.

19 Q: Okay. Any comment related to that?

20 A: I've not heard anything about any problems with them before,

21 so...

22 Q: Okay. Okay. Anything else you can think of to add?

1 A: No. Just that I was, I was surprised it, it caught fire as quickly  
2 as it did, and burned --

3 Q: Um-hum.

4 A: -- you know. Because -- but it was smashed so bad, it really, it  
5 really was.

6 Q: Okay. That's pretty much it. Can you state your name to end  
7 the recording?

8 A: Yes. I'm Cathy Smith Cox.

9 Q: Okay. And you were aware this conversation was being  
10 recorded?

11 A: Yes.

12 Q: And that I am a Notary, and that we sworn you in before we  
13 started the recording?

14 A: Yes.

15 Q: Okay. That's it.

16 \* \* \*

17 /mmp

18

19

20

21

22



November 18, 2002

Karl Pearson, Esquire  
Roth, Powell & Pearson  
399 Carolina Avenue  
Winter Park, Florida 32789

Re: Subject: [REDACTED] v. SUZUKI  
Product: 2001 Suzuki Grand Vitara  
Accident Date: April 12, 2002  
Accident Location: Brevard County, Florida  
Our File Number: P02CF010063  
Report #: 4

**THIS IS A CONFIDENTIAL COMMUNICATION. THIS REPORT AND ALL ATTACHMENTS HEREIN HAVE BEEN OBTAINED OR COMPLETED AT THE DIRECTION OF LEGAL COUNSEL. ALL WORK DONE WAS UNDER THE DIRECT SUPERVISION OF SAID COUNSEL. THIS COMMUNICATION IS CONFIDENTIAL AND PRIVILEGED IN NATURE, AND IS SUBJECT TO OUR ATTORNEY/CLIENT AND WORK PRODUCT PRIVILEGES.**

Dear Mr. Pearson:

Enclosed is the fourth report in the above-referenced case for your review.

**ENCLOSURES:**

1. Brevard County Fire Rescue Incident Report No. 216074
2. Brevard County Sheriff's Office Computer Aided Dispatch [C.A.D.] Incident Report No. 021020372

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Facsimile 407-379-2075

1025 South Semoran Boulevard  
Suite 1093  
Winter Park, Florida 32792

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## **DEFENSE LITIGATION GROUP**

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### **Investigative Report**

**November 18, 2002**

3. Medical Examiner Report No. A-02-208 regarding Willie Long.
4. Medical Examiner Report No. A-02-209 regarding Taurus Jones.
5. Rough Drawing of Accident Scene by Wrecker Driver Michael Baker.

### **INVESTIGATING AGENCIES:**

Cpl. W. Homer Corbett  
c/o Florida Highway Patrol Troop "D"  
3775 West King Street  
Cocoa, Florida 32926  
321-690-3906

At the request of Counsel, contact was again made with Cpl. W. Homer Corbett in regards to the recorded statements that were taken on scene by the Florida Highway Patrol following the accident. As previously noted, there were five statements taken on scene.

During the course of this investigation, all of the recorded statements were requested from the Florida Highway Patrol. A tape was obtained from Corbett that only contained one statement, that of [REDACTED]. The remaining four statements were not on the tape.

Follow-up contact was secured with Corbett, requesting the remaining statements. It was later learned that the original recordings, in addition now to Sexton's statement, had all been erased.

Corbett was asked if he had provided these statements to plaintiff's counsel prior to them being erased. He explained that he "did not." To date, there is only one statement tape taken by FHP still remaining. This is the copy of the statement by Sexton, which is contained in our office.

While speaking with Corbett related to the tapes, the conversation moved to the actions of the right front passenger, [REDACTED], following the collision. This issue was discussed with Corbett in a prior interview. I explained to Corbett that I was still unsure as to if the right front passenger had been partially ejected, ejected, or attempted to exit the vehicle. Corbett explained repeatedly that he believed that the right front passenger "had enough life in

## **DEFENSE LITIGATION GROUP**

### **Investigative Report**

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him to get out of the vehicle." He believes that [REDACTED] opened the front right door, and partially exited the vehicle. Corbett seemed to believe that one of his feet got caught on the vehicle as he was attempting to exit. He was unsure of which foot, or exactly how he exited the vehicle.

Corbett believes that the right front passenger was lying on the Interstate near the subject vehicle when he was removed by two of the bystanders. It is known this may become an issue in the defense of this case. For reference, this may become Corbett's stance for future proceedings.

Cpl. Deborah O'Neil  
c/o Florida Highway Patrol Troop "D"  
3775 West King Street  
Cocoa, Florida 32926  
321-690-3900

During the course of this investigation, it was learned that Cpl. Deborah O'Neil was one of the responding troopers from the Florida Highway Patrol. She is a Traffic Homicide Investigator who assisted Cpl. W. Homer Corbett with his investigation.

Numerous attempts have been made to meet and interview O'Neil related to the subject accident. In fact, she would not even return a telephone call related to the signing of Counsel's Affidavit.

Research will continue to locate and interview O'Neil. This information will be included in a future report.

Sgt. R. S. Tipton  
c/o Florida Highway Patrol Troop "D"  
3775 West King Street  
Cocoa, Florida 32926  
321-690-3900

During the course of this investigation, it was learned that Sgt. R. S. Tipton responded to the accident scene. At this time, it is not known his exact duties while on scene.

## **DEFENSE LITIGATION GROUP**

### **Investigative Report**

**November 18, 2002**

Contact was secured with Tipton on Friday, November 8, 2002, where he obliged by signing Counsel's Affidavit related to the Change in Venue. Tipton was in a hurry during this meeting, and explained that he "had no time" to provide any type of interview related to the events of the subject accident.

It is believed that Tipton will not provide any type of interview related to the events, and that no additional interview will be conducted. A copy of the Affidavit has already been provided to Counsel.

Trooper Charles F. Thomas  
c/o Florida Highway Patrol Troop "D"  
3775 West King Street  
Cocoa, Florida 32926  
321-690-3900  
321-508-6855 - Cellular

During the course of this investigation, it was learned that Tpr. Charles F. Thomas responded to the subject accident. He completed Accident Report No. 02-28-06263-19. Counsel has already been provided a copy of this report.

On Friday, November 8, 2002, I met and briefly spoke with Thomas related to the subject accident. It is believed that Thomas has an excellent recollection of the events.

This conversation was conducted in the parking lot of a restaurant near the Orlando International Airport, Orlando, Florida. Thomas had just dropped his wife off at the airport, and was in a hurry to return to Rockledge, Florida, for a Court appearance. He was off-duty at the time. It was during this meeting that Thomas signed Counsel's Affidavit related to Change of Venue. Counsel has already been provided a copy of this Affidavit.

Thomas seemed to have no problem providing an interview related to the subject accident. In fact, Thomas will be on day shift in the upcoming weeks. Thomas was friendly, and extremely cooperative. His information will be included in a future report.

### **OTHER INVESTIGATING AGENCIES:**

## **DEFENSE LITIGATION GROUP**

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### **Investigative Report**

**November 18, 2002**

#### Brevard County Sheriff's Office

700 Park Avenue  
Titusville, Florida 32780  
321-264-5100

#### Deputy John Patton

c/o Brevard County Sheriff's Office  
700 Park Avenue  
Titusville, Florida 32780  
321-952-4641

On Tuesday, November 5, 2002, I met and briefly interviewed Deputy John Patton of the Brevard County Sheriff's Office. Pursuant to a prior telephone conversation, Patton agreed to sign Counsel's Affidavit related to a venue change, and provide an interview. The original Affidavit has already been provided to Counsel. Patton was one of the responding deputies. He was friendly, and somewhat cooperative.

#### Description - Deputy John Patton:

Deputy John Patton is a white male, approximately 28 years of age. He is approximately 6'1" tall, and weighs 160 lbs. He has short, dark-colored hair. During the interview, he was dressed in his Sheriff's Office issued uniform.

Prior to the interview, Patton was provided a copy of the Brevard County Incident Report No. 021020372. This report has been enclosed. Even after reviewing the report, Patton had a limited independent recollection.

Patton explained that he has been employed as a deputy with the Brevard County Sheriff's Office for a total of seven years. He has completed no type of accident reconstruction, or homicide training. He admitted that he had limited information related to the subject accident.

Patton understood that the accident occurred on Interstate-95 near Highway 192. He did state that they needed to shut down the southbound portion of the Interstate for FHP's investigation. He worked with his Sergeant, Joe Ambrose, on scene. Ambrose is now retired. In addition, he believes he



## **DEFENSE LITIGATION GROUP**

### **Investigative Report**

**November 18, 2002**

spoke with Detective Robert Carey, and Deputy Terry Kriss. As of the date of this report, no contact has been secured with Ambrose, Carey, or Kriss.

After receiving a quick assessment of the scene from his Sergeant, Patton was instructed to travel north to Eau Gallie Boulevard, and close the Interstate. He was only on scene for approximately one-to-two minutes total.

Patton was unaware of the exact date, or day of the accident. In addition, he did not know the exact time. No questions related to the weather were even posed.

Patton's only information was that he spoke with Ambrose briefly. Ambrose told him that the driver of the Suzuki had been speeding prior to the crash, and lost control of his vehicle. The Suzuki traveled through the median, and contacted a Ford F150 truck. It is not known where Ambrose received this information related to the speed of the vehicle.

Patton explained that all occupants of the vehicles had been removed upon his arrival. It is not known if Patton even saw Willie Long or Taurus Jones. Unless directed by Counsel, no additional contact is planned with this witness.

Det. Robert Carey  
c/o Brevard County Sheriff's Office  
700 Park Avenue  
Titusville, Florida 32780  
321-264-5100

During the course of this investigation, it was learned that Det. Robert Carey of the Brevard County Sheriff's Office was possibly on scene shortly after the subject accident occurred. Note, he is not listed on the enclosed Brevard County Sheriff's Office Incident Report No. 021020372. His information was provided during a prior interview with Deputy John Patton.

As of the date of this report, Carey has not been located and interviewed. Research in this area will continue. His information will be included in a future report.

Deputy Terry Kriss  
c/o Brevard County Sheriff's Office

## **DEFENSE LITIGATION GROUP**

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### **Investigative Report**

**November 18, 2002**

700 Park Avenue  
Titusville, Florida 32780  
321-264-5100

During the course of this investigation, it was learned that Dep. Terry Kriss of the Brevard County Sheriff's Office was possibly on scene shortly after the subject accident occurred. Note, she is not listed on the enclosed Brevard County Sheriff's Office Incident Report No. 021020372. Her information was provided during a prior interview with Deputy John Patton.

As of the date of this report, Kriss has not been located and interviewed. Research in this area will continue. Her information will be included in a future report.

Joe Ambrose  
c/o Brevard County Sheriff's Office  
700 Park Avenue  
Titusville, Florida 32780  
321-264-5100

During the course of this investigation, it was learned that Joe Ambrose of the Brevard County Sheriff's Office responded to the scene. Ambrose was a Sergeant at the time. It is believed he has since retired from the Sheriff's Office. Information related to Ambrose was provided during a prior interview with Deputy John Patton.

Research will continue to locate and interview Ambrose related to the subject accident. Of all of the above-noted Brevard County Sheriff's Office personnel, it is believed Ambrose may have the most information. This information will be included in a future report.

Brevard County Sheriff's Office  
Computer Aided Dispatch [C.A.D.]  
Incident Report No. 021020372

## **DEFENSE LITIGATION GROUP**

### **Investigative Report**

**November 18, 2002**

Enclosed is the Brevard County Sheriff's Office Computer Aided Dispatch [C.A.D.] Incident Report No. 021020372 related to the subject accident. This report was completed by Deputy John Patton, who carries Identification No. 484. Note, there is information completed in pen on the report. It was circled by the Clerk, noting the only deputy who responded. It was learned in a prior interview that there were other deputies on scene, although they are not included in this report.

This report notes that the deputy responded to a traffic accident. The location was Interstate-95 at State Road 192. The origin of the call was 9-1-1. Research was conducted with the Clerk for the identification of this caller. She stated that this information was not public record.

This report is the actual recorded comments between the Dispatcher and the deputy on scene. It notes that there were two SUVs, both of which were on fire. It also notes that it occurred in the southbound lanes. Apparently, numerous callers were adding additional information throughout this dispatch. At one point it notes that another caller had referenced this accident, advising that it was "very bad." A second caller advised there was a female on fire laying in the median. Brevard County Fire Rescue and FHP were notified.

The narrative also states that there is one confirmed "Signal 7." It shows that there were four vehicles involved, one engulfed, and a subject stuck inside. During this transmission, it notes that there are two confirmed "Signal 7s."

Later in the report, it notes deputies shut down Interstate-95 southbound completely. Apparently, they were routing traffic off of Eau Gallie Boulevard. At the conclusion of the transmission, it notes that the traffic is flowing smoothly. Apparently I-95 was reopened.

### **EMERGENCY PERSONNEL:**

Brevard County Fire Rescue  
1040 South Florida Avenue  
Rockledge, Florida 32955

## **DEFENSE LITIGATION GROUP**

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### **Investigative Report November 18, 2002**

Lt/EMT Tom Hurley  
c/o Brevard County Fire Rescue  
1040 South Florida Avenue  
Rockledge, Florida 32955

On Tuesday, November 4, 2002, I met and interviewed Lt/EMT Tom Hurley of the Brevard County Fire Rescue. It was during this interview that an Affidavit was presented and signed. Counsel has already been provided the original of this Affidavit. Hurley was one of the firefighters who responded to the subject accident on Engine 82. He was friendly, and extremely cooperative.

#### Description - Lt/EMT Tom Hurley:

Lt/EMT Tom Hurley is a white male, 31 years of age. He is approximately 6' tall, and weighs 175 lbs. He has very short, balding brown hair, and a handlebar moustache. During the interview, he was dressed in his firefighter attire.

Hurley has been employed with the Brevard County Fire Rescue for a total of eight-and-a-half years. His rank at the present time, as well as at the time of the accident, is that of a Lieutenant/EMT. He has held this rank for the past three-and-a-half years.

Prior to his employment with Brevard County, Hurley was employed as a firefighter with the United States Air Force (USAF). He served with the USAF for a total of four years. He jokingly admitted that completion of certain fire courses through the Air Force enabled him to gain employment with Brevard County.

Prior to the interview, a copy of the Brevard County Fire Rescue Incident Report No. 216074 was provided to Hurley. He briefly reviewed the report, and stated that he had a good recollection of the events. After reviewing the report, he noted that the accident occurred on April 12, 2002. He later explained that the time was between 12:00 and 1:00 p.m.

Hurley explained that he was at Station 82, which is located just off of Hwy 192, in Melbourne, Florida, when he received the dispatch. He believed the dispatch was for a "motor vehicle accident." He could not recall if the



## **DEFENSE LITIGATION GROUP**

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dispatch noted how many vehicles were involved, but did believe that one of the vehicles was on fire, and there was possible entrapment.

Hurley responded to the accident scene on Engine 82. He was the officer in charge, and was seated in the front right seat of the unit. He was accompanied by Firefighter Tyler Cox, who was located in the rear of the vehicle. Firefighter/Paramedic Mike King was driving. Note, King will be discussed later in this report. Cox signed one of Counsel's Affidavits, but has not yet been interviewed. His information will be included in a future report.

In addition to Engine 82, Rescue 82 also responded to the accident scene. This unit responded from Station 82, and consisted of Andrea Kiernan, and Stephen Gosnell. At the request of Brevard County Fire Rescue Administration, neither Kiernan nor Gosnell will be interviewed related to the subject accident. An Affidavit was presented and signed by Gosnell. Kiernan was unavailable because of the recent death of her grandmother. Gosnell's Affidavit has been previously submitted to Counsel.

Hurley explained that after leaving Station 82, his unit traveled west on Hwy 192 toward the accident scene. He said that just prior to arriving at Interstate-95, they noted black columns of smoke coming from the subject vehicle. They then traveled north approximately a few hundred feet on Interstate-95 before arriving at the subject accident.

At the time of the accident, Hurley recalled that it had been raining off-and-on all day. He explained that "everything was wet," but could not recall if it started raining while he was on scene, or began to rain harder. He did explain that there was no standing water on Interstate-95, or in the median. They had no trouble traversing the grass median.

Interstate-95 where the accident occurred consists of two lanes that travel primarily north, and two that travel south. Hurley believes they are of average width. He also believed there is a paved shoulder on the outer edges of both the north and southbound lanes. He could not recall any type of apron between the inside lanes, and the median.

According to Hurley, the median consists of grass. He believed that it is approximately 20'-to-25' in width, and contains a downward slope toward the center. He was unaware of the exact degree of the slope.

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Upon arriving on scene, Hurley explained that they parked Engine 82 in the northbound lanes of travel, facing west with the front portion pointing at the subject vehicle. The reason for this was that there is a 100' fire hose located in the front pumper of the vehicle that was to be utilized. He explained that this is commonly used in Interstate accidents.

Upon arriving on scene, Hurley explained that he was the officer in charge. He instructed King to initiate and monitor the water pump for the engine. Cox was utilized to pull a line from the front portion of the vehicle, and begin extinguishing the fire on the subject vehicle.

Hurley believes that personnel from Rescue 82 arrived within minutes, and parked behind their vehicle, also in the northbound lanes of travel. He was unaware of the exact distance, but said it was "in close proximity." He recalled directing Gosnell from Rescue 82 toward the patient who was located in the median. Note, this was Taurus Jones. He explained that Jones was face-down, and located approximately 10'-to-15' east of the subject vehicle in the grass median. His clothing was "smoldering." Apparently, Gosnell immediately confirmed that Jones was deceased.

In addition to his personnel, Hurley recalled meeting with a volunteer from the Merritt Island Volunteer Fire Department. It is believed this person is possibly Aaron Michael Morgan. Apparently, Morgan was traveling southbound, and witnessed the accident occur. He possibly was the caller who directly dispatched units to respond. He was driving his personal vehicle.

Hurley explained that there were three vehicles total involved in this accident. The first vehicle described by Hurley was the subject Suzuki. He explained that this was an SUV-type vehicle, and believed the model was a Grand Vitara. He was unaware if the vehicle was two- or four-door, and could not recall the color. He could provide no additional description.

The Suzuki was located in the left, or inside fast lane of the southbound lanes of Interstate-95. Hurley believes that it was upright, and facing west. The vehicle was fully involved in flames upon his arrival. He explained that he could make out that it was an SUV-type vehicle, but could provide no further descriptions because of the flames.

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As for damage to the Suzuki, Hurley recalled that it had sustained extensive rear-end damage. He believed that the back portion of the vehicle was actually touching the back portion of the front seats in the subject vehicle. He did recall that the right front passenger door was open. When specifically asked, Hurley believed that it was "wide open." He was then asked if he knew how the door was opened, to which he replied that "it was opened during the collision."

As for the fire to the Suzuki, Hurley recalled that the entire vehicle was engulfed in flames upon his arrival. The interior, as well as exterior of the vehicle was on fire. The fire also traveled from the ground up. Hurley recalled noting fire in the wheel wells, as well as the engine compartment. He noted there was fire in the engine compartment, even though the hood was down.

The fire was producing a thick, black smoke. Hurley did not provide any other description, except that this is a common description of smoke in vehicle fires.

There were two occupants believed to be from the vehicle. Hurley recalled the driver of the vehicle was still located in the driver's seat. He explained that his body was in the seat, and his head was laying on the top portion of the driver's door, in the area of the window. This is consistent with that already discovered. He could provide no information related to whether the driver was wearing a seatbelt.

Hurley explained that at the time, he and other members could provide no description of the driver of the Suzuki. He later learned that it was a male occupant. The driver of the Suzuki was deceased upon their arrival on scene. There were no other occupants in the subject Suzuki at that time.

The second believed occupant from the Suzuki was laying face-down in the median. As previously stated, he was approximately 10'-to-15' off the roadway in the grass median, east of the subject vehicle. His clothing was still smoldering from the fire. Hurley stated that at that time they believed this person was a male. They could provide no further description.

Hurley was specifically asked questions related to how the occupant exited the subject vehicle. Hurley did not know, but believed that he had been removed by the Merritt Island volunteer. He was told by this volunteer that he was

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either partially in, or out of the vehicle, and had been taken from that position to his final rest in the median. The volunteer apparently offered no other specifics related to how the occupant was removed.

The second vehicle described by Hurley was the Ford F150 pickup truck. Hurley believes that this vehicle was located in close proximity to the subject Suzuki, but facing east. It was also in the inside southbound lanes of Interstate-95. He believed this vehicle was in close proximity to the grass median.

The Ford was described as a 1997 to 1999 F150 extended cab. He referenced the years as the "sloped portion of the hood." Hurley explained that he drives Ford automobiles, and is quite familiar with them. He believed the vehicle was two-tone in color, gray-and-blue. He believes that it was two-wheel drive.

The F150 had sustained extensive damage to the front portion. Hurley believes that the driver-side door was completely shut, but that the passenger-side door was open. He believes that the occupants of the vehicle were removed through the passenger-side door.

Hurley described the occupants of the F150 as a "mom and baby." He believes, at best, they had minor scrapes and bruises. He recalled that the baby was located in a carseat. When specifically asked, Hurley could not recall if the F150 was on fire or smoking at any point during the accident.

The third and final vehicle was a two-door sedan, black in color. This is actually the Chrysler 300M, driven by Charles Michael Floyd, Sr. Hurley could not recall the model, or any other description. He explained that this vehicle was located near the southbound exit ramp, off the outer edge of the roadway. This vehicle was not on fire, or smoking upon final rest.

Hurley recalled that this vehicle had minor front end damage. He recalled that the driver's side door was "jammed shut," and they actually used a tool to pop it open. He was unsure if the vehicle had come to final rest because of the collision, or if it was steered to the right and came to final rest. He could only recall that this vehicle contained an "elderly couple with minor injuries."



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Upon arrival on scene, Hurley directed King to the pump, and Cox to pull a line to begin extinguishing the fire. He then spoke with the volunteer on scene. He did note during this time that he spoke with Cox, who was attempting to extinguish the fire in the Suzuki. Hurley showed Cox that the driver was still located within the vehicle. Without going into detail, Hurley explained that there is an immense amount of pressure coming from the water that would deteriorate the body of this person. Cox needed to primarily concentrate on other portions of the vehicle, and not this area. Cox apparently extinguished the fire on the subject Suzuki.

As previously stated, Gosnell was directed to the injured party in the median. In addition, Hurley directed Kiernan to attend to the occupants of the F150. He recalled within minutes the District Chief arrived on scene, as well as personnel from Engine 81. It is believed the District Chief who arrived was Scott London. Further research in this area will be conducted.

In addition, Rescue 67 responded. It is interesting to note that while enroute to the scene, Hurley had personnel from Rescue 67 "stand by" near Hwy 192 before they entered Interstate-95. It was only after noting there were possible injuries in the third vehicle that they were dispatched to the scene. He instructed Rescue 67 to travel northbound up the southbound exit ramp, and park in close proximity to the Chrysler vehicle. He believes they removed both persons, and transported them to the hospital. They were only on scene for a short moment.

Engine 81 traveled from approximately one exit north on Interstate-95 southbound to the accident scene. Personnel from Engine 81 may have assisted on scene, but it is believed the fire had already been extinguished during this time. Hurley believes that District Chief London traveled northbound on Interstate-95 to the accident scene. He believes London traversed the grass median, and parked on the southbound lanes of travel. The name District Chief Dennis Neterer was provided to Hurley during this time. He explained that Neterer would have been the District Chief from Station 60, but was unsure if he was on scene. Note, as of the date of this report, neither London nor Neterer have been interviewed.

Hurley believes that they treated, and removed the patients from the accident scene. They were on scene for approximately 30 minutes total. While on scene, he recalled that they used a large blue tarp to cover the subject vehicle

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to hide the deceased persons from the southbound traffic. They then disconnected their front fire line, left it for Engine 81, and departed the scene. Hurley recalled that because their vehicle was blocking traffic in the northbound lanes, the Florida Highway Patrol had requested them to leave the scene.

As for police personnel, Hurley had no independent recollection of any units on scene. He stated that normally one-to-two deputies from the Brevard County Sheriff's Office would arrive on scene. He had no specific recollection in this event. In addition, there would probably be two-to-three units from the Florida Highway Patrol on scene. He also could not provide any additional information related to these personnel. And lastly, Hurley believes that bystanders were probably present, but had no independent recollection.

Hurley believes that he may have spoken with one of the Florida Highway Patrol troopers while on scene. He recalled that this trooper told him they had been getting calls earlier in the day, in the area of Indian River County, Florida, related to the subject Suzuki. The calls related to the Suzuki driving erratically. This, in addition to the information provided on scene, as well as the Merritt Island volunteer, led Hurley to his conclusion related to how the accident occurred. He stated there were marks in the median traveling from the northbound lanes of travel, which is where he believed the subject Suzuki had been traveling prior to the collision. He did not know why, but noted that the Suzuki traveled through the median, and actually contacted the F150 with the back portion of the vehicle. He believed that the vehicles were in their final rest following the accident.

Hurley has had no prior contact related to the subject accident prior to myself. He did note that Lt. Parsons of Station 81 called him last week, after receiving my call. They spoke briefly about the subject accident, and seemed to have an understanding that they were there. He could provide no information related to a lawsuit against Suzuki, and offered no comment. He remained friendly, and extremely cooperative. If needed, he is open to additional contact.

Firefighter/Paramedic Mike King  
c/o Brevard County Fire Rescue  
1040 South Florida Avenue  
Rockledge, Florida 32955

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### **Investigative Report**

**November 18, 2002**

On Tuesday, November 5, 2002, I met and interviewed Firefighter/Paramedic Mike King at Station 82 in Melbourne, Florida. Also during this time, an Affidavit was presented and signed by King. Counsel has already been provided a copy of this Affidavit. King was one of the fire personnel from Brevard County who responded to the subject accident. He was friendly, and extremely cooperative.

#### Description - Firefighter/EMT Mike King:

Firefighter/EMT Mike King is a white male, approximately 29 years of age. He is approximately 5'10" tall, and weighs 170 lbs. He has short brown hair, styled in a "buzz" cut. During the interview, he dipped tobacco, and was dressed in his county-issued Firefighter uniform.

King has been employed with Brevard County for a total of four-and-a-half years. He has held the rank of Firefighter/Paramedic for the last two-and-a-half years. Prior to his employment, King was employed with Harbour City as a volunteer ambulance personnel between the years 1997 and 1999.

Prior to our interview, a copy of the Fire Run Report was presented to King. He briefly reviewed the report, but seemed to have a good recollection. After reviewing the report, he noted the accident occurred on April 12, 2002. Later in the interview, he stated it was around 12:00 p.m.

The weather, as described by King, was overcast and raining. He did note that it was raining while they were on scene. He offered no further specifics related to the exact amount of rain.

King explained that the accident occurred on Interstate-95, approximately .1 mile north of Exit 71. Exit 71 denotes Hwy 192. King described that portion of the Interstate as two lanes that travel primarily north, and two lanes south. On the outer portions of the roadway, there is a paved shoulder, which he believed contained rumble strips. The speed limit in that area is 70 mph.

At the time of the call, King was located at Station 82, which is approximately two miles east of Interstate-95, just off of Hwy 192. He recalled that they

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traveled west on 192 to Interstate-95, to respond to the scene. He noted that they could see smoke from the subject vehicle prior to their arrival.

King explained that they were dispatched to the call. He could not recall the exact dispatch, except that it was a "motor vehicle accident." He said that they responded on Engine 82. He was accompanied by Lt. Hurley, who was located in the front seat, as well as Firefighter/EMT Tyler Cox. King did add that Cox was a "floater" at that time. This meant that he floated between different stations, rather than being specifically assigned to Station 82.

While responding to the scene, King recalled that they traveled up the northbound onramp onto I-95. They then traveled diagonally west across the roadway. They pointed the nose portion of their vehicle toward the subject fire. He recalled they did this so that Cox could obtain a hose from the front of the vehicle, and attack the fire. He recalled that Rescue 82, as well as Engine 81 responded for assistance within a minute.

King's main responsibility on the engine was that of initializing and monitoring the pump. Cox pulled the line, and extinguished the fire. Hurley was in charge of the scene.

While on scene, King completed his duties with the pump, and traveled to the front portion of the engine. It was there that he met with Paramedic Stephen Gosnell, and traveled to the patient who was located in the median. He believed that Gosnell informed him at that time that this person was already deceased. This is believed to be Taurus Jones.

King believed there were three vehicles involved in the subject accident. The first vehicle is described as the subject vehicle, which was a Suzuki Grand Vitara. King could provide no description of this vehicle. He did state that the vehicle was located on the inside, or left, southbound lanes of Interstate-95, facing northwest. He believed the vehicle was partially off the roadway.

As for damage to the Suzuki, King recalled there was no back portion of the vehicle. It had actually been pushed forward into the vehicle. It was heavily burnt, and sustained extensive rear-end damage. The vehicle was fully involved in flames upon arriving on scene.



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As for the flames on the subject vehicle, King recalled that they were approximately one foot higher than the roof of the vehicle. They were of "normal" color, and traveled from the ground up. The flames were inclusive of the entire vehicle, to include the interior and exterior.

King understood that there were two people located within the Suzuki. He physically did not see either, but was told by Hurley that the driver was still located in the front seat.

The second occupant to the Suzuki was located in the median. King did have some information related to this occupant. He stated he was located between 20' and 25' east of the vehicle in the grass median. He provided no additional information related to his description, or injuries, except that he was deceased.

The second vehicle involved in the accident was described as a Ford F150 sidestep truck. King was unaware if the vehicle was four-wheel drive, but did state that it was dark blue in color. He could provide no additional description of the vehicle.

This vehicle was located in the left, inside southbound lane of Interstate-95, which was the same as the Suzuki. He believed that it was facing southeast, and only approximately three feet from touching the Suzuki. It was not on fire, or smoking.

The F150 had sustained extensive front end damage. In addition, King believes that the windshield was cracked. King notably described the driver's side of the vehicle as there was flame damage. He believed this was because of its close proximity. The passenger side door on the F150 was open. King assumed this is how the occupants were removed from the vehicle.

There were two occupants in the F150. King never saw these people, but was told by Hurley that it was a mother and child. He could provide no information related to descriptions, or injuries.

The third and final vehicle was a two-door sedan. King could not provide the make, model, or color of this vehicle. He believed this vehicle sustained minor damage as a result of the collision. He believed it was located on the right

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side shoulder of the roadway, approximately 20 yards farther south than the other subject vehicles.

This third vehicle contained two elderly people. King could only state that they had minor injuries.

Upon arriving on scene, King explained that after finishing his duties related to the pump, he traveled over to Gosnell, and the patient located in the median. Gosnell apparently told King he was deceased. King then traveled to Tyler Cox, and helped him with his hose. He noted that Cox had been somewhat excited about the accident, and had forgotten to wear his helmet. King brought him his helmet, and helped him extinguish the flames on the subject vehicle. In fact, King stated he helped Cox "cool down" the vehicle.

While on scene, King recalled that they disconnected the hose from the engine, and left it for either Engine 81, or the District Chief to bring back to the station. He could only recall that they were on scene approximate 30 minutes total. He could provide no additional information as to what was done while on scene.

As for the Brevard County Fire Rescue, King noted that Engine 82, which consisted of himself, Hurley, and Cox were on scene. In addition, he believed there were two personnel from Rescue 82, and Rescue 67. He does not know the names of these persons. He explained that Engine 81 included four personnel. Although unaware of their exact names, he stated that "three were career, and one was a volunteer." At this time, all the names of the personnel are known, except the volunteer on Engine 81. Further research in this area will be conducted.

It was at this point in the interview that the alarm sounded, and King needed to leave the station. He concluded the interview by stating that he has had no prior contact before myself, and was unaware of the lawsuit against Suzuki. He provided no comment related to the lawsuit.

Firefighter/Paramedic Glen Nichol  
c/o Brevard County Fire Rescue  
1040 South Florida Avenue  
Rockledge, Florida 32955

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### **Investigative Report**

**November 18, 2002**

#### Firefighter/Paramedic John Tramell

c/o Brevard County Fire Rescue  
1040 South Florida Avenue  
Rockledge, Florida 32955

On Tuesday, November 5, 2002, I met and obtained signed Affidavits from Firefighter/Paramedics Glen Nichol and John Tramell. Both responded to the subject accident on Rescue 67. They were friendly, and extremely cooperative.

#### Description - Firefighter/Paramedic Glen Nichol:

Firefighter/Paramedic Glen Nichol is a white male, approximate 26 years of age. He is approximate 5'8" tall, and has buzz-cut blonde hair. During the conversation, he was dressed in issued firefighter uniform.

#### Description - Firefighter/Paramedic John Tramell

Firefighter/Paramedic John Tramell is a white male, approximately 26 years of age. He is approximately 5'9" tall, and has short brown hair. During the conversation, he was dressed in his issued Firefighter uniform.

At the request of Brevard County Fire Rescue Administration personnel, no interview was conducted with Nichol, or Tramell. While the Affidavits were being signed, both men briefly discussed the subject accident with each other. It is believed they both have a good recollection of the events. Note, the prior interview with Lt. Tom Hurley for specifics related to Rescue 67.

Nichol and Tramell actually made notations on the Affidavit because they had no information related to the subject vehicle, or its occupants. They merely responded to Charles Michael Floyd, Sr., and his wife. They were on scene for probably less than five minutes, and removed the Floyds to a local hospital.

#### Firefighter/EMT Tim Kanasel

c/o Brevard County Fire Rescue  
1040 South Florida Avenue  
Rockledge, Florida 32955

## **DEFENSE LITIGATION GROUP**

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On Tuesday, November 5, 2002, I met and interviewed Firefighter/EMT Tim Kanasel related to the subject accident. In addition, a signed Affidavit was also obtained. Kanasel was one of the Brevard County Fire Rescue personnel who responded to the subject accident. He was friendly, and extremely cooperative.

#### Description - Firefighter/EMT Tim Kanasel:

Firefighter/EMT Tim Kanasel is a white male, approximately 35 years of age. He is approximately 6' tall, and weighs 175 lbs. He has an extremely short buzz-type, dark hair. During the interview, he was dressed in his firefighter attire.

Kanasel has been employed as a Firefighter/EMT with the Brevard County Fire Department for approximately 13-1/2 years. He has held the rank of Firefighter/EMT the entire time. Prior to his employment with Brevard County, Kanasel was a volunteer with the Canova Beach, South Patrick Shores, Florida Volunteer Fire Department. It was here that he volunteered for approximately two years.

Prior to the interview, Kanasel was provided a copy of the Brevard County Fire Incident Report No. 216074. Kanasel briefly reviewed the report, but seemed to have a fair recollection of the events.

Even after reviewing the report, Kanasel was unaware of the exact date of the accident. When asked if April 12, 2002, was correct, he merely agreed. He believed the accident occurred "around lunchtime."

Kanasel believes the weather on the day of the accident was sunny. He recalled no rain.

Kanasel recalled that the accident occurred on Interstate-95 "a couple of hundred feet north of the intersection with Hwy 192." This is consistent with that already discovered.

Kanasel described that portion of the roadway as consisting of two lanes that travel primarily north, and two south. These lanes are divided by a grass median, which is approximate 20' in width. The median slopes inward for



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drainage. He was unaware of the exact degree of slope. There is also a concrete barrier in the area of the overpass. The speed limit is 70 mph.

Kanasel believes he was physically at Station 81 when he received the Dispatch call. He believes the Dispatch was for a motor vehicle accident. He could provide no additional information related to the Dispatch. Note, Station 81 is located north of the accident scene.

Kanasel responded to the scene on Engine 81, where he was the driver of the vehicle. Lt. Tommy Parsons was the officer in charge, who rode in the right front passenger seat. Firefighter Angie Hoog was sitting in the back of the unit with Volunteer Mark Shaw.

From Station 81, the unit turned right out of the station, and traveled to Harlock. On Harlock they traveled left until they reached Aurora Boulevard. They turned left on Aurora until reaching John Rhodes, where they turned right. They took John Rhodes to Eau Gallie Boulevard, where they traveled west to Interstate-95. They traveled on I-95 southbound to the scene. Even though Kanasel was driving, he was unaware of exactly where he parked Engine 81. He could only state that it was in the southbound lanes.

Upon his arrival, Kanasel recalled that Engine 82 was already on scene. He ventured to say that Rescue 82 was also on scene. He could recall no other emergency vehicles. In addition to the above-noted vehicles, he did recall a volunteer from the Merritt Island Fire Department. This person is believed to be Aaron Michael Morgan, who actually witnessed the accident occur. Kanasel did comment that the volunteer "did a good job on the radio, informing the other departments of the crash," as well as other specifics.

Kanasel believes there were three vehicles involved in the subject accident. The first vehicle he described was the subject Suzuki. He believes this vehicle was silver, or gray in color. He could provide no additional information related to its description.

This vehicle was located upright in the center of both the southbound lanes of travel. Kanasel believes it was facing west-northwest. It had sustained extensive rear-end damage. In fact, Kanasel believes that the rear portion of the vehicle was touching the back portion of the front seats. The Suzuki sustained extensive fire damage.

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Kanasel described the occupants in the Suzuki. He understands that the driver of the vehicle was actually still located in the driver's seat upon his arrival. He only found this out during the later extrication of the driver for the Medical Examiner. Apparently, he was in the driver's seat, slumped over to the left or outer portion of the door. He could provide no information related to the driver's description, or injuries, other than to say he was "extremely burned."

The passenger of the Suzuki had been covered with a sheet or blanket. He was located in the median, approximately 25'-to-30' east of the subject vehicle. Kanasel believes that he had already been pronounced dead on scene. There were no other occupants in the Suzuki.

The second vehicle involved in the subject accident was a Ford F150 truck. Even though Kanasel was unsure if this vehicle was four-wheel drive, he did state that it was an extended cab, and black in color. He later explained that he drives a Ford F150, "as do most other firemen."

The F150 was facing southeast, and located on the south side of the left southbound lanes. He believed that it was in close proximity to the Suzuki. He was unable to estimate this distance, but stated that fire from the Suzuki actually damaged the left front portion of the F150.

In addition to the fire damage, the F150 also sustained front end damage from the collision. Kanasel believed the windshield was also cracked. He jokingly admitted that the F150 "survived the collision extremely well." He related this information to his own vehicle.

Kanasel believes there were two occupants in the F150, although he never saw them. He was told there was a mother and infant. Apparently, they had already been transported to a local hospital upon his arrival. Kanasel was unable to explain who provided the information on the F150 occupants.

The final vehicle involved in the accident was a passenger car. This, in fact, is the Chrysler 300M driven by [REDACTED] Kanasel could not describe this vehicle. He explained that the Chrysler was located approximately 100' farther south from the final rest of the subject vehicle. It was located in the far right, or outside lane, past the off-ramp, but near the

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beginning of the overpass. He could provide no information related to the damage to this vehicle.

Kanasel was told that there was an elderly couple in the Chrysler. He could provide no specific information related to these persons, and had no information of their injuries.

As Kanasel was responding to the scene, he received information enroute that there was a fire in one of the vehicles, with possible entrapment. He recalled that they were not needed. Personnel from Engine 81 had already done the majority of the work. He recalled their main duty was to clean up most of the equipment.

Although Kanasel was unaware of exactly how long they were on scene, he did state they needed to wait for the Florida Highway Patrol, and the Medical Examiner to conduct their investigation. He stated that personnel from Engine 82 went back into service. During this time, Kanasel and other personnel from Engine 82 extricated the driver of the subject vehicle, Willie Long, for the Medical Examiner. He seemed to not want to provide any information related to this extrication.

In addition to the emergency personnel, Kanasel believes there were possibly one-to-two deputies from the Brevard County Sheriff's Office on scene. He can only assume there was more than one Florida Highway Patrol officer. He could provide no specific information. He also did not know the name of the Medical Examiner, or the wrecker personnel.

It is interesting to note that following the subject accident, Kanasel and the crew of Engine 81 were required to travel to Station 82 to receive Critical Incident Stress Awareness Counseling. Apparently, because of the "gruesomeness" of this accident, Brevard County has a plan in place to counsel on any type of mental anguish. He did recall that their volunteer was having numerous mental issues with the accident. This, in fact, was his first accident after becoming a volunteer. This volunteer has been identified as Mark Shaw.

Kanasel has had no prior contact related to the subject accident before myself. He did not know of the subject lawsuit, and provided no comment.

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Kanasel was friendly, and extremely cooperative. If needed, he is open for additional contact.

#### Firefighter/Paramedic Angie Hoog

c/o Brevard County Fire Rescue

1040 South Florida Avenue

Rockledge, Florida 32955

On Tuesday, November 5, 2002, I met and interviewed Firefighter/Paramedic Angie Hoog at Station 81. It was during this time that Hoog was presented, and signed an Affidavit for Counsel. She was one of the responding firefighter from Brevard County Fire Rescue. She was friendly, and somewhat cooperative.

#### Description - Firefighter/Paramedic Angie Hoog:

Firefighter/Paramedic Angie Hoog is a white female, approximately 35 years of age. She is approximate 5'6" tall, and weighs 150 lbs. She has shoulder-length, black curly hair, and a double harelip. During the interview, she was dressed in her issued firefighter uniform.

Hoog has been employed by the Brevard County Fire Department as a Firefighter/Paramedic for 13 years. She, in fact, is a "solo fire medic." When asked, she explained that this means she "carries keys," and can administer medicines on scene. Prior to her employment, Hoog was an EMT for Coastal Ambulance Service. She held this position for approximately one year. This is a private ambulance service.

Prior to the interview, a copy of the Brevard County Fire Incident Report No. 216074 was presented to Hoog. She briefly reviewed the report prior to the interview. Even with the review, she seemed to have a fair recollection of the events.



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Even after reviewing the report, Hoog was unaware of the exact date of the accident. When asked if April 12, 2002, was correct, she believed that it actually happened earlier. She did add that she believed that it occurred in the afternoon hours.

Hoog explained that the weather on the date of the accident was clear. She could recall no type of rain.

Hoog stated that the accident occurred on Interstate-95, in the southbound lanes of travel. The exact location was just north of the intersection with Hwy 192. She did not recall the exact distance.

Hoog described this portion of the roadway as two lanes that travel primarily north, and two south. In addition to the two lanes, there are exit lanes for 192. The travel lanes are divided by a grass median, which is approximately 50' in width. The speed limit is 70 mph.

Hoog explained that she was at Station 81 when she received the Dispatch for the call. She believed the Dispatch was for "a motor vehicle accident with fire." She specifically recalled that the call was for a fire, because she stated that she "bunkered out in her uniform" for the call to the scene.

Hoog responded from Station 81 on Engine 81, with Lt. Tommy Parsons. Parsons was the Lieutenant, and in charge of the unit. In addition, the unit was driven by Tim Kanasel. Hoog and an unknown volunteer [Mark Shaw] were located in the rear of the vehicle. There were no other units, except Engine 81, who responded from her station. Hoog explained that their main goal was to "back up Engine 82."

Specifics related to their exact path of travel were not discussed with Hoog. They have been set forth in the prior report of Kanasel. She did recall that they traveled south on Interstate-95 to the accident scene. She believes they parked their unit in the left, southbound lane, near the median.

Upon arrival, Hoog recalled that there was Engine 82, as well as Rescue 82, already on scene. She was unaware of the exact personnel on the units. In addition, she believed that two District Chiefs arrived later. She was unsure of their exact time of arrival, or identities.

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There were three vehicles involved in the subject accident. Hoog explained that the first vehicle was the subject Suzuki. She was unaware of the exact model, but did state this vehicle was an SUV. She believed it was two-door, and white in color.

Upon final rest, the subject vehicle was facing northwest in the left, or inside southbound lane. Although unaware of the exact distance, Hoog did state it was close to the median. The vehicle was upright. She believes that the fire had been extinguished upon their arrival.

The subject Suzuki had sustained extensive rear end burn damage. In addition, there was heavy damage to the rear portion of the vehicle. Hoog did not elaborate on this damage. She did state that the back of the vehicle "seemed to abut the back of the front seats."

In the Suzuki, Hoog believes there were two occupants. The driver was still located in the driver's seat. She could provide no information related to a description of this person. In fact, she did not even know his sex, or race. She could provide no information related to the seatbelt.

The second occupant to the Suzuki was a black male. She believes he was located on the median, completely burned. She did state that he was deceased, but "not as burned as the driver of the vehicle." She did add during this time that he seemed to have sustained an injury to his head. There was a penetrating wound to the top portion of his head. She could not elaborate on this injury.

The Suzuki passenger was located in the median close to the northbound lanes of travel. She believes he had been dragged to this area by the volunteer from Merritt Island, Florida, as well as another bystander. In fact, she believed that they had put him on a piece of wood, because it was easier to carry. Hoog had no information related to the identity of the bystander. As previously stated, it is believed the Merritt Island volunteer is Aaron Michael Morgan. Hoog believes that there were no other occupants in the subject vehicle.

The second vehicle involved in the subject accident was a Ford F150 extended cab truck. She believed this vehicle was dark blue in color, and one of the newer models. She was unaware if it was four wheel drive. Hoog explained

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that she is familiar with these types of vehicles, as she drives a Ford Explorer, and her husband drives an F150.

The Ford F150 came to final rest in the right southbound lane. Hoog believed that the nose portion of the vehicle may have actually been in the center of the roadway. It was facing southeast. Apparently, the F150 was in close proximity to the Suzuki. Hoog could not recall the exact distance, but stated there was fire damage from the Suzuki that traveled onto the F150.

Hoog could provide little information related to the occupants of the F150. She never saw them, but understood there was a woman with a child. The child was located in a child seat during the crash. She could provide no information related to their possible injuries. Most of this information was provided by the Merritt Island volunteer.

The third vehicle involved in the subject accident was described as a Cadillac Seville. She was unsure, but did state it was a sedan. The vehicle was blue in color. Hoog believes this vehicle was located near the off ramp on the right side of the roadway, in the southbound lanes of Interstate-95. Although unsure of the exact damage to the vehicle, she did remember that fire personnel needed to "pop the driver's side door open."

There was an older couple located within this vehicle. Hoog could provide no information related to their injuries, and stated there was only minor damage to the vehicle.

Upon arriving on scene, Hoog and Engine 81 parked on the southbound lanes of travel. As earlier stated, they were there as a backup to Engine 82. Hoog believed that Rescue 82 actually transported the older couple from the Chrysler 300M. She ventured to say that Rescue 67 took the occupants of the F150, if in fact, they went to the hospital. She did state that they waited for the Medical Examiner to complete his investigation as to the Suzuki. She added that the Florida Highway Patrol also took numerous measurements, as well as photographs of the decedents.

While on scene, Hoog explained that they hosed down the roadway for spillage, and debris.

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As for the police personnel who were on scene, Hoog could not provide any specific information. She believes there were approximately two-to-three troopers from the Florida Highway Patrol on scene. She did state that they were a man and a woman. It is believed Hoog is referring to Cpls. Corbett and O'Neil. In addition, she assumes there were deputies from the Brevard County Sheriff's Office on scene, but she had no specific information. She could provide no information related to a possible wrecker on scene.

Hoog could provide no information related to the specific time they were on scene. She did state they were there "for a couple of hours." Engine 81 did not complete any type of report related to the subject accident, because it was in the zone for Engine 82. Engine 82 did complete a report, and it is enclosed for Counsel's review.

Since the subject accident, Hoog has had no prior contact before myself. She was aware a lawsuit had been filed, but provided no comment. Firefighter/Paramedic Hoog is open for additional contact.

Firefighter/Paramedic Andrea Kiernan

c/o Brevard County Fire Rescue  
1040 South Florida Avenue  
Rockledge, Florida 32955

During the course of this investigation, it was learned that Firefighter/Paramedic Andrea Kiernan responded to the subject accident. She responded on Rescue 82, with Firefighter/Paramedic Stephen Gosnell.

At the request of the Brevard County Fire Administration, no specific interview was to be conducted with Kiernan. Attempts were made to meet Kiernan, and have her sign one of Counsel's Affidavits related to Change of Venue. It is believed Kiernan's grandmother had recently died, and she was not expected back to work for approximately one-to-two weeks.

Unless there is additional time granted for the signing of Counsel's Affidavits, no additional contact is planned with this witness. It is believed she is still assigned to Station 82.

Firefighter/EMT Tyler Cox

c/o Brevard County Fire Rescue



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1040 South Florida Avenue  
Rockledge, Florida 32955

During the course of this investigation, it was learned that Firefighter/EMT Tyler Cox was one of the responding personnel from Brevard County Fire Rescue. It was learned that Cox was the firefighter on Engine 82. He was accompanied by Lt. Tom Hurley, and Firefighter/Paramedic Mike King. Note, Hurley and King have already been interviewed. Their information was noted previously in this report.

On Friday, November 8, 2002, I met and briefly spoke with Cox in Port Canaveral, Florida. Cox was working part-time at Continental Motor Cars, which is a Jaguar dealership in Melbourne, Florida. As part of his employment with Continental Motor Cars, he was located in Port Canaveral. He was unavailable for an interview at that time, but did sign Counsel's Affidavit. Counsel has already been provided a copy of this Affidavit.

Cox is normally works "A" Shift at Station 43 in Merritt Island, Florida. Cox had no problem with scheduling an additional interview at a later date. This interview will be conducted during his hours of employment with Brevard County Fire Rescue. Once this interview has been completed, this information will be included in a future report.

#### Lt. Tommy Parsons

c/o Brevard County Fire Rescue  
1040 South Florida Avenue  
Rockledge, Florida 32955

During the interview, it was learned that Lt. Tommy Parsons of the Brevard County Fire Rescue responded to the accident scene. He was the officer in charge of Engine 81, that responded from Station 81. He was accompanied by Firefighter/EMT Tim Kanasel, Firefighter/Paramedic Angie Hoog, and Volunteer Fireman Mark Shaw.

Earlier in this investigation, while attempting to identify all responding personnel, I actually spoke with Parsons related to the subject accident. He did not indicate that he had a problem signing Counsel's Affidavit, or participating in an interview. When travel was conducted to Station 81 at his scheduled shift time, it was learned that Parsons was on vacation for

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approximately two weeks. The Affidavit was not signed, and no interview was conducted. It is believed an interview can be conducted upon Parsons' return. This information will be included in a future report.

District Chief Scott London  
c/o Brevard County Fire Rescue  
1040 South Florida Avenue  
Rockledge, Florida 32955

During the course of this investigation, it was learned that District Chief Scott London responded to the subject accident scene. His rank was that of a District Chief.

No specific telephone contact has been secured with London, although it has been learned that he works out of Station 83 in Palm Bay, Florida. During the course of this investigation, several attempts have been made to meet with London at the station for an interview, and to sign Counsel's Affidavit. No contact was secured with London during that time. Once London is located, an interview will be requested. Because of his rank, he may decline to provide an interview. Further research in this area will be conducted.

Chief Dennis Neterer  
c/o Brevard County Fire Rescue  
1040 South Florida Avenue  
Rockledge, Florida 32955

During the course of this investigation, it was learned that Chief Dennis Neterer responded to the accident scene as part of Brevard County Fire Rescue. Neterer was a District Chief at the time of the accident. He has since been promoted to Operations Chief.

On Friday, November 8, 2002, I met with Neterer at the Brevard County Fire Rescue Main Administration Building in Rockledge, Florida. Neterer signed Counsel's Affidavit related to Change of Venue, but declined to provide an interview. He seemed to be rushed at the time, and was not willing to provide an interview. Counsel has already been provided the original Affidavit. Unless specifically requested by Counsel, no additional contact is planned with Neterer.

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Volunteer Firefighter Mark Shaw  
c/o Brevard County Fire Rescue  
1040 South Florida Avenue  
Rockledge, Florida 32955

During the course of this investigation, it was learned that Mark Shaw was the volunteer, and part of the crew on Engine 81, who responded to the subject accident scene from Station 81.

During a prior interview with Firefighter/EMT Tim Kanasel, it was learned that Shaw may have sustained mental problems as a result of the subject accident. Kanasel explained that Shaw, as well as other members of Engine 81 were required to travel to Station 82 following the accident for a stress-management class. Kanasel explained that Shaw was still having problems, because this was his first accident that he responded to as a volunteer.

Because of Shaw's continued mental anguish, Kanasel provided his Volunteer Chief's name and number. Shaw's Chief is Brenda Thimler. She can be reached at 321-403-3770. Shaw's telephone number is 321-255-5679. This is probably his home telephone number.

At the request of Counsel, no personal contact will be secured with Shaw, unless specifically directed, because of his mental status. If this contact is to be secured, I would suggest preliminary contact with Volunteer Chief Brenda Thimler.

### Brevard County Fire Rescue Incident Report No. 216074

Enclosed is the Brevard County Fire Rescue Incident Report No. 216074 related to the subject accident. This report notes the accident occurred on Friday, April 12, 2002. The alarm time was 11:44 a.m. Units arrived at 11:50 a.m., and were in service until 12:17 p.m. The units responded to a vehicle fire. Apparently, the action taken was to extinguish the fire. There was no mutual aid provided.

The fire occurred on a limited access/divided highway. The actual address is noted as I-95 at 192. The zip code is 32904. The ignition factor is noted as "Undetermined."

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Personnel were notified by radio. It is believed this is possibly a direct call from the Merritt Island volunteer, who was an off-duty bystander, and witnessed the accident occur. Further research in this area will continue.

The fire occurred in District 82. "B" shift was the personnel who were working at the time. A total of 13 personnel responded. There were two engines, and three other vehicles. It is known that two of the other vehicles were rescue units. In addition, there was at least one District Chief on scene.

The vehicle that was the subject of the fire was a 2001 Suzuki Grand Vitara. The license plate no. was GY1-02T. The officer making the report was Lt/EMT Tom Hurley. Note, Hurley has already been interviewed. His information was included earlier in this report.

The narrative of the report states that Engine 82 arrived on scene to find a motor vehicle accident involving three vehicles. One of the vehicles was fully involved, with a "Class IV" still remaining within the vehicle. There was also a "Class IV" on the ground outside of the vehicle. Rescue 82 transported two "Class III" patients to Holmes Regional Medical Center. It is believed this is Michelle Sexton, and her infant daughter. The report notes that Rescue 67 transported two "Class III" patients to Holmes Regional Medical Center. It is believed these are Charles Michael Floyd, Sr., and his wife. The report notes it is unknown if the "Class IV" are deceased from the trauma, or fire. There are no other notes related to the fire included with this report.

### **Medical Examiner**

Medical Examiner's Office  
District 18 - Brevard County  
1750 Cedar Street  
Rockledge, Florida 32955  
321-633-1981

Dr. Paul O. Vasallo  
c/o Medical Examiner's Office  
District 18 - Brevard County  
1750 Cedar Street  
Rockledge, Florida 32955  
321-633-1981



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On Wednesday, November 6, 2002, I met and briefly spoke with Dr. Paul O. Vasallo, of the Medical Examiner's Office. Vasallo is the Chief Medical Examiner, who conducted the autopsies on both [REDACTED] and [REDACTED]. No interview was even attempted with Vasallo during this visit. He did sign Counsel's Affidavit related to Change of Venue. The original Affidavit has already been provided to Counsel. Unless otherwise directed by Counsel, no additional contact is planned with Vasallo.

Investigator Raymond Reilly  
c/o Medical Examiner's Office  
District 18 - Brevard County  
1750 Cedar Street  
Rockledge, Florida 32955  
321-633-1981

On Wednesday, November 6, 2002, I met and interviewed Raymond Reilly at his office in Rockledge, Florida. It was also during this meeting that he signed Counsel's Affidavit. Reilly is an investigator with the District 18 Medical Examiner's Office in Brevard County, Florida. He responded to the accident scene, and conducted some investigation. He was friendly, and extremely cooperative.

#### Description - Investigator Raymond Reilly:

Investigator Raymond Reilly is a white male, approximately 60 years of age. He is approximate 5'10" tall, and weighs 180 lbs. He has brownish-red-colored hair. Periodically during the interview, he wore glasses.

Reilly has been employed as an investigator with the District 18 Brevard County Medical Examiner Office for a total of three years. His rank is that of Investigator. Prior to his employment, Reilly was employed for 21 years with the New York State Police Department. In this capacity, he was a Death Investigator, who had also completed courses in accident reconstruction, and traffic homicide investigation. He explained that the State of New York Police Department does not have a "Traffic Homicide Investigator." A cursory review of his office revealed a Certificate for Fire Training from the State of New York Academy of Fire Science.

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Prior to the interview, Reilly obtained a copy of the Medical Examiner's report, photographs, and his notes. He reviewed them periodically throughout the interview. Note, the Medical Examiner reports for both [REDACTED] and [REDACTED] have been included as part of this report. A subpoena is required to obtain the notes, as well as the photographs. Some of this information will be discussed later in this report.

Reilly explained that the subject accident occurred on April 12, 2002. He initially explained that it occurred during the lunch time hours. He later stated that the accident occurred at approximate 11:40 a.m.

The weather at the time of the accident was raining. Reilly recalled that it was steady rain, with medium intensity. He did recall that it stopped periodically while he was on scene. He noted his photographs where he was wearing a rain slicker, as well as the personnel from the Florida Highway Patrol. He did not recall any type of standing water, either on the interstate, or in the median.

Reilly explained that the accident occurred on Interstate-95 in the southbound lanes. The exact location was in close proximity, but just north of U.S. 192. He believed it was actually at the southbound exit to 192.

Reilly described the area where the accident occurred as being two lanes that travel primarily north, and two south. There is a paved shoulder on the outer edges of the roadway. He believed that this shoulder contained a rumble strip. Reilly added that the lanes are divided by a grass median. He was unaware of the median's exact width, or grade.

Reilly was unaware of exactly how he was notified of the call. He stated that in normal cases, a "heads-up" call is received either from Fire Rescue, FHP, or private personnel. He believes in this case that he was probably called by personnel from the Florida Highway Patrol. He cannot recall the specifics of the call, other than to say there was a deceased person, and his assistance was requested.

Reilly responded to the accident scene alone in his personal vehicle, which is a Chevrolet Blazer, gray in color. Reilly admits that he did not remove the deceased parties from the scene. He explained at this point that personnel

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from D&D Mortuary Transport Service normally perform this service. Reilly does "supervise" the removals. It is interesting to note that Reilly explained that it is usually either the Corporal, or an on-scene Sergeant, that make the determination for his presence. He could not recall exactly who may have done this in this particular case.

Reilly responded south to the scene from his office, where he was when he received the Dispatch. He believes that he parked in the southbound lanes of travel, in the inside lane or median.

Upon his arrival, Reilly recalled meeting with Cpls. W. Homer Corbett and Deborah O'Neil of the Florida Highway Patrol. He believes there were possibly others from the Florida Highway Patrol still on scene, but was unaware of their names. He jokingly recalled noting O'Neil was on scene, because it was raining, and her hair was apparently disheveled.

In addition to the Florida Highway Patrol, Reilly believes that at least one engine from the Brevard County Fire Rescue was on scene. He could not recall any other units. He believed that personnel from the Brevard County Sheriff's Office were on scene, although he could not specifically recall. He stated they are normally on scene in this types of accidents, to redirect traffic.

Reilly initially explained that there were two vehicles involved in the subject accident. They will be set forth below. At the conclusion of the interview, after reviewing his report, he noted there was a third vehicle, which was the Chrysler 300M driven by [REDACTED]. He explained that because this vehicle was not located near the deceased's' vehicle, he had very little information related to it.

The first vehicle described by Reilly was the subject Suzuki. He could provide no description of this vehicle. He did state that it had sustained massive rear damage from the collision. It was also completely burned. He added that the interior of the vehicle had "been gutted."

This subject Suzuki was located in the southbound lanes of Interstate-95 in the left, or outside lane. It was located closest to the median, facing west. Reilly did state that he believed it was completely within the lane.

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Reilly understands that there were two occupants in the subject vehicle. The driver was still located within the vehicle upon his arrival. Reilly stated that this person was completely burned, and in fact, he did not know the victim's sex while on scene. It was not until the Medical Examiner performed the autopsy that it was revealed the victim was a male. The driver was located within the front driver's seat compartment. Reilly could provide no additional specifics.

The passenger side door of the subject vehicle was "open, or ajar." When specifically asked, Reilly stated that the door was "less than halfway open." He had no information as to how the door was opened, or if fire personnel possibly opened this door.

The second occupant of the subject Suzuki was located approximate 50' feet away from the subject vehicle in the median. Reilly recalled that he was located on a piece of plywood. He understood that bystanders removed him from on-or-near the subject vehicle, and placed him on the plywood. They physically pulled him into the median. This person was completely burned. He believed that the clothes were actually burned completely off his body. He was also deceased upon Reilly's arrival.

Reilly related two stories that were told to him while on scene as to how this individual exited the subject vehicle. Both stories were related to him either by the Florida Highway Patrol personnel, or Brevard County Fire Rescue. He did not know exactly who, or what was said. The first story was that the right front passenger was either located halfway-in or halfway-out of the subject vehicle shortly after the accident occurred. He could provide no other specifics related to how he was possibly positioned.

The second story on how the right front passenger exited the subject vehicle was, according to Reilly, that "he got out of the vehicle, and dropped near it." Reilly later added that he could have possibly been ejected from the vehicle. Again, this story was provided to him by either one of the Florida Highway Patrol troopers, or fire personnel on scene. Reilly could provide no additional information.

The second vehicle involved in the subject accident was a Ford pickup truck. Reilly could provide no specific description related to this vehicle. He stated that the truck was located in close proximity to the Suzuki, but facing east.



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He believed that it was in the left, or inside lane, but closer to the middle of the southbound lanes of travel. The vehicle was upright.

The occupants of the Ford truck were a woman and child. This information was provided to Reilly by either the Florida Highway Patrol trooper, or by a rescue personnel. He explained that both of these people had been removed prior to his arrival. It is interesting to note that Reilly did add that the female in this vehicle sustained a broken leg as a result of the accident. He could provide no information as to where he learned this detail.

It was at this point during the interview that Reilly explained that there was no third vehicle. However, at the conclusion of the interview, Reilly did note that there was a third vehicle. He described this vehicle, after reviewing the accident report, as a 1999 Chrysler two-door. He believed it was possibly white in color.

The white Chrysler was parked off the right side of the roadway in the southbound lanes of travel. He believed it sustained minor left front damage. Reilly admitted that he could provide no specific information related to this vehicle, because it was not in close proximity to the other two, and there was no death involved with this vehicle.

Upon arriving on scene, Reilly met with Cpls. Corbett and O'Neil. He explained that one of the two pointed out the two deceased, and provided specifics as to what vehicle it was believed the deceased were traveling. It was also believed that a minor explanation of the subject accident was provided to Reilly at this time.

Reilly explained that he has seen numerous traffic accidents, and after reviewing the scene and talking with the Florida Highway Patrol officers, it was obvious what had occurred. He did note there were marks in the median, which he commonly referred to as "side slide marks." This is where the subject Suzuki had been traveling northbound, and traveled through the median before contacted the Ford F150 truck.

It is interesting to note that Reilly then went into some detail about the accident, noting that the Suzuki was probably traveling in the inside northbound lane. This is the lane closest to the median. He was unaware of the exact speed of the vehicle.

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Reilly explained that it is common on these interstate overpasses that people will cross over, and note stopped or slowing vehicles. Once this occurs, they immediately brake and possibly lose control. Apparently this is a common occurrence on this portion of the interstate. Reilly believes this is what occurred in this case. He believes that after the driver of the subject Suzuki hit the brakes, he lost control, and traveled into the median. After traveling into the median, he slid around in a counter-clockwise motion. Reilly could only venture to say that he was traveling in a counter-clockwise motion during this time. Upon entering the southbound lanes of travel, the rear portion of the vehicle contacted the front portion of the F150. Reilly could provide no information related to possible braking on behalf of the driver of the Ford.

While on scene, Reilly explained that he did take photographs of the scene, vehicle, and deceased occupants. He also was provided information from the Florida Highway Patrol personnel. He believes that he took approximate 25 photographs of the scene. The remaining 10-to-15 photographs were taken by a technician of the deceased bodies during the autopsies performed by Dr. Vasallo. These photographs, as previously noted, require a subpoena to be obtained. The subpoena can be addressed to the above-noted information.

After Reilly completed his investigation on scene, personnel from D&D Mortuary Transport from Canaveral Groves, Florida, removed both deceased. Reilly believes they were notified at 12:55 p.m. The D&D personnel arrived at 1:20 p.m., and left the scene at 1:50 p.m. He believes he left the scene at approximate 2:00 p.m.

It is interesting to note that Reilly "supervised" the D&D Mortuary personnel in the removal. He stated that they specifically removed the "bodies" from the subject vehicle. Note, in a prior interview, it was explained that the Brevard County Fire Rescue personnel actually removed the bodies from the vehicle.

During his investigation on scene, Reilly believes that either himself, or someone from the Florida Highway Patrol, found a wallet located under the driver's seat of the subject vehicle. Apparently, the wallet contained a driver's license that had not been destroyed by the fire. Reilly explained that part of his job as Medical Examiner Investigator is to help FHP with identification when needed. He believed that the driver's license actually

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belonged to the driver of the subject vehicle's brother. In addition, while on scene, FHP personnel told Reilly that the vehicle was a rental.

After completing his investigation, and the transport of the deceased, Reilly traveled back to his officer in Rockledge, Florida. It was there he completed his report, to include developing his photographs. He relayed all his information to the Medical Examiner at that time, or shortly thereafter.

It is interesting to note that during the identification process, there was jewelry found on the body of [REDACTED]. Reilly reviewed his notes during this time, and stated that Long's mother had called approximately two days after his death. She was asked questions related to the identification of her "step-son," who was believed to be [REDACTED]. Reilly recalls speaking with her in regards to some jewelry that was on Long's person. She could not positively identify the jewelry. Reilly added that he later spoke with [REDACTED] brother, and some unidentified witnesses from the South Florida area that did conclusively state that he was wearing said jewelry.

Prior to myself, Reilly has had no prior contact. He was unaware of the subject lawsuit until the information was provided by myself. He provided no comment.

### Medical Examiner Report No. A-02-208 regarding Willie Long:

At the request of Counsel, the Medical Examiner Report related to [REDACTED] was obtained. The specifics of the autopsy will not be fully set forth in this report. The short findings will be noted below.

- 1) 100% body burns
- 2) Subdural and subarachnoid hemorrhages
- 3) Lacerations of liver, spleen and right kidney
- 4) Hemoperitoneum
- 5) Fractures: Right wrist, left elbow and distal forearm, left leg, right and left iliac, and multiple ribs.

Cause of Death: Multiple blunt force and thermal injuries.

### Medical Examiner Report No. A-02-209 regarding [REDACTED]

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At the request of Counsel, the Medical Examiner Report No. A-02-209 related to [REDACTED] was obtained. The specifics of the autopsy will not be fully set forth in this report. The short findings will be noted below.

- 1) 1<sup>st</sup> and 2<sup>nd</sup> degree burns
- 2) Laceration of spleen
- 3) Hemoperitoneum
- 4) Multiple rib fractures

Cause of Death: Multiple blunt force and thermal injuries.

### **WITNESSES:**

[REDACTED]

Cocoa, Florida [REDACTED]  
[REDACTED] - Home  
[REDACTED] - Cellular

On Friday, November 8, 2002, I met and obtained a recorded sworn statement from [REDACTED] in my car located in a grocery store parking lot in Cocoa, Florida. A transcript of this statement has been included with this report. [REDACTED] was one of the eyewitnesses to the subject accident. Note, she previously provided a recorded sworn statement to the Florida Highway Patrol. She was friendly, and extremely cooperative.

#### Description - [REDACTED]

[REDACTED] is a white female, approximately 42 years of age. She is approximately 5'3" tall and weighs 140 lbs. She has shoulder-length, red curly hair.

At the beginning of the recording, [REDACTED] was informed that I was a Notary Public, and was given an Oath. After receiving the Oath, [REDACTED] was asked specific questions related to the subject accident.



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█ was aware the accident occurred on April 12, 2002. She stated that she had just completed a doctor's appointment, and was actually traveling southbound to her mother's residence in Palm Bay, Florida. She believes the time was approximately 11:00 a.m.

█ recalled that it had been raining "all day" at approximately a medium level. In addition, she stated it had been raining for a couple of days prior to the accident. She said that everything was extremely wet and there were, in fact, puddles on the roadway, as well as the median.

Prior to the accident, █ was traveling southbound on Interstate-95. She had just entered I-95 at the Eau Gallie Boulevard exit, which is one exit north of the U.S. 192 exit, where the accident occurred. █ was alone in her vehicle, which was a gold-colored Pontiac Grand Am.

█ explained that the accident occurred on the southbound lanes of Interstate-95, just north of the exit with U.S. 192. She described this portion of the roadway as two north, and two southbound lanes. There is a paved apron and shoulder on the outer portions of the lanes. █ explained that the lanes of travel are divided by a grass median. Although unaware of the exact width, █ explained that the median is "pretty wide."

It is interesting to note that █ described a curve on Interstate-95 just south of the 192 overpass northbound. She believes that the subject Suzuki was traveling northbound prior to the accident, and had just traveled through this curve before reaching the 192 overpass.

█ recalled that after entering I-95 southbound, she immediately began driving behind a semi tractor-trailer that was hauling heavy machinery. She and all vehicles on the roadway (southbound) at that time were traveling between 55-and-65 mph. At some point just prior to witnessing the accident, █ traveled into the left, or inside lane, around the tractor-trailer. It was at this point, while traveling down the roadway, that she noticed the subject Suzuki.

█ initially noticed the Suzuki traveling in the left, or inside lane, northbound on Interstate-95. She explained that he left the roadway, and traveled in a "kind of arc across the median." She later stated that it appeared as if he was exiting the roadway off an exit ramp. She stated he never slowed the Suzuki

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during this time. She noticed no attempt by the driver of the vehicle to brake. After being specifically asked, █████ said that she never saw any type of locked tires, or brake lights.

After noting the subject Suzuki travel into the median, █████ checked for traffic to her right, initiated her blinker, and moved her vehicle from the left lane to the right outside shoulder of the roadway. Apparently, she had already passed the semi truck at this time. When she first noted the Suzuki, she stated she was "a pretty good distance away." She was unaware of the exact distance.

It is interesting to note that █████ explained that the traffic was "heavy" on the northbound lanes of travel. She ventured to say that she did not know if the driver of the Suzuki was possibly steering left, or braking to avoid a collision with vehicles farther north in front of him. She could not specifically recall stopped, or slowed vehicles northbound in front of the Suzuki. It is not known where she obtained this information.

The specific movements of the subject Suzuki as it traveled through the median were discussed with █████ She explained that the driver was making a half-circle, or leftward arc through the median. She believed that he was in control of the vehicle, and was actually making an evasive move in an attempt not to contact the adverse Ford F150 truck. █████ believes that the driver of the Suzuki was attempting to steer in front of the southbound truck when it was contacted in the rear.

█████ was specifically asked if she had any information related to the speed of the Suzuki prior to it leaving the northbound lanes. She stated that the Florida Highway Patrol officer also asked her this during his questioning. She explained that he was "traveling with the rest of the pack, and never slowed up." She is referring to the pack of cars traveling northbound on Interstate-95. █████ could only say that she believed the northbound traffic was traveling approximately the same speed as the southbound traffic.

█████ described the position of the cars southbound prior to the collision. She was traveling in the left or inside southbound lane. Farther south (approximately 20 car lengths) there was a dark-colored car in the right or outside lane. This car is believed to be that driven by █████ Sr. Traveling in the left lane, next to Floyd, was a navy blue Ford "double cab"

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pickup truck. ■■■ referred to this truck as a "big pickup truck that was one of these dualies." It is believed she is referring to a larger full-size pickup truck that has dual tires on the rear axle.

■■■ explained that the subject Suzuki was facing south as it left the median and entered the southbound lanes of travel. It was here that it contacted the Ford F150 truck.

■■■ believes that the collision occurred almost in the exact middle of the roadway in the southbound lanes of Interstate-95. The Suzuki was facing primarily south, as with the Ford. ■■■ believes that the actual point of impact was slightly to the front right side of the Ford. She relates this to the fact that the Ford spun in a counter-clockwise movement, and came to final rest in the southbound lanes of travel, facing east. She believes the Suzuki rotated clockwise and came to final rest facing west. Both vehicles were in the left, inside lane upon final rest. ■■■ believed they were approximately five feet apart.

As for the crash sequence, ■■■ is unsure of exactly how it occurred, but believes the F150 contacted the dark-colored sedan, and then both vehicles contacted the Suzuki at the same time. Following the collision, the Suzuki and F150 seemed to stay in the lanes of travel. ■■■ believes that the dark-colored sedan traveled to the right, off the roadway.

It is interesting to note that ■■■ believes the driver of the Ford F150 truck actually saw the Suzuki traveling through the median. She explained that the driver of the F150 took her foot off the gas, and was attempting to steer right, into the right lane. Unfortunately, the dark-colored sedan was located in the right lane at that time. ■■■ was unsure if the driver of the F150 hit the brakes, but did note that she had slowed, because she had gained considerable ground during this time. ■■■ assumes that the driver of the F150 saw the Suzuki, and was attempting to make an evasive move. She noted that both vehicles could not travel off the right side of the roadway, because of the oncoming guardrail, which limited the right shoulder of the road.

Following the collision, ■■■ explained that the semi truck that she had just passed actually moved from the right to the left lane, and blocked the lanes of

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travel, so that other southbound vehicles would not come into contact with the Ford truck, or the subject Suzuki.

█ instantly noticed, after bringing her vehicle to a stop in the far right outside shoulder directly west of the final rest of the vehicles, that there was gas leaking from under the driver's side portion of the Suzuki. She explained that this gas was already on fire, and was trailing in the rain towards her vehicle. She explained that the fire started in this gas "almost instantaneously."

█ provided information on the Suzuki. She stated with the tint of the windows, and the grayness of the day, she could not see anyone moving inside the Suzuki. It was during this time that bystanders were stopping, and immediately responding to the vehicles. █ stated that they could not respond to the Suzuki because of the fire. It was at this point they traveled to the Ford F150 truck, and opened the passenger side door. The first thing █ noted was the bystanders lifting out a baby in a carseat. They took the small child to the side of the road.

The infant was pulled out of the F150 by a white male, approximately 5'3" tall. █ believes this person had actually parked his vehicle south of hers, and traveled back to the scene. She could provide no other description of this person. At this time, it is not known the identity of this person.

█ described the damage to the subject Suzuki as "extensive rear end damage." She stated that the rear portion of the vehicle was actually touching the back portion of the front seat. Note, this is consistent with that already discovered.

█ explained that there were approximately five-to-six bystanders on scene almost immediately. In addition to the white male, she did recall another white male, who had parked and responded from the northbound lanes of travel. She recalled that this person gave a statement to the Florida Highway Patrol later while on scene. She jokingly noted that he was "pacing" shortly after he provided his statement.

In addition to the two above-noted males, █ referred also to an additional female, who apparently was covering the young child because of the rain. At



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this point in the interview, [REDACTED] again commented on the rain. "It was raining hard enough that when you opened your door, the car door got wet."

After the infant was removed from the Ford truck, [REDACTED] recalled that the men traveled back to the vehicle, and removed a heavy-set white female with dark hair. [REDACTED] believes she was favoring her left leg. There was one man on either side of the female, holding her up.

After the female had been removed from the F150, [REDACTED] recalled that she was distracted. She believes that she finally spoke with the 9-1-1 operator, and was busy providing details of the accident. She was specifically asked if anyone traveled over to the subject Suzuki during this time, to which she stated "No." She said that "no one could get near it." She was referring to the amount of flames.

It is interesting to note that while parked on scene, [REDACTED] admits that she was facing the passenger side door of the subject Suzuki. She recalled that the door was closed, and no one ever got out of the vehicle. She notes there were numerous southbound vehicles that were traveling around her vehicle, and exiting off onto Hwy 192. They then re-entered the interstate, and traveled southbound on I-95. [REDACTED] was specifically asked, and could provide no additional information related to the Chrysler. She stated her attention was focused on the Ford and Suzuki vehicles in the roadway.

During this time on scene, personnel from the Fire Department responded to the scene. Although unaware of exactly where, [REDACTED] did recall that they parked in the median. They began to extinguish the fire on the Suzuki. [REDACTED] did note that the fire was extinguished "pretty quickly."

While on scene, [REDACTED] remained in her vehicle until she later gave a statement to police personnel. She did note that a Palm Bay [Florida] Police officer asked her to move her vehicle. She notified the officer that she had been in contact with the Florida Highway Patrol, as well as the Sheriff's Office, and was waiting to provide a statement. Research will be conducted with the Palm Bay Police Department for any records of the subject accident. Note, the location of the subject accident is considerably farther north than the city limits of Palm Bay, Florida.

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In addition to the bystanders previously noted, [REDACTED] did recall another white male, who was actually located in close proximity to her vehicle. This person was directing traffic. She could only describe him as a white male with dark hair. Further research to identify and locate this person will be conducted. This information will be included in a future report.

[REDACTED] recalled that the first emergency personnel to arrive on scene was one officer from the Florida Highway Patrol. She noted that he came from the south, and parked his vehicle south in the median. She did say that he was driving one of the new FHP Cameros. [REDACTED] recalled that this trooper arrived on scene, and made an initial assessment. He then traveled over to her, and spoke with her briefly, asking her if she had witnessed the accident. She apparently stated that she had, and would provide a statement. She believes the fire on the Suzuki was out during this time. If so, it is believed that the fire personnel were possibly already on scene during this time.

It was at this point during the interview that the duration of the fire was discussed with [REDACTED]. She believed it burned "a few minutes." Noting that she had dialed 9-1-1 and spoken with a Dispatcher, I asked if the fire was out by the time she had gotten off the telephone. She believes the fire was still burning while she was on the phone. She believes it was out prior to the fire department arriving on scene.

[REDACTED] believes that there was possibly two units from the fire department arriving on scene. The first unit was believed to be a smaller unit, which [REDACTED] believes was sent to "check out the situation." She noted that within minutes, a larger unit, possibly an engine, arrived on scene. She noted that all personnel were dressed in their helmets, boots, and other full gear. She believed they were there to extinguish any fire. Both fire units parked in the median.

After the fire department arrived on scene, [REDACTED] believes the third emergency personnel to arrive was a deputy from the Sheriff's Office. She believes that he also must have come from the north, and traveled south through the median, before parking his vehicle. At this time it is not known the specific identity of this deputy. [REDACTED] believes the deputy came from the Brevard County Sheriff's Office.

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As for [REDACTED] 9-1-1 call, she explained that the Dispatcher initially asked her where she was calling from. Upon providing this information, she was transferred to the Florida Highway Patrol Dispatcher. [REDACTED] believes that she provided all information related to the subject accident scene to the Florida Highway Patrol Dispatcher.

[REDACTED] believes that she was on scene for approximately one hour, 15 minutes. After making contact with the Florida Highway Patrol Dispatch, she remained in her vehicle for the majority of the time on scene. She did note that officers from the FHP traveled up to her passenger side, leaned in, and briefly spoke with her. Apparently, after agreeing to providing a statement, he thanked her for waiting. She then asked if anyone from the Suzuki survived the crash, to which he replied, "No." [REDACTED] explained that this really upset her, noting how they had died.

During her time on scene, [REDACTED] believes that she physically watched the front passenger of the Suzuki being removed by fire personnel. She recalled the fire was out on the vehicle, but the fireman were still fully outfitted. They were all wearing gloves. [REDACTED] recalled that they took him out of the vehicle, and placed him on the ground. They covered him with a blanket, or sheet. When specifically asked, [REDACTED] was unsure if fire personnel had to physically open the door, or if they just turned the handle.

It is interesting to note that [REDACTED] explained that she never saw fire personnel attempt to remove the driver from the subject Suzuki.

[REDACTED] believes that after fire personnel removed the front right passenger from the Suzuki, laid him in the median, and covered with a blanket, they left the scene shortly thereafter. She cannot recall fire personnel conducting any type of other actions while on scene.

It is interesting to note that at this point during the interview, [REDACTED] recalled ambulances responding to the scene up the south exit of Hwy 192. She believes there were two ambulances, and they removed all injured persons. It is believed [REDACTED] is referring to Rescue 67 and the Floyds.

The issue of [REDACTED] providing a statement to police personnel was discussed at this point during the interview. [REDACTED] was certain that she initially spoke with FHP personnel, but later provided a statement to a Brevard County Sheriff's

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Office deputy. She described the Sheriff's deputy as being a white male, with grayish hair. It is believed that [REDACTED] actually provided a statement to Cpl. W. Homer Corbett of the Florida Highway Patrol. [REDACTED] believed her statement provided to the sheriff was a sworn, recorded statement.

[REDACTED] did explain that she spoke to approximately three police officers while on scene. She stated this question was repeatedly asked by the insurance adjusters, who were calling related to the subject accident. They all wanted to know if she had spoken with any other persons on scene besides the three officers. She emphatically stated that she "did not."

As previously stated, [REDACTED] was on scene for approximately an hour and 15 minutes. Upon giving her statement, she left the scene, and traveled to her mother's residence in Palm Bay, Florida. After leaving her mother's residence, she traveled back north past the scene approximately two-and-a-half hours later. The Suzuki and Ford truck were still in their final resting positions during this time. The wreckers were on scene, and were attempting to remove both vehicles.

Approximately a week, to a week-and-a-half after the accident occurred, [REDACTED] began getting telephone calls at her residence from insurance adjusters related to the subject accident. After she gave two statements, which were both recorded, she wanted to obtain a copy of the accident report so that she would not provide any false information. It is interesting to note that even with the current State Law, Florida Highway Patrol personnel provided her with a copy of the accident report. She had a copy of the accident report during her final third statement.

[REDACTED] recalled that the first person to contact her was an agent from Allstate Insurance Company. She believed this was the insurance company for the Chrysler 300M. The agent was a female, and explained that there was an elderly couple in the car. For the most part, [REDACTED] admitted to the adjuster that she was not paying attention to the Chrysler, and could provide little information.

[REDACTED] explained that the second call was from a female adjuster, as well. She apparently was representing the insurance company who insured the Ford truck. As with the other insurance adjuster, [REDACTED] believes that she gave a



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recorded statement at this time, as well. This statement occurred within a day of the first statement.

█████ final contact related to the subject accident, prior to myself, was an adjuster working on behalf of ██████████. She stated he also recorded her statement, but actually came to her house. It was prior to this final statement that she actually obtained a copy of the Traffic Crash Report from the Florida Highway Patrol. She wanted to have it, to make sure that she was not providing false information. It was during all of the above-noted interviews that ██████ provided similar information related to what happened on scene, and who was present. She believes the interview was similar to that which she provided to myself.

█████ could provide no information as to why the subject vehicle left the roadway. In addition, she also did not know why the vehicle caught on fire, except to say that it was possibly caused by the damage from the collision. She did again note that the rear portion of the vehicle was pushed all the way forward into the front of the vehicle.

At the conclusion of the interview, ██████ was asked if she was aware of the lawsuit against Suzuki. She stated that not until I called her was she aware of the lawsuit. When asked for any comment, she explained that she had "not heard anything about problems with them before." It is believed she is referring the model Suzuki Grand Vitara vehicle.

When asked if she had any final comment, ██████ stated that she was "surprised it [the Suzuki] caught fire as quickly as it did, and burned." She later added that she felt it caught on fire because it was "smashed so bad." I then ended the recording, and her statement.

████████████████████  
Melbourne, Florida ██████████  
████████████████████

During the course of this investigation, it was learned that ██████████ ██████████ was the driver of the Ford F150, who actually struck the Suzuki in the subject accident. It is believed that she suffered minor injuries to one of her

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legs in the crash. Her infant daughter, name unknown, was with her in a car seat during the accident.

At the request of Counsel, contact was attempted with [REDACTED]. Numerous messages were left at her residence, in an attempt to obtain an interview, or at least the signed Affidavit for Counsel. As of the date of this report, Sexton has never returned a call, and no interview has been secured. It is my understanding that Sexton is not a party to this case, and if permission is granted, will provide an interview. This information will be included in a future report.

[REDACTED]  
Deltona, Florida [REDACTED]  
[REDACTED]

During the course of this investigation, it was learned that [REDACTED] was one of the witnesses to the subject accident. At this time, it is not known exactly where he was traveling prior to the crash. [REDACTED] did provide a recorded statement to the Florida Highway Patrol on scene. As previously noted, the original copy of this statement has been destroyed.

Information was provided on the Florida Traffic Homicide Report which noted that Scherer was employed as an airline mechanic for [REDACTED]. The work telephone number was [REDACTED].

In an attempt to obtain a signed Affidavit from [REDACTED] numerous telephone calls were placed to his work telephone. No one ever answered this telephone. Database research confirms that Scherer does reside at the above address. Numerous messages have also been left at this address.

Research will continue to locate and interview Scherer related to the subject accident. If possible, [REDACTED] will be sworn, and provide a recorded statement. This information will be included in a future report.

[REDACTED]  
Merritt Island, Florida [REDACTED]  
[REDACTED]

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During the course of this investigation, it was learned [REDACTED] was one of the eyewitnesses to the subject accident. At this time, it is not known [REDACTED] exact involvement with the subject accident. It is believed, however, that [REDACTED] is possibly the volunteer fireman from [REDACTED] [REDACTED] If so, he attempted treatment on [REDACTED] Note, Florida Highway Patrol personnel obtained a recorded sworn statement from him while on scene.

As of the date of this report, no contact has been secured with [REDACTED] Once this has been completed, this information will be included in a future report.

### **WRECKER SERVICES:**

#### Lee's Towing

3778 Dixie Highway, N.E.  
Palm Bay, Florida 32905  
321-728-5588

#### Jason Hooker

c/o Lee's Towing  
3778 Dixie Highway, N.E.  
Palm Bay, Florida 32905  
321-728-5588 - Work  
321-676-2683 - Home

On Wednesday, November 6, 2002, I met and interviewed Jason Hooker. In addition, a signed Affidavit was obtained during this visit. Hooker was one of the wrecker personnel who actually retrieved the subject vehicle from the accident scene. He was friendly, and somewhat cooperative.

#### Description - Jason Hooker:

Jason Hooker is a white male, approximate 26 years of age. He is approximate 6'1" tall, and weighs 210 lbs. He had short, brown hair. During the interview, he was dressed in a Lee's Towing uniform.

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The interview with Hooker was conducted with the assistance of his boss, "Tony" (LNU), who owns Lee's Towing. Hooker had another individual with him, and was actually in the process of responding to a call during my visit. We met, and he was interviewed beside the trunk of my car at a local gas station. Because of time constraints, the signing of the Affidavit was the main goal of our meeting. It has already been provided to Counsel.

While speaking with Hooker, some information was extracted from him related to the subject accident. It will be set forth below.

Hooker has been employed with Lee's Towing for approximately one year. He explained that he obtained the job in December, shortly after the September 11<sup>th</sup> attacks. This is his first job as a wrecker driver. He had no prior wrecker experience.

It is interesting to note that Hooker previously worked for [REDACTED]. Later in the interview, he explained that he knew that the subject Suzuki had been a rental vehicle. He noted there was some type of marking, or sticker located on the vehicle, which led him to believe that the vehicle was a rental. At this time, it is not known exactly what he is referring to.

Hooker explained that Lee's Towing is on a rotation with the Florida Highway Patrol. This was how he received the dispatch for the call. He was unaware of exactly where he was when he received the call, but traveled to the scene. He was alone in his flatbed wrecker.

Hooker explained that fellow wrecker personnel [REDACTED] traveled to the scene in a standard wrecker. Between the two of them, they retrieved all three vehicles involved in the subject accident.

Hooker did recall the subject vehicle was a Suzuki Grand Vitara. He was not asked any specifics related to this vehicle. He did note that it sustained severe rear damage, in addition to complete burn damage from the fire.

The second vehicle involved was a Ford F150. He described this as a Ford 150 extended super cab. He seemed to be somewhat familiar with this vehicle. This vehicle had sustained extensive front end damage from the collision with the subject Suzuki.



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The third vehicle described by Hooker was a two-door sedan. He was unsure, but believed it was possibly a Chrysler, or Cadillac. He recalled this vehicle also had minor front end damage.

Upon arriving on scene, Hooker recalled meeting with a male Florida Highway Patrol trooper. He stated that the trooper was somewhat rude, and asked that he and Baker "hurry" to retrieve both vehicles. It is believed the trooper was referring to the closing of Interstate-95. Hooker noted that this was odd, and that most troopers do not act in this manner. In fact, Hooker explained that he is taking tests to become a Florida Highway Patrol trooper on November 20<sup>th</sup> of this year.

Hooker explained that he backed his vehicle up to the subject Suzuki. He recalled that as he was attempting to winch it into his vehicle, it seemed to be "stuck" to the pavement. He believed it was stuck because of the burned tires. He noted that he attached a winch cable to the front portion of the vehicle. When asked specifically if he possibly damaged, or changed the vehicle, Hooker stated that he "may have." Hooker noted that if he saw the vehicle, or photographs of it, he could note if he changed or damaged it.

The issue of whether Hooker changed or damaged the vehicle was discussed in detail with him during this time. He did note that after the vehicle was loaded onto the flat bed wrecker, he used winch cables to secure it to the flat bed. He described two small hooks that are normally located on the rear of these types of vehicles. He recalled securing a winch to the left rear portion of the vehicle with no problems. As he secured the right rear portion to the vehicle's hook, he recalled it either bent or broke. Again, he noted that he needed to see photographs of the subject vehicle to discuss the damage.

It was at this point during the interview that I requested of Hooker, because of time constraints, if an additional meeting was possible. I explained that I would clear it through his boss, Tony, and that Counsel may want to be present. At the request of Counsel, an additional meeting can be secured with Hooker, where we can discuss in detail the subject vehicle, and where he may have attached the winch hooks for removal, and securing on the flat bed.

Because of time constraints, limited additional information was provided by Hooker. He did note there was a shoe located on the floor in the driver's side portion of the vehicle. He did state that he and Baker "scraped the roadway

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with shovels" in an attempt to clean up all portions of the vehicle. He noted that this debris was loaded inside the vehicle for removal. He brought the Suzuki back to Lee's Towing.

It is interesting to note that as the vehicle was returned to Lee's Towing, he and Baker stopped at a nearby gas station after leaving the interstate. He believed that, for some reason, they swapped the rear vehicles. His only explanation was because Baker's standard-size wrecker could lift the rear-ended vehicle higher. He believes that the Suzuki never left the flat bed, but that he ended up transporting the Suzuki and the F150. He believes that Baker may have removed the Chrysler. He could provide no additional information. If needed, he is open for additional contact.

[REDACTED]

Palm Bay, Florida [REDACTED]

[REDACTED] Home  
[REDACTED] Cellular

On Friday, November 8, 2002, I met and interviewed [REDACTED] at his home in Palm Bay, Florida. It was during this visit that [REDACTED] also signed the Affidavit. [REDACTED] was one of the tow truck personnel from Lee's Towing who responded to the scene. He was friendly, and extremely cooperative.

### Description - [REDACTED]

[REDACTED] is a white male, approximately 40 years of age. He is approximate 5'7" tall, and weighs 140 lbs. He has short black hair, styled in a crew cut, with a moustache. During the interview, he was dressed in fatigues.

[REDACTED] has been employed with Lee's Towing for approximately a year-and-a-half. At the time of the subject accident, he was a wrecker driver. He is currently employed as a dispatcher for Lee's Towing. The reason for this change in employment is so that he can complete Police Officer Training School at Brevard Community College during the day.

Baker seemed extremely familiar with the subject accident. He noted that Lee's Towing was on a rotation with the Florida Highway Patrol, as well as

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most other law enforcement agencies, at the time of the accident. He did note that they received a dispatch call from the Florida Highway Patrol to retrieve the subject vehicles.

Baker believes that he was at Lee's Towing in Palm Bay, Florida, when he received the dispatch. He responded to the subject accident alone in his vehicle, which was a standard tow truck. In addition, Jason Hooker, who has been previously interviewed, responded to the scene in a flat bed truck. Baker believes that Hooker was also alone in his vehicle. Baker added that he arrived on scene shortly before Hooker.

Baker merely agreed when asked if the date of the accident was April 12, 2002. He did state that it occurred between 12:00 and 2:00 p.m.

Baker recalled that the weather at the time of the accident was rainy. He believed that the rain had actually stopped while they were on scene.

Baker explained that the subject accident occurred on Interstate-95, just north of the intersection with U.S. 192. In fact, he explained that it was between the off ramp, and that the vehicles came to final rest between the off ramp and the bridge for 192. The final rest of the vehicles were in the southbound lanes of travel.

Baker described this portion of the interstate as two lanes of travel, primarily north and two south. He could only state that the lanes are of average width. The lanes are divided by a grass median, which is approximately the width of three lanes. Baker added that the grass median is "primarily flat."

Baker recalled that there were three vehicles involved in the subject accident. The first vehicle he described was the subject Suzuki. He stated it was a Suzuki Grand Vitara, silver in color. He jokingly added that one could only tell the color from noting small areas in the rear portion of the vehicle that had not sustained burn damage.

The Suzuki had sustained extensive rear end, as well as burn damage to the majority of the vehicle. He later stated that portions of the vehicle, to include the front plastic portions, as well as several aluminum areas, had actually melted to the interstate.

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The subject Suzuki came to final rest in the left edge of the left, or outer lane of southbound travel. It was facing southeast. The vehicle was upright, and not on fire or smoking at the time of his arrival. It was at this point during the interview that Baker actually drew the positions of the vehicles on a piece of paper. This drawing has been included as a part of this report.

Baker recalled that there were no occupants in either the Suzuki, or any of the other vehicles on scene upon his arrival. It was his understanding, after speaking with Cpl. W. Homer Corbett of the Florida Highway Patrol, that there were two people located within the Suzuki. Baker referred to Corbett by his first name, Homer. Corbett told him that the two occupants of the Suzuki had burned to death.

Corbett added that the driver of the Suzuki had remained in the driver's seat following the crash. Baker could provide no additional details. The passenger of the subject vehicle was lying half-in and half-out of the vehicle after the crash occurred. Baker added that he was not sure if he had attempted to get out of the subject vehicle, or had been partially ejected. Again, this information was provided by Corbett.

It is interesting to note that at this point in the interview, Baker explained that the driver of the subject vehicle was not supposed to be driving the vehicle, because it was rented in his father's name. In addition, the driver also had no State of Florida Driver's License. Baker could recall no information related to whether the driver was under the influence of drugs or alcohol.

When asked where Corbett got his information, Baker explained that Corbett noted physical evidence on scene, as well as talked to eyewitnesses.

The doors on the subject Suzuki were then specifically discussed with Baker. He believed that the driver side door was open. When asked to describe, he did note that it was "wide open." He did not know if the door had come open, or had been cut open by rescue personnel. The passenger side door was also "wide open." Baker recalled that he and Hooker utilized a bungee cord, and strapped both the doors shut for transport. The rear portion of the vehicle was pushed forward, touching the back portions of the headrests in the front seat.



## **DEFENSE LITIGATION GROUP**

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**Investigative Report  
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The second vehicle described by Baker was the Ford F150 truck. He described this vehicle as black in color, and two-wheel drive. He believed it was an extended-cab model. It is interesting to note that he added that there was a diamond plate truck box located in the rear of the F150.

The F150 had sustained extensive front end damage. This damage occurred from contact with the Suzuki. In addition to the front end damage, Baker recalled the left front portion of the F150 had sustained fire damage. It was upright, and not on fire or smoking at the time of his arrival.

The F150 was also located in the left, or inside lane. Baker believes that it was facing south. When asked specifically, Baker recalled that there was approximate 18" between the F150 and the Suzuki upon final rest.

As previously stated, there were no occupants to the F150 still on scene upon Baker's arrival. He did recall that Corbett informed him that there was a woman and small child in this vehicle. He noted that the woman had sustained a broken leg from the collision. It is also interesting to note that Baker heard from Corbett that the female driver of the F150 had borrowed this truck from one of her neighbors.

The third and final vehicle involved in the subject accident was a Chrysler 300M. Baker recalled that this vehicle was black in color, and two-doored. This vehicle sustained minor damage to the left front, and left side. It was upright, and not on fire or smoking upon final rest.

The Chrysler was also located in the southbound lanes of Interstate-95 between the on-ramp and far right lane of travel. It is noted on his diagram as being almost directly west of the two other vehicles involved in the subject accident.

Baker understands that there were two occupants in this vehicle. The driver was a car dealer from the State of Virginia. Again, this information is quite descriptive, and was provided by Corbett. Baker could provide no information related to the occupants' injuries.

Upon arriving on scene, Baker first, at the direction of FHP, retrieved the F150, and removed it from the lanes of travel. He explained he merely pulled it off of the southbound lanes, and parked it on the shoulder of the exit ramp

## **DEFENSE LITIGATION GROUP**

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**Investigative Report  
November 18, 2002**

of 192. He noted the traffic was extremely bad during this time, and the police personnel were interested in reopening the interstate.

Baker then went back to the accident scene, and retrieved the Chrysler 300M. He removed this vehicle from the scene, and also parked it on the shoulder of the roadway.

It was during this time that Hooker responded on scene in a flatbed wrecker. Baker recalled that Hooker hooked cables to the Suzuki, and pulled it onto the flatbed wrecker. He could provide no specific description of this event, given the fact that he was busy with the other vehicles. He did note that he and Hooker used flat shovels, and scraped portions of the Suzuki from the roadway. This, and other debris, were put inside the Suzuki, as well as the bed of the F150.

After the Suzuki was loaded onto the flatbed, Baker recalled that Hooker traveled over to the F150, and removed it, as well. The two men then traveled with the vehicles to a nearby dirt parking lot, adjacent to the off ramp of U.S. 192. It was here that they secured the Suzuki to the flatbed, as well as swapped the rear vehicles. Hooker did not unload, but kept the Suzuki on the flatbed. He took the F150 off, and retrieved the 300M. Baker used his standard wrecker to retrieve the F150. The only reason given was that it was easier to tow the vehicles from this position.

Baker could not recall specifically, but believed that neither he, nor Hooker changed or modified any parts of any of the three vehicles during their tow.

At the conclusion of the interview, Baker was specifically asked if he knew how or why the accident occurred. Again, he noted conversations with Corbett, most of which have been discussed above. He did add that Corbett told him that the Suzuki was traveling approximate 90 mph in the northbound lanes of Interstate-95 when he lost control of his vehicle. Baker understands that the driver lost control at the top of the bridge on 192. He does not know why the vehicle lost control.

After losing control of the vehicle, the Suzuki slid through the median. Baker had no information as to how the subject Suzuki traveled rear-first into the southbound lanes of travel. He did not know if it spun around, or actually rolled during this time. The subject Suzuki traveled through the median, and

## **DEFENSE LITIGATION GROUP**

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impacted the F150 as it was traveling southbound in the left, or inside lane of I-95.

As for the subject fire, Baker stated that it was "obvious the fuel tank ruptured." He understood from Corbett that the F150 was traveling approximate 60 mph when the accident occurred.

Both vehicles, after being removed from the scene, were transported back to Lee's Towing in Palm Bay, Florida. Baker did not perform any type of second tow after the initial. He did understand that a salvage company retrieved the Suzuki a short time after the accident occurred. He was unaware of the exact date.

Since the subject accident, Baker has had no prior contact before myself. He was aware that a lawsuit had been filed against Suzuki. He explained that this information was provided to him by his boss, Cindy, with Lee's Towing. It is believed that Cindy was merely referring to information that was provided by myself. When asked for any type of comment, Baker explained that "he couldn't believe that they were suing Suzuki." He stated it was "clearly the driver's fault," and that it was "clear that this is another frivolous lawsuit."

Baker was friendly, and cooperative. If needed, he is open for additional contact.

### **AFFIDAVITS:**

At the request of Counsel, affidavits were presented to eyewitnesses, investigating agency personnel, and emergency personnel in regards to the subject accident. Counsel is attempting to transfer venue in the case from Broward to Brevard County, Florida. Below noted are the Affidavits that were signed and Notarized during the course of this investigation. The original Affidavits have already been provided to Counsel.

FHP Cpl. W. Homer Corbett  
FHP Sgt. R.S. Tipton  
FHP Trooper. Charles F. Thomas  
Brevard County Chief Dennis Neterer  
Brevard County Fire Rescue Lt. Tom Hurley  
Brevard County Fire Run Report Firefighter/Paramedic Mike King

## **DEFENSE LITIGATION GROUP**

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### **Investigative Report**

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Brevard County Firefighter/Paramedic Glen Nicol  
Brevard County Firefighter/Paramedic John Tramell  
Brevard County Firefighter/EMT Tim Kanasel  
Brevard County Firefighter/Paramedic Angie Hoog  
Brevard County Firefighter/Paramedic Stephen Gosnell  
Brevard County Firefighter/EMT Tyler Cox  
Brevard County Sheriff's Office Deputy John Patton  
Medical Examiner Dr. Paul O. Vasallo  
Medical Examiner Investigator Ray Reilly  
Lee's Towing Wrecker Driver Jason Hooker  
Lee's Towing Wrecker Driver Michael James Baker  
Witness [REDACTED]

### **ADDITIONAL WORK TO BE COMPLETED:**

1. Continue efforts to interview FHP Trooper Charles F. Thomas.
2. Continue efforts to interview FHP Cpl. Deborah C. O'Neil.
3. Continue efforts to locate and interview Brevard County Sheriff's Office Det. Robert Carey
4. Continue efforts to locate and interview Brevard County Sheriff's Deputy Terry Kriss.
5. Continue efforts to locate and interview Joe Ambrose.
6. Identify, locate and interview remaining personnel from the Brevard County Sheriff's Office.
7. Locate and interview eyewitness [REDACTED]
8. Locate and interview eyewitness [REDACTED]
9. Locate and interview eyewitness [REDACTED]
10. Identify, locate and interview all remaining eyewitnesses.



## **DEFENSE LITIGATION GROUP**

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### **Investigative Report**

**November 18, 2002**

11. Identify, locate and interview all remaining police personnel.
12. Identify, locate and interview emergency personnel.
13. Conduct civil/criminal background research on all plaintiffs.
14. At the request of Counsel, contact Florida Today Chief Photographer Michael R. Brown for accident scene photographs.
15. Obtain subpoena information for Holmes Regional Medical Center.
16. Obtain insurance information on all vehicles.
17. Conduct media search.

The investigation continues.

Cordially,

Defense Litigation Group, Inc.



Billy Lee  
BL/mmp



# INCIDENT REPORT

## Brevard County Fire/Rescue

NFIRS-1

19452	INCIDENT NO <b>216074</b>	EXP NO. <b>00</b>	MO <b>4</b>	DAY <b>12</b>	YR <b>02</b>	DAY OF WEEK <b>Friday</b>	6	ALARM TIME <b>11:44</b>	ARRIVAL TIME <b>11:50</b>	IN SERVICE <b>12:17</b>		
TYPE OF SITUATION FOUND <b>Vehicle fire</b>						TYPE OF ACTION TAKEN <b>13 Extinguishment</b>				MUTUAL AID <b>None</b>		
FIXED PROPERTY USE <b>Limited access/divided highway</b>							IGNITION FACTOR <b>961 Ign Fctr undtmd</b>		00			
CORRECT ADDRESS <b>I-95 @ 192</b>								ZIP CODE <b>32904</b>		CENSUS TRACT <b>71301</b>		
OCCUPANT NAME							TELEPHONE <b>(000)000-0000</b>		ROOM OR APT.			
OWNER NAME					ADDRESS					TELEPHONE <b>(000)000-0000</b>		
METHOD OF ALARM FROM PUBLIC <b>Radio</b>						CO. INSPECTION DIST. <b>4</b>		SHIFT <b>B</b>		NO. ALARMS <b>1</b>		
NO. FIRE SERVICE PERSONNEL PENDING <b>13</b>			NO. ENGINES RESPONDING <b>2</b>		NO. AERIAL APPARATUS RESPONDING <b>0</b>			NO OTHER VEHICLES RESPONDING <b>3</b>				
NUMBER OF INJURIES FIRE SERVICE <b>0</b>					OTHER <b>0</b>		NUMBER OF FATALITIES FIRE SERVICE <b>0</b>					OTHER <b>0</b>
COMPLEX <b>Road</b>						MOBILE PROPERTY TYPE <b>96 Automobile</b>					<b>11</b>	
AREA OF FIRE ORIGIN <b>Transportation/Vehicle nt clfd</b>						EQUIPMENT INVOLVED IN IGNITION <b>89</b>						
FORM OF HEAT IGNITION <b>Undtmnd/nt rptd</b>			TYPE OF MATERIAL IGNITED <b>00</b>			FORM OF MATERIAL IGNITED <b>Undmnd/nt reportd</b>			<b>00</b>			
METHOD OF EXTINGUISHMENT <b>Preconn hose/tanks</b>			LEVEL OF FIRE ORIGIN <b>5</b>			ESTIMATED LOSS (DOLLARS ONLY) <b>Grade to 9 feet</b>			<b>1</b>			
NUMBER OF STORIES						CONSTRUCTION TYPE						
EXTENT OF FLAME DAMAGE						EXTENT OF SMOKE DAMAGE						
DETECTOR PERFORMANCE						SPRINKLER PERFORMANCE						
IF SMOKE BEYOND ROOM OF ORIGIN		TYPE OF MATERIAL GENERATING MOST SMOKE				AVENUE OF SMOKE TRAVEL						
		FORM OF MATERIAL GENERATING MOST SMOKE										
IF MOBILE PROPERTY		YEAR <b>2001</b>	MAKE <b>SUZUKI</b>	MODEL <b>GRAND VATARA</b>	SERIAL NO.			LICENSE NO.				
IF EQUIPMENT INVOLVED IN IGNITION		YEAR	MAKE	MODEL	SERIAL NO.							
OFFICER IN CHARGE (NAME, POSITION, ASSIGNMENT) <b>T.HURLEY LT/EMT 82B</b>										DATE <b>4/12/02</b>		
MEMBER MAKING REPORT (IF DIFFERENT FROM ABOVE)										DATE <b>4/12/02</b>		

NOTES:

E-82 ARRIVED ON SCENE TO FIND AN MVA WITH 3 VEHICLES INVOLVED. 1 VEHICLE FULLY INVOLVED WITH 1 CLASS 4 STILL IN VEHICLE AND 1 CLASS 4 ON GROUND OUTSIDE VEHICLE. R-82 TRANSPORTED 2 CLASS 3 PT'S AS WELL AS R-67 TRANSPORTED 2 CLASS 3 PT'S ALL TO HOLMES. UNKNOWN IF CLASS 4'S WERE FROM TRAUMA OR FIRE.



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BREVARD COUNTY SHERIFF'S OFFICE  
COMPUTER AIDED DISPATCH TRACKING  
INCIDENT NUMBER - 021020372

BULLET V.5 CAD Interface Sub-System v02.00.00

Event#: 021020372 INFO ONLY ON FILE Case Number: 02097665  
Precinct: Respondents: 473 484 Zone: 72/72  
Type: 4T ( Accdnt Trfc ) Priority: 1  
Location: I I95/SR 192 ME Origin/Disp.: E911 /I5

CAD Dispatch /Dates/Times

Initial: 04/12/2002 @ 11:47:59  
Entry: 04/12/2002 @ 11:48:57  
Transfere: @  
Dispatch: 04/12/2002 @ 11:49:58  
En-Route: 04/12/2002 @ 14:39:41  
On-Scene: 04/12/2002 @ 11:51:41  
On-Scene Ok: 04/12/2002 @ 12:22:22  
Cleared: 04/12/2002 @ 15:47:17



Operator Comments

[ENTRY 455 AM04 041202 114857] CALL ORIGIN:E911 \TX:TWO SUVS BOTH  
VEHS ON FIRE JS SR 192  
[CASE 455 AM04 041202 114857] [REDACTED] assigned  
PRIOR 455 AM04 041202 114857] 48 YESTERDAY 07:29:22 (49 MORE)  
MISC 455 AD04 041202 114934] SB LANE  
[SUPP 584 AM11 041202 114946] TX:ANOTHER CALL REF THIS ACCIDENT ..  
ADV VERY BAD  
[DISPATCH 451 AD01 041202 114958] 472  
ENROUTE 451 AD01 041202 115000] 472  
[SUPP 584 AM11 041202 115103] TX:ANOTHER CALL REF THIS ACCIDENT..ADV  
FEMALE LAYING IN MEDIAN ON FIRE  
[MISC 451 AD01 041202 115133] PER ID 956 THSI IS 19039 TO BCFR AND  
FHP  
MISC 956 AC08 041202 115138] 6 E991 REF THIS SB LANE RIGHT AT THE  
EXIT 1039 BCFR  
ONSCENE 451 AD01 041202 115141] 472  
[SUPP 584 AM11 041202 115211] TX:1039 BCFR ..  
[MISC 451 AD01 041202 115224] 472, ONE CONFIRMED SIG 7  
MISC 956 AC08 041202 115255] 2 OTHER CALLS REF THIS WE911  
MISC 451 AD01 041202 115434] 472, 4 VEH INVOLVED ONE ENGULFED AND  
SUBJ STUCK INSIDE 2 CONFIREMED SIG 7  
BACKUP 451 AD01 041202 115532] 472 305D  
ENROUTE 451 AD01 041202 115535] 305D  
BACKUP 451 AD01 041202 115551] 472 473  
ENROUTE 451 AD01 041202 115553] 473  
MISC 451 AD01 041202 115632] 472, SB I95 SHUT DOWN COMPLETELY  
MISC 451 AD01 041202 120007] 472, FHP 1097  
BACKUP 451 AD01 041202 120238] 472 474  
ENROUTE 451 AD01 041202 120241] 474  
BACKUP 451 AD01 041202 120851] 472 443

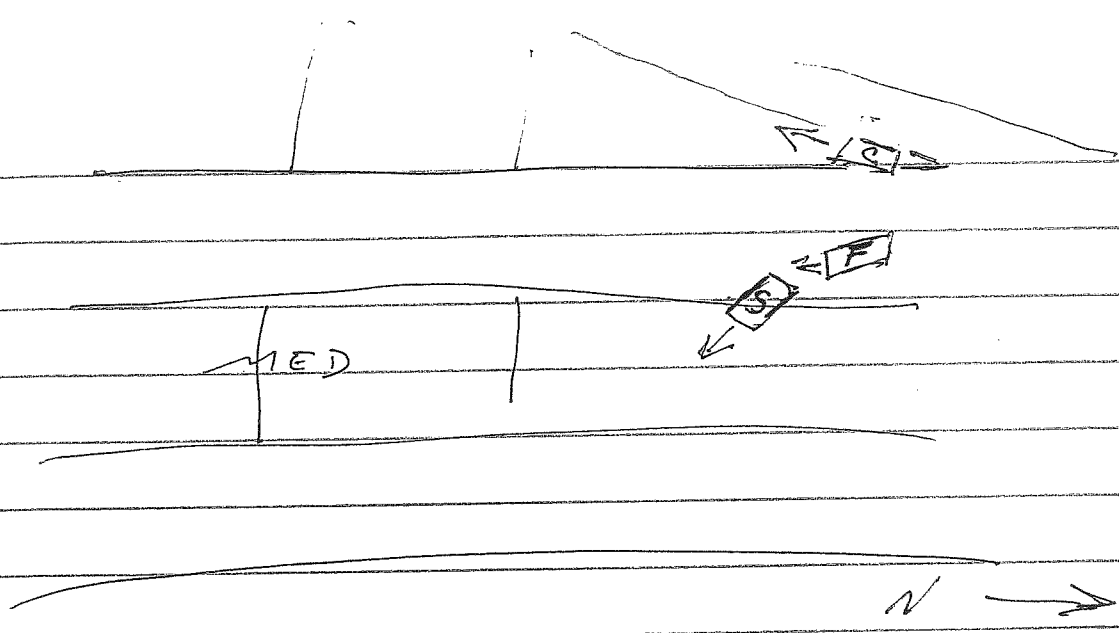
Operator Comments

BACKUP 451 AD01 041202 120858] 472 406D  
 ENROUTE 451 AD01 041202 120926] 406D  
 ENROUTE 451 AD01 041202 120926] 443  
 BACKUP 451 AD01 041202 121346] 472 1632  
 CHGLOC 451 AD01 041202 121357] 1632 I95/SR 192  
 ONSCENE 451 AD01 041202 121406] 1632  
 ONSCENE 451 AD01 041202 121410] 305D  
 [CHGLOC 451 AD01 041202 121418] 474 SR 192/I95  
 CHGLOC 451 AD01 041202 121435] 1632 SR 518/I95  
 CHGLOC 451 AD01 041202 121730] 406D I95/SR 518  
 CHGLOC 451 AD01 041202 121825] 443 I95/SR 518  
 ONSCENOK 451 AD01 041202 122222] 1632  
 ONSCENOK 451 AD01 041202 122247] 443  
 MISC 451 AD01 041202 122412] 443, PER 305D ADV TO SHUT DOWN I95 SB  
 AND STOP ANYTHING FROM GOING ON I95 SB  
 ONSCENOK 451 AD01 041202 122613] 305D  
 ONSCENE 451 AD01 041202 122648] 473  
 ONSCENE 451 AD01 041202 122648] 474  
 CHGLOC 451 AD01 041202 122843] 473 EAU GALLIE BL/I95  
 ONSCENOK 451 AD01 041202 122847] 473  
 BACKUP 451 AD01 041202 123613] 406D K10  
 ENROUTE 451 AD01 041202 123617] K10  
 ONSCENOK 451 AD01 041202 123624] 406D  
 ONSCENOK 451 AD01 041202 123713] 474  
 CHGLOC 451 AD01 041202 123736] 474 SR 192/I95  
 MISC 451 AD01 041202 124016] 406D, SB TRAFFIC IS BACKED UP  
 TO LAKE WASHINTON  
 ONSCENOK 451 AD01 041202 125302] K10  
 INSRVICE 451 AD01 041202 125542] 443  
 INSRVICE 451 AD01 041202 125608] 406D  
 ONSCENOK 451 AD01 041202 132519] 474  
 ONSCENOK 451 AD01 041202 132529] 472  
 MISC 455 AD04 041202 134713] PAGED RADIO 001/002 FOR THEIR 10 43  
 MISC 312 AC09 041202 135637] K10, 561 3303665 CONNECTED TO  
 INSRVICE 535 AD01 041202 140157] 1632  
 BACK-ONS 535 AD01 041202 143941] 305D 475  
 ONSCENOK 535 AD01 041202 143945] 475  
 INSRVICE 535 AD01 041202 145321] K10  
 MISC 535 AD01 041202 145328] 305D, I95 OPEN  
 DISPOSTN 535 AD01 041202 145951] 472 I5, TO FHP TRAFFIC IS FLOWING  
 SMOOTHLY  
 INSRVICE 535 AD01 041202 145957] 472  
 PREEMPT 534 AD04 041202 150835] 305D  
 OUTVEH 534 AD04 041202 151450] 473, SP  
 INSRVICE 534 AD04 041202 151543] 474  
 INSRVICE 534 AD04 041202 151921] 475  
 INSRVICE 535 AD01 041202 154717] 473  
 CLOSE 535 AD01 041202 154717]





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.



Drawing by Michael Baker  
11/8/02

# FLORIDA HIGHWAY PATROL



## TRAFFIC HOMICIDE INVESTIGATION

PREPARED BY: W. H. Corbett, Cpl.

CASE NO. FHP 702-19-016

HSMV 62088 (REV. 01/02)

# EXHIBIT /

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\* \_\_\_\_\_

\* \_\_\_\_\_

Classification 3

Investigation: *C.P. W. H. Corbett* Traffic Homicide Investigator W. H. Corbett 5-10-02  
Date

Investigation Reviewed by: *Sgt. C. A. Williams* Sgt. C. A. Williams 5-10-02  
PHI Supervisor Date

Case Number FHP 702-19-016

Page 3

HSMV 62701 (Rev. 01/02)



FLORIDA TRAFFIC CRASH REPORT LONG FORM

DO NOT WRITE IN THIS SPACE

MAIL TO: DEPT. OF HIGHWAY SAFETY & MOTOR VEHICLES, TRAFFIC CRASH RECORDS, MEL KIRKMAN BUILDING TALLAHASSEE, FL 32309-0537

Time & Location: DATE OF CRASH 04/12/02, TIME OF CRASH 11:40 AM, TIME OFFICER NOTIFIED 11:47 AM, TIME OFFICER ARRIVED 11:52 AM, INVEST. AGENCY REPORT NUMBER 02-28-06263-19, CRASH REPORT NUMBER 70722682, COUNTY Brevard, CITY OR TOWN W. Melbourne, STATE FL, ROAD OR HIGHWAY 195 (S.R. 9), INTERSECTION U.S. 192 (S.R. 500).

Driver Information: DRIVER 1. Plaintiff, 2. Hit & Run, 3. N/A, YEAR 01, MAKE Suzi, TYPE 03, USE 01, VEHICLE LICENSE NUMBER GY102T, STATE FL, VEHICLE IDENTIFICATION NUMBER JS3TD62VX14.

Vehicle Details: VEHICLE TRAVELING I 95, POSTED SPEED 70, EST. VEHICLE DAMAGE \$15,000.00, VEHICLE REMOVED BY Lee's Towing.

Insurance: MOTOR VEHICLE INSURANCE COMPANY (LIABILITY OR PIP) Self Insured, POLICY NUMBER Unknown, VEHICLE REMOVED BY Lee's Towing.

Owner Information: NAME OF VEHICLE OWNER, CURRENT ADDRESS, CITY AND STATE, ZIP CODE.

Carrier Information: NAME OF MOTOR CARRIER (Commercial Vehicle Only), CURRENT ADDRESS, CITY, STATE AND ZIP CODE.

Driver Information: NAME OF DRIVER (Take From Driver License) PEDESTRIAN, CURRENT ADDRESS, CITY, STATE AND ZIP CODE.

Alcohol/Drug Test: STATE FL, DL TYPE 7, REG. END. 3, ALCOHOL/DRUG TEST TYPE 1, RESULTS 1, ALC/DRUG PHYS. DEF. 6, RES. 1, 2, 2, 1, 5, 2, 4.

Hazardous Materials: HAZARDOUS MATERIALS BEING TRANSPORTED, PLACARDED, IF YES INDICATE NAME OR FOUR DOT NUMBER FROM DIAMOND OR BOX.

Driver Information: DRIVER 1. Plaintiff, 2. Hit & Run, 3. N/A, YEAR 99, MAKE Ford, TYPE 03, USE 01, VEHICLE LICENSE NUMBER 2FTRX0817XC, STATE FL, VEHICLE IDENTIFICATION NUMBER 2FTRX0817XC.

Vehicle Details: VEHICLE TRAVELING I 95, POSTED SPEED 70, EST. VEHICLE DAMAGE \$8,000.00, VEHICLE REMOVED BY Lee's Towing.

Insurance: MOTOR VEHICLE INSURANCE COMPANY (LIABILITY OR PIP) State Farm Ins, POLICY NUMBER, VEHICLE REMOVED BY Lee's Towing.

Owner Information: NAME OF VEHICLE OWNER, CURRENT ADDRESS, CITY AND STATE, ZIP CODE.

Carrier Information: NAME OF MOTOR CARRIER (Commercial Vehicle Only), CURRENT ADDRESS, CITY, STATE AND ZIP CODE.

Driver Information: NAME OF DRIVER (Take From Driver License) PEDESTRIAN, CURRENT ADDRESS, CITY, STATE AND ZIP CODE.

Alcohol/Drug Test: STATE FL, DL TYPE 5, REG. END. 3, ALCOHOL/DRUG TEST TYPE 5, RESULTS 5, ALC/DRUG PHYS. DEF. 1, 1, 1, 1, 2, 2, 2, 4.

Hazardous Materials: HAZARDOUS MATERIALS BEING TRANSPORTED, PLACARDED, IF YES INDICATE NAME OR FOUR DOT NUMBER FROM DIAMOND OR BOX.

Code Information table with columns: VEHICLE TYPE, VEHICLE USE, TRAILER TYPE, RESIDENCE (Driver / Ped.), PHYSICAL DEFECTS, ALCOHOL / DRUG USE, SAFETY EQUIPMENT IN USE.

Case Number FHP 702-19-016

VEHICLE MAKE YEAR 3 99	VEHICLE TYPE C	VEHICLE USE 0	VEHICLE LICENSE NUMBER D305	STATE VA	VEHICLE IDENTIFICATION NUMBER 2C3HE66G4	VEHICLE DAMAGE EST. VEHICLE DAMAGE \$8,000.00	1. Disabled 2. Forwarded 3. No Damage 1	EST. TRAILER DAMAGE	18. Unknown Weight 19. Covered 20. Windshield 21. Trailer 22. Other
---------------------------------	-------------------	------------------	--------------------------------	-------------	--	---	--	---------------------	---

VEHICLE TRAVELERS N S E W 195	ON OFF	En MPH 60-70	Posted Speed 70	EST. VEHICLE DAMAGE \$8,000.00	1. Disabled 2. Forwarded 3. No Damage 1
--	-----------	-----------------	--------------------	-----------------------------------	--

MOYOR VEHICLE INSURANCE COMPANY (LIABILITY OR PR)	Unknown	POLICY NUMBER	Unknown	VEHICLE REMOVED BY Lee's Towing	1. Your Retention Ltd 2. Tow Owner's Request 3. Driver 4. Other 1
---	---------	---------------	---------	------------------------------------	---

NAME OF VEHICLE OWNER (Check Box if Same as Driver) <input checked="" type="checkbox"/>	Unknown	CURRENT ADDRESS (Number and Street)	Unknown	CITY AND STATE	ZIP CODE
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NAME OF OWNER (Trailer or Towed Vehicle)	Unknown	CURRENT ADDRESS (Number and Street)	Unknown	CITY AND STATE	ZIP CODE
--	---------	-------------------------------------	---------	----------------	----------

NAME OF MOTOR CARRIER (Commercial Vehicle Only)	Unknown	CURRENT ADDRESS (Number and Street)	Unknown	CITY, STATE AND ZIP CODE	US DOT or EC MC IDENTIFICATION NUMBER
---	---------	-------------------------------------	---------	--------------------------	---------------------------------------

NAME OF DRIVER (Type from Driver Category)	Unknown	CURRENT ADDRESS (Number and Street)	Unknown	CITY, STATE AND ZIP CODE	DATE OF BIRTH
--	---------	-------------------------------------	---------	--------------------------	---------------

HAZARDOUS MATERIALS BEING TRANSPORTED	PLACARDED	IF YES INDICATE NAME OR FOUR DOT NUMBER FROM DIAMOND OR BOX ON PLACARD AND 1 DOT NUMBER FROM BOTTOM OF DIAMOND.	NEAR HAZARDOUS MATERIAL (BULLET)	RECORDS DRIVER RECORD IF YES EXPLAIN IN NARRATIVE	DRIVER'S PHONE NO.
---------------------------------------	-----------	---	----------------------------------	---	--------------------

PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNERS NAME	ADDRESS	CITY	STATE	ZIP
--	-------------	-------------	---------	------	-------	-----

PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNERS NAME	ADDRESS	CITY	STATE	ZIP
--	-------------	-------------	---------	------	-------	-----

<b>CAUSING CAUSE - DRIVER / PEDESTRIAN</b> 01 No Defect 02 Careless Driving (Explain in Narrative) 03 Failed To Yield Right of Way 04 Improper Passing 05 Improper Lane Change 06 Improper Turn 07 Alcohol - Under Influence 08 Drugs - Under Influence 09 Alcohol & Drugs - Under Influence 10 Failure of Two Closely 11 Disregarded Traffic Signal 12 Excessive Speed - Speed Limit 13 Disregarded Stop Sign 14 Failed To Obey Traffic Signal 15 Improper Passing 16 Wrong Left of Center 17 Excessive Speed - Speed Limit 18 Obstructing Traffic 19 Improper Lane 20 Disregarded Other Traffic Control 21 Driving Wrong Side of Road 22 Wrong Turn 23 Vehicle Malfunction 24 Driver Inattention (Explain in Narrative) 25 All Other (Explain in Narrative)	<b>VEHICLE DEFECT</b> 01 No Defect 02 Def Brakes 03 Worn / Loose Tires 04 Defective / Improper Lights 05 Puncture / Blowout 06 Steering Malfunction 07 Windshield Damage 08 Equipment / Vehicle Defect 09 Other (Explain in Narrative)	<b>VEHICLE MOVEMENT</b> 01 Straight Ahead 02 Slowing / Stopped 03 Making Left Turn 04 Backing 05 Making Right Turn 06 Changing Lanes 07 Entering / Leaving Parking Space 08 Property Picked 09 Improperly Parked 10 Making U-Turn	<b>VEHICLE SPECIAL FUNCTIONS</b> 01 None 02 Fares 03 Police Patrol 04 Recreational 05 Emergency Operation 06 Construction / Maintenance 07 Other (Explain in Narrative)
--	---	---	--

<b>WET / SUBSEQUENT HAZARDOUS EVENT(S)</b> 01 Collision With MV in Transport (Rear End) 02 Collision With MV in Transport (Head On) 03 Collision With MV in Transport (Angle) 04 Collision With MV in Transport (Left Turn) 05 Collision With MV in Transport (Right Turn) 06 Collision With MV in Transport (Side Swipe) 07 Collision With MV in Transport (Backed Up) 08 Collision With Parked Car 09 Collision With MV on Roadway 10 Collision With Pedestrian 11 Collision With Bicycle 12 Collision With Motorcycle (Side Lane) 13 Collision With Motorcycle (Front Lane) 14 Collision With Train	<b>ROAD SYSTEM IDENTIFIER</b> 01 Intersect 02 U.S. 03 State 04 County 05 Local 06 Interstate / Toll 07 Private Road 08 Private Roadway 09 Other (Explain in Narrative)	<b>LIGHTING COND</b> 01 Daylight 02 Dusk 03 Dawn 04 Dark (Street Light) 05 Other (Explain in Narrative)
--	---	--

<b>ROAD CONDITIONS AT TIME OF CRASH</b> 01 No Defect 02 Obstructed View / Visibility 03 Construction / Road Work 04 Road Under Repair / Construction 05 Loose Surface Materials 06 Shoulders - Bad / Low / High 07 Holes / Ruts / Uneven Pavement 08 Blowing Snow 09 Water / Puddles / Road Surface 10 Other (Explain in Narrative)	<b>VEHICLE OBSTRUCTED</b> 01 Vehicle Not Observed 02 Inclement Weather 03 Parked / Stopped Vehicle 04 Trees / Crows / Bushes 05 Load On Vehicle 06 Building / Fixed Object 07 Signal / Barricade 08 Fog 09 Smoke 10 Other (Explain in Narrative)	<b>TRAFFIC CONTROL</b> 01 No Control 02 Special Speed Zone 03 Speed Control Sign 04 School Zone 05 Traffic Signal 06 Stop Sign 07 Yield Sign 08 Flashing Light 09 Railroad Signal 10 Other Guard / Flag person	<b>SITE LOCATION</b> 01 Not At Intersection RR / Hwy / Bridge 02 At Intersection 03 Influenced by Intersection 04 Obstructed Access 05 Railroad 06 Bridge 07 Entrance Ramp 08 Exit Ramp 09 Parking Lot - Public 10 Parking Lot - Private	<b>TRAFFIC WAY CHARACTERISTICS</b> 01 Straight - Left 02 Straight - Upgrade / Downgrade 03 Curve - Left 04 Curve - Upgrade / Downgrade <b>TYPE SHOULDER</b> 01 Paved 02 Unpaved 03 Curb
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VIOLATOR(S)	SECTION #	NAME OF VIOLATOR	FL STATUTE NUMBER	CHARGE	CITY/STATE
	SECTION #	NAME OF VIOLATOR	FL STATUTE NUMBER	NONE	CITY/STATE
	SECTION #	NAME OF VIOLATOR	FL STATUTE NUMBER	CHARGE	CITY/STATE
	SECTION #	NAME OF VIOLATOR	FL STATUTE NUMBER	CHARGE	CITY/STATE

**FLORIDA TRAFFIC CRASH REPORT NARRATIVE/DIAGRAM**  
 FLORIDA DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES, TRAFFIC CRASH RECORDS SECTION, NEEL KIRKMAN BUILDING, TALLAHASSEE, FL 32306-0800

DO NOT WRITE IN THIS SPACE

NOTIFIED (FATAL/INJURY/CRASH)	TIME PER ARRIVAL (FATAL/INJURY/CRASH)	DATE OF CRASH	COUNTY / CITY CODE	REPORT AGENCY REPORT NUMBER	TRAFFIC CRASH REPORT NUMBER
14 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	11:50 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	04 12 02	19-00	02-28-06263-19	70722682

in 3 V-3 was traveling south on I95 in the right lane. Section 2 V-2 was traveling south on I95 in the left lane a short distance in front of V-3.  
 in 1 V-1 was traveling north on I95 in the left lane approaching V-2 and V-3. For an unknown reason V-1 traveled to the left and into the  
 in D-1 lost control of V-1 and V-1 spun approx 180 degrees and into the left southbound lanes right in the path of V-2 and V-3 which caused  
 out of V-2 to strike the rear of V-1 and the front left of V-3 to strike the rear of V-1. V-3 came to rest south of impact in a safety zone on the  
 shoulder. V-2 came to rest came to rest south of impact in the middle of I95 facing southeast. V-1 came to rest south of impact in the left  
 bound lane facing northwest. V-1 then caught on fire.

ounced By: [REDACTED]

of Deceased: [REDACTED] Date of Birth: [REDACTED]  
 of Death: 04-12-02 Time of Death 11:52am

of Deceased: [REDACTED] Date of Birth: [REDACTED]  
 of Death: 04-12-02 Time of Death 11:52am

fic homicide Investigator: Corporal W. H. Corbett ID #0507 Photos by Corporal D. O'neill  
 fic Homicide Case Number: FHP 702-19-16

PASSENGER	PASSENGER'S NAME	CURRENT ADDRESS	CITY & STATE	ZIP CODE	DATE OF BIRTH	RACE	SEX	LOC	INJ	E. EQUIP.	EQ
1	[REDACTED]	[REDACTED]	Orlando FL	[REDACTED]	[REDACTED]	2	1	3	5	1	4
1	Same as Driver	Same as Driver				1	1	5	2	3	1
1	Same as Driver	Same as Driver				1	2	3	2	2	4

SECTION #	NAME OF VIOLATOR	FL STATUTE NUMBER	CHARGE	CITATION NUMBER

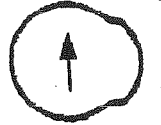
WITNESS NAME (1) CURRENT ADDRESS CITY & STATE ZIP CODE WITNESS NAME (2) CURRENT ADDRESS CITY & STATE ZIP CODE  
 ott E Scherer 2428 Scotville Ave Deltona FL 32725 Cathy Cox 5490 Fl Palm Ave Cocoa FL 32  
 STAFF BY NAME BY NAME  
 B.C.F.R. B.C.F.R.

1. Physician or Nurse 2. Paramedic or EMT 3. Police Officer 4. Certified 1st Aider 5. Other  
 2 Holmes Hospital

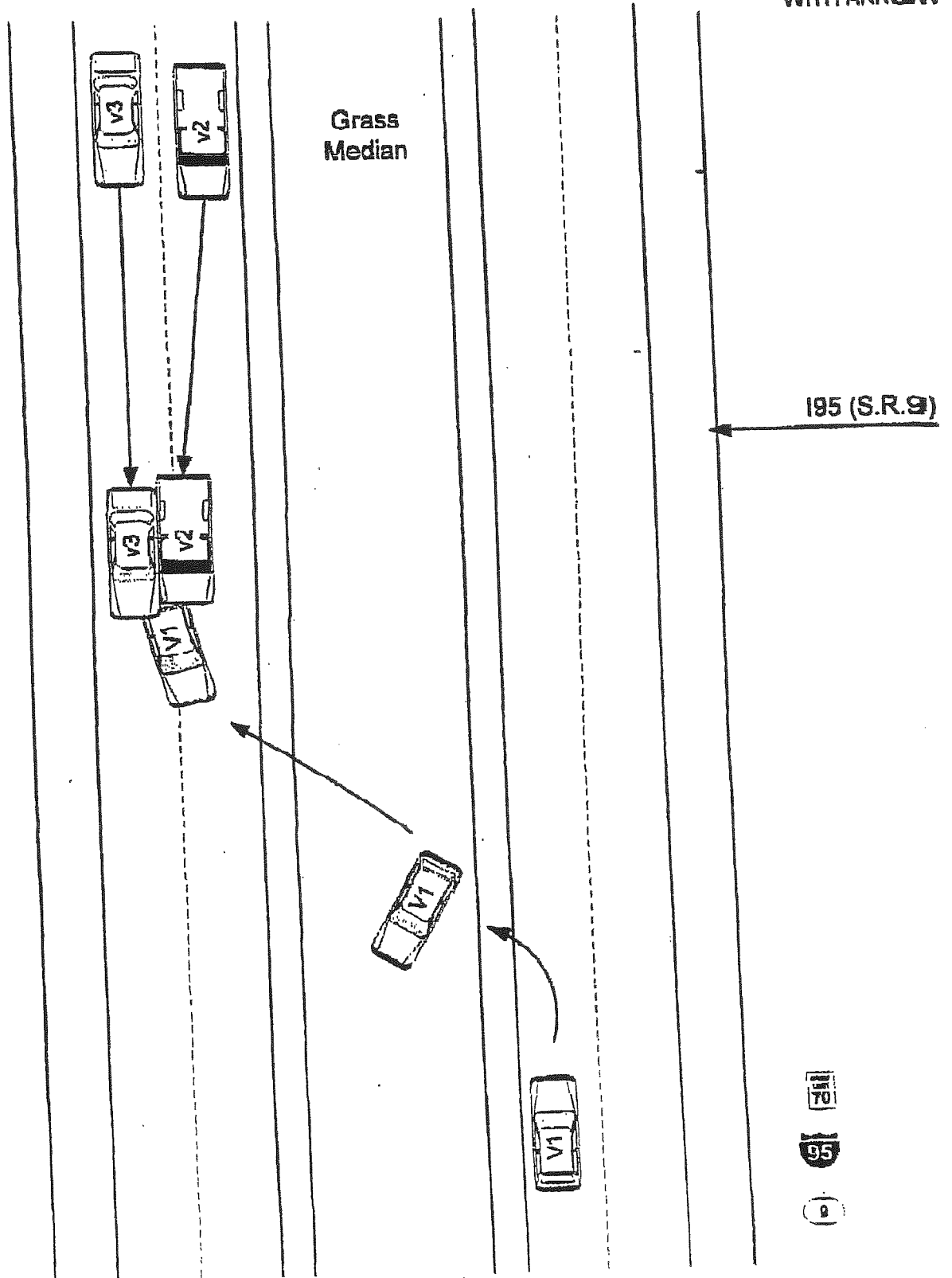
ESTIGATION 1. YES  2. NO  INVESTIGATION COMPLETE? 1. YES  2. NO  T.H.I. DATE OF REPORT 04 12 02 PHOTOS TAKEN 1. YES  2. NO  F YES BY WHOM? 1. INVESTIGATING AGENCY 2. OTHER

ESTIGATOR: HANDED SIGNATURE ID NUMBER DEPARTMENT  
 Cooper C.F. Thomas 1727-1326 Florida Highway Patrol

DIAGRAM



INDICATE NO RTH WITH ARROW





## INVESTIGATIVE REPORT

### ASSIGNMENT

I was notified of this fatal Traffic crash, which occurred on State Road 9, (Interstate 95) 1120 feet north of State Road 500 (U.S. Highway 192), on Friday, April 12, 2002, at 12:04 PM. I arrived on the scene at 12:13 PM. I conferred with Trooper C. F. Thomas, ID. #1326. I proceeded to gather all the available witnesses and took tape-recorded statements. Corporal D. C. O'Neill arrived on the scene and started to photograph the scene and final rest of all the vehicles involved. I proceeded to measure and I drew a field sketch diagram and noted the furrows and gouges left by V-1. These measurements are noted in the field sketch. The final rest of V-1, V-2, and V-3 were recorded. The right front occupant V-1 (Section 1) was ejected and moved from final rest and this location was noted on the field sketch.

### DRIVER: V-1 (Section 1)

V-1 Driver: [REDACTED]

Ft. Pierce, Florida [REDACTED] D-1 is 29 years of age and male. D-1 had a suspended Florida Class E/Operators License. There were no endorsements or restrictions on his Florida Driver's license. D-1 was wearing the occupant restraint system at the time of this traffic crash. D-1 left his residence in Ft.

Case Number FHP 702-19-016

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**INVESTIGATIVE REPORT**

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Pierce enroute to Orlando, Florida. Due to the severity of the injuries and V-1 being engulfed in fire, it is unknown if there were any physical impairment for D-1.

**DRIVER: V-2 (Section 2)**

V-2 Driver: [REDACTED]

Melbourne, Florida [REDACTED] D-2 is 37 years of age and female. D-2 possessed a valid Florida Class E/Operators License. There were no endorsements or restrictions on her Florida Driver's license. D-2 was wearing the occupant restraint system at the time of this traffic crash. D-2 left her residence in Melbourne enroute to Palm Bay, Florida. D-2 had no visible signs of impairment.

**DRIVER: V-3 (Section 3)**

V-3 Driver: [REDACTED]

Galax, Virginia [REDACTED] D-3 is 67 years of age and male. D-3 possessed a valid Virginia Operators License. There were no endorsements or restrictions on his Operator's license. D-3 was wearing the occupant restraint system at the time of this traffic crash. D-3 left from a motel in Palm Coast, Florida and was enroute to Vero Beach, Florida to the Aquarius Resort. D-3 had no visible signs of impairment.

## INVESTIGATIVE REPORT

### CRASH ANALYSIS

V-1 was traveling north on State Road 9 (Interstate 95). V-1 traveled over the overpass for State Road 500 (Highway U.S. 192) and suddenly veered left and entered the median for some unknown reason. V-2 was traveling south on State Road 9 occupying the inside lane and V-3 was occupying the outside lane. V-2 was slowly overtaking V-3. State Road 9 (Interstate 95) is a four lane divided highway, traveling north and south in direction. State Road 9 is straight with a slight upgrade to the overpass for State Road 500 (U. S. Highway 192). State Road 9's southbound lanes have a superelevation of minus one percent to the east and a plus one percent grade to the south. State Road 9 is composed of traffic polished asphalt in the area of the collision. The median is composed of grass and slopes down toward the center with a superelevation of minus eight percent, to the east and the median is fifty-eight feet wide. It was raining moderate to heavy at the time of this traffic crash and the roadway was very wet. V-1 started to rotate in a counter-clockwise direction and slid broadside through the median passenger side first. V-1 continued to rotate in a counter-clockwise direction and enter the southbound inside lane rear first. V-1 entered the inside lane of State Road 9 striking V-2

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**INVESTIGATIVE REPORT**

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in its front left and front with its rear. V-1 received severe rear-end damage causing the entire rear of V-1 to be crushed forward. The exact location of this collision was one thousand one hundred and twenty feet (1120) north of the concrete overpass for State Road 500 and five (5) feet west of the reference line. The zero point is the northern most edge of the concrete overpass where it intersects the southbound painted yellow median edgeline of State Road 9. V-1's rear door hatch was crushed into the rear of the driver and passenger's seats. V-1 forced V-2 toward the west. V-1 and V-2 entered the outside lane and into the path of V-3. V-3 struck V-2's right front fender and wheel assembly with its left front bumper. V-3's left front tire and rim struck V-2's right front fender and wheel assembly causing the rim to be bent outward. V-3's wheel assembly was crushed rearwards and the axle was forced out of the transmission. V-1 was forced to rotate counter-clockwise striking the left front fender of V-2, leaving transfer paint. V-1 continued to rotate counter-clockwise and was forced toward the south by V-2. The front right occupant (O-1) (Section 1) was ejected out of the right front passenger's door of V-1. O-1 was ejected onto the pavement and to the east of V-1. V-2 was forced to the east upon impact with V-3. V-1 came to rest



## INVESTIGATIVE REPORT

facing northwest within the inside southbound lane of State Road 9. V-2 came to rest facing southeast within the inside southbound lane of State Road 9. V-1's fuel tank was ruptured on impact with V-2. The gasoline spilled onto the pavement and underneath V-1. V-1 was engulfed in fire. V-3 traveled south and came to rest in the safety zone area of Exit 71 (Highway U. S.192) State Road 500, facing south. D-1 and O-1 received fatal injuries and were transported to the Medical Examiner's Office in Rockledge, Florida by the Medical Examiner's Transport. D-2 received incapacitating injuries and O-2 received minor injuries. D-3 and O-3 received minor injuries. Brevard Fire Rescue transported D-2, O-2, D-3, and O-3 to Holmes Regional Medical Center in Melbourne, Florida.

### INVESTIGATIVE SUMMARY

D-2, [REDACTED] and D-3, [REDACTED] were not negligent in the operation of their vehicles at the time of this traffic crash. The investigation revealed V-1 was traveling north on State Road 9 occupying the inside lane and was traveling at a high rate of speed. For some unknown reason D-1 veered left entering the median, losing control of V-1, due to its speed and to the rainy weather. V-1 traveled across the median and rotated counter-clockwise entering the southbound

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**INVESTIGATIVE REPORT**

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inside lane of State Road 9. V-1 entered the southbound lane traveling rear first. V-1 struck V-2 in its left front and front with its rear. D-1, Willie Leviticus Long III was in violation of Florida State Statute 316.183(1), failed to use due care. D-1 was driving in a willful and wanton disregard for the safety of persons or property and was in violation of Florida State Statute 316.192: reckless driving. D-1's drivers license was suspended for failure to pay a traffic fine and for financial responsibility. D-1 was in violation of Florida State Statute 322.36, driving while license suspended or revoked. Laboratory analysis is pending for D-1. "The District Eighteen Medical Examiner, Doctor Paul O. Vasallo stated the cause of death for D 1, [REDACTED] and the front right occupant O-1, [REDACTED] were multiple blunt force injuries and thermal." Examination of V-1 revealed worn tires. The left front tire was worn and had a 1/32 inch tread depth in the middle. The left front tires outside edge and the inside edge revealed a 4/32 inch tread depth. The right front tire revealed a 3/32 inch tread depth in the middle and the outside tread depth was 6/32 inch. The left rear tire revealed a tread depth of 3/32 inch on the inside edge and in the middle and 4/32 inch on the outside. V-1's tires had wear indicators visible on

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**INVESTIGATIVE REPORT**

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all the tires. The right rear tire was burned in the fire. Examination of V-2 and V-3 revealed no abnormalities.

**CASE CLOSING STATUS**

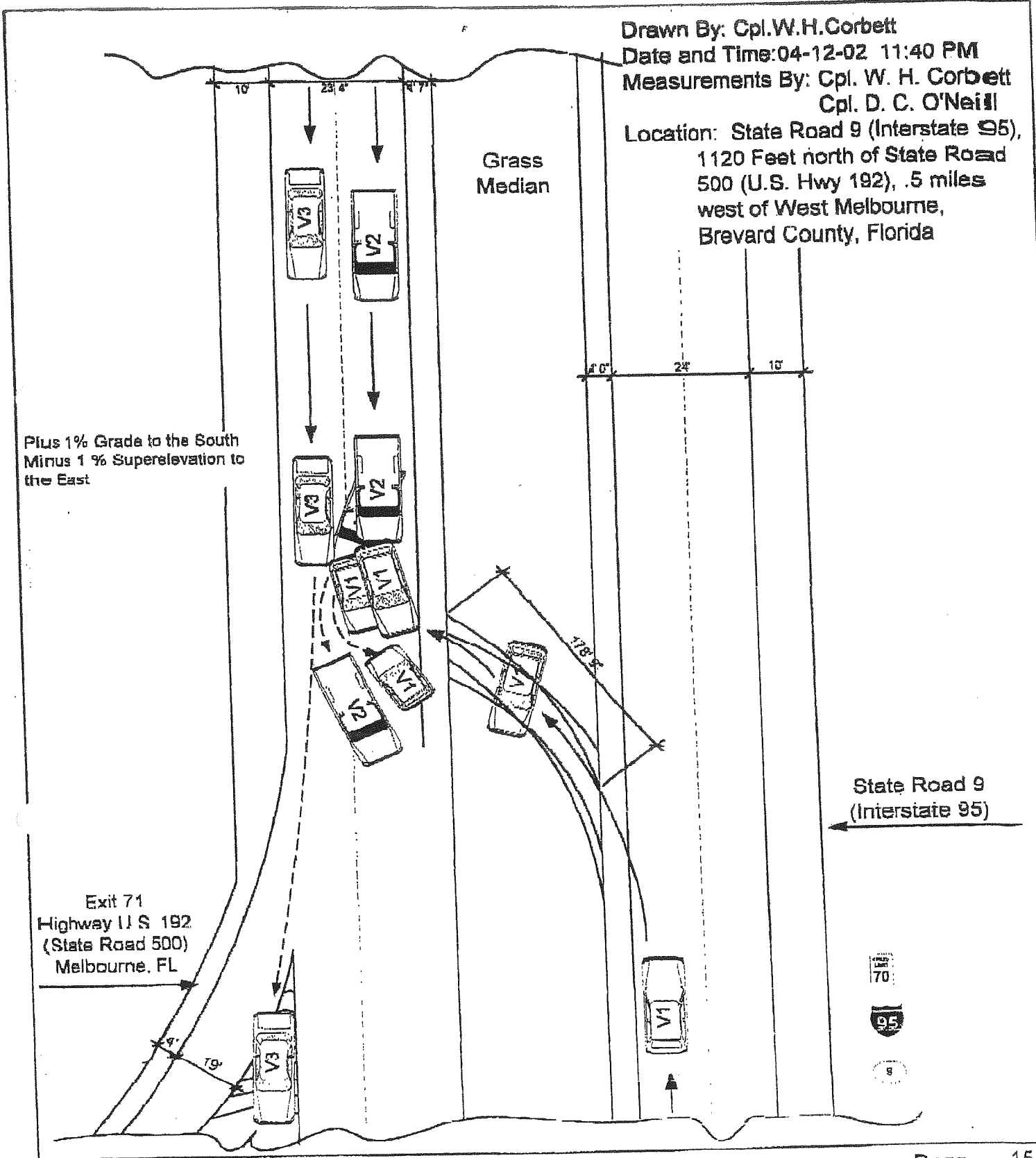
**By Exception: Defendant Deceased:** This investigation is complete and no charges will be made because the driver expired from the injuries sustained as a result of this traffic crash.

Corporal W. H. Corbett      05/09/02  
Corporal      Date

# DIAGRAM



Drawn By: Cpl. W. H. Corbett  
 Date and Time: 04-12-02 11:40 PM  
 Measurements By: Cpl. W. H. Corbett  
 Cpl. D. C. O'Neil  
 Location: State Road 9 (Interstate 95),  
 1120 Feet north of State Road  
 500 (U.S. Hwy 192), .5 miles  
 west of West Melbourne,  
 Brevard County, Florida



Plus 1% Grade to the South  
 Minus 1% Superelevation to  
 the East

Exit 71  
 Highway U.S. 192  
 (State Road 500)  
 Melbourne, FL

State Road 9  
 (Interstate 95)

Case Number FHP 702-19-016

MSMV 62723 (REV. 1/89)



**Service of Process Transmittal Form**  
Plantation, Florida

04/18/2003

Via Federal Express (2nd Day)

TO: Cathi Black  
American Suzuki Motor Corporation  
3251 E. Imperial Hwy.  
Brea, CA 92821-8795

RE: **PROCESS SERVED IN FLORIDA**

FOR **AMERICAN SUZUKI MOTOR CORPORATION** Domestic State: Ca

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

- 1. TITLE OF ACTION: [REDACTED] Personal Representative of the Estate of Taurus B. Jones, Pllf, vs Enterprise Leasing Company, etc., and American Suzuki Motor Corporation, etc., Dfs.
- 2. DOCUMENT(S) SERVED: Summons, Complaint, Notice, First Set of Interrogatories, First Request for Production, Motion
- 3. COURT: Broward County Circuit Court, Fl.  
Case Number 03-6777-CACE-11
- 4. NATURE OF ACTION: Product liability; defective manufacture of certain 2001 Suzuki Grand Vitara; fatal injuries
- 5. ON WHOM PROCESS WAS SERVED: CT Corporation System, Plantation, Florida
- 6. DATE AND HOUR OF SERVICE: By Process server on 04/18/2003 at 11:35
- 7. APPEARANCE OR ANSWER DUE: Within 20 days
- 8. ATTORNEY(S): William J. Dipetrillo  
(954) 760-9918  
400 S.E. 8th Street  
Fort Lauderdale, FL 33316
- 9. REMARKS: Trial by jury demanded.// This confirms our fax (documents) to: Cathi Black of your office. (Fax 800-922-8224)  
I-Note sent 04/18/2003 to LEGAL-CTCORP@SUZ.COM

CC: Legal Department  
American Suzuki Motor Corporation  
3251 E. Imperial Hwy.  
Brea, CA 92821-8795  
EMAIL: LEGAL-CTCORP@SUZ.COM

SIGNED CT Corporation System  
PER Anne Boullier /TB  
ADDRESS 1200 South Pine Island Road  
Plantation, FL 33324  
SOP WS 0005311363

Information contained on this transmittal form is recorded for CT Corporation System's record keeping purposes only and to permit quick reference for the recipient. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information that can be obtained from the documents themselves. The recipient is responsible for interpreting the documents and for taking the appropriate action.

EA12-005  
PRODUCED BY SUZUKI MOTOR CORPORATION

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

GENERAL CIVIL DIVISION

11

CASE NO.

0306777

JACQUELYN JONES-BROWN,  
Personal Representative of the Estate  
of Taurus B. Jones,

Plaintiff,

vs.

ENTERPRISE LEASING COMPANY,  
a Florida corporation and AMERICAN  
SUZUKI MOTOR CORPORATION, a  
foreign corporation,

Defendants.

*Handwritten:*  
4/18/03  
#331  
Teresa M. Howell

CIVIL SUMMONS

THE STATE OF FLORIDA

TO EACH SHERIFF OF THE STATE:

**YOU ARE HEREBY** commanded to serve this Summons, and a copy of the  
Complaint/Petition in this lawsuit on the above-named defendant(s)

AMERICAN SUZUKI MOTOR CORPORATION  
1200 S. Pine Island Road  
Plantation, Florida 33324

By serving: CT Corporation, its Registered Agent

Each Defendant is required to serve written defenses to the Complaint on Plaintiff's attorney, to wit:  
William J. DiPetrillo, Esq., whose address is:

EA12-005  
PRODUCED BY SUZUKI MOTOR CORPORATION

LAW OFFICES OF WILLIAM J. DIPETRILLO & ASSOCIATES, P.A.  
400 S.E. 8<sup>th</sup> Street  
Fort Lauderdale, Florida 33316  
Telephone: 954.769.9918

within 20 days after service of this summons on that Defendant, exclusive of the day of service, and to file the original of the defenses with the Clerk of this Court either before service on Plaintiff's attorney or immediately thereafter. If a Defendant fails to do so, a default will be entered against that Defendant for the relief demanded in the Complaint or Petition.

DATED \_\_\_\_\_

APR 15 2003

HOWARD C. FORMAN  
CLERK OF THE COURT

By \_\_\_\_\_  
VALERIE FORD  
As Deputy Clerk  
A TRUE COPY  
Court Seal

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

11

GENERAL CIVIL DIVISION

0306777

CASE NO.

JACQUELYN JONES-BROWN,  
Personal Representative of the Estate  
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Plaintiff,

vs.

ENTERPRISE LEASING COMPANY,  
a Florida corporation and AMERICAN  
SUZUKI MOTOR CORPORATION, a  
foreign corporation,

Defendants.

APR 15 2003  
A TRUE COPY  
HOWARD C. FORMAN  
CLERK OF CIRCUIT COURT

COMPLAINT

Plaintiff, JACQUELYN JONES-BROWN, Personal Representative of the Estate of Taurus B. Jones, hereby sues Defendants, ENTERPRISE LEASING COMPANY, a Florida corporation and SUZUKI MOTOR CORPORATION, a foreign corporation and alleges as follows:

JURISDICTION AND PARTIES

1. This is an action for damages in excess of \$15,000, exclusive of interest, costs and attorney's fees.
2. Plaintiff, JACQUELYN JONES-BROWN, is the duly appointed Personal Representative of the Estate of Taurus B. Jones, deceased. This action is brought by the Personal Representative on behalf of all survivors of Taurus B. Jones and for the benefit of the Estate of Taurus B. Jones.

EA12-005  
PRODUCED BY SUZUKI MOTOR CORPORATION

*Jacquelyn Jones-Brown vs. Enterprise Leasing Company, et al.*

*Complaint*

*Page 2*

3. Defendant, ENTERPRISE LEASING COMPANY ("ENTERPRISE") is a Florida corporation licensed to do and doing business in Broward County, Florida.

4. Defendant, AMERICAN SUZUKI MOTOR CORPORATION ("SUZUKI") is a foreign corporation licensed to do and doing business in Broward County, Florida.

5. LA TAURUS BERNARD JONES is the minor child of Taurus B. Jones and is a survivor of Taurus B. Jones pursuant to the Florida Wrongful Death Act.

6. ASIA JONES is the minor child of Taurus B. Jones and is a survivor of Taurus B. Jones pursuant to the Florida Wrongful Death Act.

7. JAMAL INGRAM is the minor child of Taurus B. Jones and is a survivor of Taurus B. Jones pursuant to the Florida Wrongful Death Act.

8. SYDNEY RACHELLE JONES is the minor child of Taurus B. Jones and is a survivor of Taurus B. Jones pursuant to the Florida Wrongful Death Act.

9. Venue is proper in Broward County, Florida.

10. All conditions precedent to the bringing of this action have occurred, have been satisfied, or have been waived.

#### FACTUAL ALLEGATIONS

11. On or about April 12, 2002, Taurus B. Jones was a passenger in an automobile driven by Willie L. Long, III and rented by Willie H. Long, Jr. from ENTERPRISE. The automobile was a 2001 Suzuki Grand Vitara, manufactured by SUZUKI, VIN #JS3TD62VX14163392 (the "Vehicle").



*Jacquelyn Jones-Brown vs. Enterprise Leasing Company, et al.*  
*Complaint*  
*Page 3*

12. On or about April 12, 2002, Willie L. Long, III was operating the Vehicle on I-95 in Brevard County, Florida traveling north.

13. The tires on the Vehicle were extremely, dangerously and unacceptably worn.

14. While the Vehicle was operated by Willie L. Long, III on or about April 12, 2002, the Vehicle began to hydroplane on the wet roadway. As a result, Willie L. Long, III lost control of the Vehicle. The Vehicle swerved across the median into oncoming traffic in the southbound lanes of I-95 and ended up facing southbound.

15. The Vehicle was struck by two other vehicles traveling southbound on I-95.

16. Following the impact, due to the location of the fuel tank in the Vehicle and/or inadequate safety design mechanisms in the fuel system, the fuel tank in the Vehicle ruptured, causing gasoline to spill on the pavement and underneath the Vehicle. The Vehicle ignited, exploded and was engulfed in fire, burning Taurus B. Jones.

17. At that time and place, Taurus B. Jones died.

**COUNT I**  
**WRONGFUL DEATH AGAINST ENTERPRISE (NEGLIGENCE)**

18. Plaintiff repeats and realleges Paragraphs 1 through 17 as if fully set forth herein.

19. ENTERPRISE was in the business of renting automobiles to the general public.

20. Sometime prior to the rental of the Vehicle to Willie H. Long, Jr., ENTERPRISE purchased the Vehicle from SUZUKI or one of its distributors in order to be rented to the general public.

*Jacquelyn Jones-Brown vs. Enterprise Leasing Company, et al.*  
*Complaint*  
*Page 4*

21. Willie H. Long, Jr. ultimately rented the Vehicle. At the time Willie H. Long, Jr. rented the Vehicle, it contained the following defects that rendered it unsafe for its intended use:

- (a) worn tires with extremely, dangerously and unacceptably low tread;
- (b) improper fuel tank placement rendering the Vehicle susceptible to fuel spills following rear end impacts.

22. Prior to the time that Willie H. Long, Jr. Rented the Vehicle, ENTERPRISE knew, or in th exercise of reasonable care, should have known about the defects in the Vehicle and should have corrected those defects.

23. ENTERPRISE, as the lessor of the Vehicle to the general public, owed a duty to Willie H. Long, Jr., and any other person reasonably foreseeable as a user or passenger of the Vehicle, including Taurus B. Jones: a) to make a reasonable inspection of the Vehicle and to replace the worn tires prior to renting the Vehicle for use by the general public.; and b) to warn of the defects about which it knew, or in the exercise of reasonable care should have known.

24. ENTERPRISE breached its duty by negligently and carelessly failing to make a reasonable inspection of the Vehicle and/or failing to replace the worn tires prior to renting the Vehicle and by failing to warn of the defects in the Vehicle.

25. As a direct and proximate result of ENTERPRISE's negligence, Taurus B. Jones died, and his estate and survivors sustained attendant medical, hospital, and funeral expenses, and have further lost companionship, instruction and guidance, support, services, net accumulations, earnings and have sustained mental pain and suffering and mental anguish.

*Jacquelyn Jones-Brown vs. Enterprise Leasing Company, et al.*  
*Complaint*  
*Page 5*

WHEREFORE, Plaintiff demands judgment against ENTERPRISE for damages, costs of suit, pre-judgment interest where applicable and for such other and further relief as this Court deems appropriate.

**COUNT II**  
**SURVIVAL ACTION AGAINST ENTERPRISE (NEGLIGENCE)**

26. Plaintiff repeats and realleges Paragraphs 1 through 17 as if fully set forth herein.

27. ENTERPRISE was in the business of renting automobiles to the general public.

28. Sometime prior to the rental of the Vehicle to Willie H. Long, Jr., ENTERPRISE purchased the Vehicle from SUZUKI or one of its distributors in order to be rented to the general public.

29. Willie H. Long, Jr. ultimately rented the Vehicle. At the time Willie H. Long, Jr. rented the Vehicle, it contained the following defects that rendered it unsafe for its intended use:

- (a) worn tires with extremely, dangerously and unacceptably low tread;
- (b) improper fuel tank placement rendering the Vehicle susceptible to fuel spills following rear end impacts.

30. Prior to the time that Willie H. Long, Jr. Rented the Vehicle, ENTERPRISE knew, or in th exercise of reasonable care, should have known about the defects in the Vehicle and should have corrected those defects.

31. ENTERPRISE, as the lessor of the Vehicle to the general public, owed a duty to Willie H. Long, Jr., and any other person reasonably foreseeable as a user or passenger of the Vehicle, including Taurus B. Jones: a) to make a reasonable inspection of the Vehicle and to replace

*Jacquelyn Jones-Brown vs. Enterprise Leasing Company, et al.*  
*Complaint*  
*Page 6*

the worn tires prior to renting the Vehicle for use by the general public.; and b) to warn of the defects about which it knew, or in the exercise of reasonable care should have known.

32. ENTERPRISE breached its duty by negligently and carelessly failing to make a reasonable inspection of the Vehicle and/or failing to replace the worn tires prior to renting the Vehicle and by failing to warn of the defects in the Vehicle.

33. As a direct and proximate result of ENTERPRISE's negligence, Taurus B. Jones died, and his estate and survivors sustained attendant medical, hospital, and funeral expenses, and have further lost companionship, instruction and guidance, support, services, net accumulations, earnings, and have sustained mental pain and suffering and mental anguish.

WHEREFORE, Plaintiff demands judgment against ENTERPRISE for damages, costs of suit, pre-judgment interest where applicable and for such other and further relief as this Court deems appropriate.

**COUNT III**  
**PRODUCTS LIABILITY AGAINST ENTERPRISE**

34. Plaintiff repeats and realleges Paragraphs 1 through 17 as if fully set forth herein.

35. For a number of years prior to the incident described in this Complaint, ENTERPRISE was engaged in the business of renting automobiles to the general public.

36. Prior to the incident described in this Complaint, ENTERPRISE purchased the Vehicle from SUZUKI and placed it into the stream of commerce in such a condition that the rearward positioning and location of the fuel tank within the Vehicle made it vulnerable and susceptible to fuel spills and explosions following rear end impacts and, alternatively, in such

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*Complaint*  
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condition that upon impact, appropriate safeguards and fuel system safety mechanisms were not in place to prevent the fire described herein.

37. ENTERPRISE failed to warn Taurus B. Jones of this condition.

38. The defective condition made the Vehicle unreasonably dangerous when used in the manner and for the purpose for which it was intended.

39. The defect existed both at the time of injury and at the time the Vehicle left ENTERPRISE's possession.

40. The defect caused the Vehicle to ignite and explode causing either injury and/or death to Taurus B. Jones.

41. As a direct and proximate result of the unreasonably dangerous and defective product and failure to warn, Taurus B. Jones died, and his estate and survivors sustained attendant medical, hospital, and funeral expenses, and have further lost companionship, instruction and guidance, support, services, net accumulations, earnings and have sustained mental pain and suffering and mental anguish.

WHEREFORE, Plaintiff demands judgment against ENTERPRISE for damages, costs of suit, pre-judgment interest where applicable and for such other and further relief as this Court deems appropriate.



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**COUNT IV**  
**WRONGFUL DEATH AGAINST SUZUKI (NEGLIGENCE)**

42. Plaintiff repeats and realleges Paragraphs 1 through 17 as if fully set forth herein.

43. SUZUKI manufactured, designed and placed the Vehicle into the stream of commerce.

44. SUZUKI was under a duty to use reasonable care in the design and manufacture of the Vehicle and, in particular, in formulating the appropriate placement and location of the fuel tank in the subject vehicle in order to eliminate any unreasonable risks of foreseeable injury.

45. SUZUKI breached this duty by designing the vehicle with the fuel tank located approximately eight inches from the rear bumper thereby placing it rearward of the rear axle. Such a position for the fuel tank in a vehicle makes it susceptible to fuel spills following rear end impacts.

46. Additionally and/or alternatively, because SUZUKI knew that its chosen location and placement of the fuel tank was dangerous, it had a duty to warn users of this danger and of all reasonably foreseeable injuries.

47. Additionally and/or alternatively, SUZUKI negligently designed the fuel system on the Vehicle such that appropriate fuel spill mechanisms and systems were not in place to prevent the fire.

48. As a direct and proximate result of the carelessness and negligence of SUZUKI, Taurus B. Jones died, and his estate and survivors sustained attendant medical, hospital, and funeral expenses, and have further lost companionship, instruction and guidance, support, services, net accumulations, earnings and have sustained mental pain and suffering and mental anguish.

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WHEREFORE, Plaintiff demands judgment against SUZUKI for damages, costs of suit, pre-judgment interest where applicable and for such other and further relief as this Court deems appropriate.

**COUNT V**  
**PRODUCTS LIABILITY AGAINST SUZUKI**

49. Plaintiff repeats and realleges Paragraphs 1 through 17 as if fully set forth herein.

50. For a number of years prior to the incident described in this Complaint, SUZUKI was engaged in the design and manufacture of automobiles for use by members of the general public, including Willie L. Long, III.

51. Prior to the incident described in this Complaint, SUZUKI manufactured, designed and introduced into the stream of commerce the Vehicle, in such a condition that the rearward positioning and location of the fuel tank within the vehicle makes it susceptible to fuel spills and explosions following rear end impact and, alternatively, in such condition that upon an impact, appropriate safe guards and fuel system safety mechanisms were not in place to prevent the fire described herein.

52. SUZUKI failed to warn of this condition.

53. The defective conditions of the Vehicle made it unreasonably dangerous when used in the manner and for the purpose for which it was intended.

54. The defect existed both at the time of injury and at the time the Vehicle left SUZUKI's possession.

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

GENERAL CIVIL DIVISION

CASE NO.

JACQUELYN JONES-BROWN,  
Personal Representative of the Estate  
of Taurus B. Jones,

Plaintiff,

vs.

ENTERPRISE LEASING COMPANY,  
a Florida corporation and AMERICAN  
SUZUKI MOTOR CORPORATION, a  
foreign corporation,

Defendants.

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS  
TO DEFENDANT AMERICAN SUZUKI MOTOR CORPORATION**

Plaintiff, JACQUELYN JONES-BROWN, Personal Representative of the Estate of Taurus B. Jones, through counsel, pursuant to Fla.R.Civ.P. 1.350, hereby requests that Defendant, AMERICAN SUZUKI MOTOR CORPORATION, produce the following documents at the offices of undersigned counsel within the time and manner prescribed in the Florida Rules of Civil Procedure. All documents produced should be segregated and identified as being produced in response to the number of the paragraph in this Request to which the documents are responsive.

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PRODUCED BY SUZUKI MOTOR CORPORATION

*Jacquelyn Jones-Brown v. Enterprise Leasing Company, et al.*  
*Plaintiff's First Request for Production of Documents to Suzuki*  
*Page 2*

**DEFINITIONS**

- A. "ENTERPRISE" means ENTERPRISE LEASING COMPANY.
- B. "SUZUKI" means AMERICAN SUZUKI MOTOR CORPORATION.
- C. "Person" means natural persons acting as individuals, groups of natural persons acting in a collegial capacity (e.g., as a Board of Directors or a Committee of such a Board), and any other incorporated or unincorporated business, governmental or social entity.
- D. "And" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Request for Production any information that might otherwise be construed to be outside the scope.
- E. "Vehicle" means the 2001 Suzuki Grand Vitara, VIN #JS3TD62VX14163392 referred to in the Complaint in this action.
- F. "Relating to" means involving, reflecting, defining, identifying, stating, referring to, constituting, evidencing, or in any way being relevant, logically or factually, directly or indirectly to a given subject. "Relate to" has a correlative meaning.
- G. "Complaint" means the Complaint filed in the Seventeenth Judicial Circuit in this action.
- H. "Document" is used in its broadest sense and includes, but is not limited to, all writing of every kind including, but not limited to, letters, memoranda, reports, studies, notes, speeches, press releases, electronic mail (e-mail), agenda, minutes, transcripts, summaries, self-sticking removable notes, telegrams, teletypes, telefaxes, canceled checks, check stubs, invoices,

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*Plaintiff's First Request for Production of Documents to Suzuki*  
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receipts, ticket stubs, maps, pamphlets, notes, charts, tabulations, analyses, statistical or information accumulation, audit and associated work papers, any kinds of records, film impressions, magnetic tape, tape records, sound or mechanical reproductions, all stored compilations of information of any kind which may be retrievable (such as, but without limitation, the content of computer memory or information storage facilities, and computer programs, any instructions or interpretive materials associated with them) and copies of documents which are not identical duplicates of the originals (*i.e.*, because handwritten or "blind notes" appear thereon or attached thereto), including prior drafts, whether or not the originals are in Plaintiff's possession custody or control.

I. The term "communication" is used in its broadest sense and includes, but is not limited to, any oral or written transmittal of information or request for information made from one person to another, whether made in person, by telephone or by one person to another, or by any other means including electronic mail (e-mail), or a document made for the purpose of recording a communication, idea, statement, opinion or belief.



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*Plaintiff's First Request for Production of Documents to Suzuki*  
*Page 4*

**DOCUMENTS TO BE PRODUCED**

1. All documents relied on or referred to by SUZUKI in preparing answers to Plaintiff's First Set of Interrogatories to SUZUKI.
2. All insurance policies that afford coverage to SUZUKI for the claims and causes of action asserted in the Complaint.
3. All documents evidencing, reflecting or identifying the sale and/or transfer of the Vehicle from SUZUKI to ENTERPRISE before April 12, 2002.
4. All documents evidencing, reflecting or identifying the purchase and/or acquisition of the Vehicle by SUZUKI from ENTERPRISE after April 12, 2002.
5. All documents evidencing, reflecting or identifying the design of the Vehicle including, without limitation, drawings, shop manuals and documents reflecting the fuel tank and/or fuel system design of the Vehicle.
6. All documents relating to or reflecting any recall for any component, part or system of the Suzuki Vitara and/or the Suzuki Grand Vitara.
7. All documents including, without limitation, crash test documents, reports, photographs and videotapes, relating to the safety, durability and/or crashworthiness of the Suzuki Vitara and/or the Suzuki Grand Vitara.
8. All documents evidencing, reflecting or identifying any complaints from any person or entity relating to the fuel tank and/or fuel system of the Suzuki Vitara or Suzuki Grand Vitara including, without limitation, complaints regarding the placement of the fuel tank and/or fuel system, complaints regarding the design of the fuel tank and/or fuel system and complaints regarding the rupturing and/or exploding of the fuel tank and/or fuel system.
9. All documents evidencing, reflecting or identifying media reports (e.g. newspaper or magazine articles, trade journals, television or radio reports, etc...) regarding any defect or dangerous condition of the Suzuki Vitara and/or Grand Vitara. Such documents include, without limitation, documents referring to or reflecting the malfunction of any component of the fuel system and/or the placement of the fuel tank/fuel system.
10. All documents reflecting SUZUKI's policy or procedure regarding document retention, management and/or destruction.

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*Jacquelyn Jones-Brown v. Enterprise Leasing Company, et al.*  
*Plaintiff's First Request for Production of Documents to Suzuki*  
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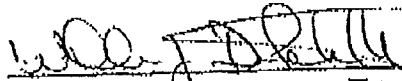
11. All documents evidencing the date on which the Vehicle was built.
12. All documents evidencing, reflecting or identifying any agreement between SUZUKI and ENTERPRISE relating to any issue in this case including, without limitation, the apportionment of liability and investigation into the cause of the accident referred to in the Complaint.
13. All documents evidencing, reflecting or identifying any agreement entered into between SUZUKI and any other person or entity whom SUZUKI contends may have some liability for the accident referred to in the Complaint.
14. All documents including, without limitation, statements, printed or graphic representations, catalogs, circulars, manuals, brochures, reports, memoranda, labels, advertisements, letters, directions or procedures, that were provided to ENTERPRISE from SUZUKI relating to the Vehicle or that accompanied the Vehicle, at the time ENTERPRISE purchased and/or acquired the Vehicle from SUZUKI.
15. All documents evidencing, reflecting or identifying the condition of the Vehicle at the time it was acquired and/or purchased by ENTERPRISE from SUZUKI.
16. All technical service bulletins or substantially similar documents regarding the Vehicle.
17. All documents including, without limitation, correspondence and memoranda, forwarded from SUZUKI to ENTERPRISE regarding the incident that is the subject of this case and/or regarding the Vehicle.
18. All documents including, without limitation, correspondence and memoranda, forwarded from ENTERPRISE to SUZUKI regarding the incident that is the subject of this case and/or regarding the Vehicle.
19. All documents reflecting, evidencing or identifying any recall/change notices and/or notices of defect or other documents relating to defects or dangerous conditions concerning any component or part of the Vehicle and/or the same model as the Vehicle for the period of May 1, 1997 through May 1, 2002.
20. All photographs and/or videotapes depicting the Vehicle after April 11, 2002.
21. All documents relating to the affirmative defenses raised by SUZUKI in response to the Complaint.

*Jacquelyn Jones-Brown v. Enterprise Leasing Company, et al.*  
*Plaintiff's First Request for Production of Documents to Suzuki*  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served along with the Summons and Complaint in this matter on AMERICAN SUZUKI MOTOR CORPORATION, c/o its Registered Agent, CT Corporation System, 1200 S. Pine Island Road, Plantation, Florida 33324.

WILLIAM J. DIPETRILLO & ASSOCIATES, P.A.  
Attorneys for Plaintiff  
400 S.E. 8<sup>th</sup> Street  
Fort Lauderdale, Florida 33316  
Telephone: 954.769.9918  
Facsimile: 954.769.9916

  
WILLIAM J. DIPETRILLO, ESQUIRE  
Florida Bar No. 0125687

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

GENERAL CIVIL DIVISION

17

CASE NO.

0306777

JACQUELYN JONES-BROWN,  
Personal Representative of the Estate  
of Taurus B. Jones,

Plaintiff,

vs.

ENTERPRISE LEASING COMPANY,  
a Florida corporation and AMERICAN  
SUZUKI MOTOR CORPORATION, a  
foreign corporation,

Defendants.

**PLAINTIFF'S NOTICE OF SERVICE OF FIRST SET OF INTERROGATORIES TO  
DEFENDANT AMERICAN SUZUKI MOTOR CORPORATION**

Plaintiff, JACQUELYN JONES-BROWN, Personal Representative of the Estate of Taurus  
B. Jones, through counsel, pursuant to Fla.R.Civ.P. 1.340, hereby gives Notice of Service of First  
Set of Interrogatories to Defendant, AMERICAN SUZUKI MOTOR CORPORATION  
("SUZUKI"), and requests that said Interrogatories be answered in writing and under oath within  
the time prescribed by the Florida Rules of Civil Procedure.

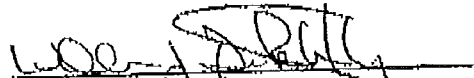
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*Jaquelyn Jones-Brown v. Enterprise Leasing Company, et al.*  
*First Set of Interrogatories to Suzuki*  
Page 2

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served along with the Summons and Complaint in this matter on AMERICAN SUZUKI MOTOR CORPORATION, c/o its Registered Agent, CT Corporation System, 1200 S. Pine Island Road, Plantation, Florida 33324.

WILLIAM J. DiPETRILLO & ASSOCIATES, P.A.  
Attorneys for Plaintiff  
400 S.E. 8<sup>th</sup> Street  
Fort Lauderdale, Florida 33316  
Telephone: 954.769.9918  
Facsimile: 954.769.9916

  
WILLIAM J. DiPETRILLO, ESQUIRE  
Florida Bar No. 0125687

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PRODUCED BY SUZUKI MOTOR CORPORATION



**FIRST SET OF INTERROGATORIES**

1. Please state the name and address of the person answering these interrogatories and, if applicable, the person's official position or relationship with the party to whom the interrogatories are directed.

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2. Describe any and all policies of insurance which you contend cover or may cover you for the allegations set forth in Plaintiff's Complaint, detailing as to such policies; the name of the insurer, number of the policy, the effective dates of the policy, the available limits of liability, and the name and address of the custodian of the policy.

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3. Do you contend that any person or entity other than you is, or may be, liable in whole or part for the claims asserted against you in this lawsuit? If so, state the full name and address of each such person or entity, the legal basis for your contention, the facts or evidence upon which your contention is based, and whether or not you have notified each such person or entity of your contention.

4. List the names and addresses of all persons who are believed or known by you, your agents or attorneys to have any knowledge concerning any of the issues in this lawsuit; and specify the subject matter about which the witness has knowledge.

5. Have you heard or do you know about any statement or remark made by or on behalf of any party to this lawsuit, other than yourself, concerning any issue in this lawsuit? If so, state the name and address of each person who made the statement or statements, the name and address of each person who heard it, and the date, time, place and substance of each statement.

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6. State the name and address of every person known to you, your agents or attorneys who has knowledge about, or possession, custody or control of any model, plat, map, drawing, motion picture, videotape, or photograph pertaining to any fact or issue involved in this controversy; and describe as to each, what such person has, the name and address of the person who took or prepared it, and the date it was taken or prepared.

7. Have you made an agreement with anyone that would limit that party's liability to anyone for any of the damages sued upon in this case? If so, state the terms of the agreement and the parties to it.

8. Please state whether, after April 12, 2002, the vehicle that is the subject of Plaintiff's Complaint was purchased and/or acquired by SUZUKI from ENTERPRISE LEASING COMPANY. If so, please state: a) the date on which the purchase and/or acquisition occurred; 2) the consideration paid by SUZUKI in connection with the purchase and/or acquisition; and 3) the reasons why the vehicle was purchased and/or acquired by SUZUKI after April 12, 2002.

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9. Please state the contents of all written or verbal communications between SUZUKI and ENTERPRISE LEASING COMPANY, after April 12, 2002, regarding the purchase and/or acquisition of the vehicle that is the subject of Plaintiff's Complaint including: a) the date(s) of each such communication(s); b) the name(s) of the person(s) at SUZUKI who engaged in such communications; and c) the name(s) of person(s) at ENTERPRISE LEASING COMPANY who engaged in such communications.

10. Please state whether SUZUKI, in the last ten (10) years, has been a party to any lawsuit in which allegations were made that the fuel tank/fuel system in any of the sport utility vehicles manufactured by SUZUKI, including, without limitation, the Grand Vitara model, was unsafe, was defectively designed, was defectively manufactured, defectively or improperly placed, was susceptible to rupture/spills/explosions or otherwise rendered the vehicle unreasonably dangerous or defective. If so, please state: a) the case number of the lawsuit; b) the jurisdiction in which the case was filed; c) the causes of action asserted against SUZUKI; and d) the disposition of the case.



AMERICAN SUZUKI MOTOR CORPORATION

Printed Name \_\_\_\_\_

Title \_\_\_\_\_

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_, by \_\_\_\_\_, on behalf of AMERICAN SUZUKI MOTOR CORPORATION,  who is personally known to me or  who has produced \_\_\_\_\_ as identification, and who, being first by me duly sworn, acknowledged that he/she is the person duly authorized to execute the foregoing Answers to Interrogatories and that he/she has read the answers and that they are true and correct to the best of his/her knowledge and belief, and he/she executed the same in my presence on the date, month and year indicated.

[NOTARY SEAL]

Notary: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

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PRODUCED BY SUZUKI MOTOR CORPORATION

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

11

GENERAL CIVIL DIVISION

CASE NO. 0306777

JACQUELYN JONES-BROWN,  
Personal Representative of the Estate  
of Taurus B. Jones,

Plaintiff,

vs.

ENTERPRISE LEASING COMPANY,  
a Florida corporation and AMERICAN  
SUZUKI MOTOR CORPORATION, a  
foreign corporation,

Defendants.

MOTION TO TRANSFER AND/OR CONSOLIDATE

Plaintiff, JACQUELYN JONES-BROWN, Personal Representative of the Estate of Taurus B. Jones, pursuant to Fla. R. Civ. P. 1.270, hereby files this Motion to Transfer and/or Consolidate and as grounds states as follows:

1. This is an action for damages in arising out of an automobile accident that occurred on or about April 12, 2002.
2. At the time of the incident, Taurus B. Jones was a passenger in an automobile operated by Willie L. Long, III.
3. As a result of the incident, both Willie L. Long, III and Taurus B. Jones died.
4. The Personal Representative of the Estate of Willie L. Long, III has filed suit against Enterprise Leasing Company ("Enterprise") and American Suzuki Motor Corporation ("Suzuki")

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*Jacquelyn Jones-Brown vs. Enterprise Leasing Company, et al.*  
*Motion to Transfer and/or Consolidate*  
Page 2

in Case No. 02-019116. That case has been assigned to the Honorable J. Leonard Fleet and is at issue.

5. The allegations in the instant complaint and those contained in the complaint filed by the Personal Representative of the Estate of Willie L. Long, III regarding the facts and circumstances of the accident are virtually identical. Both complaints allege that: 1) the car driven by Willie L. Long, III was leased from Enterprise and manufactured by Suzuki; 2) the car lost control on the wet roadway of I-95 based on the dangerously low tread of the tires and swerved across the roadway; 3) the car was thereafter struck from behind by other vehicles which caused the fuel tank in the car to rupture; and 4) the car was engulfed in flames and exploded.

6. The claims asserted by the Estate of Willie L. Long, III against Enterprise and Suzuki are for negligence and strict liability based on the unreasonably dangerous condition of the vehicle relating to the fuel tank placement and the condition of the tires. The Estate of Willie L. Long, III has asserted those claims under the Florida Wrongful Death Statute and Survival Statute.

7. In this case, the Estate of Taurus B. Jones has asserted the identical claims against both Enterprise and Suzuki based on the same incident.

8. Accordingly, the adjudication of both cases requires a determination of questions of law and fact that are common to both cases.

9. The same witnesses will be called to testify in both cases to establish the facts and circumstances surrounding the collision.

10. Separate trials for both cases may result in inconsistent verdicts regarding liability in this case. Two common questions to be resolved in both cases are, among others, whether the tires

*Jacquelyn Jones-Brown vs. Enterprise Leasing Company, et al.*  
*Motion to Transfer and/or Consolidate*  
Page 3

on the automobile had dangerously low tread and whether the vehicle was unreasonably dangerous by virtue of the placement of the fuel tank. If the cases are tried separately, it is possible that one jury may resolve those questions in a manner that is inconsistent with the other jury.

11. Moreover, economic considerations and those of judicial economy support consolidation. Separate trials for both cases will result in duplicative effort, time and expense. The same discovery from both defendants will be necessary in both cases relating to the vehicle. Fact witnesses will have to be deposed in both cases to testify to the same facts. Consolidating both cases will avoid such unnecessary effort, time and expense.

12. Additionally, the two cases should be consolidated to avoid inconsistent discovery and trial rulings. As the same discovery will be sought in both cases from the same defendants, it is possible that different trial judges may rule differently on the same discovery requests and may rule differently at trial on evidentiary and other matters. Consolidating both cases will avoid this additional problem.

13. The case of Willie L. Long, III has not yet been set for trial and no depositions of expert or fact witnesses have been taken. Thus, consolidation of both cases will not result in any undue delay of that case or otherwise implicate duplicative discovery efforts.

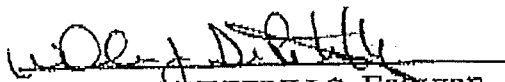
WHEREFORE, Plaintiff respectfully requests that this case be transferred to the division of the Honorable J. Leonard Fleet to be consolidated for a joint trial with Case No. 02-019116 in that division.

*Jacquelyn Jones-Brown vs. Enterprise Leasing Company, et al.*  
*Motion to Transfer and/or Consolidate*  
*Page 4*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served along with the Summons and Complaint in this matter on ENTERPRISE LEASING COMPANY, c/o its Registered Agent, CT Corporation System, 1200 S. Pine Island Road, Plantation, Florida 33324 and AMERICAN SUZUKI MOTOR CORPORATION, c/o its Registered Agent, CT Corporation System, 1200 S. Pine Island Road, Plantation, Florida 33324.

WILLIAM J. DIPETRILLO & ASSOCIATES, P.A.  
Attorneys for Plaintiff  
400 S.E. 8<sup>th</sup> Street  
Fort Lauderdale, Florida 33316  
Telephone: 954.769.9918  
Facsimile: 954.769.9916

  
WILLIAM J. DIPETRILLO, ESQUIRE  
Florida Bar No. 0125687

EA12-005  
PRODUCED BY SUZUKI MOTOR CORPORATION



IN THE CIRCUIT COURT OF THE  
17th JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

WILLIE H. LONG, JR., individually and  
as Personal Representative of the Estate  
of Willie L. Long, III

CASE NO.

02019116 08

Plaintiffs,

vs.

AMERICAN SUZUKI MOTOR  
CORPORATION, a foreign corporation;  
ENTERPRISE LEASING COMPANY, a  
Florida corporation

Defendants.

10/9/02  
A. Boutlier  
130P  
[Signature]  
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STATE OF FLORIDA:

To All and Singular the Sheriffs of said State:

YOU ARE HEREBY COMMANDED to serve this Summons and a copy of the  
Complaint in this action on

American Suzuki Motor Corporation  
By Serving Its Registered Agent: CT Corporation System  
1200 S. Pine Island Road, Plantation, FL 33324

Defendant is required to serve written defenses to the Complaint on Plaintiff's attorney,  
whose address is: **LAW OFFICES OF WINSTON & CLARK, P.A., Plaintiff's Attorney, Suite  
420, 8211 West Broward Boulevard, Plantation, FL 33324**, (954) 475-9666, within twenty (20)  
days after service of this summons on the Defendant, exclusive of the day of service, and to file the  
original of the defenses with the Clerk of this Court either before service on Plaintiff's attorney or  
immediately thereafter. If a Defendant fails to do so, a default will be entered against that Defendant  
for the relief demanded in the Complaint.

WITNESS my hand and seal of said Court this OCT 08 2002, 2002.

Howard Forman

As Clerk of the Court

STUART SMITH

by \_\_\_\_\_

Deputy Clerk

**A TRUE COPY**

Circuit Court Seal

EA12-005  
PRODUCED BY SUZUKI MOTOR CORPORATION

**IMPORTANTE**

Usted ha sido demandado legalmente. Tiene veinte (20) Dias, contados a partir del recibo de esta notificacion, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefonica no lo protegera. si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el numero del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, pudiese perder el caso y podria ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guia telefonica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el trubunal, debera usted enviar por correo or entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff's Attorney" (Demandante o Abogado del Demandante).

**IMPORTANT**

Des poursuites judiciaires ont ete enterprises contre vous. Vous avez 20 jours consecutifs a partir de la date de Lassignation de cette citation pour deposer une reponse ecrite a la plainte ci-jointe aupres de ce tribunal. Un simple coup de telephone est insuffisant pour vous proteger. Vous etes oblige de deposer votre response ecrite, avec mention du numero de dossier ci-dessus et du nom des parties nommes ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne deposez pas votre response ecrite dans le relai requis, vous risquez de perdre la causa ainsi que votre salaire, votre argent, et vos biens peuvent etre saisis par la suite, sans aucun preavis ulterieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requerir les services immediats d'un avocat. si vous ne connaissez pas d'avocat, vous pourriez telephoner a un service de reference d'avocats ou a un bureau d'assistance juridique (figurant a l'annuaire de telephones).

Si vous choisissez de deposer vous-meme une response ecrite, il vous faudra egalement, en meme temps que cette formalite, faire parvenir ou expedier une copie de votre reponse ecrite au "Plaintiff's Attorney" (Plaignant ou a son avocat) nemme ci-dessous.

IN THE CIRCUIT COURT OF THE  
17th JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

WILLIE H. LONG, JR., individually and  
as Personal Representative of the Estate  
of Willie L. Long, III

CASE NO.

**08**

**02019116**

Plaintiffs,

COMPLAINT

vs.

ENTERPRISE LEASING COMPANY, a  
Florida corporation and AMERICAN  
SUZUKI MOTOR CORPORATION,  
a foreign corporation,

**A TRUE COPY**  
**HOWARD C. FORMAN**  
**CLERK OF CIRCUIT COURT**

Defendants.

**OCT 08 2002**

COMES NOW the Plaintiff, by and through undersigned counsel, and hereby sues the  
Defendants and states:

GENERAL ALLEGATIONS

1. This is an action for damages in excess of \$15,000.00.
2. WILLIE H. LONG, JR. is the Personal Representative of the Estate of WILLIE L. LONG, III, deceased. This action is brought by the personal representative on behalf of all survivors of WILLIE L. LONG, III.
3. Defendant ENTERPRISE LEASING COMPANY (hereinafter referred to as "ENTERPRISE") is a Florida corporation licensed to do and doing business in Broward County, Florida.
4. Defendant AMERICAN SUZUKI, INC. (hereinafter referred to as "SUZUKI"), is a foreign corporation licensed to do and doing business in Broward County,

Florida.

5. DOLLY KEGLER, is a survivor of Willie Long, III, pursuant to the Florida Wrongful Death Act.
6. WILLIE H. LONG, JR., is a survivor of Willie L. Long, III, pursuant to the Florida Wrongful Death Act.
7. Venue is proper.

**FACTUAL ALLEGATIONS**

8. On April 12, 2002, WILLIE H. LONG, JR. rented a 2001 SUZUKI Grand Vitara automobile, VIN #JS3TD62VX14163392 (hereinafter "the rented SUZUKI") from ENTERPRISE.
9. On or about April 12, 2002, WILLIE L. LONG, III was traveling on I-95 north in Brevard County, Florida, in the rented SUZUKI.
10. The tires on the rented SUZUKI were extremely and unacceptably worn.
11. The vehicle began hydroplaning on the wet roadway and WILLIE L. LONG, III lost control of the vehicle and swerved across the median, into oncoming traffic in the southbound lanes of I-95, ending up facing southbound.
12. The rented SUZUKI was impacted by two other vehicles traveling southbound on I-95.
13. After the impact, due to the particular location of the fuel tank in the subject vehicle and/or inadequate safety design mechanisms in the fuel system, the fuel tank in the rented SUZUKI ruptured, causing gasoline to spill onto the pavement and underneath the vehicle, the vehicle was ignited and caused to explode, and

fire engulfed the subject vehicle, burning WILLIE L. LONG, III.

14. At that time and place, WILLIE L. LONG, III died.

**COUNT I - WRONGFUL DEATH AGAINST ENTERPRISE**

Plaintiff realleges paragraphs 1 through 14 as if fully set forth herein.

15. Defendant ENTERPRISE was in the business of renting vehicles to the general public.

16. Sometime prior to Plaintiff's rental of the subject vehicle, Defendant ENTERPRISE purchased the particular 2001 SUZUKI GRAND VITARA vehicle from Defendant SUZUKI or one of its distributors in order to be rented by the general public.

17. WILLIE LONG, JR. ultimately rented the subject vehicle manufactured by Defendant SUZUKI.

18. At the time that WILLIE LONG, JR. rented the subject SUZUKI vehicle, it contained the following defects that rendered it unsafe for its intended use:

- (a) worn tires with unreasonably low tread;
- (b) improper fuel tank placement making the vehicle vulnerable to rear end impact and susceptible to fuel spills.

19. Prior to the time WILLIE LONG, JR. rented the subject SUZUKI vehicle, the Defendant ENTERPRISE knew or, in the exercise of reasonable care, should have known about the defects and should have corrected the defects.

20. Defendant ENTERPRISE, as the lessor of the subject vehicle, owed a duty to Plaintiff and any other person reasonably foreseeable as a user of the vehicle, to



make a reasonable inspection of the subject vehicle and to replace the worn tires prior to renting the vehicle for use by the general public, furthermore, to warn Plaintiff of the defects about which it knew or, in the exercise of reasonable care, should have known about.

21. Defendant ENTERPRISE, in breach of its duty, negligently and carelessly failed to make reasonable inspection of the subject vehicle and/or to replace the worn tires prior to renting the subject vehicle and to warn Plaintiffs concerning the defect in the product.
22. As a direct and proximate result of Defendant ENTERPRISE's negligence, WILLIE L. LONG, III died, and his estate and survivors sustained attendant medical, hospital, and funeral expenses, and have further lost companionship, instruction and guidance, support, services, net accumulations, earnings, and have sustained mental pain and suffering and mental anguish.

WHEREFORE, Plaintiff pray:

- a) Judgment for damages in excess of Fifteen Thousand (\$15,000.00) Dollars;
- b) Cost of suit;
- c) Pre-judgment interest where applicable;
- d) Trial by jury as to all issues so triable and,
- e) Such other relief as this Court may deem just and appropriate.

**COUNT II - NEGLIGENCE AGAINST ENTERPRISE - (SURVIVAL ACTION)**

Plaintiff realleges paragraphs 1 through 14 as if fully set forth herein.

23. Defendant ENTERPRISE was in the business of renting vehicles to the general

public.

24. Sometime prior to Plaintiff's rental of the subject vehicle, Defendant ENTERPRISE purchased the particular 2001 SUZUKI GRAND VITARA vehicle from Defendant SUZUKI in order to be rented by the general public.
25. WILLIE LONG, JR. ultimately rented the subject vehicle manufactured by Defendant SUZUKI.
26. At the time that WILLIE LONG, JR. rented the subject SUZUKI vehicle, it contained the following defects that rendered it unsafe for its intended use:
  - (a) worn tires with unreasonably low tread;
  - (b) improper fuel tank placement making the vehicle vulnerable to rear end impact and susceptible to fuel spills.
27. Prior to the time WILLIE LONG, JR. rented the subject SUZUKI vehicle, the Defendant ENTERPRISE knew or, in the exercise of reasonable care, should have known about the defects and should have corrected the defects, in particular, the worn tires.
28. Defendant ENTERPRISE, as the lessor of the subject vehicle, owed a duty to Plaintiff and any other person reasonably foreseeable as a user of the vehicle, to make a reasonable inspection of the subject vehicle and to replace the worn tires prior to renting the vehicle for use by the general public, and furthermore, to warn Plaintiff of the defects about which it knew or, in the exercise of reasonable care, should have known about.
29. Defendant ENTERPRISE, in breach of its duty, negligently and carelessly failed

to make reasonable inspection of the subject vehicle and/or to replace the worn tires prior to renting the subject vehicle and to warn Plaintiffs concerning the defects in the product.

30. As a direct and proximate result of Defendant ENTERPRISE's negligence, WILLIE L. LONG, III suffered serious bodily injuries, and his estate and survivors sustained attendant medical, hospital, and funeral expenses, and have further lost companionship, instruction and guidance, support, services, net accumulations, earnings, and have sustained mental pain and suffering and mental anguish.

WHEREFORE, Plaintiff pray:

- a) Judgment for damages in excess of Fifteen Thousand (\$15,000.00) Dollars;
- b) Cost of suit;
- c) Pre-judgment interest where applicable;
- d) Trial by jury as to all issues so triable and,
- e) Such other relief as this Court may deem just and appropriate.

**COUNT III - PRODUCTS LIABILITY AGAINST ENTERPRISE**

Plaintiff realleges paragraphs 1 through 14 as if fully set forth herein.

31. For a number of years prior to the incident described in this Complaint, Defendant ENTERPRISE was engaged in the business of renting vehicles to the general public.
32. Prior to the incident described in this Complaint, Defendant ENTERPRISE purchased the particular 2001 SUZUKI GRAND VITARA vehicle from

Defendant SUZUKI and placed it into the stream of commerce in such a condition that the rearward positioning and location of the fuel tank within the vehicle made it vulnerable to rear end impact and especially susceptible to fuel spills and explosions, and, alternatively, in such condition that upon an impact, appropriate safe guards and fuel system safety mechanisms were not in place to prevent the fire described herein.

33. Defendant ENTERPRISE failed to warn Plaintiff of this condition.
34. The defective condition made the subject vehicle unreasonably dangerous when used in the manner and for the purpose for which it was intended.
35. The defect existed both at the time of injury and at the time the vehicle left Defendant ENTERPRISE's possession.
36. The defect resulted in a condition in the subject vehicle wherein the fuel tank was vulnerable to rear end impact and which ruptured in a rear end collision, resulting in an explosion of the fuel tank, causing either injury and/or the death of WILLIE L. LONG, III.
37. As a direct and proximate result of Defendant SUZUKI's unreasonably dangerous and defective product and failure to warn, WILLIE L. LONG, III died, and his estate and survivors sustained attendant medical, hospital, and funeral expenses, and have further lost companionship, instruction and guidance, support, services, net accumulations, earnings, and have sustained mental pain and suffering and mental anguish.

WHEREFORE, Plaintiffs pray:

- a) Judgment for damages in excess of Fifteen Thousand (\$15,000.00) Dollars;
- b) Cost of suit;
- c) Pre-judgment interest where applicable;
- d) Trial by jury as to all issues so triable and,
- e) Such other relief as this Court may deem just and appropriate.

**COUNT IV - NEGLIGENCE AGAINST SUZUKI**

Plaintiff realleges paragraphs 1 through 14 as if fully set forth herein.

38. Defendant SUZUKI manufactured, designed, and placed the rented SUZUKI, more fully described above, into the stream of commerce.
39. Defendant SUZUKI was under a duty to use reasonable care in the design and manufacture of the subject vehicle and, in particular, in formulating the appropriate placement and location of the fuel tank in the subject vehicle in order to eliminate any unreasonable risks of foreseeable injury.
40. Defendant SUZUKI breached this duty by designing the vehicle with the fuel tank located approximately eight inches from the rear bumper thereby placing it rearward of the rear axle. Such a position for the fuel tank in a vehicle makes it vulnerable to rear end impact and especially susceptible to fuel spills.
41. Additionally and/or alternatively, because Defendant SUZUKI knew that its chosen location and placement of the fuel tank was dangerous, it had a duty to warn users of this danger and of all reasonably foreseeable injuries.
42. Additionally and/or alternatively, the Defendant SUZUKI negligently designed the fuel system on the Grand Vitara such that appropriate fuel spill mechanisms and



systems were not in place to prevent the fire.

43. As a direct and proximate result of the carelessness and negligence of Defendants, the Plaintiff WILLIE L. LONG, III died, and his estate and survivors sustained attendant medical, hospital, and funeral expenses, and have further lost companionship, instruction and guidance, support, services, net accumulations, earnings, and have sustained mental pain and suffering and mental anguish.

WHEREFORE, Plaintiff prays:

- a) Judgment for damages in excess of Fifteen Thousand (\$15,000.00) Dollars;
- b) Cost of suit;
- c) Pre-judgment interest where applicable;
- d) Trial by jury as to all issues so triable and,
- e) Such other relief as this Court may deem just and appropriate.

**COUNT V - PRODUCTS LIABILITY AGAINST SUZUKI**

Plaintiff realleges paragraphs 1 through 14 as if fully set forth herein.

44. For a number of years prior to the incident described in this Complaint, Defendant SUZUKI was engaged in the design and manufacture of the subject vehicle for use by members of the general public, including the Plaintiff.
45. Prior to the incident described in this Complaint, Defendant SUZUKI manufactured, designed, and introduced into the stream of commerce a vehicle, more fully described above, in such a condition that the rearward positioning and location of the fuel tank within the vehicle makes it vulnerable to rear end impact and especially susceptible to fuel spills and explosions, and, alternatively, in such condition that upon an

impact, appropriate safe guards and fuel system safety mechanisms were not in place to prevent the fire described herein.

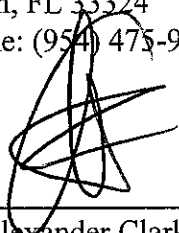
46. Defendant SUZUKI failed to warn Plaintiff of this condition.
47. The defective conditions made the subject vehicle unreasonably dangerous when used in the manner and for the purpose for which it was intended.
48. The defect existed both at the time of injury and at the time the vehicle left Defendant SUZUKI's possession.
49. The defect resulted in a condition in the subject vehicle wherein the fuel tank was vulnerable to rear end impact and which ruptured in a rear end collision, resulting in an explosion of the fuel tank, causing the death of WILLIE L. LONG, III.
50. As a direct and proximate result of Defendant SUZUKI's unreasonably dangerous and defective product and failure to warn, WILLIE L. LONG, III died, and his estate and survivors sustained attendant medical, hospital, and funeral expenses, and have further lost companionship, instruction and guidance, support, services, net accumulations, earnings, and have sustained mental pain and suffering and mental anguish.

WHEREFORE, Plaintiffs pray:

- a) Judgment for damages in excess of Fifteen Thousand (\$15,000.00) Dollars;
- b) Cost of suit;
- c) Pre-judgment interest where applicable;
- d) Trial by jury as to all issues so triable and,
- e) Such other relief as this Court may deem just and appropriate.

DATED: 10/2/02

LAW OFFICES WINSTON & CLARK, P.A.  
8211 West Broward Boulevard, Suite 420  
Plantation, FL 33324  
Telephone: (954) 475-9666

BY:   
Alexander Clark, Esquire  
Florida Bar No.: 813370

EA12-005  
PRODUCED BY SUZUKI MOTOR CORPORATION

IN THE CIRCUIT COURT IN AND  
FOR BREVARD COUNTY, FLORIDA

MICHELE SEXTON,

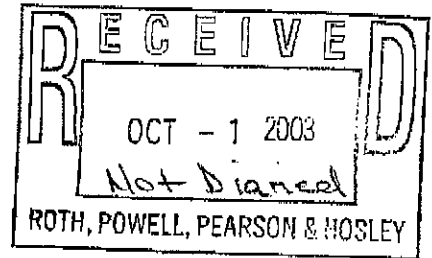
CASE NO. 05-2003-CA-064703

Plaintiff,

JUDGE: MAXWELL

vs.

WILLIE H. LONG, JR., individually and as  
Personal Representative of the Estate of  
WILLIE LONG, III, deceased; ENTERPRISE  
LEASING COMPANY, a Florida corporation;  
and STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY,



Defendants.

AMENDED COMPLAINT

Plaintiff, MICHELE SEXTON, sues Defendants, WILLIE H. LONG, JR., individually and  
as Personal Representative of the Estate of WILLIE LONG, III, deceased; ENTERPRISE LEASING  
COMPANY, a Florida corporation; and STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY, and alleges:

1. This is an action for damages that exceeds \$15,000.00, exclusive of costs, interest  
and attorneys' fees.
2. The Plaintiff, at all times material to this action, was a resident of Brevard County,  
Florida.
3. At all time material to this action, Defendant, WILLIE H. LONG, JR., was a resident  
of St. Lucie County, Florida.
4. Defendant, ENTERPRISE LEASING COMPANY, is a Florida corporation registered  
to do and doing business in the State of Florida.

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5. At all times material to this action, the Defendant, STATE FARM AUTOMOBILE INSURANCE COMPANY, was registered and authorized to provide insurance in the State of Florida and maintained agents in Brevard County, Florida for the transaction of its customary business.

### COUNT I

**NEGLIGENCE CLAIM AGAINST DEFENDANTS WILLIE H. LONG, JR., INDIVIDUALLY, AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF WILLIE LONG, III, DECEASED AND ENTERPRISE LEASING COMPANY, A FLORIDA CORPORATION**

6. On or about April 12, 2002, upon information and belief, Defendant, WILLIE H. LONG JR., INDIVIDUALLY, and/or WILLIE LONG, III, leased from Defendant, ENTERPRISE LEASING COMPANY, a motor vehicle owned by Defendant, ENTERPRISE LEASING COMPANY.

7. At that time, WILLIE LONG, III, negligently operated or maintained the motor vehicle so that it wrongfully struck a vehicle in which Plaintiff, MICHELE SEXTON, was operating on I-95 (S.R.9), in West Melbourne, Brevard County, Florida.

8. As a result of the aforementioned negligence, Plaintiff, MICHELE SEXTON, suffered bodily injury and resulting pain and suffering, disability, disfigurement, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are permanent and continuing, and Plaintiff will suffer the losses in the future.



9. Defendants are being served through the offices of a Sheriff, an authorized process server, or, in the alternative, after diligent search and inquiry, Defendant is concealing his whereabouts and avoiding service of process and is being served within the scope of Florida Statutes 48.161 and 48.171.

WHEREFORE, Plaintiff, MICHELE SEXTON, demands judgment against Defendants, WILLIE H. LONG, JR., individually, and as Personal Representative of the Estate of WILLIE LONG, III, deceased, and ENTERPRISE LEASING COMPANY, a Florida corporation, for damages, costs of this action, trial by jury and such other relief as this Court may deem meet and just.

**COUNT II**

**UNINSURED MOTORIST CLAIM AGAINST DEFENDANT,  
STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY.**

10. Each of the foregoing paragraphs 1 through 7 are realleged and incorporated herein.

11. As a result, Plaintiff, MICHELE SEXTON, suffered bodily injury and resulting pain and suffering, disability, disfigurement, loss of capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are permanent and continuing, and Plaintiff will suffer the losses in the future.

12. A policy of automobile insurance was purchased by MICHELE SEXTON from the Defendant, STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, which also included uninsured motorist coverage. Plaintiff does not have a copy of said policy in her possession, but Defendant insurer has possession of said policy.

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13. The policy of insurance was in full force and effect on April 12, 2002, when Plaintiff was seriously injured in the aforementioned motor vehicle accident.

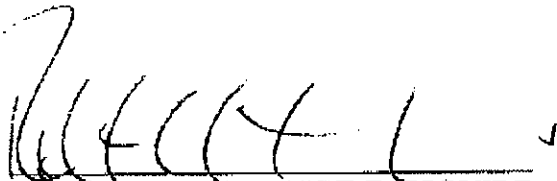
14. Plaintiff has complied with all conditions precedent to the insurance policy.

15. Defendant is being served through the offices of a Sheriff, an authorized process server, or, in the alternative, after diligent search and inquiry, Defendant is concealing his whereabouts and avoiding service of process and is being served within the scope of Florida Statutes 48.161 and 48.171.

WHEREFORE, Plaintiff, MICHELE SEXTON, demands judgment against Defendant, STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, for damages, costs of this action, trial by jury and such other relief as this Court may deem meet and just.

DATED this 20<sup>th</sup> day of August, 2003.

GRAHAM, MOLETTEIRE & TORPY, P.A.



ROBERT M. MOLETTEIRE, ESQUIRE

10 Suntree Place

Melbourne, FL 32940

Phone: (321) 253-3405

Fax: (321) 242-6121

Bar No.: 376469

Attorney for Plaintiff(s)

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PRODUCED BY SUZUKI MOTOR CORPORATION

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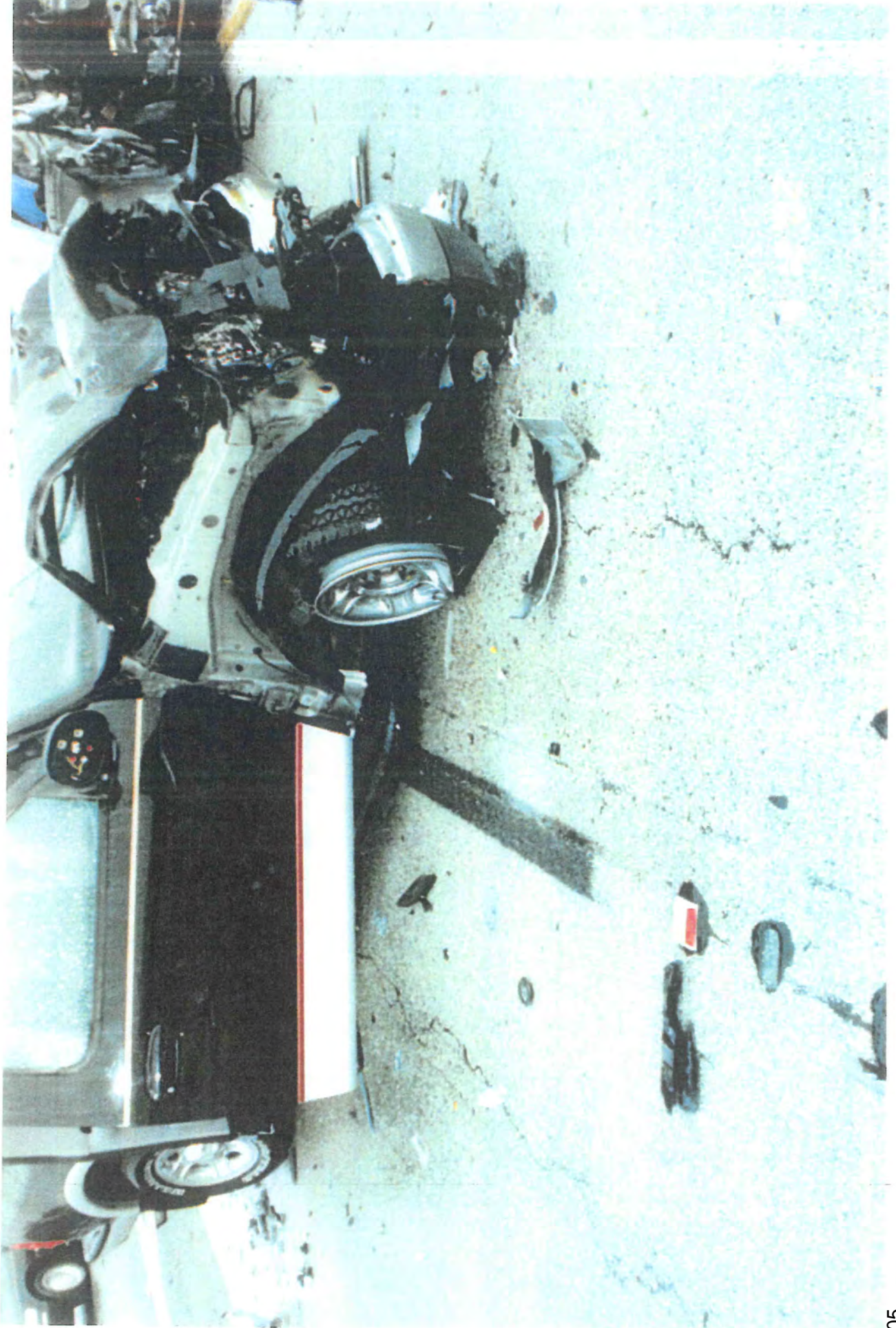












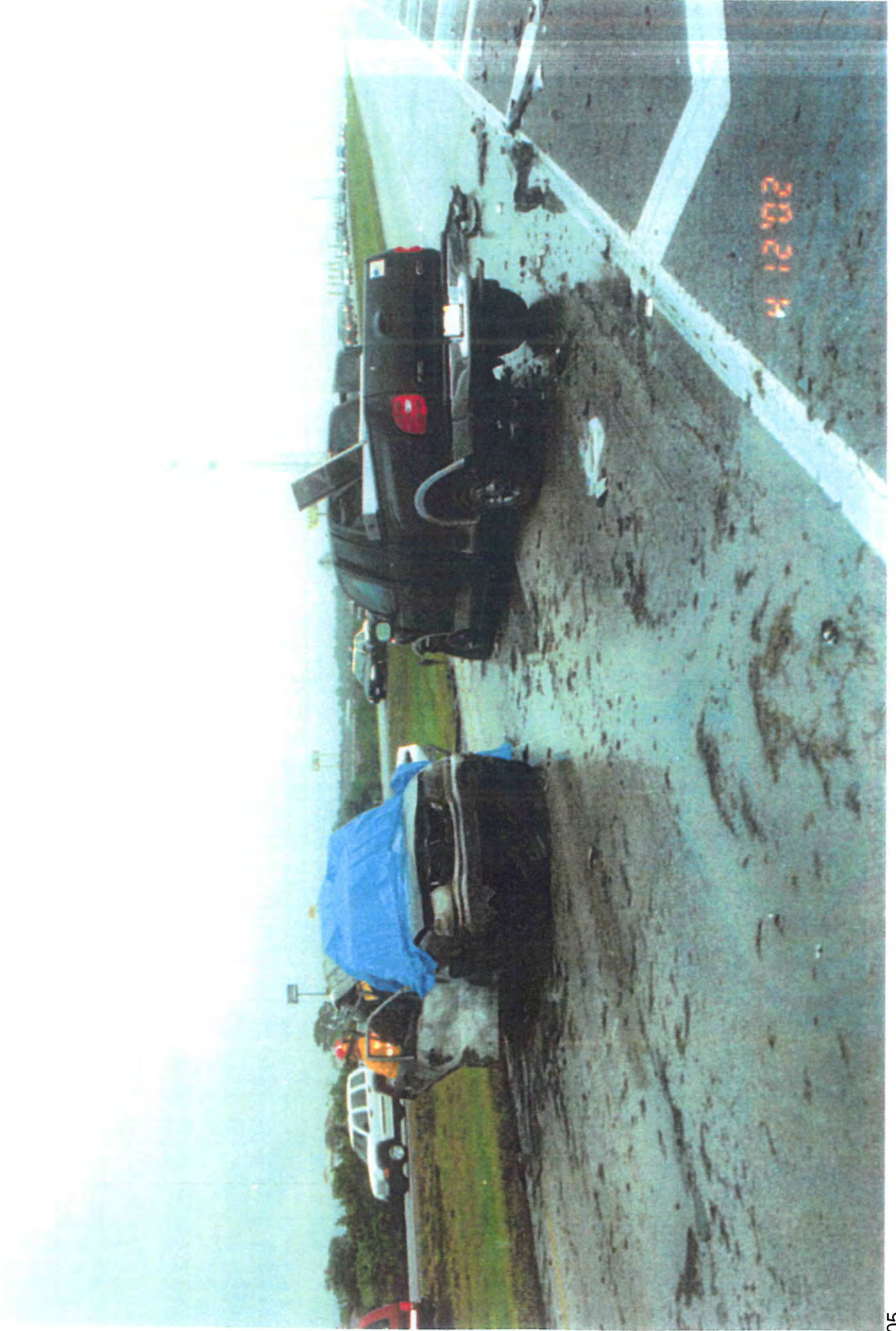




























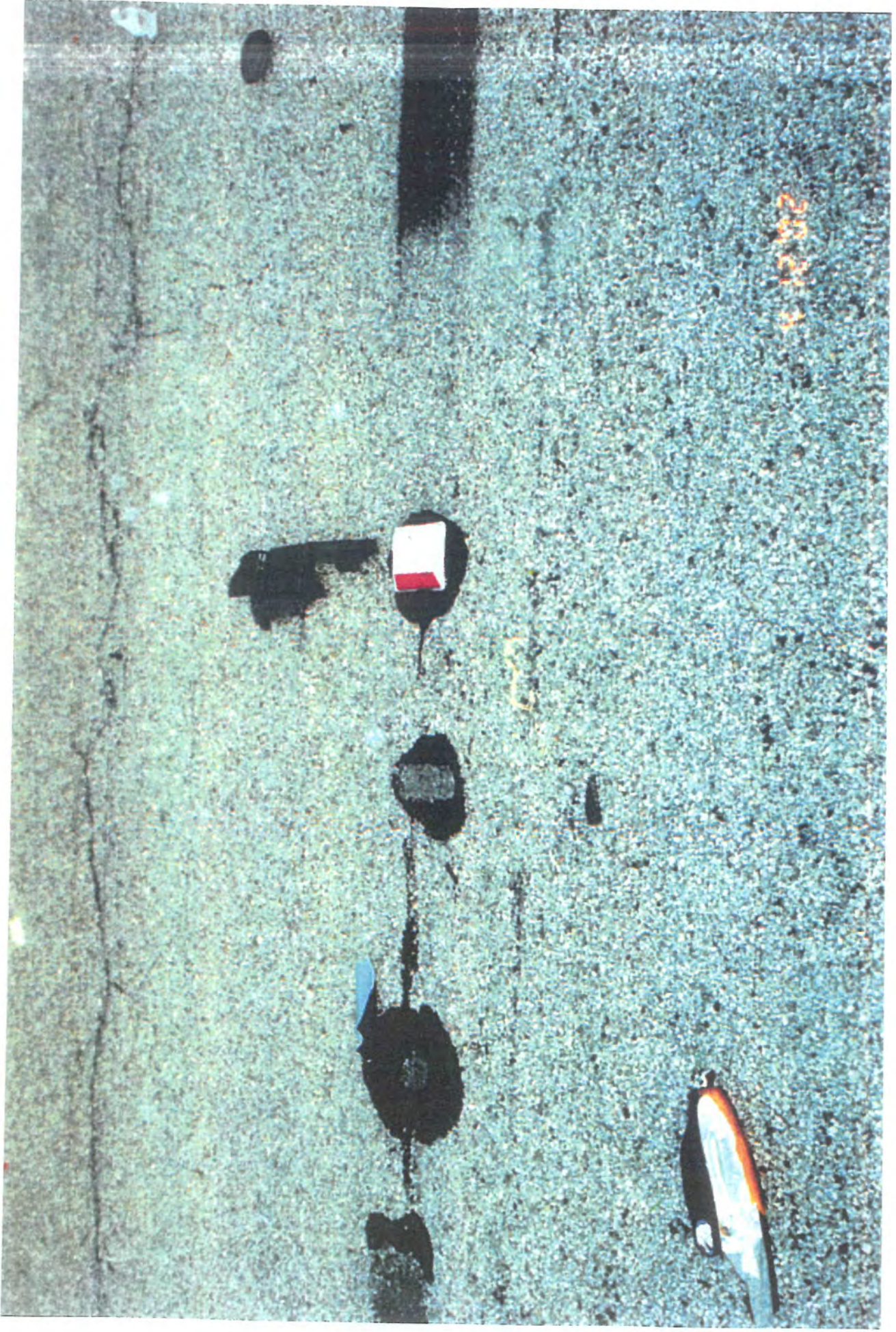
































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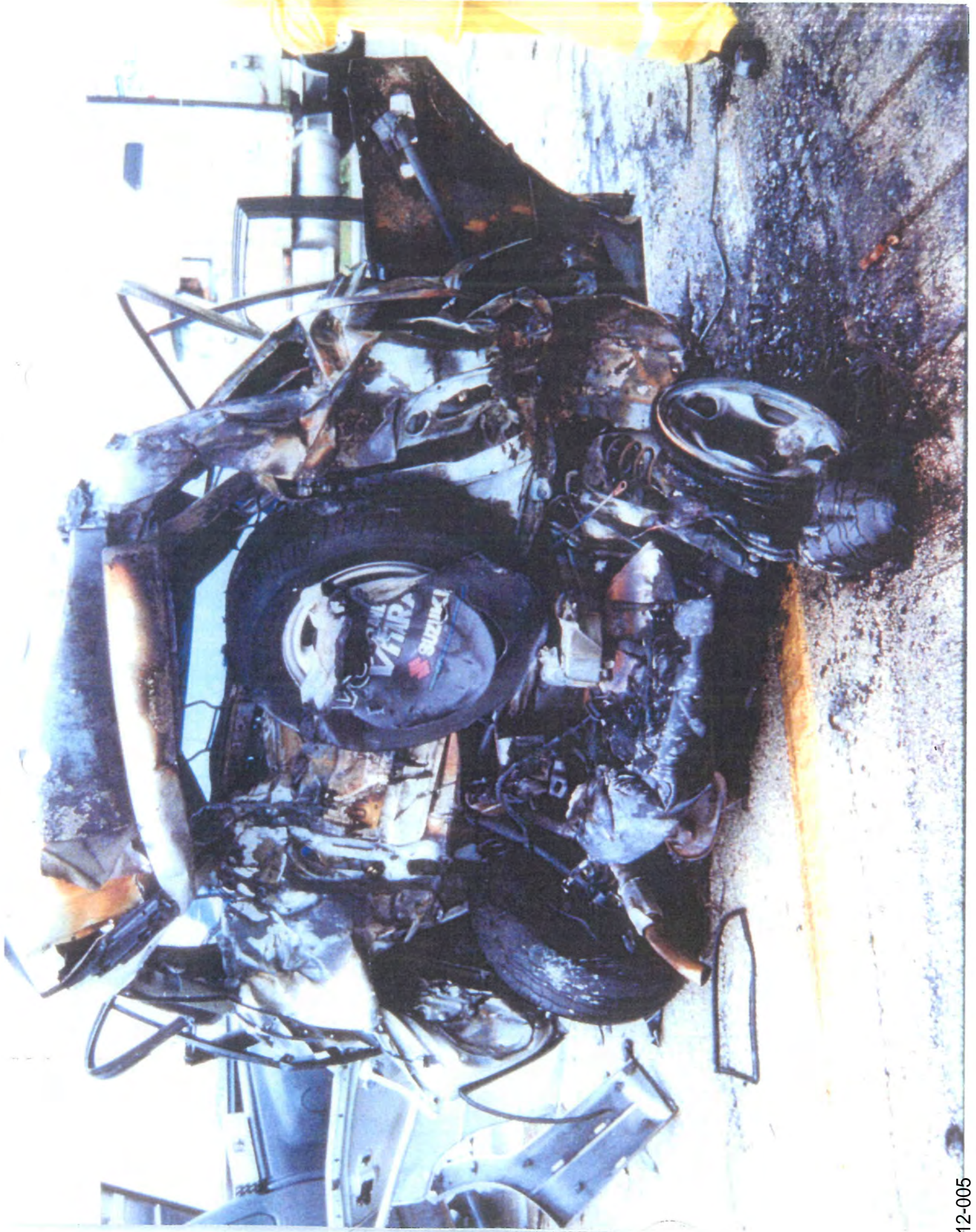






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# FLORIDA TRAFFIC CRASH REPORT

## LONG FORM

DO NOT WRITE IN THIS SPACE

FLORIDA DEPT. OF HIGHWAY SAFETY & MOTOR VEHICLES, TRAFFIC CRASH RECORDS, NEIL KIRKMAN BUILDING TALLAHASSEE, FL 32309-0537

DATE OF CRASH <b>04 12 02</b>		TIME OF CRASH <b>11:40</b> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM		TIME OFFICER NOTIFIED <b>11:47</b> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM		TIME OFFICER ARRIVED <b>11:52</b> <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM		INVEST. AGENCY REPORT NUMBER <b>02-28-06263-19</b>		HSMV CRASH REPORT NUMBER <b>70722682</b>					
COUNTY / CITY CODE <b>19-00</b>			FEET or MILE(S) <b>.5</b>			N S E W <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>			CITY OR TOWN <b>W. Melbourne</b>			COUNTY <b>Brevard</b>			
AT NODE NO.		FEET or MILE(S) <b>1/10</b>		FROM NODE NO. <b>02241</b>		NEXT NODE NO. <b>02240</b>		NO. OF LANES <b>4</b>		1. DIVIDED 2. UNDIVIDED <b>1</b>		ON STREET, ROAD OR HIGHWAY <b>I95 (S.R. 9)</b>			
AT THE INTERSECTION OF (street, road or highway)				FEET <b>2/10</b>				MILE(S) <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				FROM INTERSECTION OF (street, road or highway) <b>U.S 192 (S.R. 500)</b>			

DRIVER 1. Phantom 2. FR & RN 3. N/A <b>3</b>		YEAR <b>01</b>		MAKE <b>Suzi</b>		TYPE <b>03</b>		USE <b>01</b>		STATE <b>FI</b>		VEHICLE IDENTIFICATION NUMBER <b>JS3TD62VX14</b>		18. Undercarriage 19. Overturn 20. Windshield 21. Trailer SHOW FIRST POINT OF DAMAGE AND CIRCLE DAMAGED AREA(S) <b>8.</b>	
TRAILER OR TOWED VEHICLE INFORMATION				TRAILER TYPE				EST. TRAILER DAMAGE				DAMAGE AND CIRCLE DAMAGED AREA(S) <b>1</b>			

<input checked="" type="checkbox"/> VEHICLE TRAVELING N S E W <b>I 95</b>		ON AT		Est. MPH <b>80+</b>		Posted Speed <b>70</b>		EST. VEHICLE DAMAGE <b>\$15,000.00</b>		1. Disabling 2. Functional 3. No Damage <b>1</b>		EST. TRAILER DAMAGE		DAMAGE AND CIRCLE DAMAGED AREA(S) <b>1</b>	
MOTOR VEHICLE INSURANCE COMPANY (LIABILITY OR PIP) <b>Self Insured</b>				POLICY NUMBER <b>Unknown</b>				VEHICLE REMOVED BY <b>Lee's Towing</b>				1. Tow Rotation List 2. Tow Owner's Request 3. Driver 4. Other <b>1</b>			
NAME OF VEHICLE OWNER (Check Box if Same As Driver)				CURRENT ADDRESS (Number and Street)				CITY AND STATE <b>Lauderdale Lakes Fl</b>				ZIP CODE			

NAME OF MOTOR CARRIER (Commercial Vehicle Only)				CURRENT ADDRESS (Number and Street)				CITY, STATE AND ZIP CODE				US DOT or ICC MC IDENTIFICATION NUMBERS			
---	--	--	--	-------------------------------------	--	--	--	--------------------------	--	--	--	---	--	--	--

NAME OF DRIVER (Take From Driver License) PEDESTRIAN				CURRENT ADDRESS (Number and Street)				CITY, STATE & ZIP CODE <b>Ft. Pierce Fl</b>				DATE OF BIRTH													
STATE <b>FI</b>		DL TYPE <b>7</b>		REQ. END. <b>3</b>		ALC/DRUG TEST TYPE 1 Blood 3 Urine 5 None 2 Breath 4 Refused <b>1</b>		RESULTS		ALC/DRUG <b>6</b>		PHYS. DEF. <b>1</b>		RES. <b>2</b>		RACE <b>2</b>		SEX <b>1</b>		IRI. <b>5</b>		S. EQUIP. <b>2</b>		EJECT <b>4</b>	

HAZARDOUS MATERIALS BEING TRANSPORTED		PLACARDED		IF YES INDICATE NAME OR FOUR DGT NUMBER FROM DIAMOND OR BOX ON PLACARD AND 1 DIGIT NUMBER FROM BOTTOM OF DIAMOND.				WAS HAZARDOUS MATERIAL SPILLED?		RECOMMEND DRIVER RE-EXAM IF YES EXPLAIN IN NARRATIVE		DRIVER'S PHONE NO.	
<b>2</b>		<b>2</b>						<b>2</b>		<b>2</b>		<b>( )</b>	

DRIVER 1. Phantom 2. FR & RN 3. N/A <b>3</b>		YEAR <b>99</b>		MAKE <b>Ford</b>		TYPE <b>03</b>		USE <b>01</b>		STATE <b>FI</b>		VEHICLE IDENTIFICATION NUMBER <b>2FTRX08L7XC</b>		18. Undercarriage 19. Overturn 20. Windshield 21. Trailer SHOW FIRST POINT OF DAMAGE AND CIRCLE DAMAGED AREA(S) <b>1</b>	
TRAILER OR TOWED VEHICLE INFORMATION				TRAILER TYPE				EST. TRAILER DAMAGE				DAMAGE AND CIRCLE DAMAGED AREA(S) <b>1</b>			

<input checked="" type="checkbox"/> VEHICLE TRAVELING N S E W <b>I 95</b>		ON AT		Est. MPH <b>60-70</b>		Posted Speed <b>70</b>		EST. VEHICLE DAMAGE <b>\$8,000.00</b>		1. Disabling 2. Functional 3. No Damage <b>1</b>		EST. TRAILER DAMAGE		DAMAGE AND CIRCLE DAMAGED AREA(S) <b>1</b>	
MOTOR VEHICLE INSURANCE COMPANY (LIABILITY OR PIP) <b>State Farm Ins</b>				POLICY NUMBER				VEHICLE REMOVED BY <b>Lee's Towing</b>				1. Tow Rotation List 2. Tow Owner's Request 3. Driver 4. Other <b>1</b>			
NAME OF VEHICLE OWNER (Check Box if Same As Driver)				CURRENT ADDRESS (Number and Street)				CITY AND STATE <b>Melbourne Fl</b>				ZIP CODE			

NAME OF MOTOR CARRIER (Commercial Vehicle Only)				CURRENT ADDRESS (Number and Street)				CITY, STATE AND ZIP CODE				US DOT or ICC MC IDENTIFICATION NUMBERS			
---	--	--	--	-------------------------------------	--	--	--	--------------------------	--	--	--	---	--	--	--

NAME OF DRIVER (Take From Driver License) PEDESTRIAN				CURRENT ADDRESS (Number and Street)				CITY, STATE & ZIP CODE <b>Melbourne Fl</b>				DATE OF BIRTH													
STATE <b>FI</b>		DL TYPE <b>5</b>		REQ. END. <b>3</b>		ALC/DRUG TEST TYPE 1 Blood 3 Urine 5 None 2 Breath 4 Refused <b>5</b>		RESULTS		ALC/DRUG <b>1</b>		PHYS. DEF. <b>1</b>		RES. <b>1</b>		RACE <b>1</b>		SEX <b>2</b>		IRI. <b>2</b>		S. EQUIP. <b>2</b>		EJECT <b>4</b>	

HAZARDOUS MATERIALS BEING TRANSPORTED		PLACARDED		IF YES INDICATE NAME OR FOUR DGT NUMBER FROM DIAMOND OR BOX ON PLACARD AND 1 DIGIT NUMBER FROM BOTTOM OF DIAMOND.				WAS HAZARDOUS MATERIAL SPILLED?		RECOMMEND DRIVER RE-EXAM IF YES EXPLAIN IN NARRATIVE		DRIVER'S PHONE NO.	
<b>2</b>		<b>2</b>						<b>2</b>		<b>2</b>		<b>( )</b>	

VEHICLE TYPE	VEHICLE USE	TRAILER TYPE	RESIDENCE (Driver / Ped.)	PHYSICAL DEFECTS	ALCOHOL / DRUG USE	LOCATION IN VEHICLE
Automobile	01 Private Transportation	01 Single Semi Trailer	1 County of Crash	1 No Defects Known	1 Not Drinking or Using Drugs	1 Front Left
Van	02 Commercial Passengers	02 Tandem Semi Trailer	2 Elsewhere in State	2 Eyesight Defect	2 Alcohol - Under Influence	2 Front Center
Light Truck / P.U. - 2 or 4 rear tires	03 Commercial Cargo	03 Tank Trailer	3 Non-Resident Out of State	3 Fatigue / Asleep	3 Drugs - Under Influence	3 Front Right
Medium Truck - 4 rear tires	04 Public Transportation	04 Saddle Mount / Flatbed	4 Foreign 5 Unknown	4 Hearing Defect	4 Alcohol & Drugs - Under Influence	4 Rear Left
Heavy Truck - 2 or more rear axles	05 Public School Bus	05 Boat Trailer	DL TYPE	5 Illness	5 Had Been Drinking	5 Rear Center
Truck Tractor (Cab-Booth)	06 Private School Bus	06 Utility Trailer	1 A 2 B 3 C	6 Seizure, Epilepsy, Blackout	6 Pending ALC/DRUG Test Results	6 Rear Right
Motor Home (RV)	07 Ambulance	07 House Trailer	1 White 2 Black	7 Other Physical Defect	7 In Body Of Tru	7 In Body Of Tru
Bus (driver + seats for 9-15)	08 Law Enforcement	08 Pole Trailer	3 Hispanic 4 Other	INJURY SEVERITY	8 Bus Passenger	8 Bus Passenger
Bus (driver + seats for over 15)	09 Fire/Rescue	09 Towed Vehicle	5 E/ Operator 6 E/ Oper-Resl.	1 None	9 Other	9 Other
Bicycle	10 Military	10 Auto Transport	7 None	2 Possible	1 No In use	1 No
Motorcycle	11 Other Government	11 Other	REQUIRED ENDORSEMENTS	3 Non-Incapacitating	2 Seat Belt / Shoulder Harness	2 Yes
Moped	12 Dump		1 Yes 2 No 3 No Endorsement Required	4 Incapacitating	3 Child Restraint	3 Partial
All Terrain Vehicle	13 Concrete Mixer			5 Fatal (Within-30 Days)	4 Air Bag - Deployed	
Train	14 Garbage or Refuse			6 Non-Traffic Fatality	5 Air Bag - Not Deployed	
Low Speed Vehicle	15 Cargo Van				6 Safety Helmet	
Other	16 Other				7 Eye Protection	



ACTION		2. Hlt & Run 3. N/A	3	99	C	01	01	D305	VA	2C3HE66G4X	18. Undercarriage 19. Overhead 20. Wheel Hub 21. Trailer	2 3 4 5 6 7 1 15 16 17 8 14 13 12 11 10 9	SHOW FILE FRONT OF VEHICLE AND CIRCLE DAMAGED AREA(S)
TRAILER OR TOWED VEHICLE INFORMATION													
Vehicle	VEHICLE TRAVELING		ON		AT		Est MPH	Posted Speed	EST. VEHICLE DAMAGE	1. Disabling 2. Functional 3. No Damage	1	EST. TRAILER DAMAGE	14
	N S E W		I95		60-70		70	\$8,000.00					
Pedestrian	MOTOR VEHICLE INSURANCE COMPANY (LIABILITY OR PIP)		POLICY NUMBER		VEHICLE REMOVED BY		1. Tow Rotation List 2. Tow Owner's Request		3. Driver 4. Other		1		
	Unknown		Unknown		Lee's Towing								
	NAME OF VEHICLE OWNER (Check Box if Same As Driver)		CURRENT ADDRESS (Number and Street)		CITY AND STATE		ZIP CODE						
	Same as Driver												
NAME OF OWNER (Trailer or Towed Vehicle)		CURRENT ADDRESS (Number and Street)		CITY AND STATE		ZIP CODE							
NAME OF MOTOR CARRIER (Commercial Vehicle Only)		CURRENT ADDRESS (Number and Street)		CITY, STATE AND ZIP CODE		US DOT or ICC MC IDENTIFICATION NUMBERS							
NAME OF DRIVER (Take From Driver License) PEDESTRIAN		CURRENT ADDRESS (Number and Street)		CITY, STATE & ZIP CODE		DATE OF BIRTH							
		Galax VA											
HAZARDOUS MATERIALS BEING TRANSPORTED		PLACARDED		IF YES INDICATE NAME OR FOUR DGT NUMBER FROM DIAMOND OR BOX ON PLACARD AND 1 DIGIT NUMBER FROM BOTTOM OF DIAMOND.		WAS HAZARDOUS MATERIAL SPILLED?		RECOMMEND DRIVER RE-EXAM, IF YES EXPLAIN IN NARRATIVE		DRIVERS PHONE NO.			
1 Yes 2 No		2		2		2		2		( )			

#	PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNERS NAME	ADDRESS	CITY	STATE	ZIP
1	None						
#	PROPERTY DAMAGED - OTHER THAN VEHICLES	EST. AMOUNT	OWNERS NAME	ADDRESS	CITY	STATE	ZIP
2							

CONTRIBUTING CAUSES - DRIVER / PEDESTRIAN		VEHICLE DEFECT			VEHICLE MOVEMENT			VEHICLE SPECIAL FUNCTIONS		
01 No Improper Driving / Action 02 Careless Driving (Explain in Narrative) 03 Failed to Yield Right-of-Way 04 Improper Backing 05 Improper Lane Change 06 Improper Turn 07 Alcohol - Under Influence 08 Drugs - Under Influence 09 Alcohol & Drugs - Under Influence 10 Followed Too Closely 11 Disregarded Traffic Signal 12 Exceeded Safe Speed Limit 13 Disregarded Stop Sign 14 Failed to Maintain Equip./Vehicle 15 Improper Passing 16 Drove Left of Center 17 Exceeded Stated Speed Limit 18 Obstructing Traffic		01 No Defects 02 Def Brakes 03 Worn / Smooth Tires 04 Defective / Improper Lights 05 Puncture / Blowout 06 Steering Mech. 07 Windshield Wipers 08 Equipment / Vehicle Defect 77 All Other (Explain in Narrative)			01 Straight Ahead 02 Slowing / Stopped / Stalled 03 Making Left Turn 04 Backing 05 Making Right Turn 06 Changing Lanes 07 Entering / Leaving / Parking Space 08 Properly Parked 09 Improperly Parked 10 Making U-Turn			1 None 2 Farm 3 Police Pursuit 4 Recreational 5 Emergency Operation 6 Construction / Maintenance SOURCE OF CARRIER INFORMATION 1 Not Applicable 2 Shipping Papers 3 Vehicle Side 4 Driver 5 Other		
10 Improper Load 20 Disregarded Other Traffic Control 21 Driving Wrong Side/Way 22 Fleeting Police 23 Vehicle Modified 24 Driver Distraction (Explain in Narrative) 77 All Other (Explain in Narrative)		POINT OF COLLISION 01 On Road 02 Not On Road 03 Shoulder 04 Median 05 Turn Lane			PEDESTRIAN ACTION 01 Crossing Not at Intersection 02 Crossing at Mid-block Crosswalk 03 Crossing at Intersection 04 Walking Along Road With Traffic 05 Walking Along Road Against Traffic 06 Working on Vehicle In Road 07 Working In Road 08 Standing/Playing In Road 09 Standing In Pedestrian Island 77 All Other (Explain in Narrative) 88 Unknown			LOCATION TYPE 1 Priority Business 2 Priority Residential 3 Open Country		

FIRST / SUBSEQUENT HARMFUL EVENT(S)		ROAD SYSTEM IDENTIFIER		LIGHTING CONDITION							
01 Collision With MV in Transport (Rear End) 02 Collision With MV in Transport (Head On) 03 Collision With MV in Transport (Angle) 04 Collision With MV in Transport (Left Turn) 05 Collision With MV in Transport (Right Turn) 06 Collision With MV in Transport (Sideswipe) 07 Collision With MV in Transport (Backed Into) 08 Collision With Parked Car 09 Collision With MV on Roadway 10 Collision With Pedestrian 11 Collision With Bicycle 12 Collision With Bicycle (Bike Lane) 13 Collision With Moped 14 Collision With Train 15 Collision With Animal 16 MV Hit Sign / Sign Post 17 MV Hit Utility Pole / Light Pole 18 MV Hit Guardrail 19 MV Hit Fence 20 MV Hit Concrete Barrier Wall 21 MV Hit Bridge/Pier/Abutment/Rail 22 MV Hit Tree / Shrubbery 23 Collision With Construction Barricade Sign 24 Collision With Traffic Gate 25 Collision With Crash Attenuators 26 Collision With Fixed Object Above Road 27 MV Hit Other Fixed Object 28 Collision With Movable Object On Road 29 MV Ran Into Ditch/Culvert 30 Ran Off Road Into Water 31 Overturned 32 Occupant Fell From Vehicle 33 Tractor Trailer Jackknifed 34 Fire 35 Explosion 36 Downhill Runaway 37 Cargo Loss or Shift 38 Separation of Units 39 Median Crossover 77 All Other (Explain in Narrative)		01 Interstate 02 U.S. 03 State 04 County 05 Local 06 Turnpike / Toll 07 Forest Road 08 Private Roadway 77 All Other explain in Narrative		1 Daylight 2 Dusk 3 Dawn 4 Dark (Street Light) 5 Dark (No Street Light) 88 Unknown							
ROAD CONDITIONS AT TIME OF CRASH		VISION OBSTRUCTED		TRAFFIC CONTROL		ROAD SURFACE CONDITION		WEATHER		ROAD SURFACE TYPE	
01 No Defects 02 Obstruction With Warning 03 Obstruction Without Warning 04 Road Under Repair / Construction 05 Loose Surface Materials 06 Shoulders - Soft / Low High 07 Holes / Ruts / Unsafe Paved Edge 08 Standing Water 09 Worn / Polished Road Surface 77 All Other (Explain in Narrative)		01 Vision Not Obscured 02 Inclement Weather 03 Parked / Stopped Vehicle 04 Trees / Crops / Bushes 05 Load On Vehicle 06 Building / Fixed Object 07 Signs / Billboards 08 Fog 09 Smoke 10 Glare 77 All Other (Explain in Narrative)		01 No Control 02 Special Speed Zone 03 Speed Control Sign 04 School Zone 05 Traffic Signal 06 Stop Sign 07 Yield Sign 08 Flashing Light 09 Railroad Signal 10 Officer / Guard / Flag person 11 Posted No U-Turn 12 No Passing Zone 77 All Other Explain in Narrative		01 Dry 02 Wet 03 Slippery 04 Icy 77 All Other (Explain in Narrative)		01 Clear 02 Cloudy 03 Rain 04 Fog 77 All Other (Explain in Narrative)		01 Slag/Gavel/Stone 02 Blacktop 03 Brick/Block 04 Concrete 05 Dirt 77 All Other (Explain in Narrative)	
ROAD CONDITIONS AT TIME OF CRASH		VISION OBSTRUCTED		TRAFFIC CONTROL		SITE LOCATION		TRAFFIC WAY CHARACTER		TYPE SHOULDER	
						01 Not At Intersection/ RR X-ing / Bridge 02 At Intersection 03 Influenced By Intersection 04 Driveway Access 05 Railroad 06 Bridge 07 Entrance Ramp 08 Exit Ramp 09 Parking Lot - Public 10 Parking Lot - Private 11 Private Property 12 Toll Booth 13 Public Bus Stop Zone 77 All other (Explain in Narrative)		01. Straight - Level 02. Straight-Upgrade / Downgrade 03. Curve - Level 04. Curve -Upgrade / Downgrade		01. Paved 02. Unpaved 03. Curb	

VIOLATOR(S)	SECTION #	NAME OF VIOLATOR	FL STATUTE NUMBER	CHARGE	CITATION NUMBER
				NONE	



**FLORIDA TRAFFIC CRASH REPORT**  
**NARRATIVE/DIAGRAM**  
 MAIL TO DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES, C CRASH  
 RECORDS SECTION, NEIL KIRKMAN BUILDING, TALLAHASSEE, FL 32399-0500

DO NOT WRITE IN THIS SPACE

TIME EMS NOTIFIED (FATALITIES ONLY) 11:44 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	TIME EMS ARRIVED (FATALITIES ONLY) 11:50 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	DATE OF CRASH 04 12 02	COUNTY / CITY CODE 19-00	INVEST. AGENCY REPORT NUMBER 02-28-06263-19	HSMV CRASH REPORT NUMBER 70722682
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(NARRATIVE)  
 Section 3 V-3 was traveling south on I95 in the right lane. Section 2 V-2 was traveling south on I95 in the left lane a short distance in front of V-1.  
 Section 1 V-1 was traveling north on I95 in the left lane approaching V-2 and V-3. For an unknown reason V-1 traveled to the left and into the median D-1 lost control of V-1 and V-1 spun approx 180 degrees and into the left southbound lanes right in the path of V-2 and V-3 which caused the front of V-2 to strike the rear of V-1 and the front left of V-3 to strike the rear of V-1. V-3 came to rest south of impact in a safety zone on the west shoulder. V-2 came to rest south of impact in the middle of I95 facing southeast. V-1 came to rest south of impact in the left southbound lane facing northwest. V-1 then caught on fire.

Pronounced By Firemedic Gosnell

Name of Deceased: [REDACTED] Date of Birth: [REDACTED]  
 Date of Death: 04-12-02 Time of Death 11:52am

Name of Deceased: [REDACTED] Date of Birth: [REDACTED]  
 Date of Death: 04-12-02 Time of Death 11:52am

Traffic homicide Investigator: Corporal W. H. Corbett ID #0507 Photos by Corporal D. O'Neill

Traffic Homicide Case Number: FHP 702-19-16

SEC#	PASS#	PASSENGER'S NAME	CURRENT ADDRESS	CITY & STATE	ZIP CODE	DATE OF BIRTH	RACE	SEX	LOC	INJ	S. EQUIP.
1	1	[REDACTED]	[REDACTED]	Orlando FL	[REDACTED]	[REDACTED]	2	1	3	5	1 4
2	1	Same as Driver	Same as Driver			[REDACTED]	1	1	5	2	3 \
3	1	Same as Driver	Same as Driver			[REDACTED]	1	2	3	2	2 4

Violator(s)	SECTION #	NAME OF VIOLATOR	FL STATUTE NUMBER	CHARGE	CITATION NUM

WITNESS NAME (1)	CURRENT ADDRESS	CITY & STATE	ZIP CODE	WITNESS NAME (2)	CURRENT ADDRESS	CITY & STATE	ZIP
[REDACTED]	[REDACTED]	Deltona FL	[REDACTED]	[REDACTED]	[REDACTED]	Cocoa FL	3

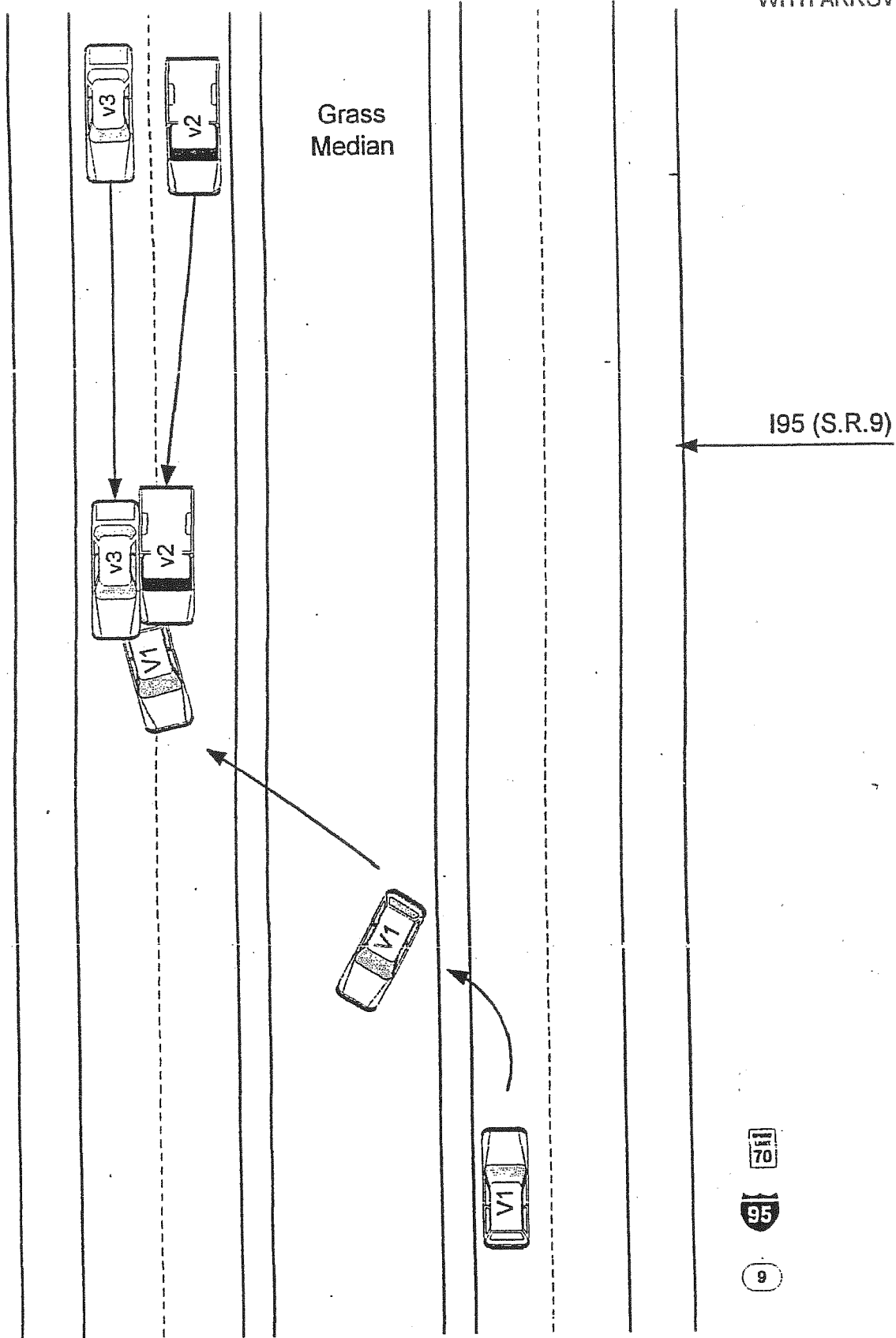
FIRST AID GIVEN BY-NAME: B.C.F.R. 1. Physician or Nurse 2. Paramedic or EMT 3. Police Officer 4. Certified 1st Aider 5. Other [2] INJURED TAKEN TO: Holmes Hospital BY-NAME: B.C.F.R.

WAS INVESTIGATION MADE AT SCENE? 1. YES [1] 2. NO [ ] IF NO, THEN WHERE? [ ] IS INVESTIGATION COMPLETE? 1. YES [2] 2. NO [ ] T.H.I. DATE OF REPORT: 04/12/02 PHOTOS TAKEN: 1. YES [1] 2. NO [ ] IF YES BY WHOM? 1. INVESTIGATING AGENCY 2. OTHER

INVESTIGATOR-RANK&SIGNATURE: Trooper C.F. Thomas ID/BADGE NUMBER: 1727-1326 DEPARTMENT: Florida Highway Patrol



INDICATE NORTH  
WITH ARROW



**Carr Engineering, Inc.**  
12500 Castlebridge Drive Houston, Texas 77065-4532  
Telephone: 281/894-8955  
Fax: 281/894-5455

 v. A.S.M.C.

## **VEHICLE INSPECTION**

**MAY 9, 2003**

**ORLANDO, FL**

CARR ENGINEERING, INC.

12500 Castlebridge Drive Houston, Texas 77065  
Phone: (281) 894-8955 Fax: (281) 894-5455

VEHICLE INSPECTION NOTES

Case: [REDACTED] Date: 5/9/03  
Location: ORLANDO, FL.

Vehicle Information

Make: FORD Model: F150 P/U TRUCK  
GVWR (lbs): 6500 FGAWR (lbs): 3660 RGAWR (lbs): 3550  
Additional Model Codes: BUILD 12/98

VIN: 2FTRXG8L7XC [REDACTED] Model Year: ~~1998~~ 1999  
Mileage: ELECTRONIC - NO BATTERY POWER License #: \_\_\_\_\_  
Engine: V8 5.4L Transmission: AUTO  
Drive Type: Front \_\_\_\_\_ Rear \_\_\_\_\_ 4-Wheel  Full-Time 4WD \_\_\_\_\_

Optional Equipment:

Air Conditioning  Power Steering  Power Brakes   
Tilt Stgr. Column  Speed Control  Sunroof NO

Body Style: SUPER CAB Wheelbase: SEE \* PROFILE Pickup Bed Length 80 IN.  
Front Track: \* Rear Track: \*  
Front Overhang: \* Rear Overhang: \*



CARR ENGINEERING, Inc.

Case:



v. SUZUKI

1998 FORD F150

5/9/03

VEHICLE INTERIOR (Continued)

Shift Controls :

Floor \_\_\_\_\_

Steering Column

Steering Column : INTACT

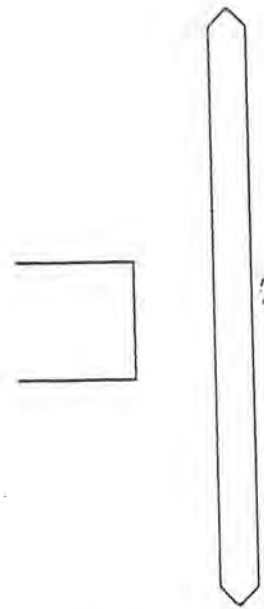
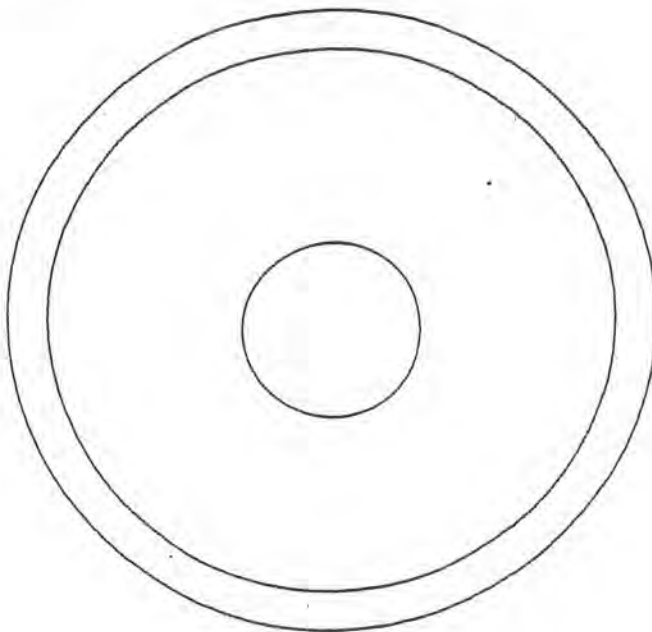
EA Capsules : COLUMN APPEARS PUSHED FORWARD IN VEHICLE -

NO DISASSEMBLY

Steering Column Shroud : PUSHED INTO I/P TRIM

Driver's Air Bag : DEPLOYED

Steering Wheel : SLIGHT RIM BENDING



CARR ENGINEERING, Inc.

Case :



v. SUZUKI  
5/9/03

*AIR BAGS* 1998 FORD F150

Driver's Side not present ( )

Not Evaluated

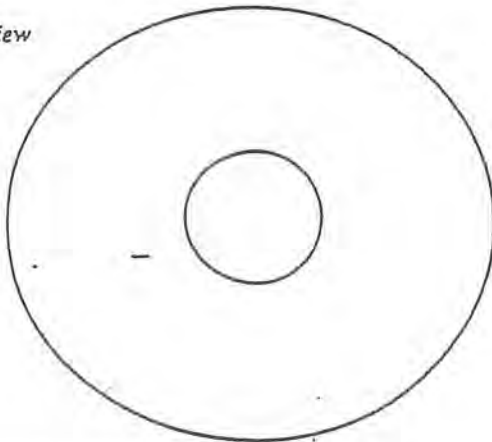
Deployed : Yes  No

Diameter : \_\_\_\_\_

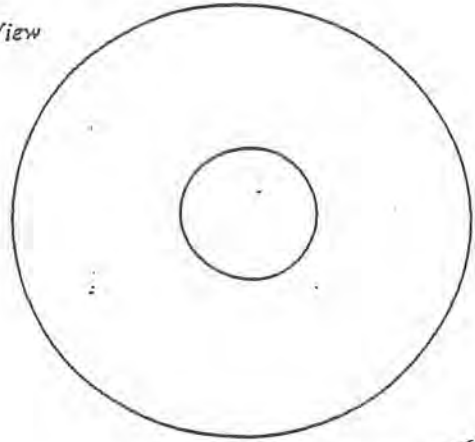
Vent Size : \_\_\_\_\_ Locations : \_\_\_\_\_

Material : \_\_\_\_\_

*Front View*



*Rear View*



Passenger's Side not present ( )

Not Evaluated

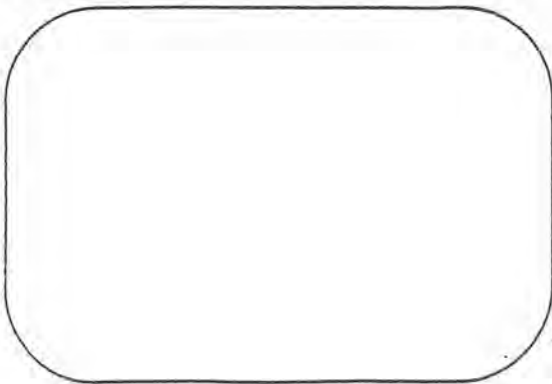
Deployed : Yes  No

Diameter : \_\_\_\_\_

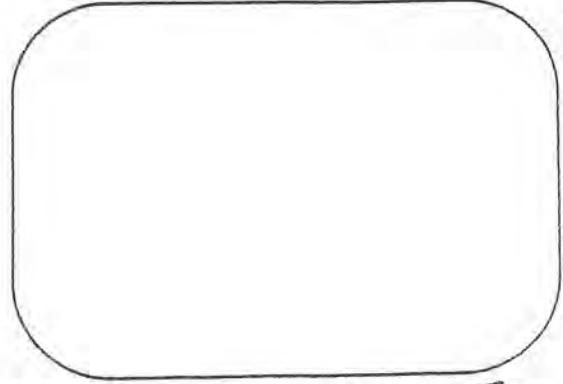
Vent Size : \_\_\_\_\_ Locations : \_\_\_\_\_

Material : \_\_\_\_\_

*Front View*



*Rear View*





1999 FORD F150  
FRONT SEAT BELTS

Type: 3-POINT CONTINUOUS LOOP MANUAL BELT

Driver Seat Belt not present ( )

Retractor: E. Lock.  A. Lock.  Webb. Sens.  Veh. Sens.

Latch Plate: Free  Clamped  Sewn

Latch Plate/Buckle Function: NOT EVALUATED

Latch Plate: INTACT - LOAD MARKS PRESENT

D-Ring: INTACT - LOAD MARKS PRESENT

Webbing: INTACT - LOAD MARK (REDDISH MARKS ON WEBBING)

Center Seat Belt not present ( )

Retractor: E. Lock.  A. Lock.  Webb. Sens.  Veh. Sens.

Latch Plate: Free  Clamped  Sewn

Latch Plate/Buckle Function: \_\_\_\_\_

Latch Plate: \_\_\_\_\_

D-Ring: \_\_\_\_\_

Webbing: \_\_\_\_\_

Passenger Seat Belt not present ( )

Retractor: E. Lock.  A. Lock.  Webb. Sens.  Veh. Sens.

Latch Plate: Free  Clamped  Sewn

Latch Plate/Buckle Function: \_\_\_\_\_

Latch Plate: \_\_\_\_\_

D-Ring: \_\_\_\_\_

Webbing: \_\_\_\_\_

*NOT EVALUATED*

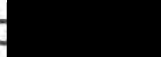
CASE#



V. SUZUKI

VinPOWER SA v.3.0.0

Results for VIN Number 2FTRX08L7XC



Model Year	1999
Make	Ford
Model	F150
Body Type	2 Door Cab; Super Cab; Flareside
Trim Level	Base
Engine Type	V8, 5.4L (330 CID); SOHC 16V, EFI, 235-260HP, Gas
Country	CANADA
Assy. Plant	Ontario Truck: Oakville, Ontario
Production Seq. Number	A31136
Check Digit	7
Drive Line Type	4WD
GVWR Class	Class E: 6,001-7,000 lb
Manufacturer	Ford Motor Company of Canada, Ltd
Restraint System	Air Bag-2nd Generation
Vehicle Type	Pickup Truck
Vehicle Class	Full-size Pickup
Brake System	Hydraulic
Fuel Type	Gasoline

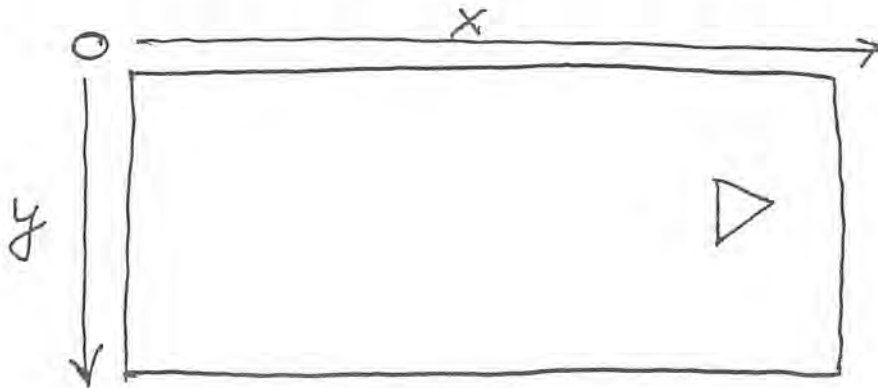




V. SUZUKI

5/9/30


DAMAGE PROFILE - 1998 FORD F150 P/U



$X = 18^{10}$

$Y = 6^8$

MEASUREMENT TO °

	X	Y
REAR BUMPER C/L	-2 in	40 in
LT. RADIUS	0	7
RT. " "	0	73
LT. REAR WHEEL HUB	3 <sup>10 1/2</sup>	4
RT. " " " (WITH CAP)	3 <sup>10 1/2</sup>	W-3
LT. DOOR STRIKER	9 <sup>7</sup>	5
RT. " "	9 <sup>7</sup>	W-5
RT. FRONT WHEEL - NO CAP (wheel TURNED RIGHT T/ROD FRACTURED)	15 <sup>3</sup>	W-6 1/2
LT. FRONT WHEEL - TURNED RT.	15 <sup>1 1/2</sup>	4 1/2
LT. FRAME HORN C/L 	L-16 1/2	22
RT. " " " "	L-7	53 1/2
RT. FRONT BODY MNT. C/L OUTBOARD	L-20	61
LT. " " " "	L-30	19 1/2

V. SUZUKI

5/9/30

DAMAGE PROFILE CONT' - 1998 FORD F150 P/L

MEASUREMENT TO:

X

Y

RADIATOR SUPT. - TOP SURFACE

• AT HOOD BUMPER	L-23	67
• SQUARE HOLE AT TOP □	L-28	56
• C/L AT HOOD LATCH	L-30	41½
	L-30	34½
• INFLECTION PT.	L-28	23½
• LT. HOOD BUMPER	L-26½	17

LEADING EDGE LT. FENDER

L-30	11
------	----

HOOD PROFILE

L-23½	72
L-23	63
L-22	52
L-26	40½
L-26	30
L-22	26
L-27	14

FRONT BUMPER PROFILE

NOTE: BUMPER SEPARATED FROM VEHICLE - BUMPER PLACED ON GROUND TO APPROX. POSITION.

• TAKEN AT □ HOLES

AT BREAK

END POINT

16 <sup>10</sup>	-1	OUT →
• L-14½	4	
• L-11½	12½	
• L-11½	20	
• L-13	27	
• L-14½	34	
• L-10	40	
L-6	47½	
• L-1	53	
• L+4	58	
• L+7	66	
L+6	77	

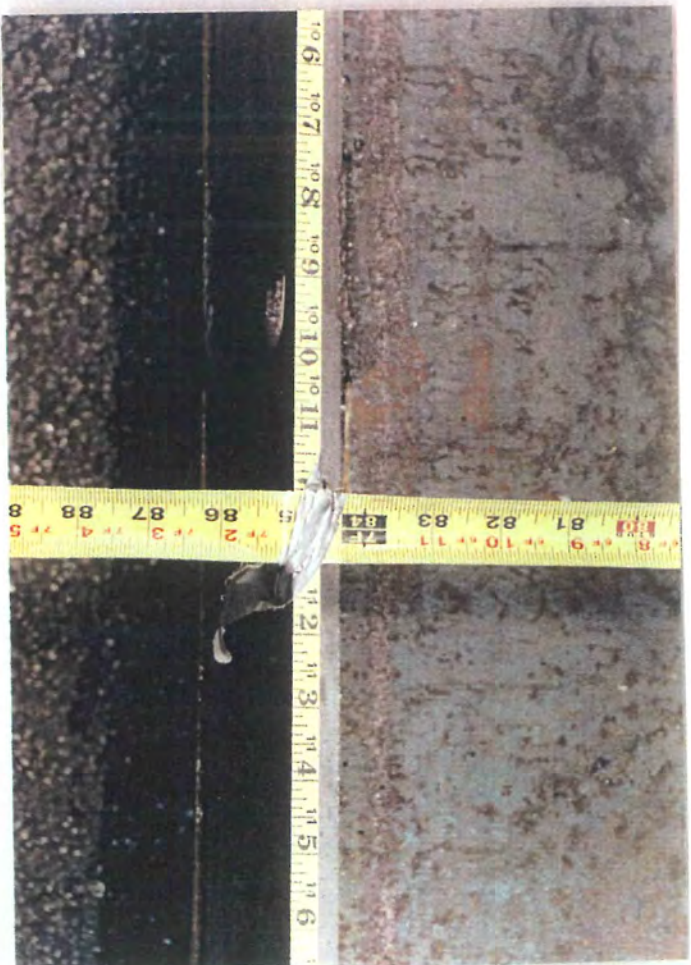
#1 CROSS MEMBER - LT

"

- RT

L-30	21½
L-24½	56½







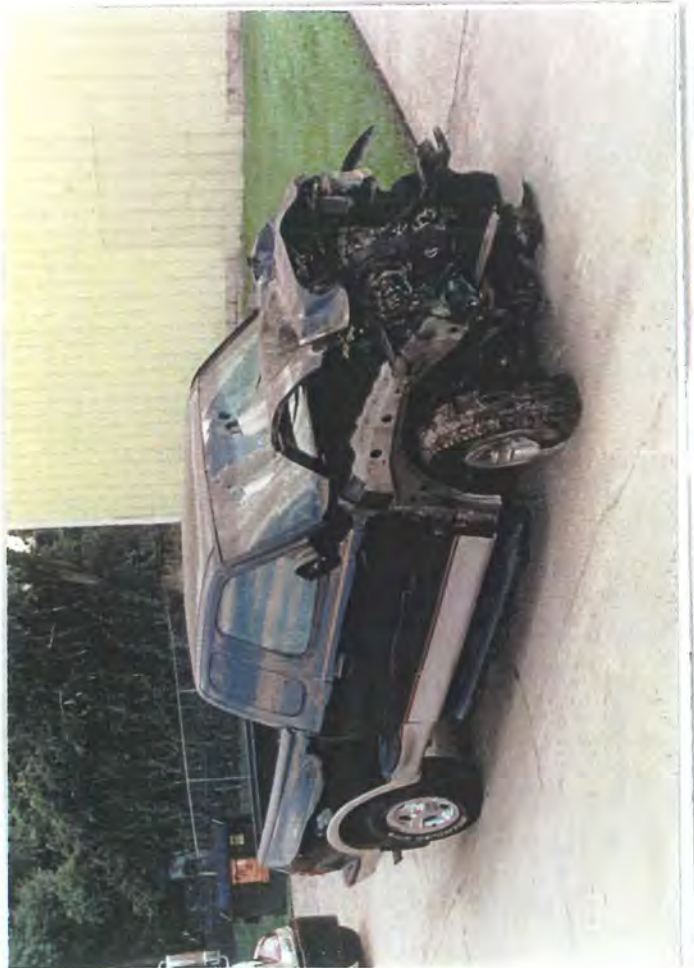
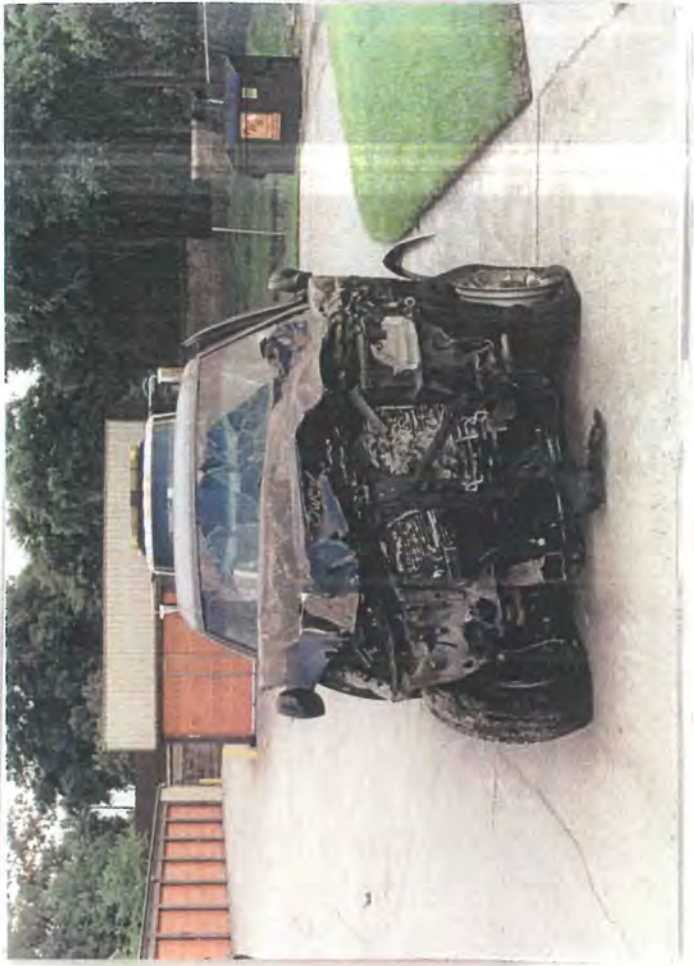
5047 F (No. 27A)



5047 F (No. 28<sup>A</sup>)

5047 F (No. 30<sup>A</sup>)

























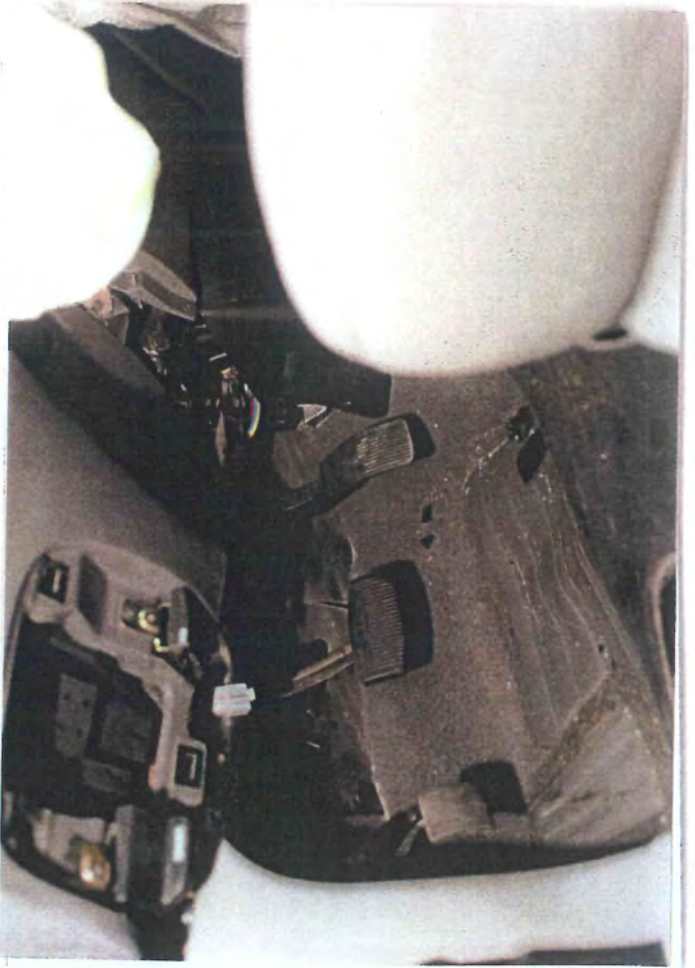




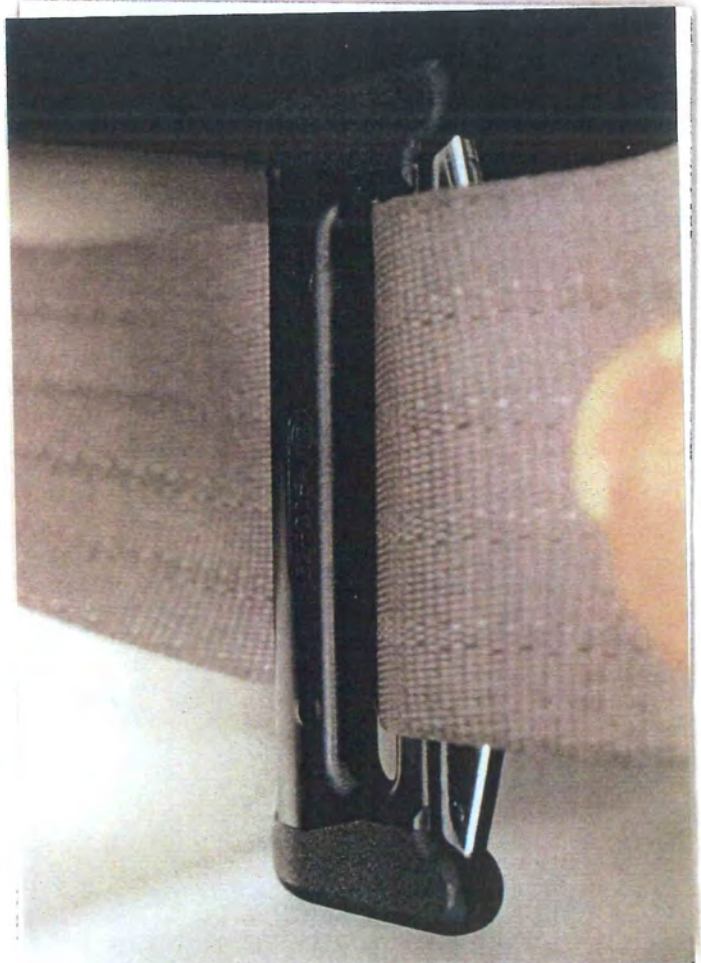
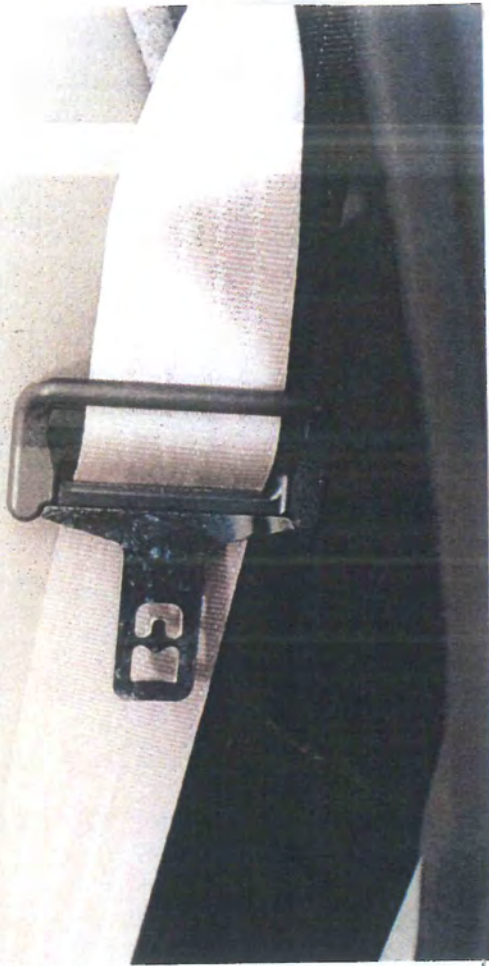
EA12-005

PRODUCED BY SUZUKI MOTOR CORPORATION

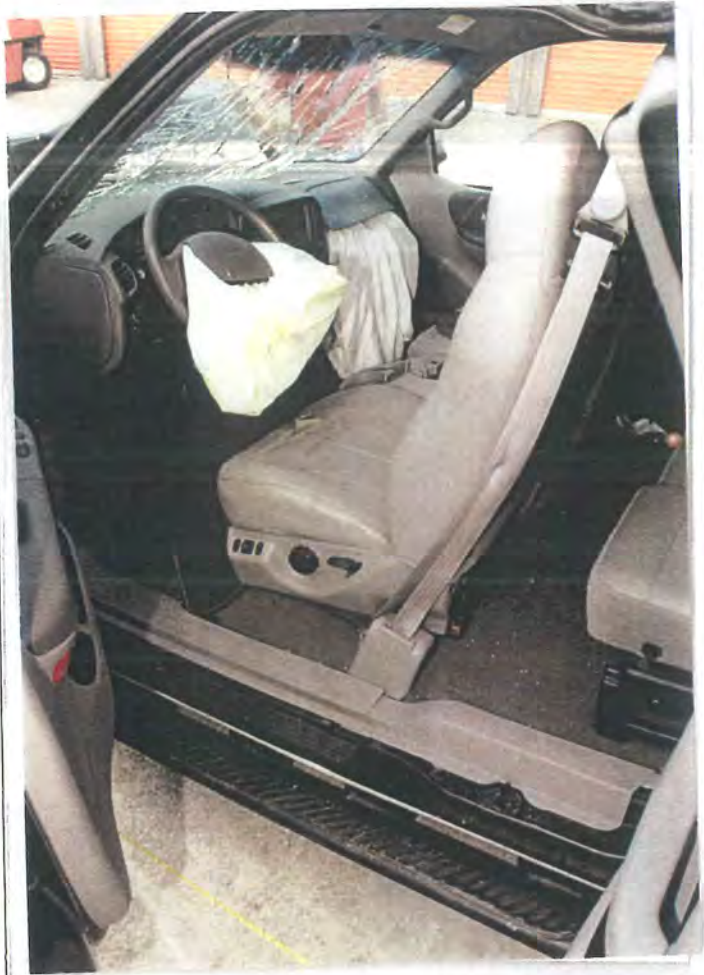




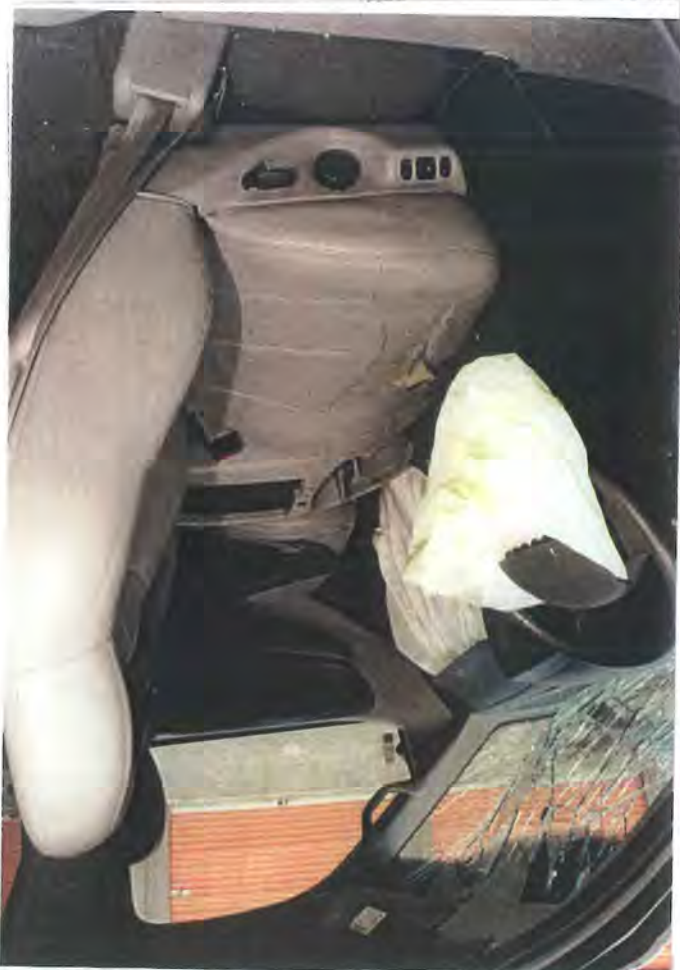
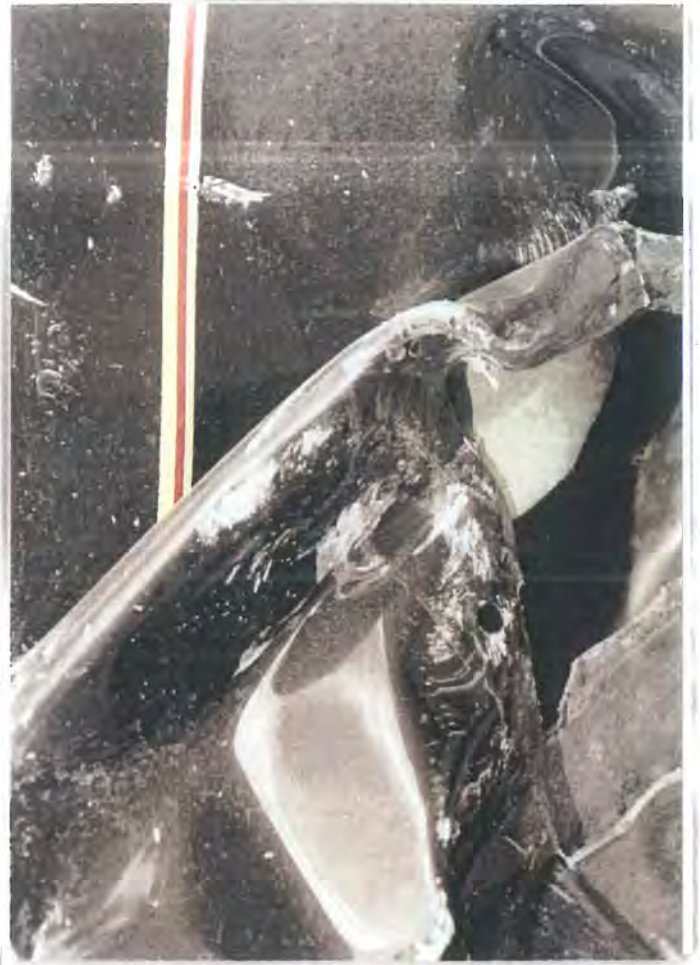




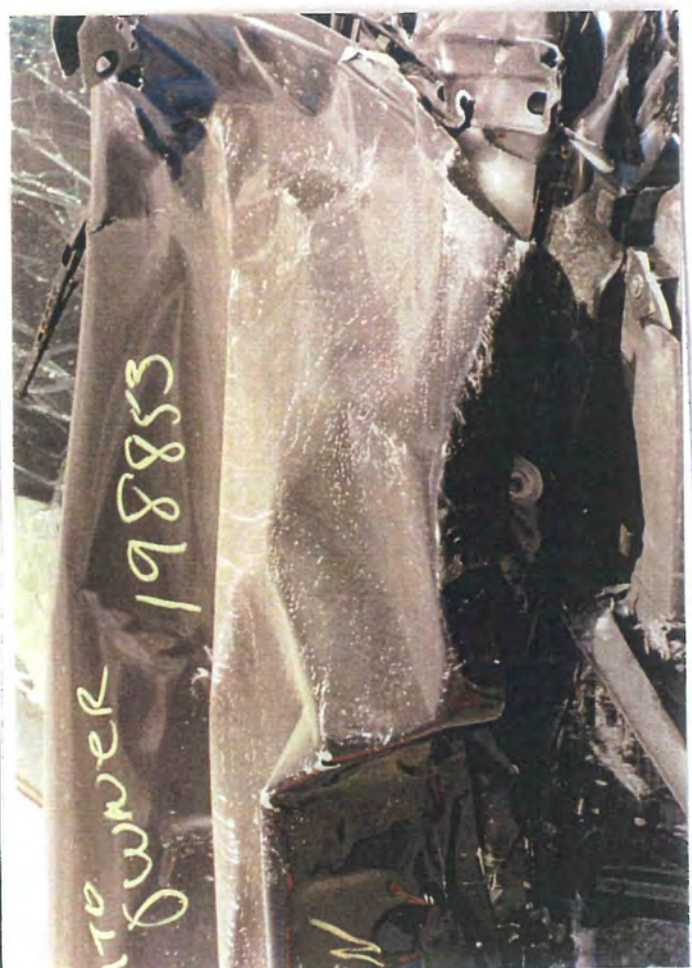
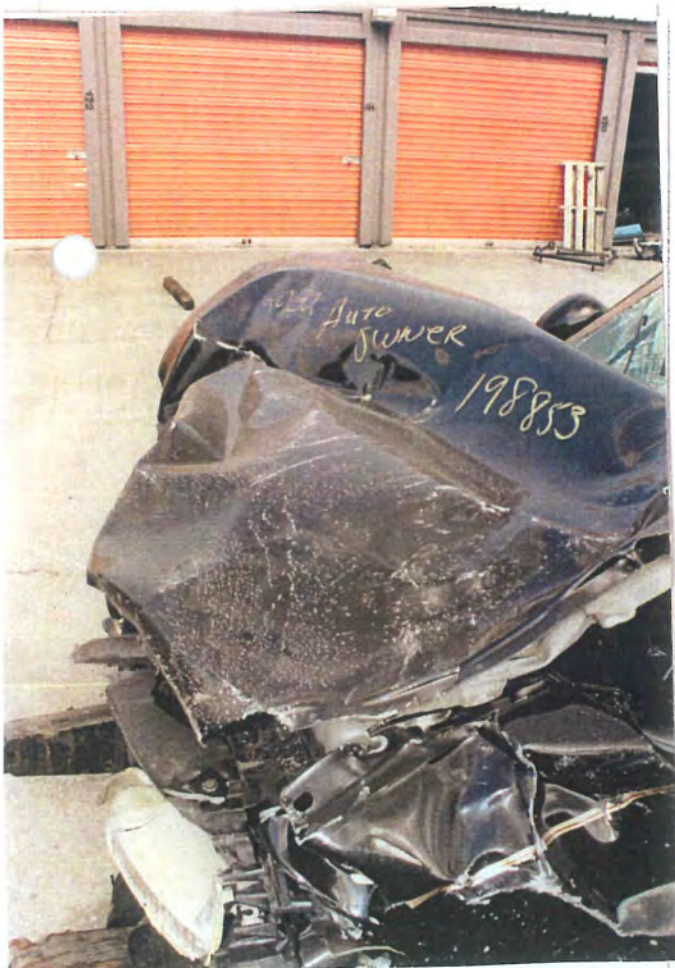
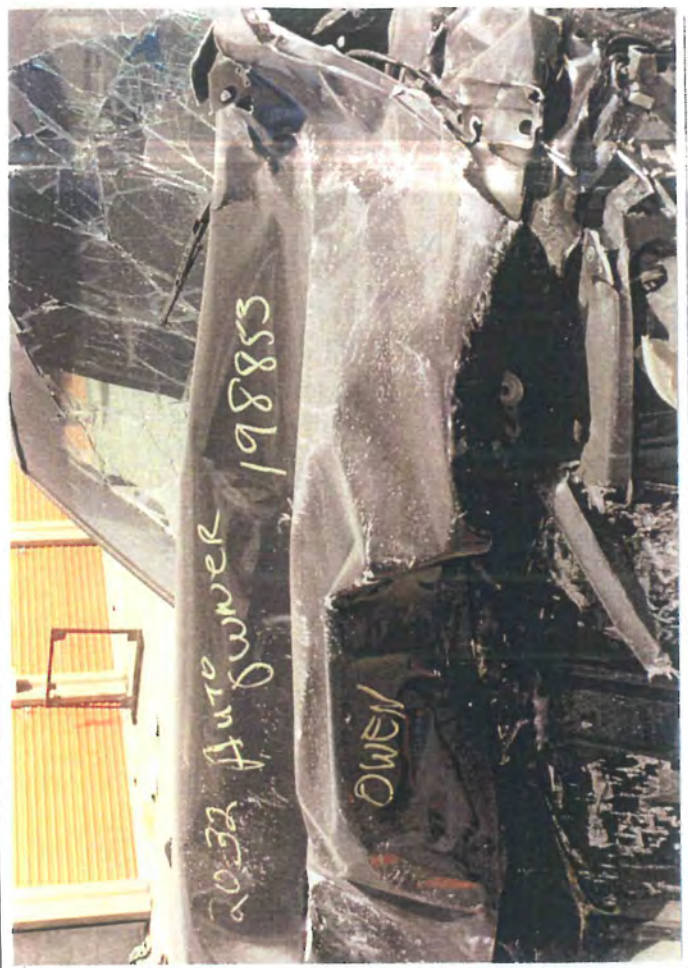




















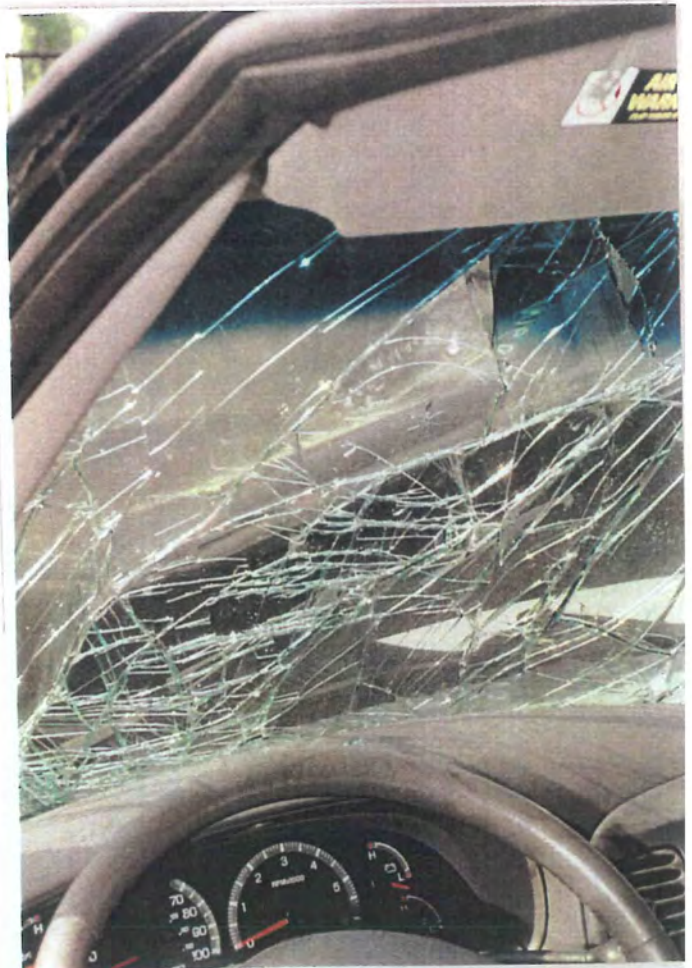












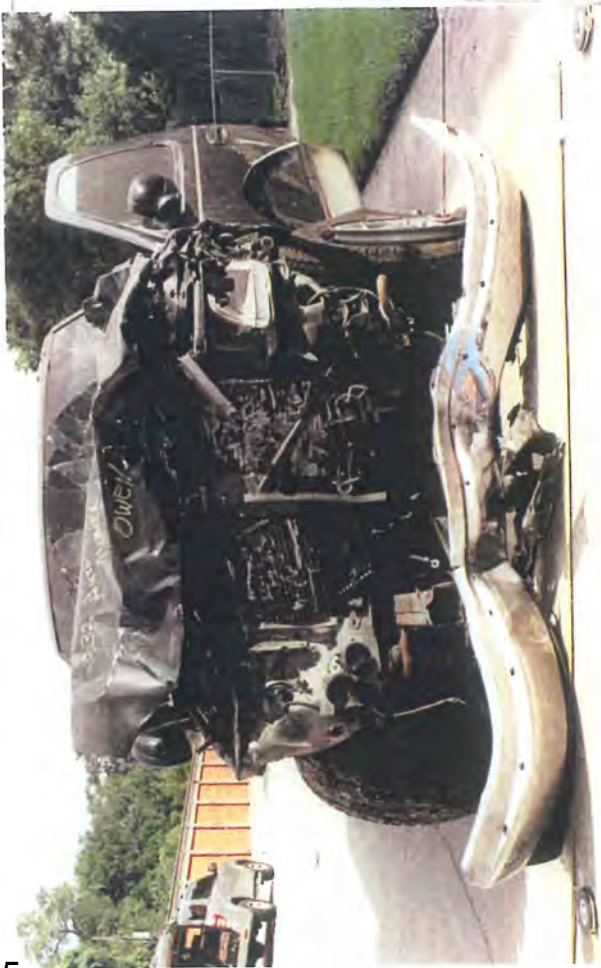




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V. A.S.M.C.

VEHICLE INSPECTION

ORLANDO, FL.

MAY 9, 2003

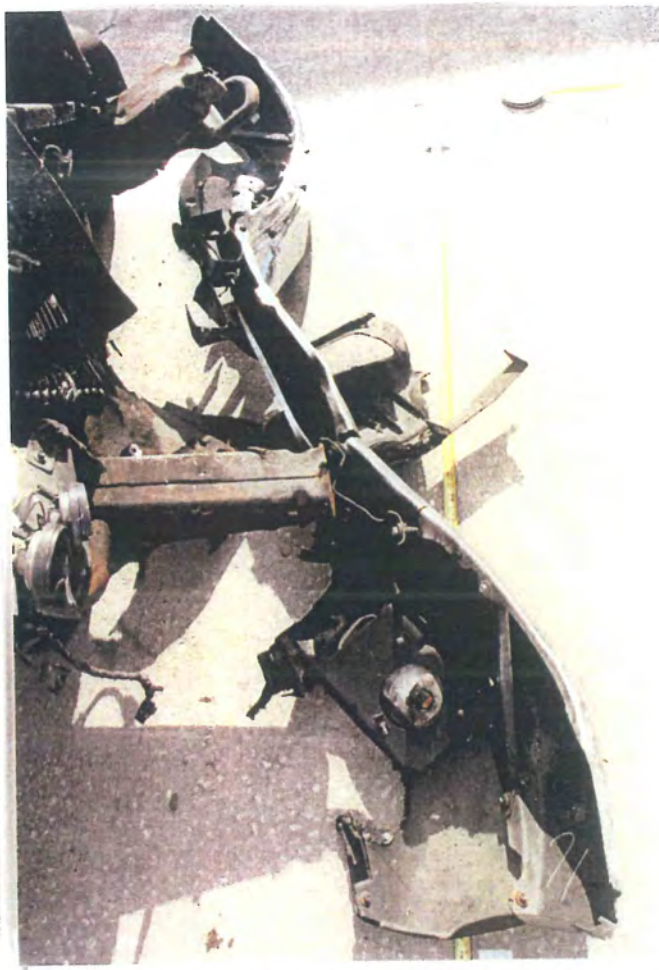
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6 7 8

ROLL 6 7















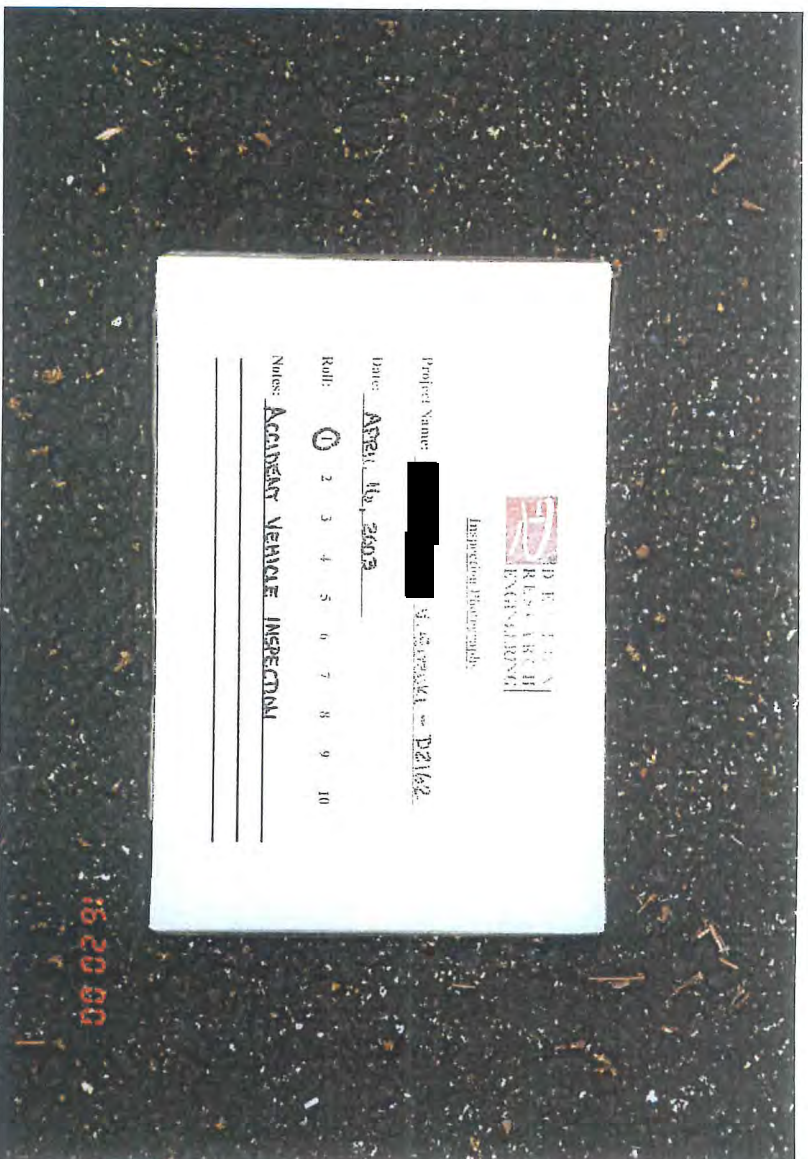






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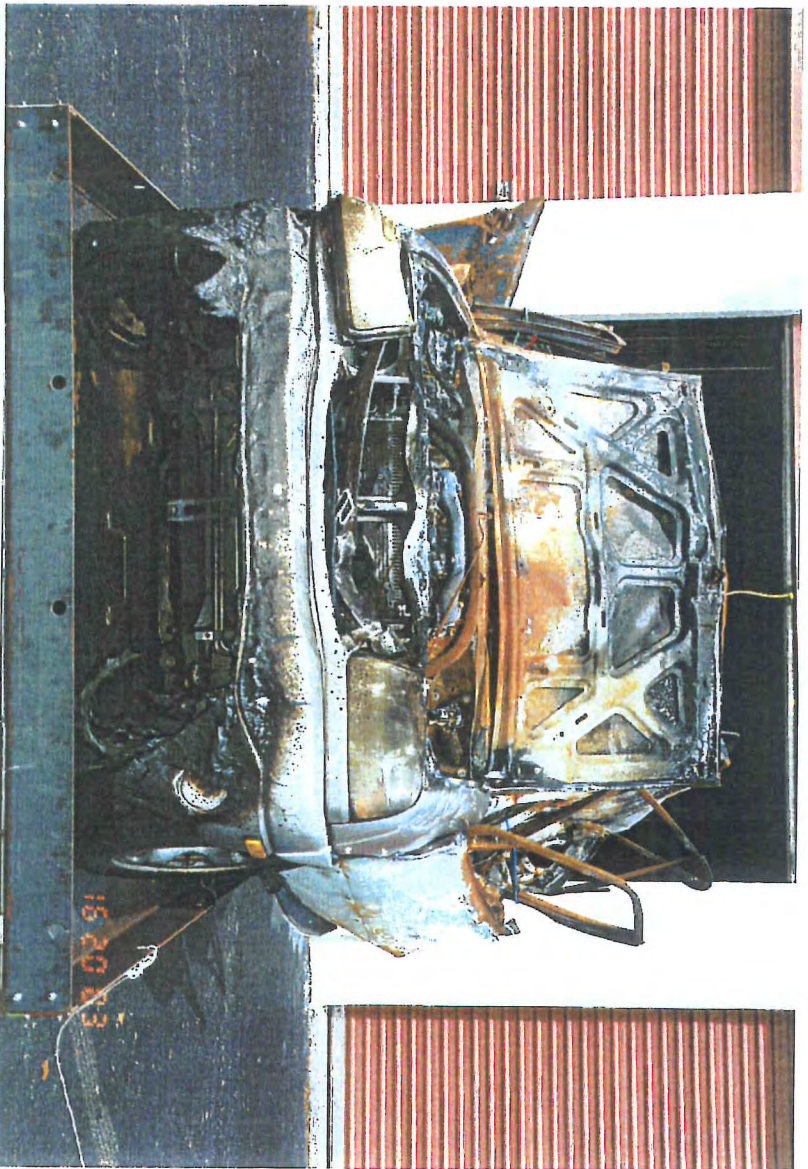




v. Suzuki - D2162







Mr. Suzuki - D2162



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ENGINEERING

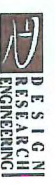
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[REDACTED] Suzuki - D2162







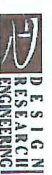
W. Suzuki - D2162





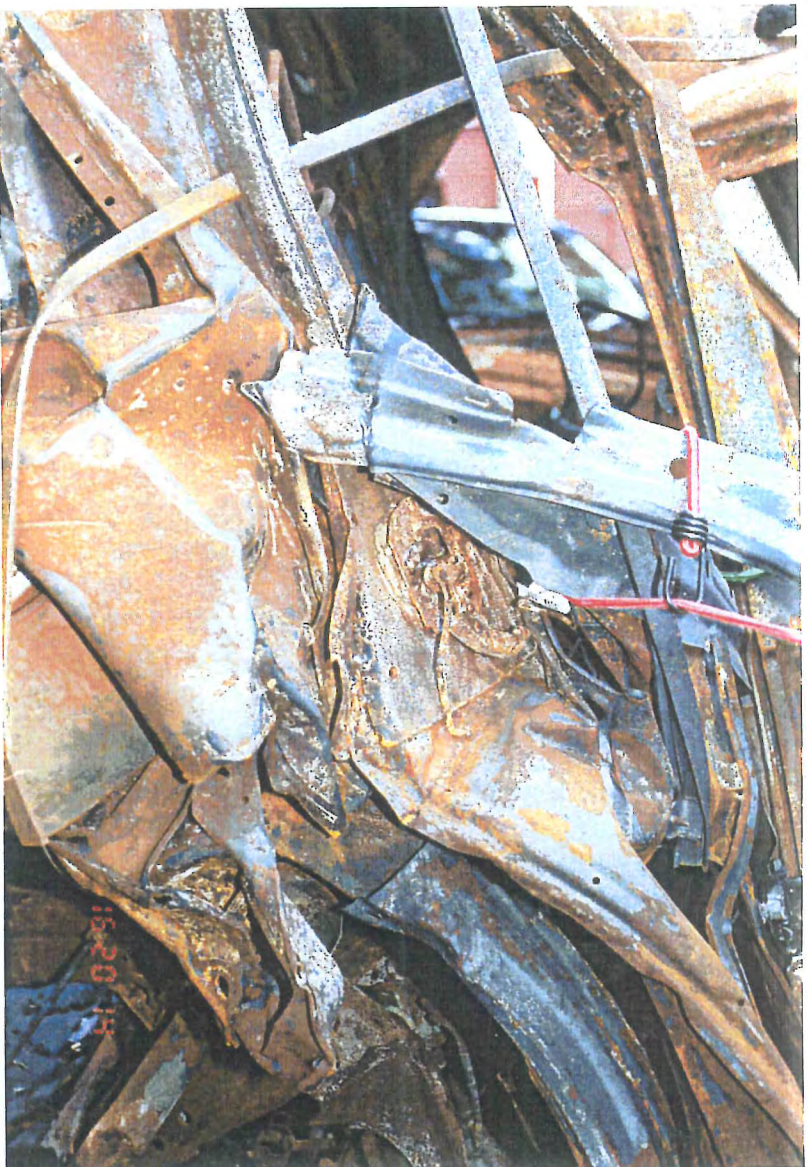


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V. Suzuki - D2162



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[REDACTED] Suzuki - D2162







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W. Suzuki - D2162







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v. Suzuki - D2162



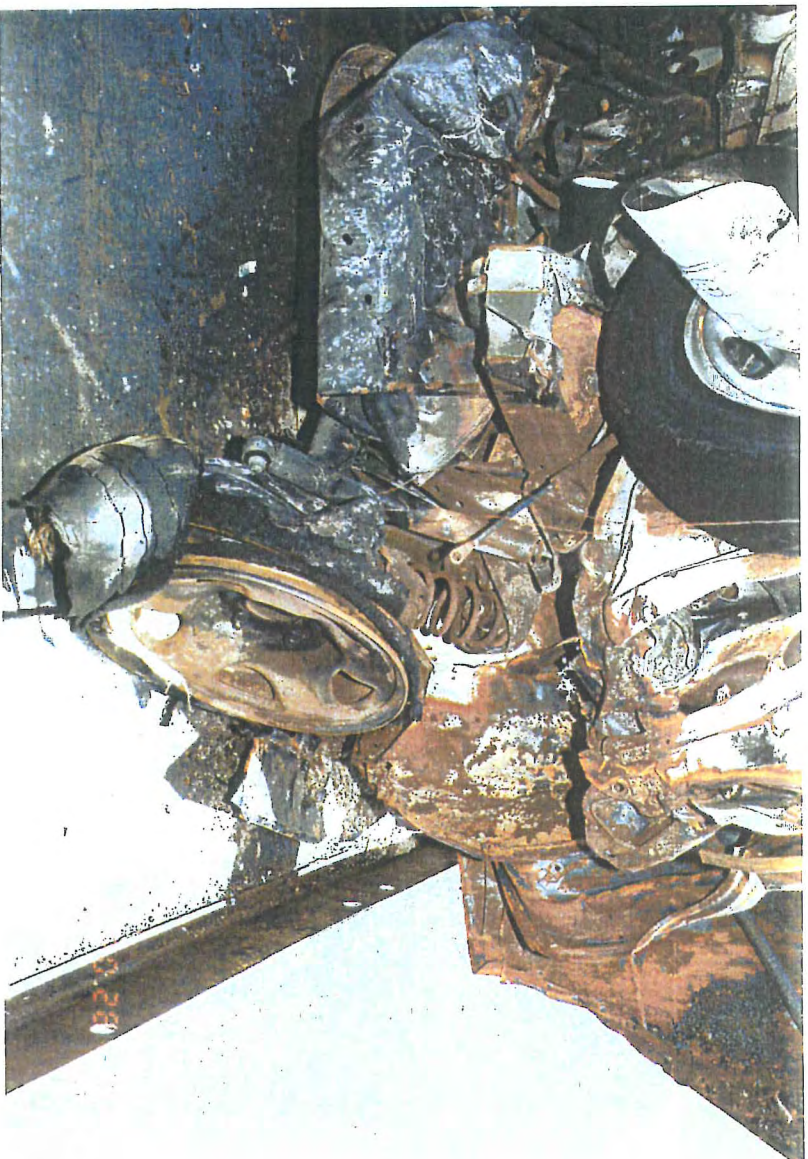




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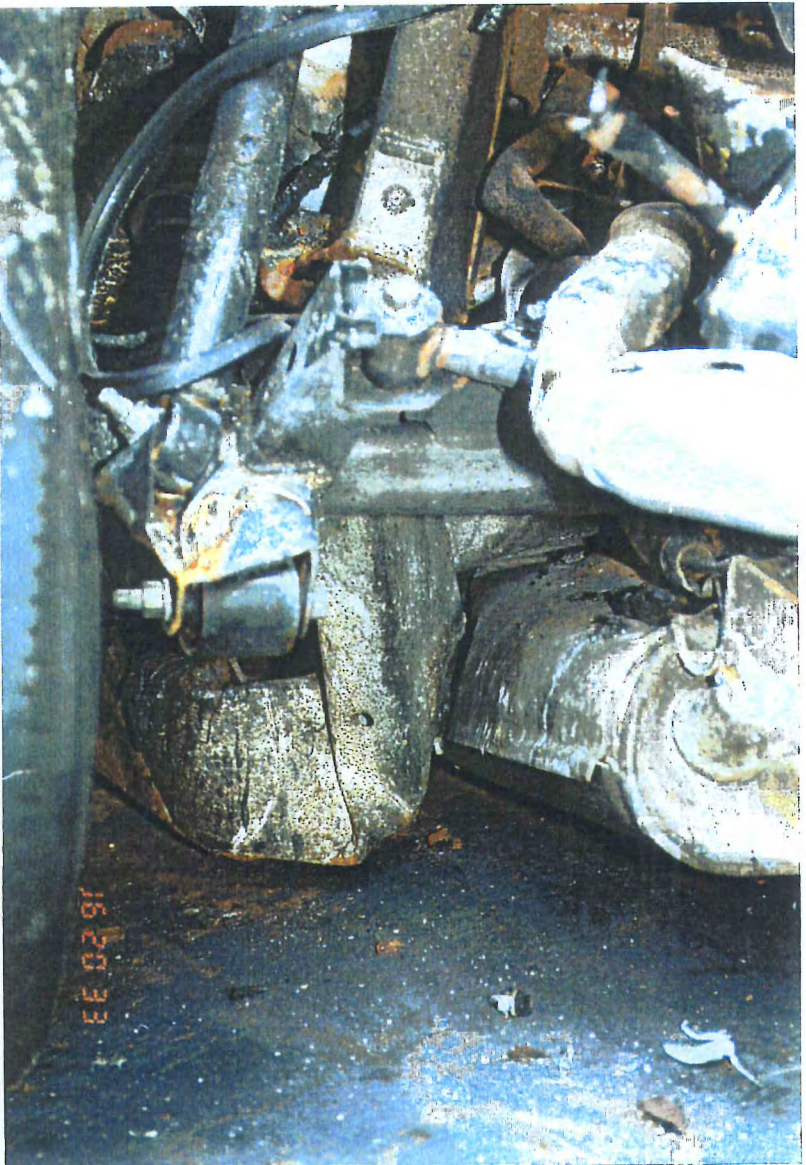




[REDACTED] Suzuki - D2162





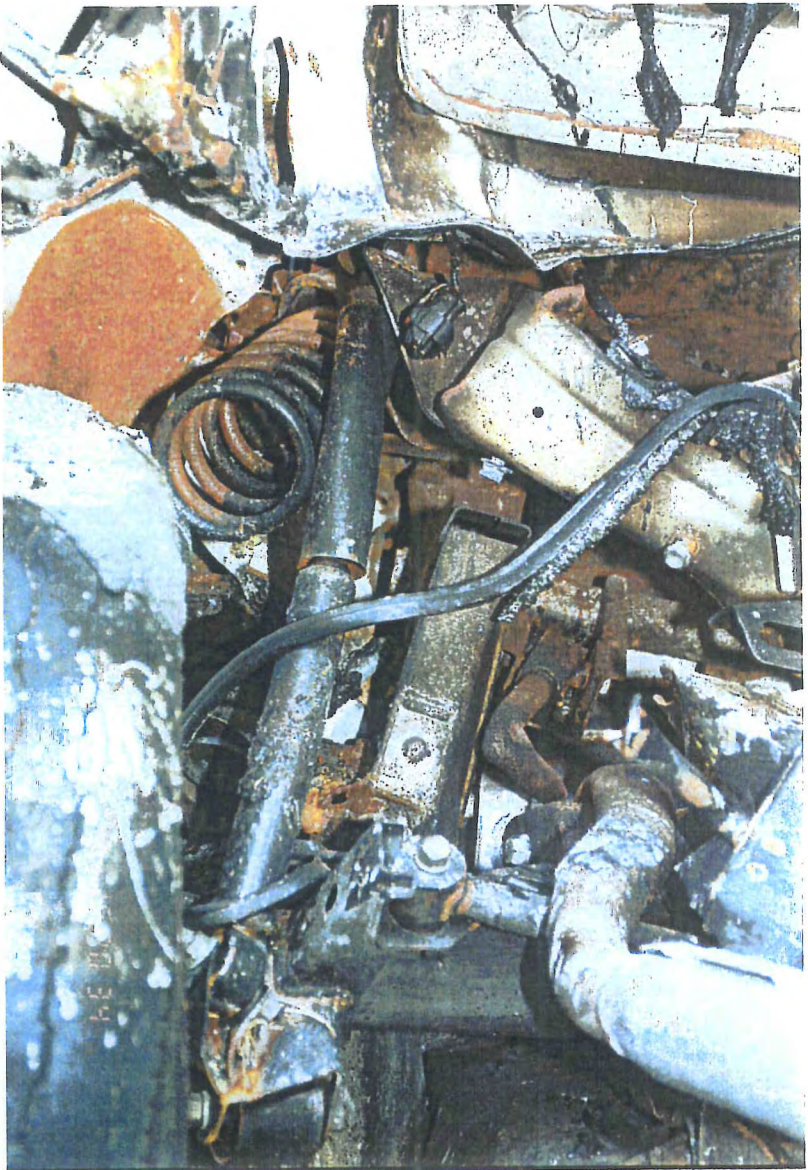


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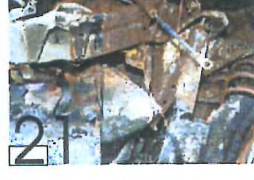
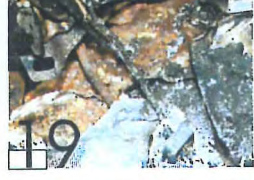
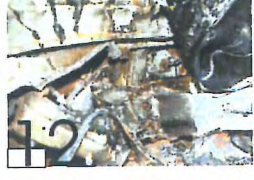


Mr. Suzuki - D2162

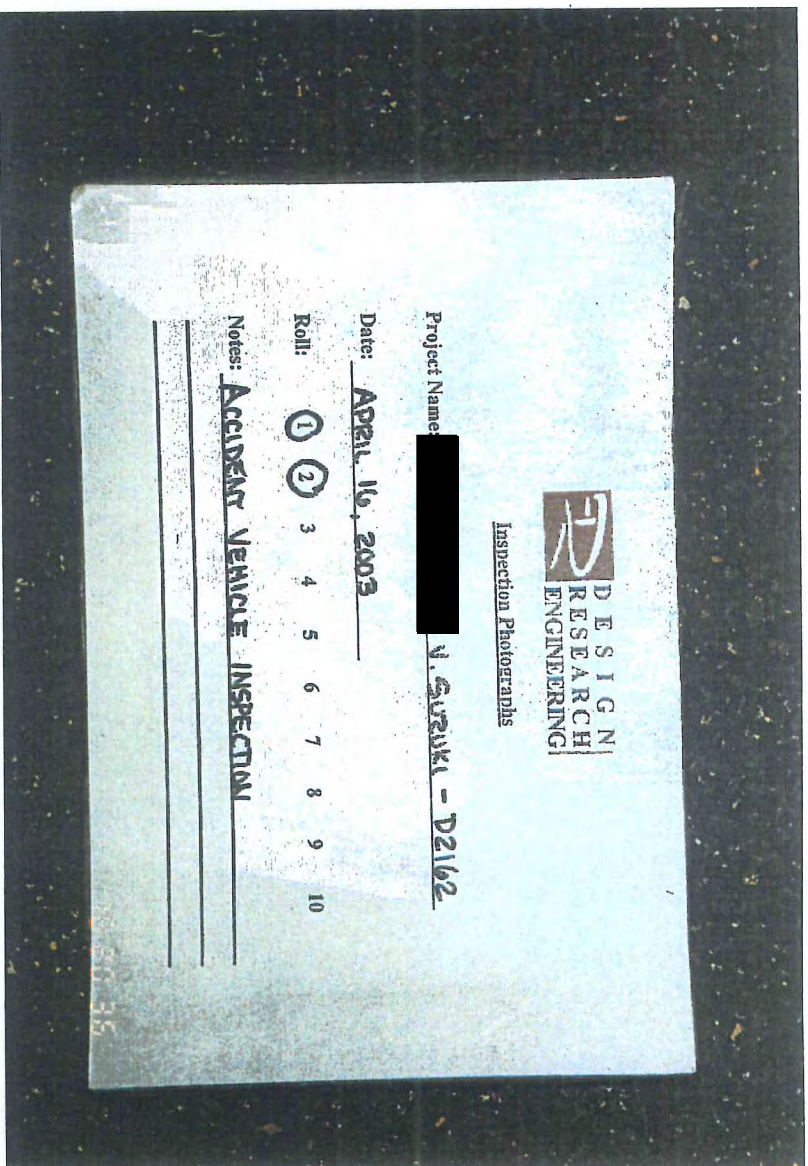




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V. Suzuki - D2162







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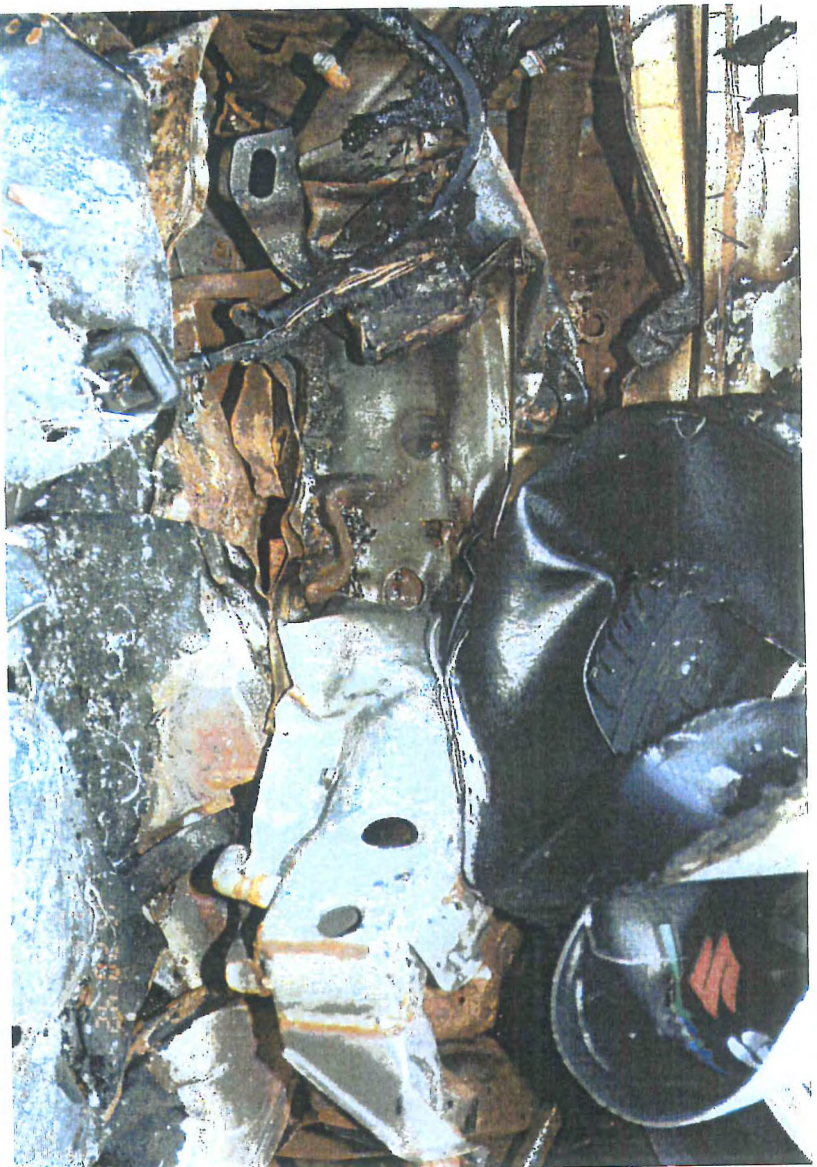




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v. Suzuki - D2162







v. Suzuki - D2162



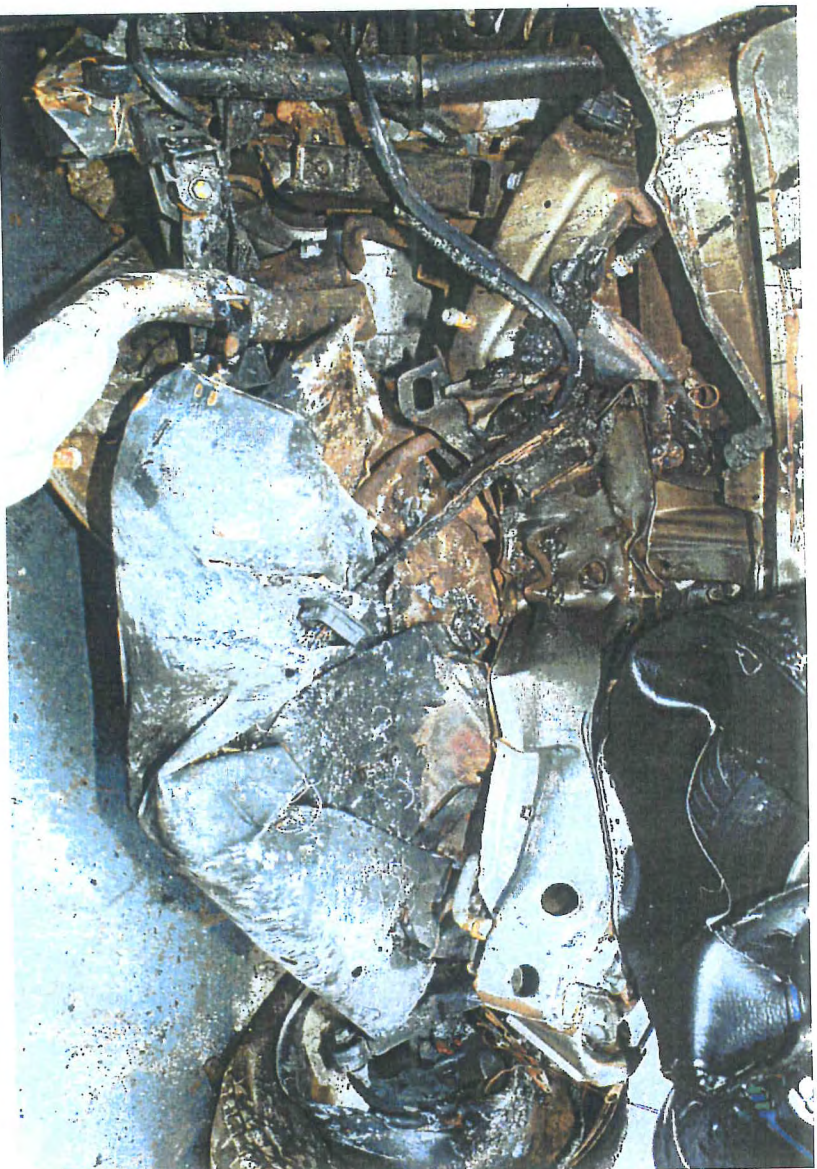




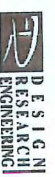
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M. Suzuki - D2162







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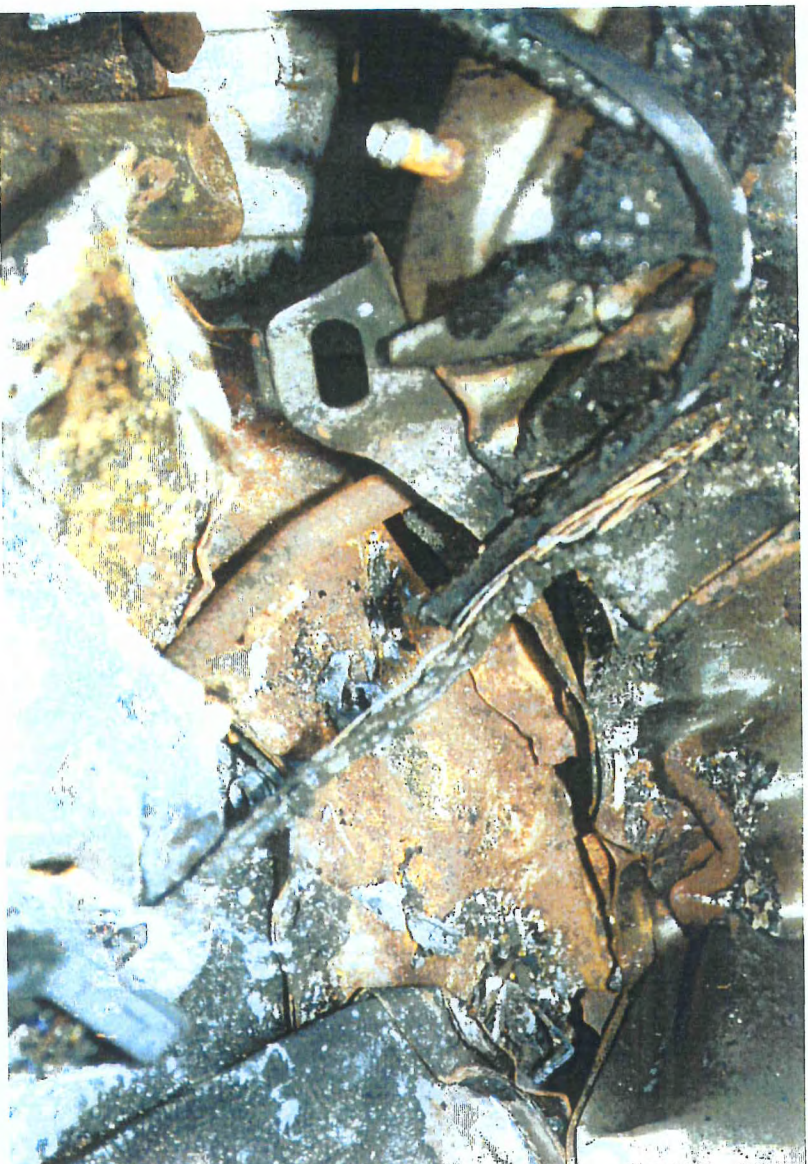


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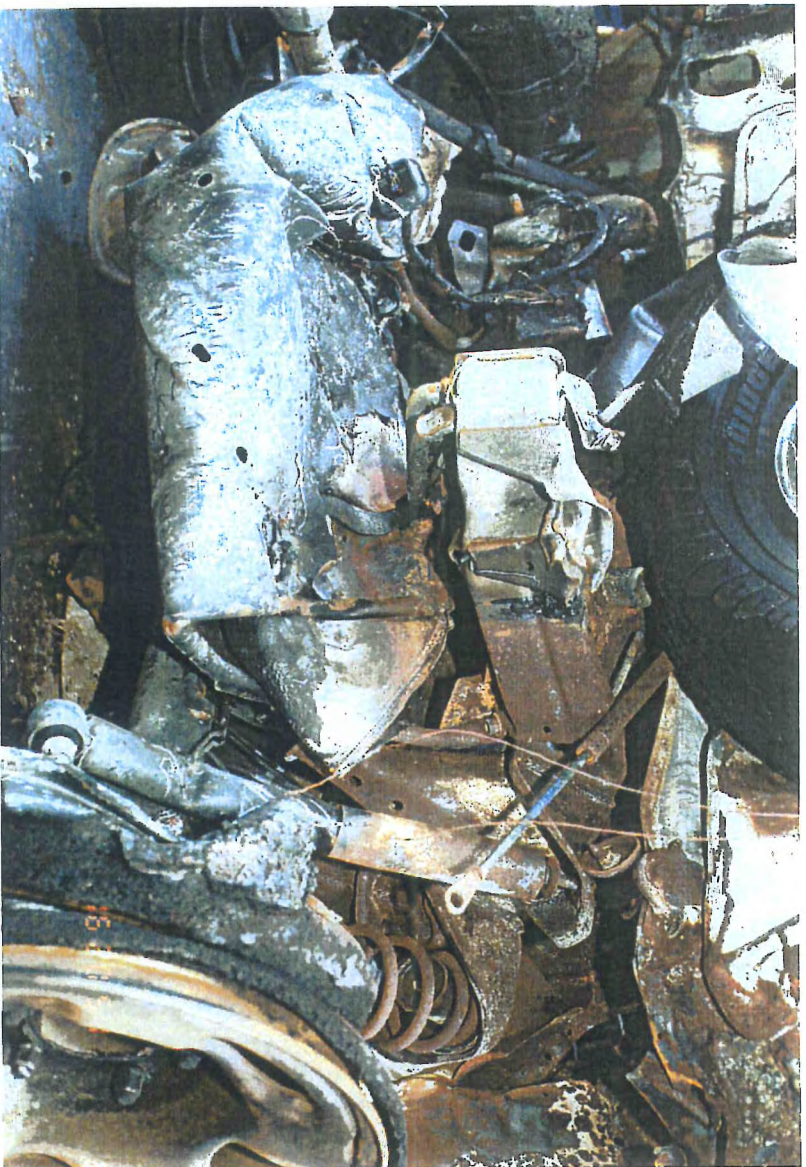
v. Suzuki - D2162



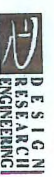
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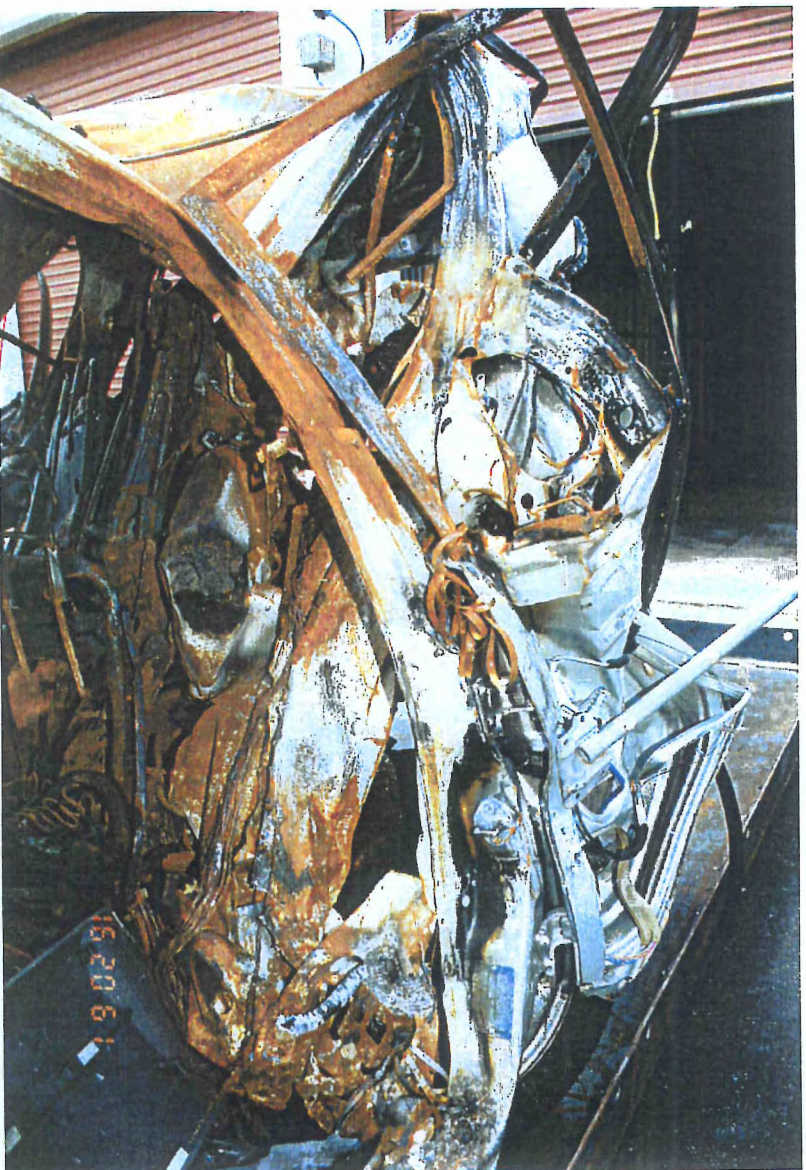
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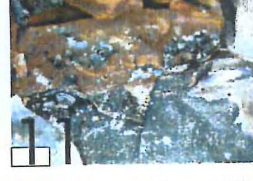









v. Suzuki - D2162





  
**D E S I G N  
R E S E A R C H  
E N G I N E E R I N G**

Inspection Photographs

Project Name: [REDACTED] **V. Suzuki - D2162**

Date: **April 16, 2003**

Roll: ① ② ③ 4 5 6 7 8 9 10

Notes: **ACCIDENT VEHICLE INSPECTION**

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v. Suzuki - D2162







Mr. Suzuki - D2162



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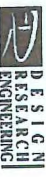
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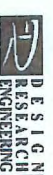
v. Suzuki - D2162







v. Suzuki - D2162







v. Suzuki - D2162

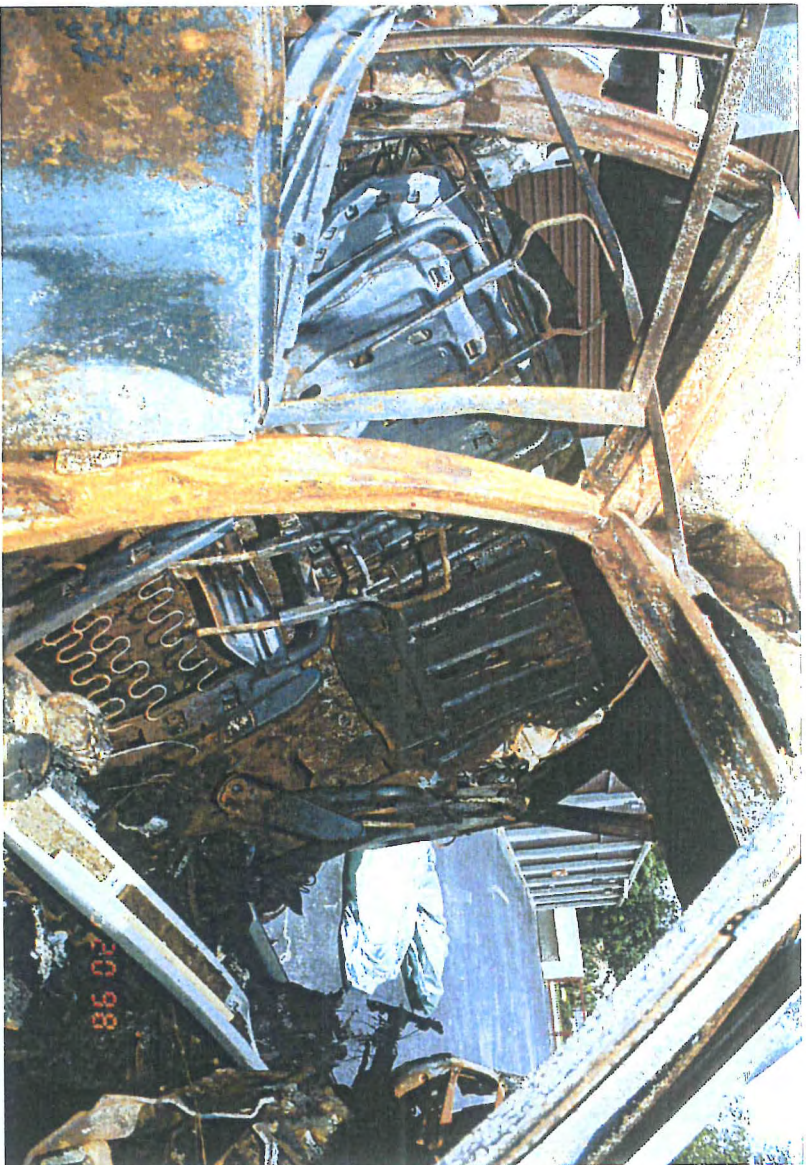


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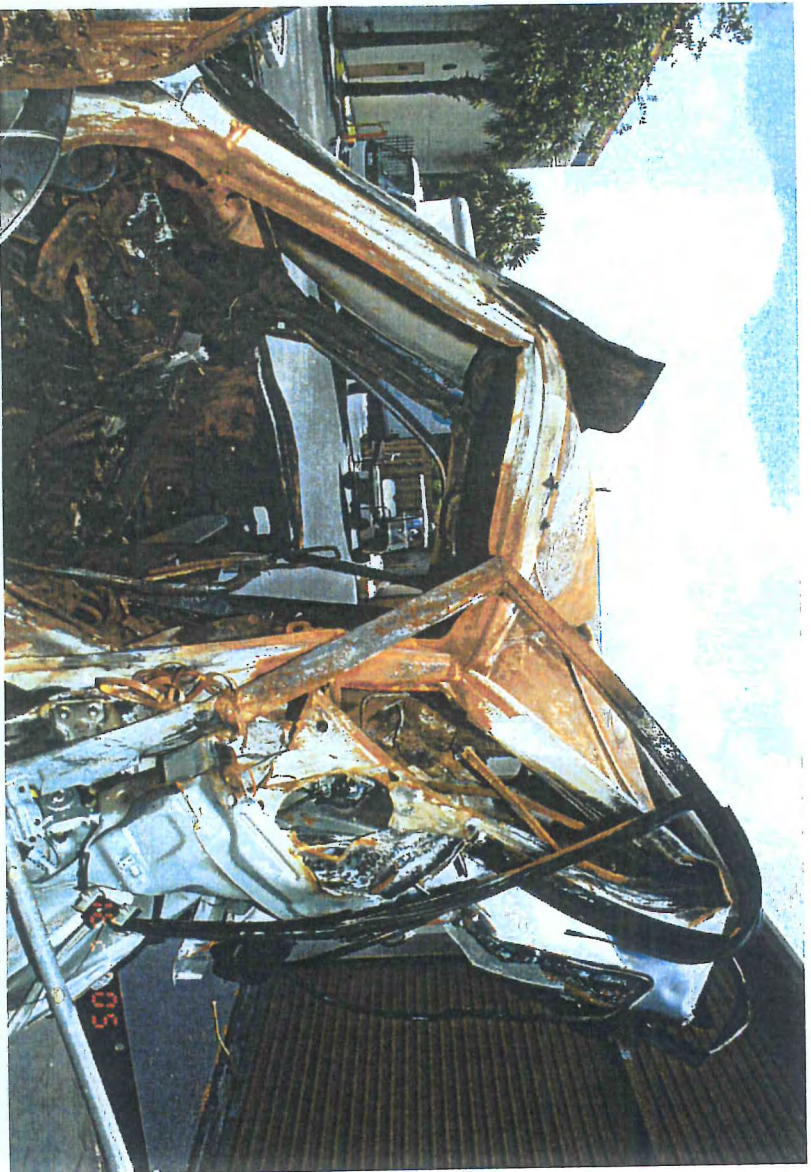
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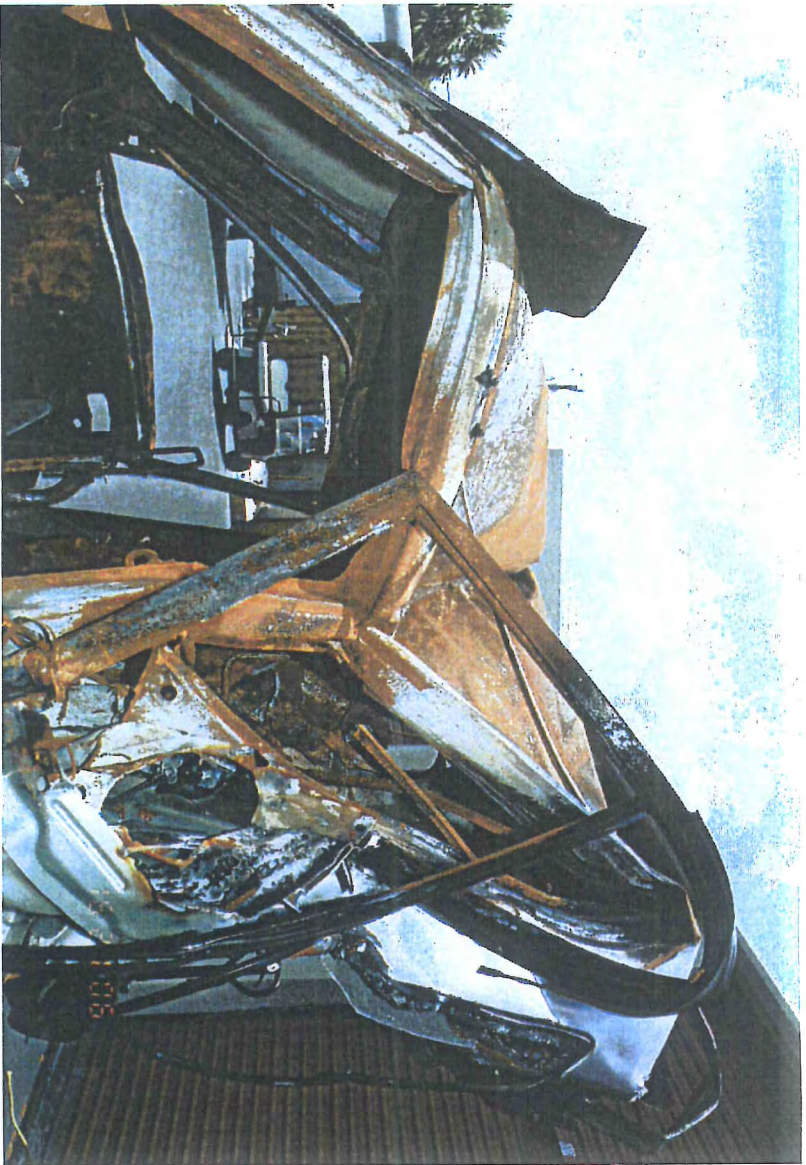




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