

EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition

Transcripts

Trooper Barkley

1634282-WE - 1 - Exhibit005

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Stadia 06  
PHOTO - Bayonne, N.J.



Crash Site 001.JPG



Crash Site 002.JPG





Crash Site 003.JPG



Crash Site 004.JPG



Crash Site 005.JPG



Crash Site 006.JPG





Crash Site 007.JPG



Crash Site 008.JPG





Crash Site 009.JPG



Crash Site 010.JPG



Crash Site 011.JPG



Crash Site 012.JPG





Crash Site 013.JPG



Crash Site 014.JPG





Crash Site 015.JPG



Crash Site 016.JPG





Crash Site 017.JPG



Crash Site 018.JPG





Crash Site 019.JPG



Crash Site 020.JPG





Crash Site 021.JPG



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Crash Site 033.JPG



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Crash Site 038.JPG





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Crash Site 040.JPG





Crash Site 041.JPG



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Crash Site 056.JPG





Crash Site 057.JPG



Crash Site 058.JPG





Crash Site 059.JPG



Crash Site 060.JPG





Crash Site 061.JPG



Crash Site 062.JPG



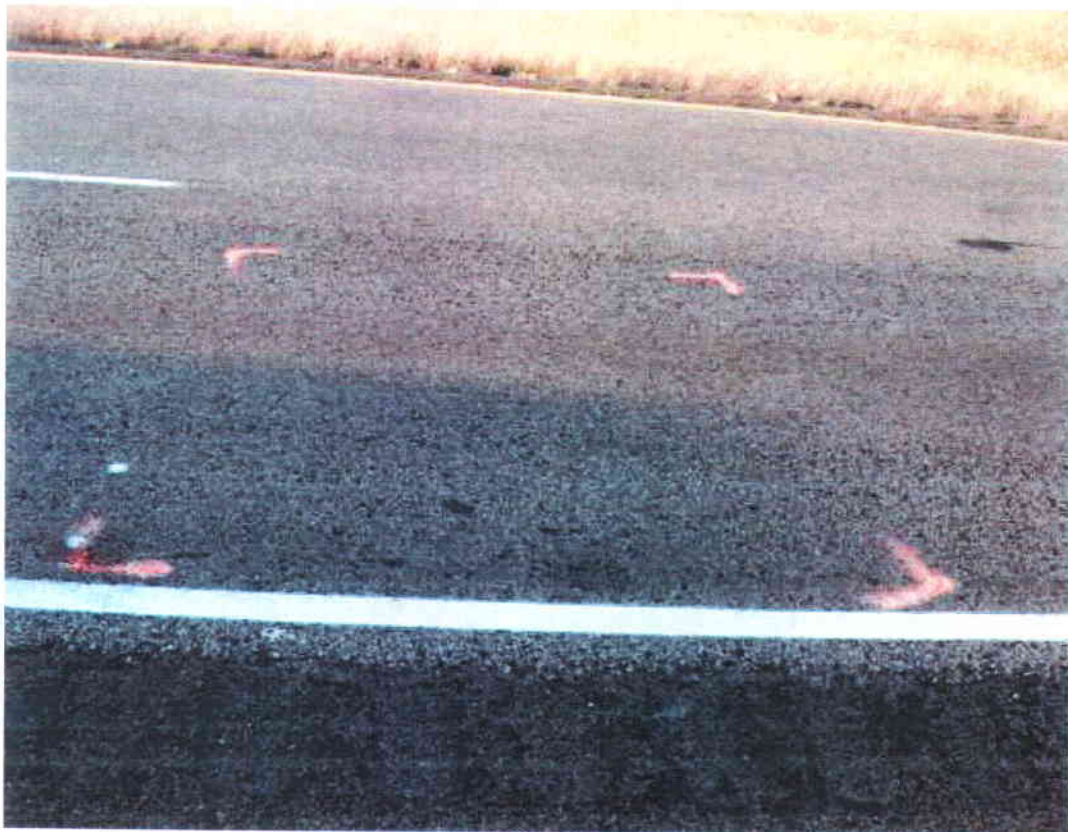


Crash Site 063.JPG



Crash Site 064.JPG





Crash Site 065.JPG



Crash Site 066.JPG





Crash Site 067.JPG



EA12-005

TOYOTA

2/15/2013

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Trooper Barkley

1634283-WE - 1 - Exhibit008



Law Enforcement and TxDOT Use Only

FATAL  CMV  SCHOOL BUS  RAILROAD  MAB  SUPPLEMENT  ACTIVE SCHOOL ZONE

Total Num. Units 6 Total Num. Prns. 9 TxDOT Crash ID



Texas Peace Officer's Crash Report (Form CR-3 1/1/2010)  
Mail to: Texas Department of Transportation, Crash Records, P.O. Box 149349, Austin, TX 78714 Questions? Call (512)486-5780  
Refer to Attached Code Sheet for Numbered Fields

\* These fields are required on all additional sheets submitted for this crash (ex: additional vehicles, occupants, injured,

PENALTY - \$5000, M. J. *Babylus*  
*Abhishek*

\*Crash Date (MM/DD/YYYY) 05/28/2010 \*Crash Time (24HRMM) 1625 Case ID

\*County Name Kaufman \*City Name

In your opinion, did this crash result in at least \$1,000 damage to any one person's property?  Yes  No

Latitude (decimal degrees) 32.40130 Longitude (decimal degrees) -96.08890

**ROAD ON WHICH CRASH OCCURRED**

\*1 Rdwy. Sys IH \*Hwy. Num 20 2 Rdwy. Part 1 Block Num. 3 Street Prefix \*Street Name 4 Street Suffix

Crash Occurred on a Private Drive or Road/Private Property/Parking Lot  Toll Road/Toll Lane Speed Limit 65 Const. Zone  No Workers Present  No Street Desc.

**INTERSECTING ROAD, OR IF CRASH NOT AT INTERSECTION, NEAREST ROAD OR REFERENCE MARKER**

At Int.  Yes  No 1 Rdwy. Sys. Hwy. Num. 2 Rdwy. Part. Block Num. 3 Street Prefix Street Name 4 Street Suffix

Distance from Int. or Ref. Marker 0.4  FT  MI 3 Dir. From Int. or Ref. Marker E Reference Marker 509 Street Desc. RRX Num.

Unit Num. 1 5 Unit Desc. 1  Parked Vehicle  Hit and Run LP State MS LP Num. VIN 4V4NC9GH88N

Veh. Year 2008 6 Veh. Color WHI Veh. Make VOLVO Veh. Model TR 7 Body Style TL  Pol., Fire, EMS on Emergency (Explain in Narrative if checked)

8 DL/ID Type 2 DL/ID State MS DL/ID Num. 9 DL Class A 10 CDL End. 98 11 DL Rest. Res DOB (MM/DD/YYYY)

Address (Street, City, State, ZIP) COLUMBIA MS

PERSONS

Person Num.	12 Prsn. Type	13 Seat Position	Name: Last, First, Middle Enter Driver or Primary Person for this Unit on first line	14 Injury Severity	Age	15 Ethnicity	16 Sex	17 Eject	18 Restr.	19 Airbag	20 Helmet	21 Sol.	22 Alc. Spec.	Alc. Result	23 Drug Spec.	24 Drug Result	25 Drug Category
[Redacted]	[Redacted]	[Redacted]	[Redacted]	B	40	B	1	1	1	97	97	N	96		96	97	97

Not Applicable - Alcohol and Drug Results are only reported for Driver/Primary Person for each Unit.

Owner  Lessee Owner/Lessee Name & Address

Proof of Fin. Resp.  Yes  No  Expired  Exempt 26 Fin. Resp. Type 2 Fin. Resp. Name GREAT WEST CASUALTY Fin. Resp. Num.

Fin. Resp. Phone Num. (601) 544-8703 27 Vehicle Damage Rating 1 1, 2, F, D, 7 27 Vehicle Damage Rating 2 Vehicle Inventoried  Yes  No

Towed by Buster's Towed To Forney

Unit Num. 2 5 Unit Desc. 6  Parked Vehicle  Hit and Run LP State MS LP Num. VIN 1UYFS24848A

Veh. Year 2008 6 Veh. Color BLK Veh. Make UTILITY Veh. Model FST 7 Body Style TL  Pol., Fire, EMS on Emergency (Explain in Narrative if checked)

8 DL/ID Type DL/ID State DL/ID Num. 9 DL Class 10 CDL End. 11 DL Rest. DOB (MM/DD/YYYY)

Address (Street, City, State, ZIP)

VEHICLE, DRIVER, & PERSONS

Person Num.	12 Prsn. Type	13 Seat Position	Name: Last, First, Middle Enter Driver or Primary Person for this Unit on first line	14 Injury Severity	Age	15 Ethnicity	16 Sex	17 Eject	18 Restr.	19 Airbag	20 Helmet	21 Sol.	22 Alc. Spec.	Alc. Result	23 Drug Spec.	24 Drug Result	25 Drug Category
[Redacted]	[Redacted]	[Redacted]	[Redacted]														

Not Applicable - Alcohol and Drug Results are only reported for Driver/Primary Person for each Unit.

Owner  Lessee Owner/Lessee Name & Address

Proof of Fin. Resp.  Yes  No  Expired  Exempt 26 Fin. Resp. Type 2 Fin. Resp. Name GREAT WEST CASUALTY Fin. Resp. Num.

Fin. Resp. Phone Num. (601) 544-8703 27 Vehicle Damage Rating 1 V, B, 1 27 Vehicle Damage Rating 2 Vehicle Inventoried  Yes  No

Towed by Buster's Towed To Forney





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.

EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition

Transcripts

Trooper Barkley

1634285-WE - 1 - Exhibit007





TEXAS DEPARTMENT OF PUBLIC SAFETY  
TEXAS HIGHWAY PATROL DIVISION  
OFFENSE REPORT

FILE TITLE: [REDACTED]

COUNTY:

INVESTIGATING OFFICER: Dexter Barkley, Trooper II

REPORT DATE: 07/21/10

11. I saw the driver of the TTST standing on the shoulder, he was identified as [REDACTED] S  
CDL [REDACTED]
12. [REDACTED] appeared to have minor injuries as I observed some blood on his legs.
13. I spoke with Mr [REDACTED]
14. Mr [REDACTED] stated that he had been checking his load in the mirrors and was not watching traffic. He further stated that when he turned his attention back to the traffic, that the traffic had slowed nearly to a stop. He went on to say that he hit the 4-Runner and peeled to the right.
15. I saw the Elmo VFD putting out what was left of the fire in the 4-runner.
16. As I approached the 4-runner, I observed the body of a black female. The body was face down and partly covered by a blanket. The body was to the north of the 4-runner.
17. The woman was identified as [REDACTED]. She was the wife of [REDACTED] who had been driving the 4-Runner.
18. I then observed remains of a small child in the left rear seat area of the 4-runner.
19. I also saw another small body in the right rear seat area of the 4-runner.
20. Both of the children had been burnt so badly that they were nearly unrecognizable as human remains.
21. One child was identified as [REDACTED] who was two years old and the son of [REDACTED] e.
22. The other child was identified as [REDACTED] who was five years old and the daughter of [REDACTED] II [REDACTED]
23. As I continued in to the crash scene, I observed a black Toyota passenger car facing south in the center median, near the shoulder; the rear end had been smashed.
24. The driver [REDACTED] and his two daughters, [REDACTED] 17 years old, [REDACTED] 12 years old were later taken to Baylor hospital in Dallas for non-life threatening injuries.
25. I then observed a second TTST that had damage to the trailer.
26. Mr [REDACTED] was the driver of the second TTST combination. Mr. [REDACTED] was not injured.
27. There were dark skid marks from the right tandem axel of what has been identified as the TTST that Mr. [REDACTED] was operating.
28. The area of first impact between Mr [REDACTED] and Mr [REDACTED] Toyota 4-Runner was very visible.
29. The crash scene also revealed the impact of the 4-Runner and Mr [REDACTED] Toyota Corolla.
30. The path that the Corolla took was also clearly visible.
31. The area that the 4-Runner turned and later impacted the TTST that was operated by Mr [REDACTED] was also clearly visible as were the skid marks of that TTST.
32. The skid marks from the Corolla and Mr [REDACTED] indicate that traffic was moving at the time of the crash.
33. It was a holiday weekend. The traffic was very heavy and was slowing in certain areas of IH 20.
34. During the investigation it became clear that all units were traveling in the out side lane, east bound on IH 20.
35. Mr [REDACTED]s TTST and Mr [REDACTED] 4-Runner were traveling east bound on IH 20 in the right lane. The 4-Runner was traveling east bound on IH 20 in the right lane directly in front of [REDACTED] TTST. The Corolla was also traveling east bound IH 20 in front of the 4-Runner.
36. [REDACTED] as also traveling east bound on IH 20 in the right lane in front of the Corolla
37. Due to the holiday weekend, there was an extremely heavy volume of traffic on IH 20.
38. The traffic had begun to slow in the area of mile marker 509.
39. Mr [REDACTED] had all slowed their vehicles due to the traffic.
40. [REDACTED] stated that he was not paying attention to traffic.
41. There is evidence that he was using a cellular phone at or near the time of the crash.



TEXAS DEPARTMENT OF PUBLIC SAFETY  
TEXAS HIGHWAY PATROL DIVISION  
OFFENSE REPORT

FILE TITLE: [REDACTED]

COUNTY:

INVESTIGATING OFFICER: Dexter Barkley, Trooper II

REPORT DATE: 07/21/10

42. Mr. [REDACTED] failed to control his speed and struck Mr. [REDACTED] vehicle in the rear, smashing in the rear end.
43. It appears that the 4-Runner was pushed for a distance by Mr. [REDACTED]
44. The 4-Runner then struck Mr. [REDACTED] Corolla in the rear end smashing the rear end with enough force to crush it.
45. Mr. [REDACTED] vehicle's rear end came around clock wise and skidded across the inside lane to the inside shoulder.
46. Mr. [REDACTED] Corolla came to a final rest facing mostly south in the center median.
47. Mr. [REDACTED] then turned to the right in the direction of the outside shoulder, pushing Mr. [REDACTED] vehicle counter clockwise.
48. There was a storage box on the left side of [REDACTED] trailer, that storage box caught on to the rear of the 4-Runner and pulled metal from the rear of it.
49. That impact spun the 4-Runner nearly 90 degrees to the north.
50. Mr. [REDACTED] 4-Runner was now facing north.
51. Mr. [REDACTED] who was the front seat passenger in the 4-Runner was partly ejected at some point during the impacts leading up to the 4-Runner striking the trailer that Mr. [REDACTED] was towing.
52. When the 4-Runner impacted the trailer, Mr. [REDACTED] slammed against the rear of the trailer.
53. The 4-Runner then began to fold under the trailer causing the roof of the 4-Runner to peel up and to the left.
54. Mr. [REDACTED] 4-Runner then exploded with him and his two children still inside.
55. Mr. [REDACTED] had come to a final rest twisted on the right side of the hood of the 4-Runner.
56. Mr. [REDACTED] skidded his vehicle to a stop. There was no damage to the truck tractor.
57. Mr. [REDACTED] trailer sustained damage to the rear of the trailer.
58. Mr. [REDACTED] vehicle impacted with enough force to break off the ICC bar from the bottom of the trailer; part of the bar was lodged in the right door of the trailer.
59. The other part was in the roadway on the west side of 4-Runner.
60. The investigation reveled that Mr. [REDACTED] had caused the crash.
61. Mr. [REDACTED] is a professional driver and I do believe that he acted with criminal negligence with respect to the driving circumstances.
62. The traffic was extremely heavy and was slowing to a near stop.
63. An Evidence Search Warrant for Mr. [REDACTED] s cell phone records was filed.
64. His cellular phone record points to [REDACTED] using a cellular phone just prior to the first call of the crash.
65. I do believe that he should to have been aware of the substantial and unjustifiable risk that the heavy volume of traffic, his talking on a cellular phone, combined with his loaded TTST and the distance his would need to safely slow and stop his vehicle in case of slowing traffic or an emergency.
66. Mr. [REDACTED] should to have been watching traffic as his is a professional driver.
67. Mr. [REDACTED] stated that he was not paying attention to the traffic.
68. Mr. [REDACTED] s actions directly caused the death of three people and injured several others.

TEXAS DEPARTMENT OF PUBLIC SAFETY  
TEXAS HIGHWAY PATROL DIVISION  
OFFENSE REPORT

FILE TITLE: <span style="background-color: black; color: black;">[REDACTED]</span>	COUNTY:
INVESTIGATING OFFICER: Dexter Barkley, Trooper II	REPORT DATE: 07/21/10

**Witnesses:**

Name & Address:

Will Testify To:

Dexter Barkley, Trooper II  
Brandon Negri, Sgt.  
Christopher Countryman, Trooper I  
Byron Bush, Trooper  
111 Tejas Drive  
Terrell, Texas 75160  
(972) 551-6010

Crash investigation.

**Description and Custody of Evidence:**

Description:

Disposition:

- Copy of all reports.
- Witness statements.
- Warrants and findings.
- Scale diagram of crash.

-Attached with report.

**Victims:**

Name & Address:

1. [REDACTED]

**Vehicles:**

Description:

Disposition:

Registered owner:  
Registration:  
Condition:  
VIN:



TEXAS DEPARTMENT OF PUBLIC SAFETY  
TEXAS HIGHWAY PATROL DIVISION  
OFFENSE REPORT

FILE TITLE: [REDACTED]

COUNTY:

INVESTIGATING OFFICER: Dexter Barkley, Trooper II

REPORT DATE: 07/21/10

**Weapons:**

Description:

Disposition:

None

**Misc:**

Description:

Disposition:

None





-----  
Identifier String: [REDACTED] K B/M [REDACTED] 4 [REDACTED] BLK/BRO

MS/[REDACTED]  
Query Return: 95884516  
DR.MSOLN0000.TXDPS08X1,08X1.

TXT  
DR.MSOLN0000

11:28 08/26/2010 13814  
11:28 08/26/2010 22864 TXDPS08X1

TXT  
OLN/802108940 CLASS/CDL CLASS A  
[REDACTED] D [REDACTED]  
[REDACTED] COLUMBIA MS [REDACTED]  
RAC/B SEX/M EYE/BRO HAI/BLK HGT/608 WGT/365  
SOC/[REDACTED]0 DOB/[REDACTED]1 ISSU/20100216 EXP/20140214  
RESTRICTIONS/NONE ENDORSEMENTS/ ELIG DATE/00000000  
STATUS NON-CDL:VALID STATUS CDL:VALID

\*\*\*\*\* NO DRIVER HISTORY \*\*\*\*\*

MRI: 95884516 IN: NLI1 43379 AT 26AUG2010 13:28:34

OUT: 08X1 1853 AT 26AUG2010 13:28:34

QUERYRETURN FROM: MS-

RETURN TYPE: DL Check  
-----

-----  
Identifier String: [REDACTED] D [REDACTED] B/M [REDACTED] 4 608 365 BLK/BRO  
MS/802108940 [REDACTED]

Query Return: 95885053

QH.TXNCIC000.08X1.

TXT

NL0108X1

TXDPS08X1

NO IDENTIFIABLE RECORD IN THE NCIC INTERSTATE IDENTIFICATION INDEX  
(III) FOR NAM/[REDACTED].SEX/M.RAC/B.DOB/[REDACTED].  
PUR/C.

END

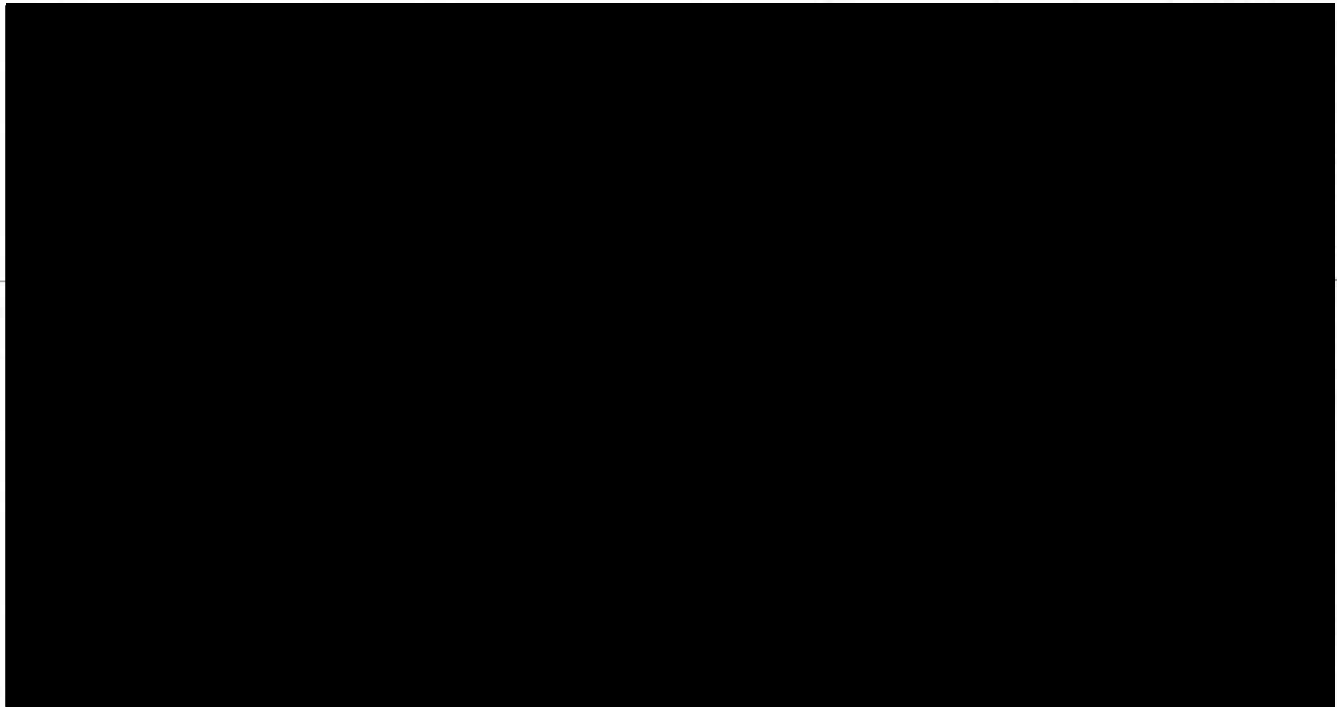
MRI: 95885053 IN: NCIC 185436 AT 26AUG2010 13:28:51

OUT: 08X1 1858 AT 26AUG2010 13:28:51

QUERYRETURN FROM: NCIC

RETURN TYPE: CCH  
-----





DATE 5-20-10, 19 TIME 10:20 PM. PLACE [REDACTED]  
I, [REDACTED] am 46 years old and I live at [REDACTED]  
Mesquite TX [REDACTED]

I am giving this statement to \_\_\_\_\_ I.D. \_\_\_\_\_, who has identified himself as a \_\_\_\_\_ and he has duly warned me that I have the following rights: that I have the right to remain silent and not make any statement at all; that any statement I make may be used against me at my trial; that any statement I make may be used as evidence against me in court; that I have the right to have a lawyer present to advise me prior to and during any questioning; that if I am unable to employ a lawyer, I have the right to have a lawyer appointed to advise me prior to and during any questioning and that I have the right to terminate the interview at any time.

Prior to and during the making of the statement, I have and do hereby knowingly, intelligently, and voluntarily waive the above explained rights and I do make the following voluntary statement to the aforementioned person of my own free will and without any promises or offers of leniency or favors, and without compulsion or persuasion by any person or persons whomsoever:

Traffic heading EAST came to a stop on I-20, I pull over to the right hand side shoulder, looked in rear view mirrors & side mirrors & saw a small black car sliding off on the shoulder & went back out of sight, saw a large ball of flame & a flat bed tractor in flames driving off on the right shoulder & grass. I call on state from my GMC truck then ran pass two tractor trailers to see a Toyota SUV sandwiched & in flames. Myself & other men ran looking into the SUV for anyone as fire extinguisher were hard to us. We found a survivor in the front seat & helped him out after many men tried to pull him out after pulling him out, we cover up a lady laying on the highway

I have read this statement consisting of \_\_\_\_\_ page(s), each page of which bears my signature, and I do affirm that all facts and statements contained herein are true and correct.

Signature [REDACTED]

The above warnings were given by and this voluntary statement was taken by \_\_\_\_\_

Witness \_\_\_\_\_ (This must be one and the same person as named above)



DATE 5-28-70, 19\_\_\_\_ TIME 6:20 M. PLACE \_\_\_\_\_  
am 34 years old and I live at \_\_\_\_\_

Ln Dallas, TX

I am giving this statement to \_\_\_\_\_ I.D. \_\_\_\_\_, who has identified

himself as a \_\_\_\_\_ and he has duly warned me that I have the following rights: that I have the right to remain silent and not make any statement at all; that any statement I make may be used against me at my trial; that any statement I make may be used as evidence against me in court; that I have the right to have a lawyer present to advise me prior to and during any questioning; that if I am unable to employ a lawyer, I have the right to have a lawyer appointed to advise me prior to and during any questioning and that I have the right to terminate the interview at any time.

Prior to and during the making of the statement, I have and do hereby knowingly, intelligently, and voluntarily waive the above explained rights and I do make the following voluntary statement to the aforementioned person of my own free will and without any promises or offers of leniency or favors, and without compulsion or persuasion by any person or persons whomsoever:

I was on 20E following a eighteen wheeler. I seen the suv explode in the middle of the Interstate an immediately hit brakes. The Truck driver who was in the right hand lane jammed his ~~the~~ brakes and pulled to the right shoulder. My wifee ~~and~~ pulled to the right shoulder and put our 4 ways flashers on. We gave other helpans our blanket to help put the fire out. One of the guys who ~~was~~ was pulled out of the ~~the~~ car was trying to get up. We advised him to stay still & wait on help.

Wifee

I have read this statement consisting of facts and statements contained herein



The above warnings were given by and this voluntary statement was taken by

Witness \_\_\_\_\_

\_\_\_\_\_  
(This must be one and the same person as named above)

DATE May 28 2010 TIME 6:25 PM PLACE I420 mile 507

I, [redacted], am 24 years old and I live at [redacted]

Wills point TX [redacted]

I am giving this statement to [redacted] 11097, who has identified

himself as a Trooper / Peace Officer

and he has duly warned me that I have the following rights: that I have the right to remain silent and not make any statement at all; that any statement I make may be used against me at my trial; that any statement I make may be used as evidence against me in court; that I have the right to have a lawyer present to advise me prior to and during any questioning; that if I am unable to employ a lawyer, I have the right to have a lawyer appointed to advise me prior to and during any questioning and that I have the right to terminate the interview at any time.

Prior to and during the making of the statement, I have and do hereby knowingly, intelligently, and voluntarily waive the above explained rights and I do make the following voluntary statement to the aforementioned person of my own free will and without any promises or offers of leniency or favors, and without compulsion or persuasion by any person or persons whomsoever:

As I was traveling West Bound on Int 20 I observed a Small Black Car SKid from the passing lane on the east Bound Side of Int 20 at apx. the 1509 Mile Marker into the Center Median, facing West Bound and then the Black Car Come to a stop. I then noticed the rear of a eighteen wheeler and/or Semi truck that was dramatically Slowed from high speed lift in the air. I then noticed a Ball of fire in the Slow lane that appeared to be a vehicle. I then noticed a eighteen wheeler and/or Semi facing east parked in the Slow lane side east Bound Run ditch. I then called 911 and informed proper authorities to the scene of the ~~accident~~ accident.

[Large scribbled-out area covering multiple lines of text]

I have read this statement consisting of [redacted] signature, and I do affirm that all facts and statements contained herein

[Redacted signature area]

this voluntary statement was taken by

Witness

(This must be one and the same person as named above)



DATE 06/28/10, 19\_\_\_\_, TIME\_\_\_\_, M. PLACE\_\_\_\_  
\_\_\_\_, am 37 years old and I live at \_\_\_\_\_

I am giving this statement to \_\_\_\_\_ I.D. \_\_\_\_\_, who has identified

himself as a \_\_\_\_\_ and he has duly warned me that I have the following rights: that I have the right to remain silent and not make any statement at all; that any statement I make may be used against me at my trial; that any statement I make may be used as evidence against me in court; that I have the right to have a lawyer present to advise me prior to and during any questioning; that if I am unable to employ a lawyer, I have the right to have a lawyer appointed to advise me prior to and during any questioning and that I have the right to terminate the interview at any time.

Prior to and during the making of the statement, I have and do hereby knowingly, intelligently, and voluntarily waive the above explained rights and I do make the following voluntary statement to the aforementioned person of my own free will and without any promises or offers of leniency or favors, and without compulsion or persuasion by any person or persons whomsoever:

WAS BOUND ON I 20 WHEN I SAW A FLASH  
IN FRONT OF ME AND HEARD A SMASH  
ALL OTHER CARS STOP PULLED OFF THE ROAD  
IT LOOKED TO ME AS THE GREEN (ARROW) 18 WHEELER  
HIT THE #4 DOOR ~~SUB~~ SUV AND IT HIT ANOTHER VEHICLE,  
WE (ME AND 3 OTHERS IN OUR GROUP) RAN UP TO THE  
BURNING CAR AND TRIED TO GET EVERYONE OUT  
WITH HELP FROM EVERYONE AROUND WE PULLED  
OUT 2 PEOPLE FROM THE BURNING CAR,  
THEN I WENT GETTING PEOPLE PASSING BY TO  
GIVE UP THEIR EXISTENCES.

I have read this statement consisting of \_\_\_\_\_ page(s), each page of which bears my signature, and I do affirm that all facts and statements contained herein are true  
\_\_\_\_\_

The above warnings were given by and this voluntary statement was taken by \_\_\_\_\_

Witness \_\_\_\_\_ (This must be one and the same person as named above)

DATE 5-28 2010 TIME 6:20 PM. PLACE 304 MIAMI

I, [REDACTED], am 43 years old and I live at [REDACTED]

Dalson NC.

I am giving this statement to \_\_\_\_\_ I.D. \_\_\_\_\_, who has identified

himself as a \_\_\_\_\_ and he has duly warned me that I have the following rights: that I have the right to remain silent and not make any statement at all; that any statement I make may be used against me at my trial; that any statement I make may be used as evidence against me in court; that I have the right to have a lawyer present to advise me prior to and during any questioning; that if I am unable to employ a lawyer, I have the right to have a lawyer appointed to advise me prior to and during any questioning and that I have the right to terminate the interview at any time.

Prior to and during the making of the statement, I have and do hereby knowingly, intelligently, and voluntarily waive the above explained rights and I do make the following voluntary statement to the aforementioned person of my own free will and without any promises or offers of leniency or favors, and without compulsion or persuasion by any person or persons whomsoever:

*as was of the ~~truck~~ truck ahead of accident. He had just stopped for pins accident. looked in mirror to make sure everyone was stopping. Then heard explosion. That truck hit some van in which exploded and hit car in front of it. Ran to help people in car.*

I have read this statement consisting of \_\_\_\_\_ page(s), each page of which bears my signature, and I do affirm that all facts and statements contained herein are true and correct.

[REDACTED]

The above warnings were given by and this voluntary statement was taken by

Witness

(This must be one and the same person as named above)



TEXAS DEPARTMENT OF PUBLIC SAFETY  
TEXAS HIGHWAY PATROL DIVISION  
OFFENSE REPORT

TRAFFIC  
 CRIMINAL  
 SCHOOL NOTIFICATION  
REQUIRED (ART. 15.27 CCP)

REPORT DATE: 08/26/10

FILE TITLE

- 1. [REDACTED]
- 2. [REDACTED]
- 3. Columbia, MS [REDACTED]
- 4. B/M
- 5.

SID # \_\_\_\_\_ DL # [REDACTED]  
 ID # \_\_\_\_\_ DOB [REDACTED]  
 OTHER: \_\_\_\_\_

INVESTIGATING OFFICER:

TYPED NAME: Bryon Bush, Trooper ID-NR: 13338

SIGNATURE: *Bryon Bush*

REGION/DISTRICT/SGT. AREA: 1A06

APPROVING SUPERVISOR:

TYPED NAME: Brandon Negri, Sergeant ID-NR: 8936

SIGNATURE: *Brandon Negri*

RPT-RE: Supplement- Greene Fatal

COMPLETE IF TRAFFIC OFFENSE AND CHEMICAL TEST IS OFFERED:

TEST OFFERED: BREATH  BLOOD  NONE  TEST GIVEN: BREATH  BLOOD  URINE  REFUSED  NONE   
 TEST RESULT: 1) \_\_\_\_\_ 2) \_\_\_\_\_ DIC-23 SUBMITTED: YES  NO  OPERATOR ID # \_\_\_\_\_

<u>DEFENDANT(S)</u>	<u>OFFENSE(S)</u>	<u>COUNTY</u>	<u>DATE/TIME</u>
---------------------	-------------------	---------------	------------------

**Synopsis:**

On 05/28/2010 I assisted with a fatality crash on IH-20 East Bound at the 509mm.

Details:

On 05/28/2010, I Trooper Bryon Bush was assisting my partner Trooper Chris Countryman on routine patrol in Kaufman County. The call about a semi-truck verses car crash on IH-20 came out to Troopers in Kaufman County. Trooper Countryman and myself proceeded towards the crash.

Upon arrival, I could see EMS personnel assisting a man lying on the ground, a vehicle that was on fire being put out by the fire department, and a truck tractor semi-trailer on the outside shoulder of IH-20.

Trooper Dexter Barkley then asked me to get the witness statements from the witnesses who saw the crash.

I handed the witnesses the witness statement form and told them to write down in detail what they saw and what their involvement was. I then informed the witnesses that we would be in contact with them about their statements they have made and what they have seen.

Once the witnesses completed their statement forms, I collected them and placed them in the back of Trooper Barkley's patrol vehicle.

Once the vehicle that was on fire was put out and safe, I walked around to observe the crash scene.

Walking up to the burned vehicle you could see an infant's foot that was trapped in the vehicle. In the left lane of

TEXAS DEPARTMENT OF PUBLIC SAFETY  
TEXAS HIGHWAY PATROL DIVISION  
OFFENSE REPORT

FILE TITLE: [REDACTED]

COUNTY:

INVESTIGATING OFFICER: Bryon Bush, Trooper

REPORT DATE: 08/26/10

IH-20 was a body that was covered by a blanket.

I was then asked to assist Trooper Countryman in taking photos of the crash scene. Trooper Countryman then asked if I could lift the blanket covering the deceased body so photographs could be taken.

While taking photos, I assisted the fire department by holding the door of the burned vehicle while they removed the second body from the back seat area of the vehicle.

After photos were taken, Trooper Countryman and myself began to paint the scene for our crash reconstruction that would be occurring later on in the night. We started marking the scene on the west end of the highway working our way east towards the crash marking skid marks, road gouges and vehicles positions.

Once the marking of the vehicles and other important evidence was completed, I then proceeded to do an inventory of one of the vehicles involved.

The vehicle that I inventoried was the Black, Toyota Corolla that came to rest on the inside shoulder of IH-20. Once the inventory was completed and documented, the HQ-109 form was then handed off to Trooper Barkley to go with the rest of the inventory forms.

I then proceeded to assist Sergeant Brandon Negri with the crash scene reconstruction. My job was to hold the prism pole for the survey instrument to mark out the points of importance for the crash reconstruction. Once the Surveying was completed, the equipment was packed up and the highway was opened back up.

**Witnesses:**Name & Address:Will Testify To:

Bryon Bush, Trooper I  
111 Tejas Drive  
Terrell, Texas 75160  
(972)551-6010

**Description and Custody of Evidence:**Description:Disposition:



TEXAS DEPARTMENT OF PUBLIC SAFETY  
TEXAS HIGHWAY PATROL DIVISION  
OFFENSE REPORT

FILE TITLE: [REDACTED]	COUNTY:
INVESTIGATING OFFICER: Bryon Bush, Trooper	REPORT DATE: 08/26/10

**Victims:**

Name & Address:

None

**Vehicles:**

Description:

Disposition:

**Weapons:**

Description:

Disposition:

None

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.



EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition

Transcripts

Trooper Barkley

1634286-WE - 1 - Exhibit006

Barkley  
6  
Harris Ole  
PINCADO-BRYAN, N. J.

On 5/28/2010 at 18:25, the first call came in to Kaufman County Dispatch concerning a multi-vehicle crash on IH 20 near mile post 509. I received the call at 18:27 and arrived on scene at 18:40. I observed a SUV that was smoking and observed it and the grass on the shoulder burning. There were several citizens around a man, who was later identified as [REDACTED]. We administered first aid to him, he was having breathing trouble and appeared to have 3<sup>rd</sup> degree burns over most of his body. I observed a TTST combination over the shoulder to the south. There was heavy damage to the front of the truck and burn damage to the left rear of the trailer. I also observed sheet metal that had been caught on the trailer's storage box. I saw the driver of the TTST standing on the shoulder, he was identified as [REDACTED] MS CDL [REDACTED], he appeared to have minor injuries as I observed some blood on his legs. I spoke with him. He stated that he had been checking his load in the mirrors and was not watching traffic. He stated that when he turned his attention back to the traffic, that the traffic had slowed nearly to a stop. He then stated that he hit the 4-Runner and peeled to the right. I saw the Elmo VFD putting out what was left of the fire in the 4-runner.

As I approached the 4-runner, I observed the body of a black female. The body was face down and partly covered by a blanket. The body was to the north of the 4-runner. I then observed remains of a small child in the left rear seat area of the 4-runner. I also saw another small body in the right rear seat area of the 4-runner.

As I continued in to the crash scene, I observed a black Toyota passenger car facing south in the center median, near the shoulder. The rear end had been smashed. The driver and his two daughters were later taken to Baylor hospital in Dallas for non life threatening injuries.

I then observed a second TTST that had damage to the trailer. The driver was not injured.

There were dark skid marks from the right tandem axel of what has been identified as Unit #1 and Unit #2. The area of first impact between Unit #1 and #3 was very visible. The crash scene also revealed the impact of Unit #3 into Unit #4. The path that Unit #4 was also clearly visible. The area that Unit #3 turned and later impacted Unit #6 was also clearly visible as were the skid marks of Unit #6. The skid marks from Unit #4 and #6 indicate that traffic was moving at the time of the crash.

It was a holiday weekend. The traffic was very heavy and was slowing in certain areas of IH 20. Around mile marker 509, the traffic had become congested and was slowing.

During the investigation it became clear that all units were traveling in the out side lane, east bound on IH 20. The driver of Unit #1 was not paying attention to traffic. There is evidence that he was talking on a cellular phone at the time of the crash. Unit #1 struck Unit #3 in the rear, smashing in the rear end. It appears that Unit #3 was pushed for a distance by Unit #1. Unit #3 then struck Unit #4 in the rear end smashing the rear end with enough force to crush it. Unit #4's rear end came around clock wise and Unit #4 skidded to the inside shoulder. Unit #4 came to a final rest facing mostly south in the center median.

Unit #1 the turned to the right in the direction of the outside shoulder. There was a storage box on the left side of Unit #2, that storage box caught on to the rear of Unit #3 and pulled metal from the left rear quarter. That impact spun Unit #3 nearly 90 degrees to the north. Unit #3 was now facing north.



The front seat passenger was partly ejected at some point during the impacts leading up to Unit #3 striking Unit #6. When Unit #3 impacted Unit #6, the front right passenger slammed against the rear of Unit #6. Unit #3 then began to fold under Unit #6 causing the roof of Unit #3 to peel up and to the left. Unit #3 then exploded. The front seat passenger had come to a final rest twisted on the right side of the hood of Unit #3. The two children were trapped in the back seat.

Unit #5 skidded to a stop. There was no damage to Unit #5. Unit #6 sustained damage to the rear of the trailer. The impact broke off the ICC bar from the bottom of the trailer. Part of the bar was lodged in the right door of Unit #6. The other part was in the roadway on the west side of Unit #3.

A bystander came on scene and pulled the woman from the hood and away from the burning vehicle. He then pulled the driver of Unit #3 out of the vehicle and away from the burning vehicle. He also attempted to get the children out of the vehicle.

ETMC took care of the injured and transported survivors to hospitals. The scene was panted, photographed, scaled, and inspected.

EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634287-WE - 1 -

ExhibitPlaintiff005



PLAINTIFF'S  
EXHIBIT  
02/10/05  
00053

Greene v. Toyota

EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634288-WE - 1 -

ExhibitPlaintiff009





PLAINTIFF'S  
EXHIBIT  
9/10/02  
9/10/02

EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634289-WE - 1 -

ExhibitPlaintiff006





PLAINTIFF'S  
EXHIBIT  
00038  
Plate 6 we

00038  
Greene v. Toyota



EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634290-WE - 1 -

ExhibitPlaintiff003





6. Are the records, memoranda or reports outlined in the subpoena duces tecum pertaining to the above person, subject or event in your custody and subject to your control, supervision or direction?

Answer: yes.

7. Are you able to identify these records as the original or true and correct copies of the original?

Answer: yes.

8. Are the originals of such 911 records a permanent part of the records of this company?

Answer: yes.

9. Are the entries made on these notes, records and/or reports made at the time or shortly after the time of the transaction recorded by these entries?

Answer: yes.

10. Were such records, memoranda, notes, and/or reports made in the regular course of business?

Answer: yes.

11. Was it in the regular course of business of KAUFMAN COUNTY SHERIFF'S DEPARTMENT for the custodian or an employee or representative of his having personal knowledge of the act, event or condition recorded in the records you have furnished to make such memorandum or record or to transmit information thereof to be included in such memorandum or record?

Answer: yes.

12. Please provide and attach to this deposition photostatic copies of the complete 911 records as outlined in the subpoena duces tecum. Have you complied? If not, why not?

Answer: yes.

13. Have you handed over all records and reports, including narratives as requested in the preceding question? If not, identify the records and documents you did not produce and give an explanation as to why you did not produce them.

Answer: yes.

Roberto Huig  
CUSTODIAN SIGNATURE

I, Jessica Quintero, a Notary Public in the state of Texas, do hereby certify that the foregoing answers of the witness the Custodian of Records, were by the said witness made before and sworn to and subscribed before me by the said witness. The records attached hereto are exact duplicates of the original records.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE this the 30 day of August, 2010.



Jessica Quintero  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

GREENE\_000147



**Kaufman County Sheriff's Office**  
**1900 E Hwy 175 Kaufman , TX 75142**

Call Taker: KMATHE-3894	CFS Report CFS # - 10-37173	Print Date: 8/18/2010 18:43
<b>Base Information</b>		
Call When: 05/28/2010 18:25:05    Create When: 05/28/2010 18:25:38    Disposition: CLEAR		
<b>Location of Occurrence</b>		
Address: EB 120 @ 509, KAUFMAN COUNTY		Route:
Landmark:	ESN:	Map Grid:    Primary: 5500
<b>Location of Caller</b>		
Address:		
Caller Name: T-MOBILE USA, INC.	Caller Phone: 6823652349	How Received: 911
Cross Street High:	Cross Street Low:	InProgress <input type="checkbox"/>
From-To Directions:		Priority:
EMS	Fire	Law
Law Tract:	Area:	District:    Grid:    Work Area:
EMS Dispatch Level:	Fire Dispatch Level:	Law Dispatch Level:

Dispositions		
Disposition	Assigned When	Dispatcher
CLEAR	05/29/2010 03:00	LBOOZER

Call Types			
Call Type	Assigned When	Dispatcher	InActive
ACCIDENT	05/28/2010 18:27	LMILLIGAN	<input type="checkbox"/>

Unit Times				
Unit	Department	When	Status   Notes	Dispatcher
5500	EFD	05/28/2010 18:26:50	DISPATCHED	KMATHE
122	KCSO	05/28/2010 18:27:23	DISPATCHED	LMILLIGAN
122	KCSO	05/28/2010 18:27:27	ENROUTE	LMILLIGAN
175	KCSO	05/28/2010 18:28:01	DISPATCHED	LMILLIGAN
175	KCSO	05/28/2010 18:28:07	ENROUTE	LMILLIGAN
5500	EFD	05/28/2010 18:28:14	ENROUTE	KMATHE
1161	DPS	05/28/2010 18:29:20	DISPATCHED	LMILLIGAN
6100	CMFD	05/28/2010 18:29:42	DISPATCHED	KMATHE
5500	EFD	05/28/2010 18:29:49	ON SCENE	KMATHE
177	KCSO	05/28/2010 18:30:35	DISPATCHED	LMILLIGAN
177	KCSO	05/28/2010 18:30:39	ENROUTE	LMILLIGAN
175	KCSO	05/28/2010 18:31:24	ADD OFFICER NOTE   AUTH PER 23	LMILLIGAN
122	KCSO	05/28/2010 18:32:02	ADD OFFICER NOTE   AUTH PER 23	LMILLIGAN
930	EMS	05/28/2010 18:33:14	DISPATCHED	KMATHE
930	EMS	05/28/2010 18:33:18	ENROUTE	KMATHE
6100	CMFD	05/28/2010 18:33:20	ENROUTE	KMATHE
1161	DPS	05/28/2010 18:33:47	ENROUTE	LMILLIGAN
170	KCSO	05/28/2010 18:34:08	DISPATCHED	LMILLIGAN

00001



Call Taker: KMATHE-3894	CFS Report CFS # - 10-37173	Print Date: 8/18/2010 18:43
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170	KCSO	05/28/2010 18:34:11	ENROUTE	LMILLIGAN
170	KCSO	05/28/2010 18:36:00	ADD OFFICER NOTE   EMERGENCY TRAFFIC	LMILLIGAN
122	KCSO	05/28/2010 18:36:11	ON SCENE	LMILLIGAN
5500	EFD	05/28/2010 18:36:44	ADD OFFICER NOTE   ENGINE 1 ON SCENE	KMATHE
1161	DPS	05/28/2010 18:37:17	ON SCENE	LMILLIGAN
123	KCSO	05/28/2010 18:37:58	DISPATCHED	LMILLIGAN
123	KCSO	05/28/2010 18:38:01	ENROUTE	LMILLIGAN
175	KCSO	05/28/2010 18:38:16	ON SCENE	LMILLIGAN
50	KCSO	05/28/2010 18:39:29	DISPATCHED	LMILLIGAN
50	KCSO	05/28/2010 18:39:32	ENROUTE	LMILLIGAN
1161	DPS	05/28/2010 18:42:11	ADD OFFICER NOTE   CONTACT WILLIS POINT EMS FOR MORE UNITS	LMILLIGAN
175	KCSO	05/28/2010 18:42:22	ENROUTE	LMILLIGAN
177	KCSO	05/28/2010 18:44:37	ON SCENE	LMILLIGAN
1161	DPS	05/28/2010 18:45:24	ADD OFFICER NOTE   NOTIFY JP	LMILLIGAN
6100	CMFD	05/28/2010 18:46:02	ADD OFFICER NOTE   ENGINE 2	KMATHE
50	KCSO	05/28/2010 18:46:26	ON SCENE   OUT W 122	LMILLIGAN
177	KCSO	05/28/2010 18:47:12	ADD OFFICER NOTE   SHUTTING DOWN HIRAM EXIT	LMILLIGAN
170	KCSO	05/28/2010 18:51:00	ADD OFFICER NOTE   OPEN CHANNEL PER 23	LMILLIGAN
175	KCSO	05/28/2010 18:52:32	ON SCENE	LMILLIGAN
170	KCSO	05/28/2010 18:52:35	ON SCENE	LMILLIGAN
6100	CMFD	05/28/2010 19:01:46	ON SCENE	KMATHE
123	KCSO	05/28/2010 19:02:20	ON SCENE   429 AT 20	LMILLIGAN
6100	CMFD	05/28/2010 19:06:12	ADD OFFICER NOTE   ENGINE 2 ON SCENE 1838	KMATHE
1161	DPS	05/28/2010 19:13:23	ADD OFFICER NOTE   PER 1161 DO NOT SEND 18 WHEELERS WITH LOW BEDS TOWARD 80 AND THE RAIL ROAD TRUSSELS	LMILLIGAN
6100	CMFD	05/28/2010 19:14:25	ADD OFFICER NOTE   COLLEGE MOUND UNITS ON SCENE 1828	KMATHE
1161	DPS	05/28/2010 19:15:53	ADD OFFICER NOTE   ONLINE WITH JP	LMILLIGAN
5500	EFD	05/28/2010 19:20:50	ADD OFFICER NOTE   BRUSH 1 ENRTE FOR FIRE REHAB	KMATHE
23	KCSO	05/28/2010 19:33:47	DISPATCHED	LMILLIGAN
23	KCSO	05/28/2010 19:33:50	ON SCENE	LMILLIGAN
122	KCSO	05/28/2010 19:35:36	ADD OFFICER NOTE   OUT W/ 50	LMILLIGAN
23	KCSO	05/28/2010 19:36:19	ADD OFFICER NOTE   ALL UNITS AT 429, OPEN 20 EXIT THE TRAFFIC AT HIRAM BLOCK EB ON RAMP AT 20	LMILLIGAN
170	KCSO	05/28/2010 19:50:21	CLEAR	LMILLIGAN
122	KCSO	05/28/2010 19:50:24	CLEAR	LMILLIGAN
23	KCSO	05/28/2010 19:51:58	ADD OFFICER NOTE   NEED A FREE DEP TO HIRAM AT CR 125 TO DIVERT TRAFFIC	LMILLIGAN
50	KCSO	05/28/2010 19:52:27	ADD OFFICER NOTE   GOING TO CR 125	LMILLIGAN
1025	DPS	05/28/2010 20:22:02	DISPATCHED	LMILLIGAN
1025	DPS	05/28/2010 20:22:07	ON SCENE	LMILLIGAN
1025	DPS	05/28/2010 20:22:24	ADD OFFICER NOTE   NOTIFY TX DOT 20 WILL BE SHUT FOR A MIN OF 3 HRS	LMILLIGAN
122	KCSO	05/28/2010 20:28:06	DISPATCHED	LMILLIGAN
170	KCSO	05/28/2010 20:28:10	DISPATCHED	LMILLIGAN
170	KCSO	05/28/2010 20:28:14	ON SCENE	LMILLIGAN



Call Taker: KMATHES-3894	CFS Report CFS # - 10-37173	Print Date: 8/18/2010 18:43
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122	KCSO	05/28/2010 20:28:22	ON SCENE	LMILLIGAN
50	KCSO	05/28/2010 20:34:40	CLEAR	LMILLIGAN
177	KCSO	05/28/2010 20:45:42	CLEAR	LMILLIGAN
170	KCSO	05/28/2010 21:26:04	CLEAR	LMILLIGAN
1025	DPS	05/28/2010 22:39:27	ADD OFFICER NOTE   GET NEXT 10-51	LBOOZER
930	EMS	05/28/2010 23:17:42	CLEAR	KMATHES
170	KCSO	05/29/2010 00:16:01	DISPATCHED	LBOOZER
123	KCSO	05/29/2010 00:17:59	CLEAR	LBOOZER
171	KCSO	05/29/2010 00:36:26	DISPATCHED	LBOOZER
171	KCSO	05/29/2010 00:36:30	CLEAR	LBOOZER
6100	CMFD	05/29/2010 00:59:01	CLEAR	KMATHES
5500	EMD	05/29/2010 00:59:31	CLEAR	KMATHES
23	KCSO	05/29/2010 02:25:40	CLEAR	KMATHES
170	KCSO	05/29/2010 02:26:28	CLEAR	KMATHES
122	KCSO	05/29/2010 02:26:33	CLEAR	KMATHES
175	KCSO	05/29/2010 02:26:37	CLEAR	KMATHES
1161	DPS	05/29/2010 03:00:22	CLEAR	LBOOZER
1025	DPS	05/29/2010 03:00:22	CLEAR	LBOOZER

**Incident Locations**

Address: I20 @ KAUFMAN	User: KMATHES
XCoord (Longitude):	YCoord (Latitude):
When: 05/28/2010 18:25:38	
Address: EB I20 @ 509, KAUFMAN	User: LMILLIGAN
XCoord (Longitude):	YCoord (Latitude):
When: 05/28/2010 18:26:25	
Address: EB I20 @ 509, KAUFMAN COUNTY	User: LMILLIGAN
XCoord (Longitude):	YCoord (Latitude):
When: 05/28/2010 18:26:33	

**Vehicle Information**

Name:	OLN:	State: TX	Sex:	Race:	DOB:
Person Description:				Unit:	
Tag: 83438T	Tag State: MS	Tag Year:	Tag Type: TL	Searched <input type="checkbox"/>	Consented <input type="checkbox"/>
Make/Model/Color/VIN/Desc:	/////				
When: 05/28/2010 22:39					
Name:	OLN:	State: TX	Sex:	Race:	DOB:
Person Description:				Unit:	
Tag: BM7K816	Tag State: TX	Tag Year:	Tag Type:	Searched <input type="checkbox"/>	Consented <input type="checkbox"/>
Make/Model/Color/VIN/Desc:	TOYT / 4RUNNER / / /				
When: 05/29/2010 00:38					
Name:	OLN:	State: TX	Sex:	Race:	DOB:
Person Description:				Unit:	
Tag: 368KKR	Tag State: TX	Tag Year:	Tag Type:	Searched <input type="checkbox"/>	Consented <input type="checkbox"/>
Make/Model/Color/VIN/Desc:	/////				
When: 05/29/2010 00:38					

**Notes**

LMILLIGAN 05/28/2010 18:27:51  
DPS NOTIFIED

KMATHES 05/28/2010 18:33:44  
NEED HIGHWAY SHUT DOWN FM 429 AT I20

CAD Report 44



Call Taker: KMATHES-3894	CFS Report CFS # - 10-37173	Print Date: 8/18/2010 18:43
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KMATHES 05/28/2010 18:35:13  
NOTIFIED 5503 THAT TWO CHILDREN TRAPPED IN VEH ON FIRE

KMATHES 05/28/2010 18:35:23  
COMBINE ENRTE TOO

LBOOZER 05/28/2010 18:35:47  
1 EJECTED 1 JUST OUT OF THE BURNING 1 BURNED AND ONE IN THE VEHICLE 3 DEATHS 2 CHILDREN IN THE BURNING VEHICLE

KMATHES 05/28/2010 18:35:56  
TOLD 6101 TO CALL DISPATCH

KMATHES 05/28/2010 18:37:18  
5503 STATED WE HAVE 3 FATALITIES 3 CRITICAL 3

KMATHES 05/28/2010 18:38:33  
AIR EVAC ENRTE, TX DOT NOTIFIED

AHOSIER 05/28/2010 18:40:33  
ASHLEY OLIVER W/FOX 4 NEWS 214-720-3155

AHOSIER 05/28/2010 18:45:34  
STEPHAN W/CHANNEL 5 817-654-6314

AHOSIER 05/28/2010 18:45:50  
PAT LANEY CONTACTED

KMATHES 05/28/2010 18:46:43  
CLOSING DOWN WEST SIDE OF I20 TO LAND HELICOPTER

LBOOZER 05/28/2010 18:47:44  
JUDGE ADAMS NOTIFIED

AHOSIER 05/28/2010 18:58:16  
GARY W/CHANNEL 8 214-977-6213

KMATHES 05/28/2010 19:03:13  
TONYA EISERER WITH DALLAS MORNING NEWS 817 228 3514

KMATHES 05/28/2010 19:06:01  
ENGINE 2 ON SCENE AT 1838

KMATHES 05/28/2010 19:13:15  
COLLEGE MOUND ON SCENE 1828

AHOSIER 05/28/2010 19:15:15  
PETER W/KRLO 214-525-7460

AHOSIER 05/28/2010 19:23:06  
GAVE PAT TROOPER BARKLEY'S CELL NUMBER 469-853-6378

KMATHES 05/28/2010 19:29:03  
AIR EVAC ON WAY TO PMH

AHOSIER 05/28/2010 20:28:42  
CHAPLIN TO BE CONTACTED IF TROOPER BARKLEY NEEDS HIM FOR FAMILY 214-632-9663

LBOOZER 05/28/2010 20:35:42  
JENN NAV TECH TRAFFIC 214-631-7601

LBOOZER 05/28/2010 20:39:19  
KIMBERLY WITH METRO 214-596-2320

KMATHES 05/28/2010 20:51:06  
STEVE JACKSON WITH CBS 19 OUT OF TYLER 903 581 2211

LBOOZER 05/28/2010 20:54:13  
ALEX CLEAR CHANNEL 214-866-8888

**Wrecker(s)**

Date/Time: 05/28/2010 22:39	Dispatcher: LMILLIGAN	Company Name: BUSTERS WRECKER
Tag: 83438T	Description: 2008 UTL FS2 TL	
Notes:		
Date/Time: 05/29/2010 00:40	Dispatcher: KMATHES	Company Name: B & V TOWING
Tag:	Description: TOYATA 4 RUNNER	
Notes:		
Date/Time: 05/29/2010 00:42	Dispatcher: KMATHES	Company Name: FULLERS WRECKER
Tag: 368KKR	Description: 2006 TOYOTA UCS 4DR	
Notes:		



EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634291-WE - 1 -

ExhibitPlaintiff007



PLAINTIFF'S  
EXHIBIT  
Number 5113  
Gardner  
tablar 7 we

00061  
Greene v. Toyota



EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634292-WE - 1 -

ExhibitPlaintiff004



PLAINTIFF'S EXHIBIT  
2/11/12 4 vll

0000



EA12-005

TOYOTA

2/15/2013

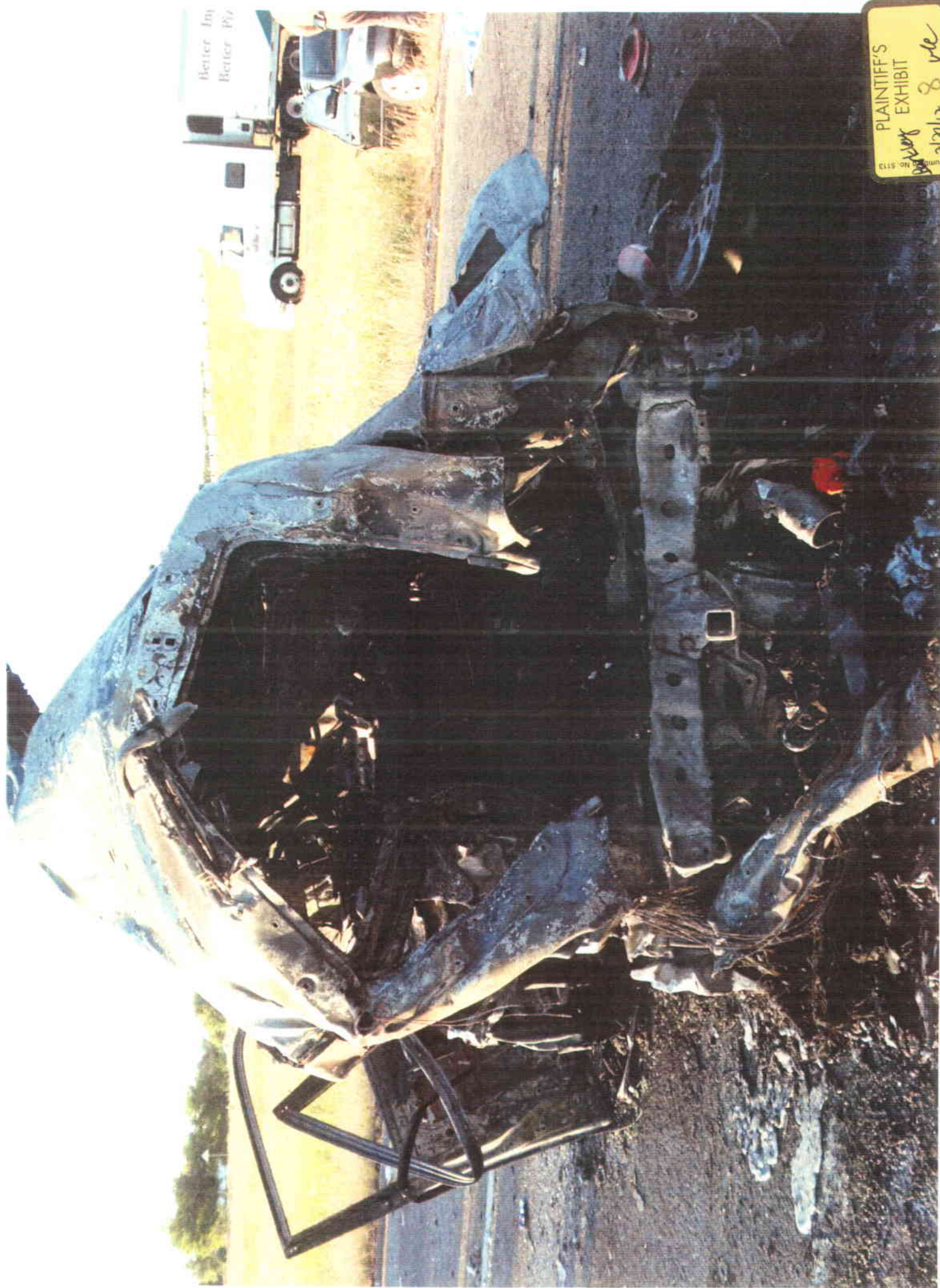
Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634293-WE - 1 -

ExhibitPlaintiff008



PLAINTIFF'S  
EXHIBIT  
8 vlc  
Blund  
No. 5113



EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634294-WE - 1 -

ExhibitPlaintiff011



PLAINTIFF'S  
EXHIBIT  
*Exhibit 11*

00081  
Greene v. Toyota



EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634295-WE - 1 -

ExhibitPlaintiff015



PLAINTIFF'S  
EXHIBIT  
15  
Date: 1/5/04  
Bulfinch No. 9113

0080  
Green Toyota



EA12-005

TOYOTA

2/15/2013

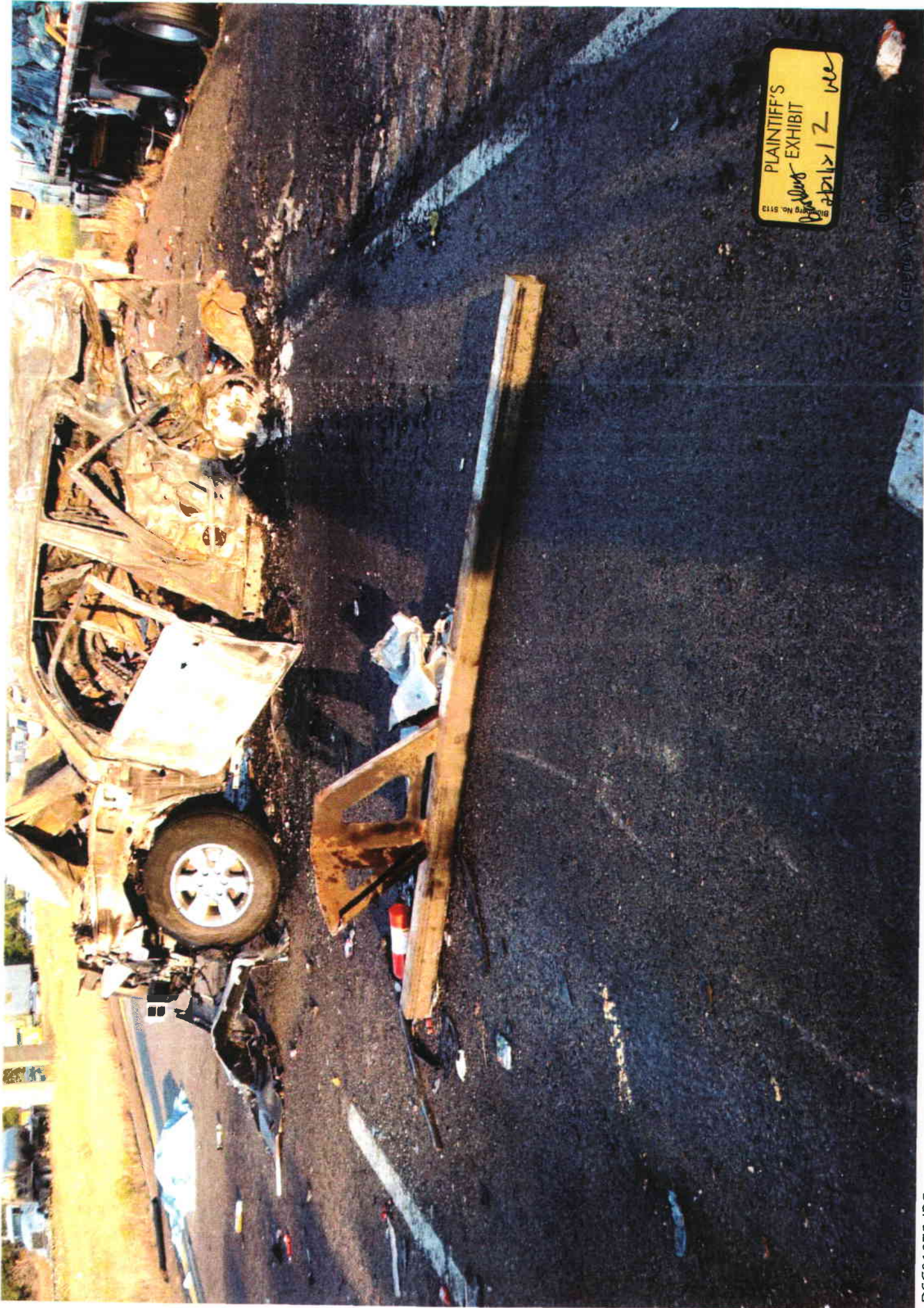
Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634296-WE - 1 -

ExhibitPlaintiff012



PLAINTIFF'S  
EXHIBIT  
01/12/12  
12-100



EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634297-WE - 1 -

ExhibitPlaintiff016





EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634298-WE - 1 -

ExhibitPlaintiff013

PLAINTIFF'S  
EXHIBIT  
Bridges  
October 13 2000  
Blind No. 5113





EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634299-WE - 1 -

ExhibitPlaintiff017





EA12-005

TOYOTA

2/15/2013

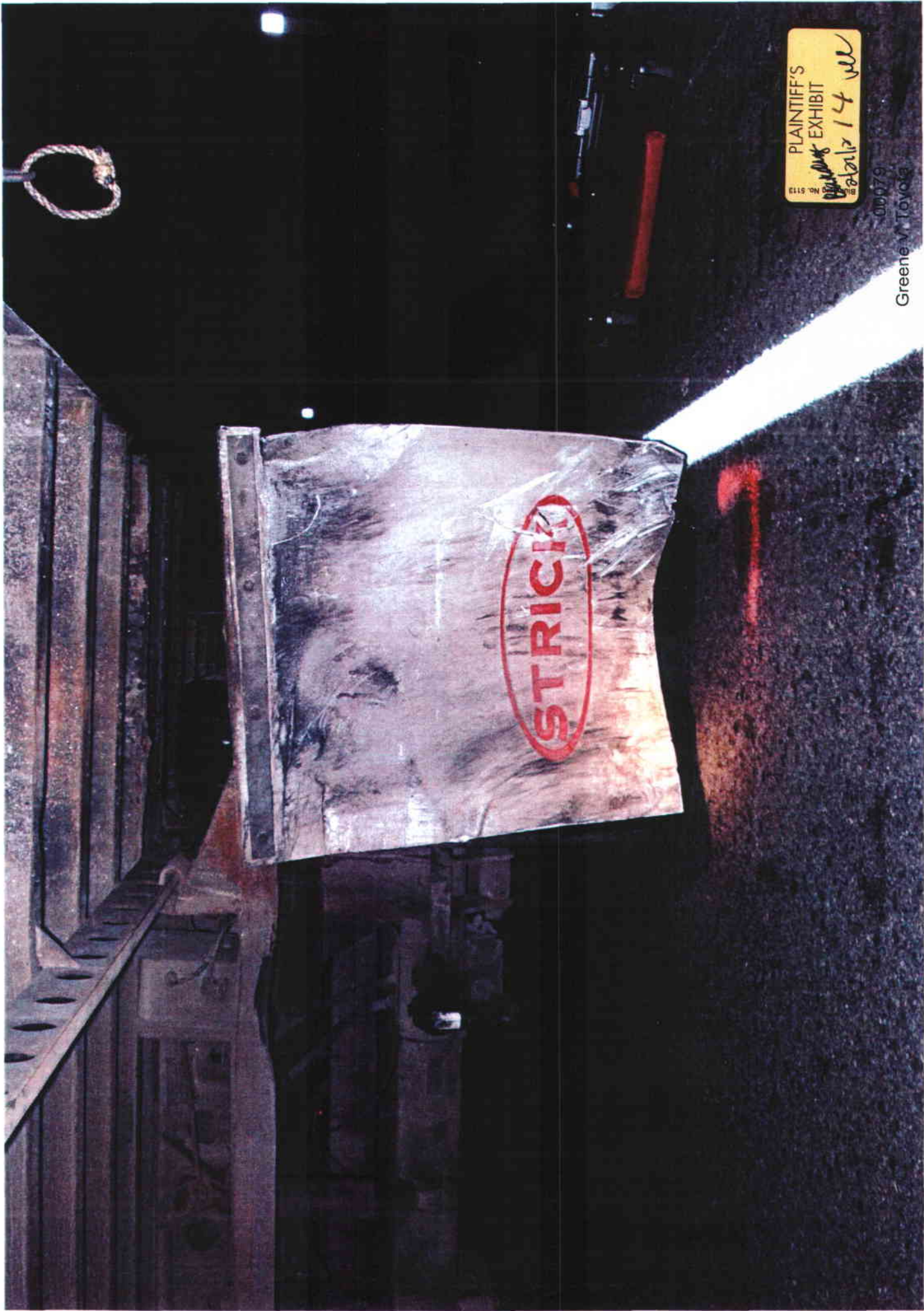
Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634300-WE - 1 -

ExhibitPlaintiff014



PLAINTIFF'S  
EXHIBIT  
Exhibit 14  
00079  
No. 5113

Greene v. Toyota



EA12-005

TOYOTA

2/15/2013

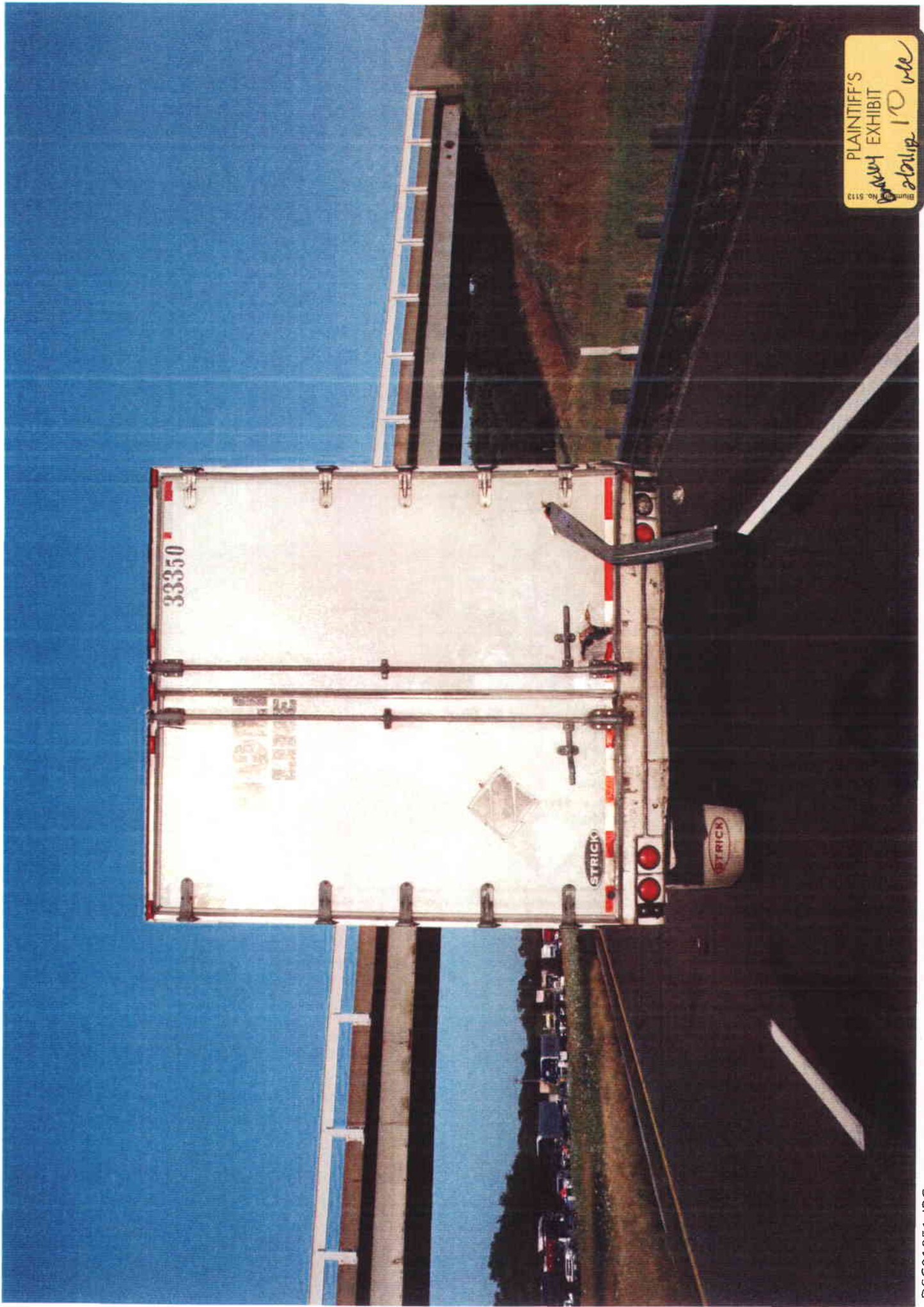
Attachment-Response 4

d. Expert Deposition  
Transcripts

Trooper Barkley

1634301-WE - 1 -

ExhibitPlaintiff010



PLAINTIFF'S  
EXHIBIT  
10 vll  
Shirley No. 513



EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition

Transcripts

Trooper Barkley

1634302-WE - 1 - Exhibit001

Barkley  
Harris  
REC'D - Bayonne, N.J.

AO 88A (Rev. 06/09) Subpoena to Testify at a Deposition in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

Olle Greene, et al

Plaintiff

v.

Toyota Motor Corporation, Toyota Motor  
Manufacturing North America, Inc., et al

Defendant

Civil Action No. 3-11CV-0207-N

(If the action is pending in another district, state where: )

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: Dexter Barkley

**Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization that is *not* a party in this case, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Place: Holiday Inn Express 300 Tanger Drive Terrell, TX 75160 972.563.7888	Date and Time: 02/21/2012 1:00 pm
--	--------------------------------------

The deposition will be recorded by this method: Oral and Videotaped

**Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

SEE ATTACHED: EXHIBIT "A"

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 01/27/2012

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Isl Kurt C. Kern

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Def. Toyota Motor Corp., Kurt C. Kern, Bowman and Brooke, LLP, 2711 N. Haskell Avenue, #650, Dallas, TX 75204, 972.616.1700, who issues or requests this subpoena, are:



AO 88A (Rev. 06/09) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. 3-11CV-0207-N

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This subpoena for *(name of individual and title, if any)* Dexter Barkley  
was received by me on *(date)* 01/27/2012

I served the subpoena by delivering a copy to the named individual as follows: by del. to Zennell Hickmon,  
Authorized Representative to Accept at 111 Tejas Drive, Terrell, Texas at 1:10 p.m.  
on *(date)* 02/09/2012 ; or

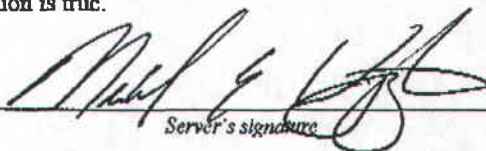
I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ 45.00

My fees are \$ 0.00 for travel and \$ 195.00 for services, for a total of \$ 195.00

I declare under penalty of perjury that this information is true.

Date: 02/09/2012

  
\_\_\_\_\_  
*Server's signature*

Michael E. Wigginton / Private Process Server  
*Printed name and title*

P.O. Box 852185  
Mesquite, Texas 75185  
*Server's address*

Additional information regarding attempted service, etc:

**Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)**

**(c) Protecting a Person Subject to a Subpoena.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

**(A) When Required.** On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

**(d) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(e) Contempt.** The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).



IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

<p><b>OLLIE GREENE</b>, individually as the surviving parent of <b>WYNDELL GREENE, SR.</b>, <b>WILLIAM GREENE</b>, as the representative of the Estate of <b>WYNDELL GREENE, SR.</b>, and <b>MARILYN BURDETTE-HARDEMAN</b>, individually and as the surviving parent of <b>LAKEYSHA GREENE</b>,</p> <p>Plaintiffs,</p> <p>v.</p> <p><b>TOYOTA MOTOR CORPORATION</b>, <b>TOYOTA MOTOR MANUFACTURING NORTH AMERICA, INC.</b>, and <b>TOYOTA MOTOR SALES USA, INC.</b>, <b>VOLVO GROUP NORTH AMERICA, INC.</b>, <b>VOLVO TRUCKS NORTH AMERICA, A DIVISION OF VOLVO GROUP NORTH AMERICA, INC.</b>, <b>STRICK CORPORATION, INC.</b>, <b>JOHN FAYARD MOVING &amp; WAREHOUSE, LLC</b> and <b>DOLPHIN LINE, INC.</b></p> <p>Defendants.</p>	<p>CAUSE NO. 3-11CV-0207-N</p> <p>JURY TRIAL DEMANDED</p>
---	---

**NOTICE OF INTENTION TO TAKE THE  
ORAL AND VIDEOTAPED DEPOSITION OF DEXTER BARKLEY**

TO: Plaintiffs, by and through their attorneys of record, Aubrey "Nick" Pittman, The Pittman Law Firm, P.C. 100 Crescent court, Suite 700, Dallas, Texas 75201 and Daryl K. Washington, The Law Offices of Daryl K. Washington, P.C., 325 St. Paul Street, Suite 1975, Dallas, TX 75201.

Defendant, Volvo Group North America, Inc., by and through its attorneys of record, Randy Howry, Pat Fitzgerald and John Carlson, Howry, Breene & Herman, LLP, 1900 Pearl Street, Austin, Texas, 78705.

Defendant, Strick Corporation, Inc., by and through its attorneys of record, S. Todd Parks and Jason L. Wren, Walters, Balido & Crain, 900 Jackson Street, Suite 600, Dallas, Texas 75202.

Defendant, John Fayard Moving & Warehouse, LLC, by and through its attorneys of record, Michael P. Sharp and Scott W. Self, Fee, Smith, Sharp & Vitullo, LLP, Three Galleria Tower, 13155 Noel Road, Suite 1000, Dallas, Texas 75240.

Defendant, Dolphin Lines, Inc., by and through its attorneys of record, John S. Kenefick and Jason Tapp, MacDonald Devin, PC, 3800 Renaissance Tower, 1201 Elm Street, Dallas, Texas, 75270.

Please take notice that Defendant Toyota Motor Corporation ("Defendant") in the above-entitled and numbered cause, by and through its attorneys of record, will take the oral and videotaped deposition of DEXTER BARKLEY on February 21, 2012, starting at 1:00 p.m., and continuing from day to day thereafter until completed. Said deposition will take place at the Holiday Inn Express, 300 Tanger Drive, Terrell, TX, 75160, 972-563-7888, at which time and place you are notified to appear and take such part in the examination as shall be proper.

Said deposition shall be taken before Merrill Corporation, 214-720-4567, a court reporter authorized to administer oaths and report oral deposition testimony. Said deposition will be videotaped and continued from day to day until completed.

The witness is hereby ordered to bring a copy of those items listed in Exhibit "A", attached hereto.

All parties are invited to attend and propound such questions to the witness as may be appropriate under the Federal Rules of Civil Procedure.



Respectfully submitted,



**KURT C. KERN**  
State Bar No. 11334600  
**DAVID P. STONE**  
State Bar No. 19289060  
**CRAIG D. DUPEN**  
State Bar No. 24065177

**BOWMAN AND BROOKE LLP**  
2711 North Haskell Avenue, Suite 650  
Dallas, Texas 75204  
Telephone: 972.616.1700  
Facsimile: 972.616.1701

**ATTORNEYS FOR DEFENDANT  
TOYOTA MOTOR CORPORATION**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all known counsel of record in accordance with the Federal Rules of Civil Procedure on this 27<sup>th</sup> day of January, 2012.



**Exhibit "A"**

1. Any and all documents, records, and materials regarding the accident involving Wyndell Greene and Lakeysha Greene that occurred on May 28, 2010, including, but not limited to, the accident report, correspondence, videotapes, original photographs, CD/DVD's, statements, memorandums, dispatch logs, reports, measurements, handwritten diagrams, or any other documents or records in your possession regarding the accident and/or all persons involved in the accident including but not limited to Wyndell Greene and Lakeysha Greene.



EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition

Transcripts

Trooper Barkley

1634305-WE - 1 - Exhibit002

Barkley  
2/1/11  
Z  
de  
PENALTY - \$100.00, N. J.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

OLLIE GREENE, Individually and as the §  
Surviving parent of WYNDELL GREENE, SR., §  
WILLIAM GREENE, as the Administrator §  
Of the Estate of WYNDELL GREENE, SR., et al §  
vs. §  
TOYOTA MOTOR CORPORATION, TOYOTA §  
MOTOR MANUFACTURING NORTH AMERICA, et al §

CIVIL ACTION NO. 3-11CV0207-N

AFFIDAVIT

BEFORE ME, the undersigned authority personally appeared Brandon Negri  
who, being by me duly sworn, deposed as follows:

My name is BRANDON NEGRI I am over 18 years of age, of sound mind, capable  
of making this affidavit, and personally acquainted with the facts therein stated and they are true and correct.

I am the custodian of records/tangible items of: **TEXAS DEPARTMENT OF PUBLIC SAFETY -  
HIGHWAY PATROL**

The attached records and/or tangible items are part of this affidavit. These said records and/or tangible  
items are kept in the regular course of business, and it was the regular course of business of **TEXAS  
DEPARTMENT OF PUBLIC SAFETY - HIGHWAY PATROL**, for an employee or representative of **TEXAS  
DEPARTMENT OF PUBLIC SAFETY - HIGHWAY PATROL**, with personal knowledge of the act, event,  
condition, opinion or diagnosis recorded to make the memorandum or record or to transmit information thereof to be  
included in such memorandum or record; and the records and/or tangible items were made at or near the time of the  
act, event or condition recorded or reasonably soon thereafter.

The records and/or tangible items attached hereto are the originals or exact copies of the originals or are  
true copies of the microfiche on which the image of the original documents and/or tangible items have been  
transferred and nothing has been removed from the original file before making these copies.

THE RECORDS/TANGIBLE ITEMS ATTACHED HERETO ARE TRUE, CORRECT AND  
COMPLETE.

[Signature]  
CUSTODIAN OF RECORD

SWORN TO AND SUBSCRIBED before me on the 8 day of August, 2011.

Z Hickmon  
SIGNATURE OF NOTARY PUBLIC IN AND FOR THE STATE OF TX  
My Commission expires 1/28/2015

Order No. 01-46099-002





**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**OLLIE GREENE, Individually and as the** §  
**Surviving parent of WYNDELL GREENE, SR.,** §  
**WILLIAM GREENE, as the Administrator** §  
**Of the Estate of WYNDELL GREENE, SR., et al** §  
**vs.** §  
**TOYOTA MOTOR CORPORATION, TOYOTA** §  
**MOTOR MANUFACTURING NORTH AMERICA, et al** §

CIVIL ACTION NO. 3-11CV0207-N

**NOTICE OF INTENTION FOR PRODUCTION OF DOCUMENTS**

TO: ALL PARTIES BY AND THROUGH THEIR ATTORNEY(S) OF RECORD AS PROVIDED IN THE ATTACHED SERVICE LIST.

You will take notice that fourteen (14) days after the service hereof, the custodian of records for:

**TEXAS DEPARTMENT OF PUBLIC SAFETY - HIGHWAY PATROL (Investigative Files)**  
**111 TEJAS DRIVE TERRELL, TX 75160-6567**

**KAUFMAN COUNTY SHERIFF'S OFFICE (Investigative Files)**  
**KAUFMAN COUNTY DETENTION CENTER 1900 E. US HWY 175 KAUFMAN, TX 75142**

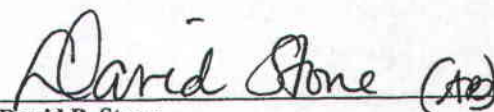
Shall receive a Subpoena to produce documents on or before 08/08/2011, or any other agreed upon time and/or place, before a Notary Public for:

**Written Deposition Service, LLC**  
**1750 Valley View Lane Suite 210**  
**Dallas, TX 75234**

or its designated agent, to be used in evidence upon the trial of the above-styled and numbered cause pending in the above named court. Notice is further given that request is hereby made as authorized under Rules 34 & 45, Federal Rules of Civil Procedure, that the authorized officer shall issue a Subpoena Duces Tecum and cause it to be served on the witness to produce any and all records as described on the attached Exhibit(s) and any other such record in the possession, custody or control of the said witness, and every such record to which the witness may have access, and to turn all such records over to the authorized officer so that photographic reproductions of the same may be made and attached.

Order No. 01-46099

Respectfully Submitted,

A handwritten signature in cursive script that reads "David Stone" followed by a circled "AS" in the right margin.

**David P. Stone**  
**SBA # 00785061**  
**Bowman & Brooke, LLP**  
**2711 N. Haskell Avenue, Ste 650**  
**Dallas, TX 75204**  
**(972) 616-1700 Fax (214) 824-3098**  
**Attorney for Defendant**



**CERTIFICATE OF SERVICE**

I certify, as authorized agent for the attorney of record, David P. Stone, that a true and exact copy of foregoing Notice of Intention For the Production of Documents was served to all attorneys of record in the above-styled and numbered matter, said service being effected in the following manner:

CERTIFIED MAIL/RETURN RECEIPT REQUESTED \_\_\_\_\_

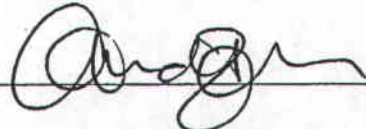
HAND DELIVERY \_\_\_\_\_

TELECOPY \_\_\_\_\_ ✓ \_\_\_\_\_

OVERNIGHT/NEXT DAY DELIVERY VIA LONE STAR OR UPS \_\_\_\_\_

E-MAIL \_\_\_\_\_

DATED: 7/20/11

BY: \_\_\_\_\_ 

SERVED TO ALL PARTIES LISTED BELOW:

*Ollie Greene, et al vs. Toyota Motor Corporation, et al*

**ATTORNEYS OF RECORD**

Aubrey Pittman  
The Pittman Law Firm  
100 Crescent Court, Suite 700  
Dallas, TX 75201 (214) 459-3454 Fax (214) 853-5912  
Attorney for Plaintiff

Daryl K. Washington  
Law Office of Daryl K. Washington  
325 St. Paul, Suite 1975  
Dallas, TX 75201 (214) 880-4883 Fax (214) 880-4885  
Attorney for Plaintiff

## ATTACHMENT

ANY AND ALL RECORDS, INCLUDING BUT NOT LIMITED TO, REPORTS OF CRIMINAL CHARGES, THE INVESTIGATIVE FILES, POLICE REPORTS, ACCIDENT REPORTS, INCIDENT REPORTS, ALL LOGS, LISTS AND CONTRACTS FOR ALL PERSONNEL ON THE SCENE OF THE ACCIDENT, DISPATCH LOGS, WITNESS STATEMENTS (WRITTEN OR ORAL), ANY AND ALL ACTUAL PRINT PHOTOGRAPHS AND ACTUAL NEGATIVES OF SUCH PHOTOGRAPHS (OR MAKE THE NEGATIVES AVAILABLE FOR SCANNING BY A REPRESENTATIVE OF THE FIRM, BOWMAN & BROOKE, LLP), VIDEOTAPES (INCLUDING IN-DASH VIDEOS FROM MOTOR VEHICLES), 911 TRANSCRIPT AND TAPE, DRAWINGS, MEASUREMENTS, INTERVIEWS, SUPPLEMENTAL REPORTS, OFFICER FIELD NOTES, E-MAIL TRANSMISSIONS, INCIDENT RECONSTRUCTIONS, INCLUDING BUT NOT LIMITED TO INCIDENT SCENE DIAGRAMS, CHARTS, MEASUREMENTS, COORDINATES, AND/OR DRAWINGS, COMPLETED BY ANY OFFICER WHETHER AT THE SCENE OR IN A SUBSEQUENT INVESTIGATION OF THE INCIDENT, NOTES, PAPERS, FILES, MEMORANDA, ALL DOCUMENTS EXISTING IN ELECTRONIC OR MAGNETIC FORM, INCLUDING CORRESPONDENCE AND DIGITAL PHOTOGRAPHS AND ALL TANGIBLE THINGS IN THE POSSESSION, CUSTODY OR CONTROL OF THE SAID WITNESS AND EVERY SUCH RECORDS TO WHICH THE WITNESS MAY HAVE ACCESS PERTAINING TO AN ACCIDENT WHICH OCCURRED ON 5/28/10 IN KAUFMAN COUNTY INVOLVING WYNDELL GREENE, SR., LAKEYSHA GREENE, WYNDELL GREENE, II AND WESLEIGH GREENE



# United States District Court

FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**OLLIE GREENE, Individually and as the  
Surviving parent of WYNDELL GREENE, SR.,  
WILLIAM GREENE, as the Administrator  
of the Estate of WYNDELL GREENE, SR., et al**  
vs.  
**TOYOTA MOTOR CORPORATION, TOYOTA  
MOTOR MANUFACTURING NORTH AMERICA, et  
al**

**SUBPOENA IN A CIVIL CASE**

Civil Action Number:<sup>1</sup> 3-11CV0207-N

**TO:** Custodian of Records for: **TEXAS DEPARTMENT OF PUBLIC SAFETY - HIGHWAY PATROL  
111 TEJAS DRIVE  
TERRELL, TX 75160-6567 (972) 551-6010**

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): ANY AND ALL RECORDS, INCLUDING BUT NOT LIMITED TO, REPORTS OF CRIMINAL CHARGES, THE INVESTIGATIVE FILES, POLICE REPORTS, ACCIDENT REPORTS, INCIDENT REPORTS, ALL LOGS, LISTS AND CONTRACTS FOR ALL PERSONNEL ON THE SCENE OF THE ACCIDENT, DISPATCH LOGS, WITNESS STATEMENTS (WRITTEN OR ORAL), ANY AND ALL ACTUAL PRINT PHOTOGRAPHS AND ACTUAL NEGATIVES OF SUCH PHOTOGRAPHS (OR MAKE THE NEGATIVES AVAILABLE FOR SCANNING BY A REPRESENTATIVE OF THE FIRM, ROWMAN & BROOKE, LLP), VIDEOTAPES (INCLUDING IN-DASH VIDEOS FROM MOTOR VEHICLES), 911 TRANSCRIPT AND TAPE, DRAWINGS, MEASUREMENTS, INTERVIEWS, SUPPLEMENTAL REPORTS, OFFICER FIELD NOTES, E-MAIL TRANSMISSIONS, INCIDENT RECONSTRUCTIONS, INCLUDING BUT NOT LIMITED TO INCIDENT SCENE DIAGRAMS, CHARTS, MEASUREMENTS, COORDINATES, AND/OR DRAWINGS, COMPLETED BY ANY OFFICER WHETHER AT THE SCENE OR IN A SUBSEQUENT INVESTIGATION OF THE INCIDENT, NOTES, PAPERS, FILES, MEMORANDA, ALL DOCUMENTS EXISTING IN ELECTRONIC OR MAGNETIC FORM, INCLUDING CORRESPONDENCE AND DIGITAL PHOTOGRAPHS AND ALL TANGIBLE THINGS IN THE POSSESSION, CUSTODY OR CONTROL, OF THE SAID WITNESS AND EVERY SUCH RECORDS TO WHICH THE WITNESS MAY HAVE ACCESS PERTAINING TO AN ACCIDENT WHICH OCCURRED ON 5/28/10 IN KAUFMAN COUNTY INVOLVING WYNDELL GREENE, SR., LAKEYSHA GREENE, WYNDELL GREENE, II AND WESL RIGH GREENE ACCIDENT ON 5/28/10.

PLACE	DATE AND TIME
The office of the custodian: <b>111 TEJAS DRIVE TERRELL, TX 75160-6567</b>	<b>AT 10:00 A.M. ON 08/08/2011</b>

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b) (6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
<b>Attorney for Defendant</b>	<b>7/20/11</b>

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER
<b>David P. Stone</b> <b>Bowman &amp; Brooke, LLP</b> <b>2711 N. Haskell Avenue, Ste 650, Dallas, TX 75204 (972) 616-1700</b>

**PROOF OF SERVICE**

<b>SERVED</b>	DATE	PLACE	
	SERVED ON (PRINT NAME)		MANNER OF SERVICE
SERVED BY (PRINT NAME)		TITLE	

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on \_\_\_\_\_

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d) and (e), as amended on December 1, 2006:

**(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.**

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspection of the premises - or to produce electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clauses (c) (3) (B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held;

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in

whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

**(d) DUTIES IN RESPONDING TO SUBPOENA.**

(1) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) (A) When information subject to a subpoena is withheld on a claim that is privileged or subject to protection as trial-preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(e) **CONTEMPT.** Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a nonparty to attend or produce at a place not within the limits provided by clause (i) of subparagraph (c)(3)(A).



Law Enforcement and TxDOT Use Only

FATAL  CMV  SCHOOL BUS  RAILROAD  MAB  SUPPLEMENT  ACTIVE SCHOOL ZONE

Total Units: 6 Total Prem: 9 TxDOT Crash ID



Texas Peace Officer's Crash Report (Form CR-3 1/1/2010)
Mail to: Texas Department of Transportation, Crash Records, P.O. Box 149349, Austin, TX 78714 Questions? Call (512)486-5780
Refer to Attached Code Sheet for Numbered Fields

Page 1 of 6

\* These fields are required on all additional sheets submitted for this crash (ex.: additional vehicles, occupants, injured, etc.).

IDENTIFICATION AND LOCATION
\*Crash Date (MM/DD/YYYY) 05/28/2010 \*Crash Time (24HRMM) 1825 Case ID Local Use
\*County Name Kaufman \*City Name Kaufman
In your opinion, did this crash result in at least \$1,000 damage to any one person's property? Yes
ROAD ON WHICH CRASH OCCURRED
#1 Rdwy. Sys. H-20 \*Hwy. Num. 20 2 Rdwy. Part 1 Block Num. 3 Street Prefix \*Street Name 4 Street Suffix
Crash Occurred on a Private Drive or Road/Private Property/Parking Lot Toll Road/Toll Lane Speed Limit 65 Const. Zone No Workers Present No Street Desc.
INTERSECTING ROAD, OR IF CRASH NOT AT INTERSECTION, NEAREST ROAD OR REFERENCE MARKER
At Int. Yes No 1 Rdwy. Sys. Hwy. Num. 2 Rdwy. Part Block Num. 3 Street Prefix Street Name 4 Street Suffix
Distance from Int. or Ref. Marker 0.4 FT MI 3 Dir. From Int. or Ref. Marker E Reference Marker 509 Street Desc. RRX Num.
Unit Num. 1 5 Unit Desc. 1 Parked Vehicle Hit and Run LP State MS VIN 4V4NC9GH88N
Veh. Year 2008 6 Veh. Color WHI 8 Veh. Make VOLVO Veh. Model TR 7 Body Style TL
8 DL/ID Type 2 DL/ID State MS DL/ID Num. 9 DL Class 98 10 CDL End. 98 11 DL Rest. 98 DOB (MM/DD/YYYY)
Address (Street, City, State, ZIP) COLUMBIA MS
VEHICLE, DRIVER, & PERSONS
Person Num. 1 12 Fin. Type 1 13 Seat Position 1 Name: Last, First, Middle Enter Driver or Primary Person for this Unit on first line
14 Injury Severity B Age 40 15 Ethnicity B 16 Sex M 17 Eject 1 18 Restr. 1 19 Airbag 97 20 Helmet 97 21 Sol. N 22 Alc. Spec. 96 Alc. Result 96 23 Drug Spec. 96 24 Drug Result 97 25 Drug Category 97
Not Applicable - Alcohol and Drug Results are only reported for Driver/Primary Person for each Unit.
Owner Lessee Name & Address
Proof of Fin. Resp. Yes No Expired Exempt 26 Fin. Resp. Type 2 Fin. Resp. Name GREAT WEST CASUALTY Fin. Resp. Num.
Fin. Resp. Phone Num. (601) 544-8703 27 Vehicle Damage Rating 1 1, 2, F, D, 5 27 Vehicle Damage Rating 2 Vehicle Inventoried Yes No
Towed by Buster's Towed To 303 W. Broad Fomey TX (972) 564-1020
Unit Num. 2 5 Unit Desc. 6 Parked Vehicle Hit and Run LP State MS VIN 1UYF524848A
Veh. Year 2008 8 Veh. Color BLK 8 Veh. Make UTILITY Veh. Model FST 7 Body Style TL
8 DL/ID Type DL/ID State DL/ID Num. 9 DL Class 10 CDL End. 11 DL Rest. DOB (MM/DD/YYYY)
Address (Street, City, State, ZIP)
VEHICLE, DRIVER, & PERSONS
Person Num. Name: Last, First, Middle Enter Driver or Primary Person for this Unit on first line
14 Injury Severity Age 15 Ethnicity 16 Sex 17 Eject 18 Restr. 19 Airbag 20 Helmet 21 Sol. 22 Alc. Spec. Alc. Result 23 Drug Spec. 24 Drug Result 25 Drug Category
Not Applicable - Alcohol and Drug Results are only reported for Driver/Primary Person for each Unit.
Owner Lessee Name & Address
Proof of Fin. Resp. Yes No Expired Exempt 26 Fin. Resp. Type 2 Fin. Resp. Name GREAT WEST CASUALTY Fin. Resp. Num.
Fin. Resp. Phone Num. (601) 544-8703 27 Vehicle Damage Rating 1 V, B, 1 27 Vehicle Damage Rating 2 Vehicle Inventoried Yes No
Towed by Buster's Towed To Fomey



Case ID

TxDOT Crash ID

DISPOSITION OF INJURED/KILLED	Unit Num.	Prsn. Num.	Taken To	Taken By	Date of Death (MM/DD/YYYY)	Time of Death (24-HRMM)
	1	1	Renaissance Hospital Terrell	ETMC		

CHARGES	Unit Num.	Prsn. Num.	Charge	Citation/Reference Num.

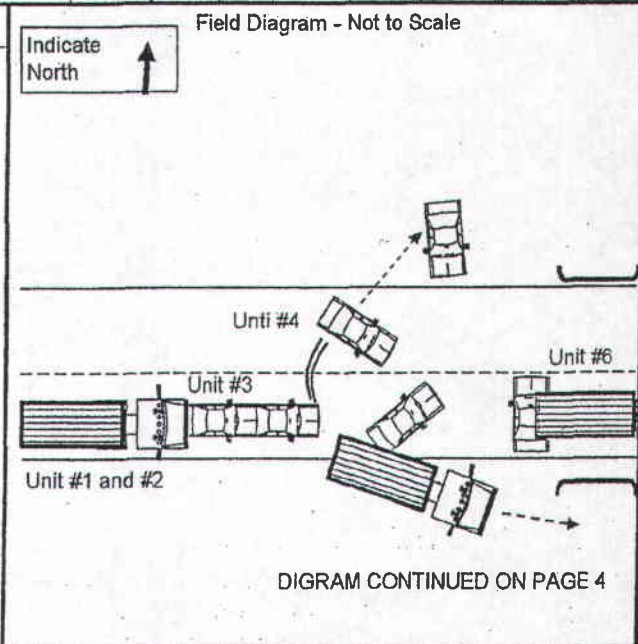
DAMAGE	Damaged Property Other Than Vehicles		Owner's Name	Owner's Address

Unit Num.	1	<input checked="" type="checkbox"/> 10,001+ LBS.	<input type="checkbox"/> TRANSPORTING HAZARDOUS MATERIAL	<input type="checkbox"/> 9+ Capacity	28 Veh. Oper.	1	29 Carrier ID Type	1	Carrier ID Num.										
Carrier's Corp. Name				Carrier's Primary Addr.															
30 Rdwy. Access	1	31 Veh. Type	9	<input type="checkbox"/> RGWW	<input checked="" type="checkbox"/> GVWR	8,000,000	HazMat Released	<input type="checkbox"/> Yes	<input type="checkbox"/> No	32 HazMat Class Num.		HazMat ID Num.		32 HazMat Class		HazMat ID Num.			
33 Cargo Body Style	5	Trailer 1		Unit Num.	2	<input type="checkbox"/> RGWW	<input checked="" type="checkbox"/> GVWR	3,630,000	34 Trlr. Type	2	Trailer 2		Unit Num.		<input type="checkbox"/> RGWW	<input type="checkbox"/> GVWR		34 Trlr. Type	
Sequence Of Events	35 Seq. 1	13	35 Seq. 2	18	35 Seq. 3		35 Seq. 4		Total Num. Axles	5	Total Num. Tires	18							

FACTORS & CONDITIONS	36 Contributing Factors (Investigator's Opinion)				37 Vehicle Defects (Investigator's Opinion)				Environmental and Roadway Conditions						
	Unit Num.	Contributing	May Have Contrib.		Contributing	May Have Contrib.			38 Weather cond.	39 Light Cond.	40 Entering Roads	41 Roadway Type	42 Roadway Alignment	43 Surface Condition	44 Traffic Control
	1	22		72						1	1	97	2	1	1
2															

**Investigator's Narrative Opinion of What Happened**  
(Attach Additional Sheets If Necessary)

Unit #1 and towed unit (#2) were traveling east bound on IH 20 in the right lane. Unit #3 was traveling east bound on IH 20 in the right lane directly in front of Unit #1. Unit #4 was also traveling east bound IH 20 in front of Unit #3. Unit #5 and towed unit (#6) were traveling east bound on IH 20 in the right lane in front of Unit #4. Due to the holiday weekend, there was an extremely heavy volume of traffic on IH 20, the traffic had begun to slow in the area of mile marker 509. Units 3,4,5-6 had slowed to a near stop. The driver of Unit #1 stated that he was not paying attention to traffic and there is evidence that he was talking on a cellular phone at the time of the crash. Unit #1 failed to control speed and struck Unit #3 in the rear, smashing in the rear end. It appears that Unit #3 was pushed for a distance by Unit #1. Unit #3 then struck Unit #4 in the rear end smashing the rear end with enough force to crush it. Unit #4's rear end came around clockwise and Unit #4 skidded across the inside lane to the inside shoulder.



INVESTIGATOR	Time Notified (24-HRMM)	1, 8, 2, 7	How Notified	DPS Dispatch	Time Arrived (24-HRMM)	1, 8, 4, 0	Report Date (MM/DD/YYYY)	0, 5, /, 2, 8, /, 2, 0, 1, 0,
	Invest. Comp.	<input checked="" type="checkbox"/> Yes	Investigator Name (Printed)	DEXTER BARKLEY	ID Num.	11097	District/Area	H, P, 1, A, 0, 6,
	ORI Num.	T, X, D, P, S, 8, 6, 0, 0	*Agency	TX DPS				



Law Enforcement and TxDOT Use Only

FATAL  CMV  SCHOOL BUS  RAILROAD  MAB  SUPPLEMENT  ACTIVE SCHOOLZONE

Total Num. Units 6 Total Num. Trans. 8 TxDOT Crash ID



Texas Peace Officer's Crash Report (Form CR-3 1/1/2010)

Mail to: Texas Department of Transportation, Crash Records, P.O. Box 149349, Austin, TX 78714 Questions? Call (512)486-5780 Refer to Attached Code Sheet for Numbered Fields

\* These fields are required on all additional sheets submitted for this crash. (ex: additional vehicles, occupants, injured, etc.)

\*Crash Date (MM/DD/YYYY) 0,5/2,8/2,0,1,0 \*Crash Time (24HRMM) 1,8,2,5 Case ID Local Use

\*County Name Kaufman \*City Name 4  Outside City Limit

In your opinion, did this crash result in at least \$1,000 damage to any one person's property?  Yes  No Latitude (decimal degrees) 3,2,4,0,1,3,0 Longitude (decimal degrees) 9,6,0,8,8,9,0

ROAD ON WHICH CRASH OCCURRED

#1 Rdwy. Sys. JH #Hwy. Num. 20 2 Rdwy. Part 1 Block Num. 3 Street Prefix \*Street Name 4 Street Suffix

Crash Occurred on a Private Drive or Road/Private Property/Parking Lot  Toll Road/Toll Lane Speed Limit 65 Const. Zone  Yes  No Workers Present  Yes  No Street Desc.

INTERSECTING ROAD, OR IF CRASH NOT AT INTERSECTION, NEAREST ROAD OR REFERENCE MARKER

At Int.  Yes  No 1 Rdwy. Sys. Hwy. Num. 2 Rdwy. Part Block Num. 3 Street Prefix Street Name 4 Street Suffix

Distance from Int. or Ref. Marker 0.4  FT  MI 3 Dir. From Int. or Ref. Marker E Reference Marker 509 Street Desc. RRX Num.

Unit Num. 3 5 Unit Desc. 1  Parked Vehicle  Hit and Run LP State TX LP Num. VIN J, T, E, Z, U, 5, J, R, 9, A, 5,

Veh. Year 2, 0, 1, 0 6 Veh. Color SIL Veh. Make TOYOTA Veh. Model 4-RUNNER 7 Body Style SV  Pol. Fire, EMS on Emergency (Explain in Narrative if checked)

8 DL/D Type 1 DL/D State TX DL/D Num. 9 DL Class C 10 CDL End. 96 11 DL Rest. A DOB (MM/DD/YYYY)

Address (Street, City, State, ZIP)

Person Num.	12 Posi. Type	13 Seat Position	Name: Last, First, Middle Enter Driver or Primary Person for this Unit on first line	14 Injury Severity	Age	15 Ethnicity	16 Sex	17 Eject	18 Restr.	19 Airbag	20 Helmet	21 Sol.	22 Alc. Spec.	Ac. Result	23 Drug Spec.	24 Drug Result	25 Drug Category
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	A	34	B	1	1	1	99	97	N	96		96	97	97
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	K	35	B	2	2	99	99	97	N					
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	K	2	B	1	1	99	97	97	N					
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	K	5	B	2	1	99	97	97	N					

Not Applicable - Alcohol and Drug Results are only reported for Driver/Primary Person for each Unit.

Owner  Lessee Owner/Lessee Name & Address

Proof of Fin. Resp.  Yes  Expired  Exempt 26 Fin. Resp. Type 2 Fin. Resp. Name FARMERS CO MUTUAL Fin. Resp. Num.

27 Vehicle Damage Rating 1 6, B, D, 1 27 Vehicle Damage Rating 2 V, B, 1 Vehicle Inventoried  Yes  No

Towed by B&V Towed To 900 E. Moore Ave Terrell TX 75160 (972) 563-3232

Unit Num. 4 5 Unit Desc. 1  Parked Vehicle  Hit and Run LP State TX LP Num. VIN 1, N, X, B, R, 3, 0, E, 0, 6, Z,

Veh. Year 2, 0, 0, 6 6 Veh. Color BLK Veh. Make TOYOTA Veh. Model COROLLA 7 Body Style P4  Pol. Fire, EMS on Emergency (Explain in Narrative if checked)

8 DL/D Type 1 DL/D State TX DL/D Num. 9 DL Class C 10 CDL End. 96 11 DL Rest. A DOB (MM/DD/YYYY)

Address (Street, City, State, ZIP)

Person Num.	12 Posi. Type	13 Seat Position	Name: Last, First, Middle Enter Driver or Primary Person for this Unit on first line	14 Injury Severity	Age	15 Ethnicity	16 Sex	17 Eject	18 Restr.	19 Airbag	20 Helmet	21 Sol.	22 Alc. Spec.	Ac. Result	23 Drug Spec.	24 Drug Result	25 Drug Category
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	B	45	W	1	1	1	3	97	N	96		96	97	97
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	B	17	W	2	1	1	3	97	N					
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	B	12	W	2	1	1	3	97	N					

Not Applicable - Alcohol and Drug Results are only reported for Driver/Primary Person for each Unit.

Owner  Lessee Owner/Lessee Name & Address

Proof of Fin. Resp.  Yes  Expired  Exempt 26 Fin. Resp. Type 2 Fin. Resp. Name STATE FARM Fin. Resp. Num.

27 Vehicle Damage Rating 1 6, B, D, 5 27 Vehicle Damage Rating 2 Vehicle Inventoried  Yes  No

Towed by FULLERS Towed To 1402 Hwy 34 Terrell TX 75160 (888) 712-3822



DISPOSITION OF INJURED/KILLED	Unit Num.	Prsn. Num.	Taken To	Taken By	Date of Death (MM/DD/YYYY)	Time of Death (24HRMM)
	3	1	PARKLAND DALLAS	AIR-EVAC GREENVILLE	____/____/____	____
	3	2	ME OFFICE DALLAS	ANDERSON-CLAYTON	0,5 / 2,8 / 2,0,1,0	1,9,0,0
	3	3	ME OFFICE DALLAS	ANDERSON-CLAYTON	0,5 / 2,8 / 2,0,1,0	1,9,0,0
	3	4	ME OFFICE DALLAS	ANDERSON-CLAYTON	0,5 / 2,8 / 2,0,1,0	1,9,0,0
	4	1	BAYLOR DALLAS	ETMC	____/____/____	____
4	2	BAYLOR DALLAS	ETMC	____/____/____	____	

CHARGES	Unit Num.	Prsn. Num.	Charge	Citation/Reference Num.

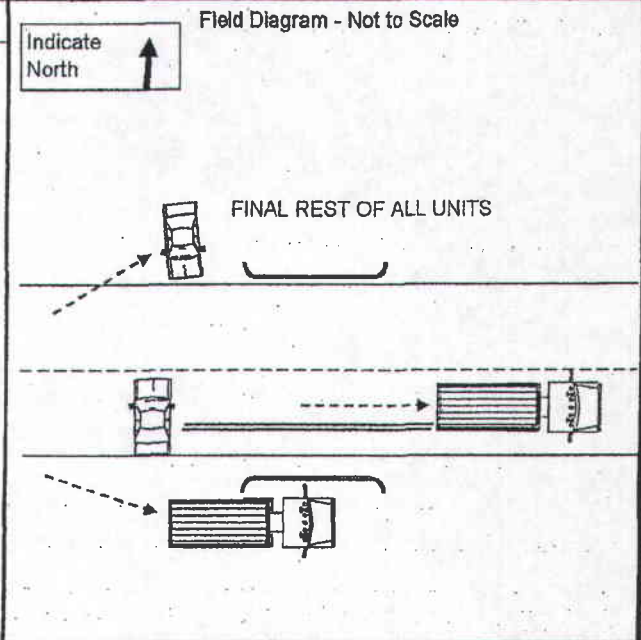
DAMAGE	Damaged Property Other Than Vehicles	Owner's Name	Owner's Address

Unit Num.	<input type="checkbox"/> 10,001+ LBS.	<input type="checkbox"/> TRANSPORTING HAZARDOUS MATERIAL	<input type="checkbox"/> 9+ Capacity	28 Veh. Oper.	29 Carrier ID Type	Carrier ID Num.
Carrier's Corp. Name	Carrier's Primary Addr.					
30 Rdw. Access	31 Veh. Type	<input type="checkbox"/> RGWW <input type="checkbox"/> GVWR	HazMat Released	<input type="checkbox"/> Yes <input type="checkbox"/> No	32 HazMat Class Num.	HazMat ID Num.
33 Cargo Body Style	Trailer 1 Unit Num.	<input type="checkbox"/> RGWW <input type="checkbox"/> GVWR	34 Trlr. Type	Trailer 2 Unit Num.	<input type="checkbox"/> RGWW <input type="checkbox"/> GVWR	34 Trlr. Type
Sequence Of Events	35 Seq. 1	35 Seq. 2	35 Seq. 3	35 Seq. 4	Total Num. Axles	Total Tires

FACTORS & CONDITIONS	36 Contributing Factors (Investigator's Opinion)		37 Vehicle Defects (Investigator's Opinion)		Environmental and Roadway Conditions							
	Unit Num.	Contributing	May Have Contrib.	Contributing	May Have Contrib.	38 Weather cond.	39 Light Cond.	40 Entoring Roads	41 Roadway Type	42 Roadway Alignment	43 Surface Condition	44 Traffic Control
3												
4												

**Investigator's Narrative Opinion of What Happened**  
(Attach Additional Sheets if Necessary)

Unit #4 came to a final rest facing mostly south in the center median. Unit #1 then turned to the right in the direction of the outside shoulder, Pushing Unit #3 counter clockwise. There was a storage box on the left side of Unit #2, that storage box caught on to the rear of Unit #3 and pulled metal from the rear of Unit #3. That impact spun Unit #3 nearly 90 degrees to the north. Unit #3 was now facing north. The front seat passenger in Unit #3 was partly ejected at some point during the impacts leading up to Unit #3 striking Unit #6. When Unit #3 impacted Unit #6, the front right passenger slammed against the rear of Unit #6. Unit #3 then began to fold under Unit #6 causing the roof of Unit #3 to peel up and to the left. Unit #3 then exploded. The front seat passenger had come to a final rest twisted on the right side of the hood of Unit #3. Unit #5 skidded to a stop. There was no damage to Unit #5. Unit #6 sustained damage to the rear of the trailer.



INVESTIGATOR	Time Notified (24HRMM)	1,8,2,7	How Notified	DPS Dispatch	Time Arrived (24HRMM)	1,8,4,0	Report Date (MM/DD/YYYY)	0,5 / 2,8 / 2,0,1,0
	Invest. Comp.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Investigator Name (Printed)	DEXTER BARKLEY	ID Num.	11097	District/Area	H, P, 1, A, 0, 6
	ORI Num.	T, X, D, P, S, 8, 6, 0, 0	*Agency	TX DPS				



Law Enforcement and TxDOT Use Only

FATAL  CMV  SCHOOL BUS  RAILROAD  MAB  SUPPLEMENT  ACTIVE  SCHOOL ZONE

Total Num. Units 6 Total Num. Pshs. 9 TxDOT Crash ID



Texas Peace Officer's Crash Report (Form CR-3 1/1/2010)

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Page 5 of 6

\* These fields are required on all additional sheets submitted for this crash (ex.: additional vehicles, occupants, injured, etc.)

* Crash Date (MMDDYYYY) <u>05/28/2010</u>		* Crash Time (24HRMM) <u>1825</u>		Case ID		Local Use	
* County Name <u>Kaufman</u>				* City Name		<input checked="" type="checkbox"/> Outside City Limit	
In your opinion, did this crash result in at least \$1,000 damage to any one person's property?		Latitude (decimal degrees) <u>32.40130</u>		Longitude (decimal degrees) <u>-96.08890</u>			
ROAD ON WHICH CRASH OCCURRED							
*1 Rdwy. Sys. <u>11</u>		* Hwy. Num. <u>20</u>		2 Rdwy. Part <u>1</u>		3 Street Prefix	
4 Street Name		5 Street Name		6 Street Name		7 Street Suffix	
<input type="checkbox"/> Crash Occurred on a Private Drive or Road/Private Property/Parking Lot		<input type="checkbox"/> Toll Road/Toll Lane		Speed Limit <u>65</u>		Const. Zone <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Workers Present <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Street Desc.					
INTERSECTING ROAD, OR IF CRASH NOT AT INTERSECTION, NEAREST ROAD OR REFERENCE MARKER							
At Int. <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No		1 Rdwy. Sys.		2 Rdwy. Part		3 Street Prefix	
4 Street Name		5 Street Name		6 Street Name		7 Street Suffix	
Distance from Int. or Ref. Marker <u>0.4</u>		<input type="checkbox"/> FT <input checked="" type="checkbox"/> MI		3 Dir. From Int. or Ref. Marker <u>E</u>		Reference Marker <u>509</u>	
Street Desc.		RRX Num.					
VEHICLE, DRIVER, & PERSONS							
Unit Num. <u>5</u>		5 Unit Desc. <u>1</u>		<input type="checkbox"/> Parked Vehicle <input type="checkbox"/> Hit and Run		LP State <u>MS</u>	
LP Num. <u>[REDACTED]</u>		VIN <u>1FUJA6CV35</u>		LP Num. <u>[REDACTED]</u>		VIN <u>[REDACTED]</u>	
Veh. Year <u>2005</u>		6 Veh. Color <u>WHI</u>		Veh. Make <u>[REDACTED]</u>		Veh. Model <u>TT</u>	
7 Body Style <u>TT</u>		8 DL/DL Type <u>2</u>		9 DL State <u>AL</u>		10 DL Num. <u>[REDACTED]</u>	
11 DL Class <u>9B</u>		12 DL End. <u>98 T N</u>		13 DL Rest. <u>98</u>		DOB (MM/DD/YYYY) <u>[REDACTED]</u>	
Address (Street, City, State, ZIP)							
Person Num. <u>1</u>		12 Psn. Type <u>1</u>		13 Seat Position <u>1</u>		Name: Last, First, Middle	
Enter Driver or Primary Person for this Unit on first line		14 Injury Severity <u>N</u>		15 Age <u>46</u>		16 Ethnicity <u>W</u>	
17 Sex <u>1</u>		18 Eject. <u>1</u>		19 Restr. <u>1</u>		20 Airbag <u>97</u>	
21 Helmet <u>97</u>		22 Sol. <u>N</u>		23 Alc. Spec. <u>96</u>		24 Alc. Result	
25 Drug Spec. <u>96</u>		26 Drug Result <u>97</u>		27 Drug Category <u>97</u>		Not Applicable - Alcohol and Drug Results are only reported for Driver/Primary Person for each Unit.	
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Lessee							
Owner/Lessee Name & Address <u>[REDACTED]</u>		26 Fin. Resp. Type <u>2</u>		Fin. Resp. Name <u>VANLINER INS CO</u>		Fin. Resp. Num. <u>[REDACTED]</u>	
27 Vehicle Damage Rating 1 <u>[REDACTED]</u>		28 Vehicle Damage Rating 2 <u>[REDACTED]</u>		Vehicle Inventoried <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Towed by <u>N/A</u>		Towed To <u>N/A</u>					
VEHICLE, DRIVER, & PERSONS							
Unit Num. <u>6</u>		5 Unit Desc. <u>6</u>		<input type="checkbox"/> Parked Vehicle <input type="checkbox"/> Hit and Run		LP State <u>TN</u>	
LP Num. <u>[REDACTED]</u>		VIN <u>1S12E95324</u>		LP Num. <u>[REDACTED]</u>		VIN <u>[REDACTED]</u>	
Veh. Year <u>2004</u>		6 Veh. Color <u>WHI</u>		Veh. Make <u>STRI</u>		Veh. Model <u>TR</u>	
7 Body Style <u>TL</u>		8 DL/DL Type <u>[REDACTED]</u>		9 DL State <u>[REDACTED]</u>		10 DL Num. <u>[REDACTED]</u>	
11 DL Class <u>[REDACTED]</u>		12 DL End. <u>[REDACTED]</u>		13 DL Rest. <u>[REDACTED]</u>		DOB (MM/DD/YYYY) <u>[REDACTED]</u>	
Address (Street, City, State, ZIP)							
Person Num. <u>[REDACTED]</u>		12 Psn. Type <u>[REDACTED]</u>		13 Seat Position <u>[REDACTED]</u>		Name: Last, First, Middle	
Enter Driver or Primary Person for this Unit on first line		14 Injury Severity <u>[REDACTED]</u>		15 Age <u>[REDACTED]</u>		16 Ethnicity <u>[REDACTED]</u>	
17 Sex <u>[REDACTED]</u>		18 Eject. <u>[REDACTED]</u>		19 Restr. <u>[REDACTED]</u>		20 Airbag <u>[REDACTED]</u>	
21 Helmet <u>[REDACTED]</u>		22 Sol. <u>[REDACTED]</u>		23 Alc. Spec. <u>[REDACTED]</u>		24 Alc. Result	
25 Drug Spec. <u>[REDACTED]</u>		26 Drug Result <u>[REDACTED]</u>		27 Drug Category <u>[REDACTED]</u>		Not Applicable - Alcohol and Drug Results are only reported for Driver/Primary Person for each Unit.	
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Lessee							
Owner/Lessee Name & Address <u>[REDACTED]</u>		26 Fin. Resp. Type <u>2</u>		Fin. Resp. Name <u>VANLINER INS CO</u>		Fin. Resp. Num. <u>[REDACTED]</u>	
27 Vehicle Damage Rating 1 <u>[REDACTED]</u>		28 Vehicle Damage Rating 2 <u>[REDACTED]</u>		Vehicle Inventoried <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Towed by <u>N/A</u>		Towed To <u>N/A</u>					



DISPOSITION OF INJURED/KILLED	Unit Num.	Prsn. Num.	Taken To	Taken By	Date of Death (MM/DD/YYYY)	Time of Death (24-HRMM)	

CHARGES	Unit Num.	Prsn. Num.	Charge	Citation/Reference Num.

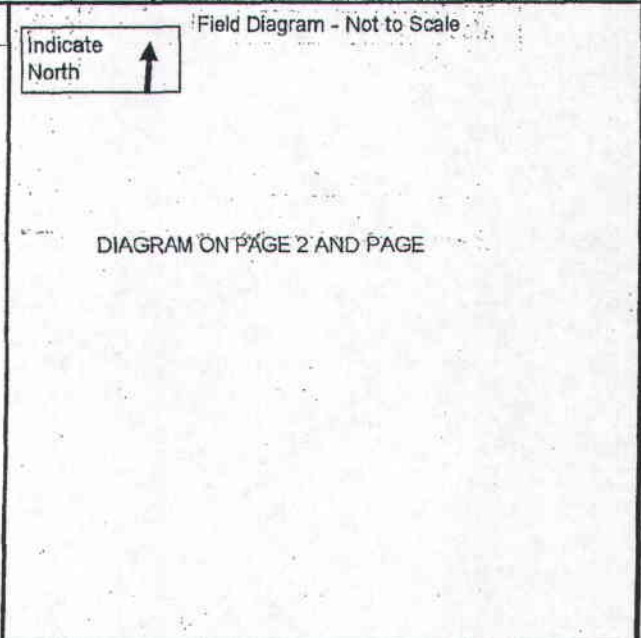
DAMAGE	Damaged Property Other Than Vehicles	Owner's Name	Owner's Address

Unit Num. 5	<input checked="" type="checkbox"/> 10,001+ LBS.	<input type="checkbox"/> TRANSPORTING HAZARDOUS MATERIAL	<input type="checkbox"/> 9+ Capacity	28 Veh. Oper. 1	28 Carrier ID Type 1	Carrier ID Num. _____
Carrier's Corp. Name _____	Carrier's Primary Addr. _____					
30 Rdwy. Access 1	31 Veh. Type 9	<input type="checkbox"/> RGWW	<input checked="" type="checkbox"/> GWWR	5, 2, 0, 0, 0	HazMat Released <input type="checkbox"/> Yes <input type="checkbox"/> No	32 HazMat Class Num. _____
33 Cargo Body Style 3	Trailer 1 Unit Num. 6	<input type="checkbox"/> RGWW	<input checked="" type="checkbox"/> GWWR	6, 5, 0, 0, 0	34 Trlr. Type 2	Trailer 2 Unit Num. _____
Sequence Of Events	35 Seq. 1 13	35 Seq. 2 _____	35 Seq. 3 _____	35 Seq. 4 _____	Total Num. Axles 5	Total Tires 18

FACTORS & CONDITIONS	36 Contributing Factors (Investigator's Opinion)		37 Vehicle Defects (Investigator's Opinion)		38 Environmental and Roadway Conditions						
	Unit Num.	Contributing	Contributing	May Have Contrib.	38 Weather cond.	39 Light Cond.	40 Entering Roads	41 Roadway Type	42 Roadway Alignment	43 Surface Condition	44 Traffic Control
	5										
6											

**Investigator's Narrative Opinion of What Happened**  
(Attach Additional Sheets if Necessary)

The impact broke off the ICC bar from the bottom of the trailer. Part of the bar was lodged in the right door of Unit #6. The other part was in the roadway on the west side of Unit #3. There were dark skid marks from the right tandem axel of Unit #1 and Unit #2. The area of first impact between Unit #1 and #3 was very visible. Also very visible was the impact of Unit #3 into Unit #4. The path that Unit #4 was also clearly visible. The area that Unit #3 turned and later impacted Unit #6 was also clearly visible as were the skid marks of Unit #6. Medical treatment was given to all survivors of the crash. The skid marks on the roadway from Unit #6 indicate that traffic was not stopped at the time of the crash. The types of injuries sustained and hospitals the injured were taken to are outlined in the report. Unit #1,2 came to a final rest facing south east on the south side of the roadway. Unit #3 came to a final rest facing north in the traffic lane. Unit #5,6 came to a final rest facing east in the outside traffic lane.



Time Notified (24HRMM) 1, 8, 2, 7	How Notified DPS Dispatch	Time Arrived (24HRMM) 1, 8, 4, 0	Report Date (MM/DD/YYYY) 0, 5, / 2, 8, / 2, 0, 1, 0
Invest. <input checked="" type="checkbox"/> Yes	Investigator Name (Printed) DEXTER BARKLEY	ID Num. 11097	
ORI Num. T, X, D, P, S, 8, 6, 0, 0	*Agency TX DPS	District/Area H, P, 1, A, 0, 8	



EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition

Transcripts

Trooper Barkley

1634306-WE - 1 - Exhibit003

PENGAD-Bayonne, N. J.

3  
Arlin & We



DSC 1038





DSC 1039





DSC 1040





1401 1041





DJC 1042





DSC 1043





05C 1044





DSC 1045





05C 1046





DSC 1047





DSC 1048





DSC 1049





DSC 1050



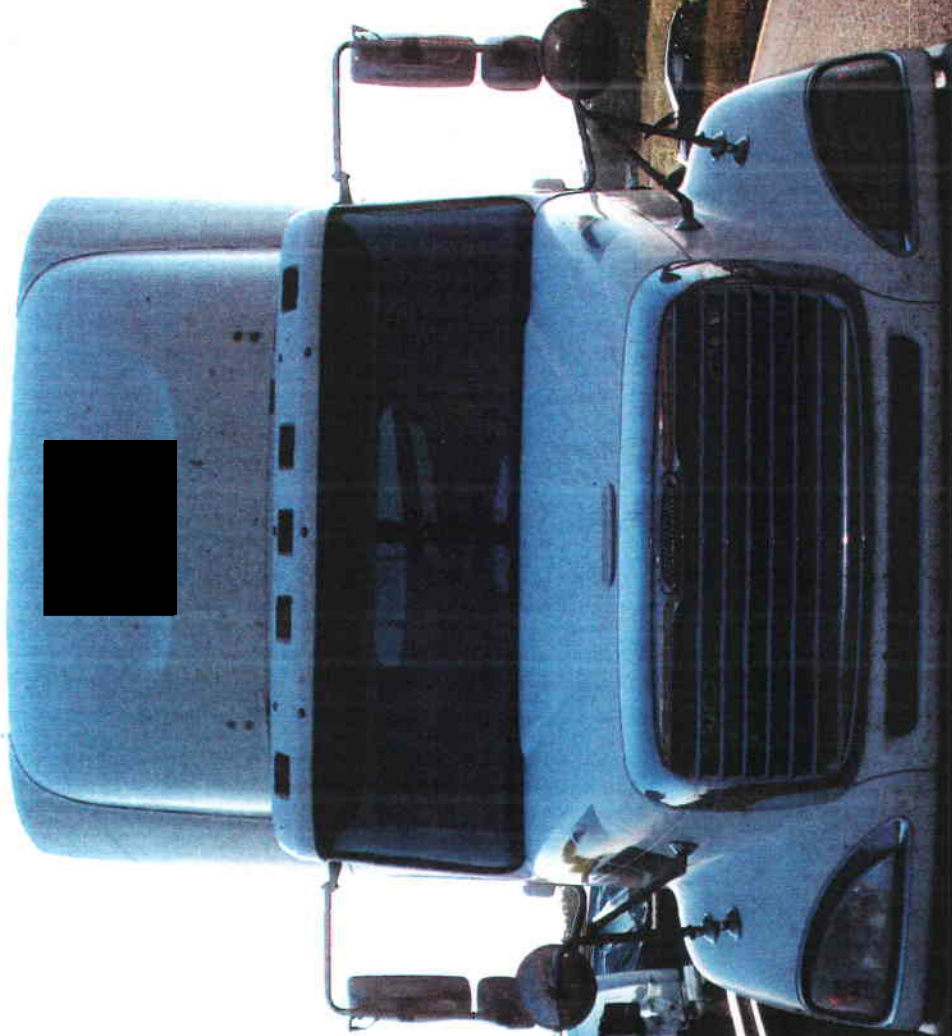


DSC 1051



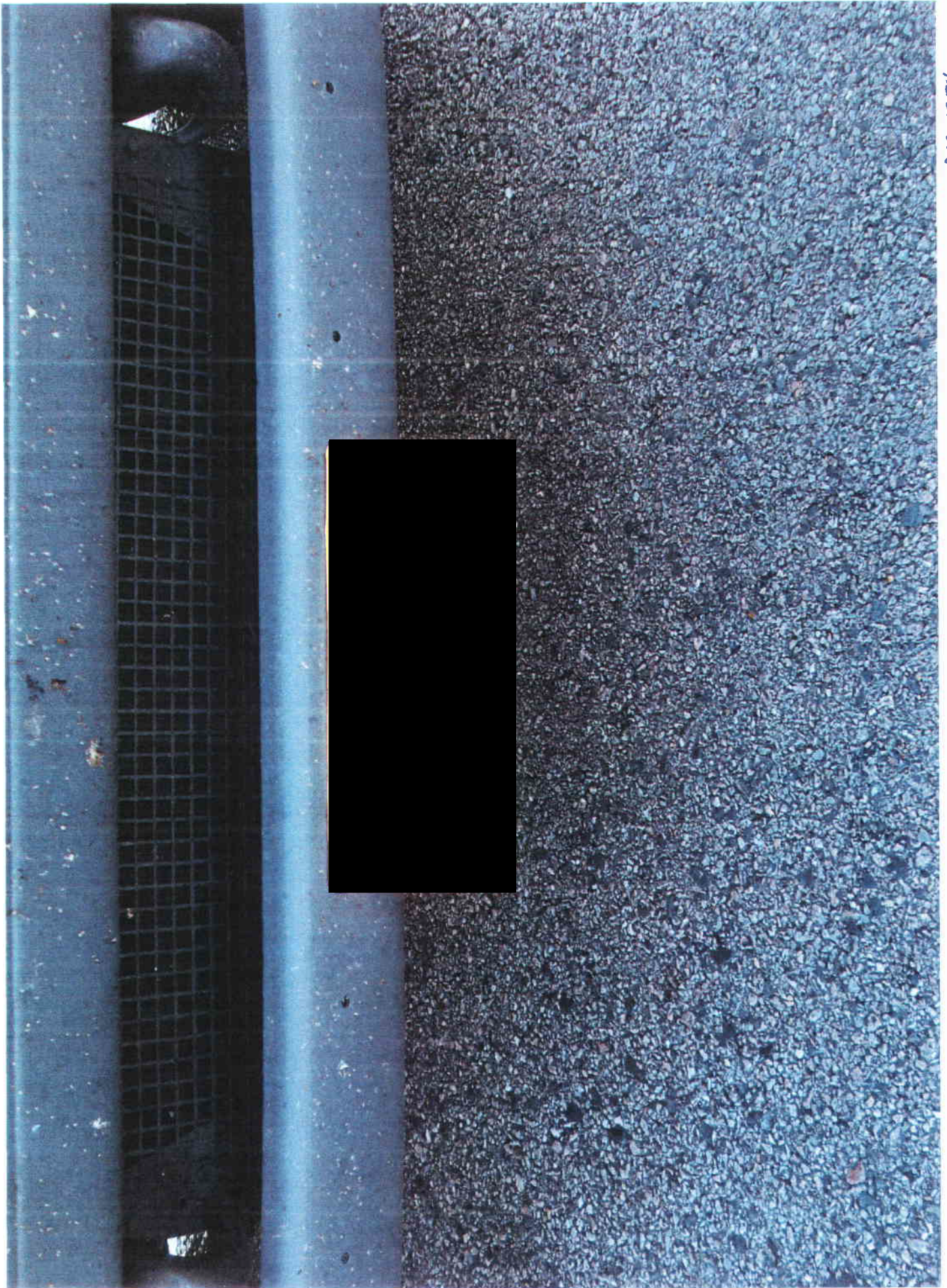
DSC 105Z





DSC 1053





DSC 1054





DSC 1055





DSC 1056





DSC 1057





8501 050





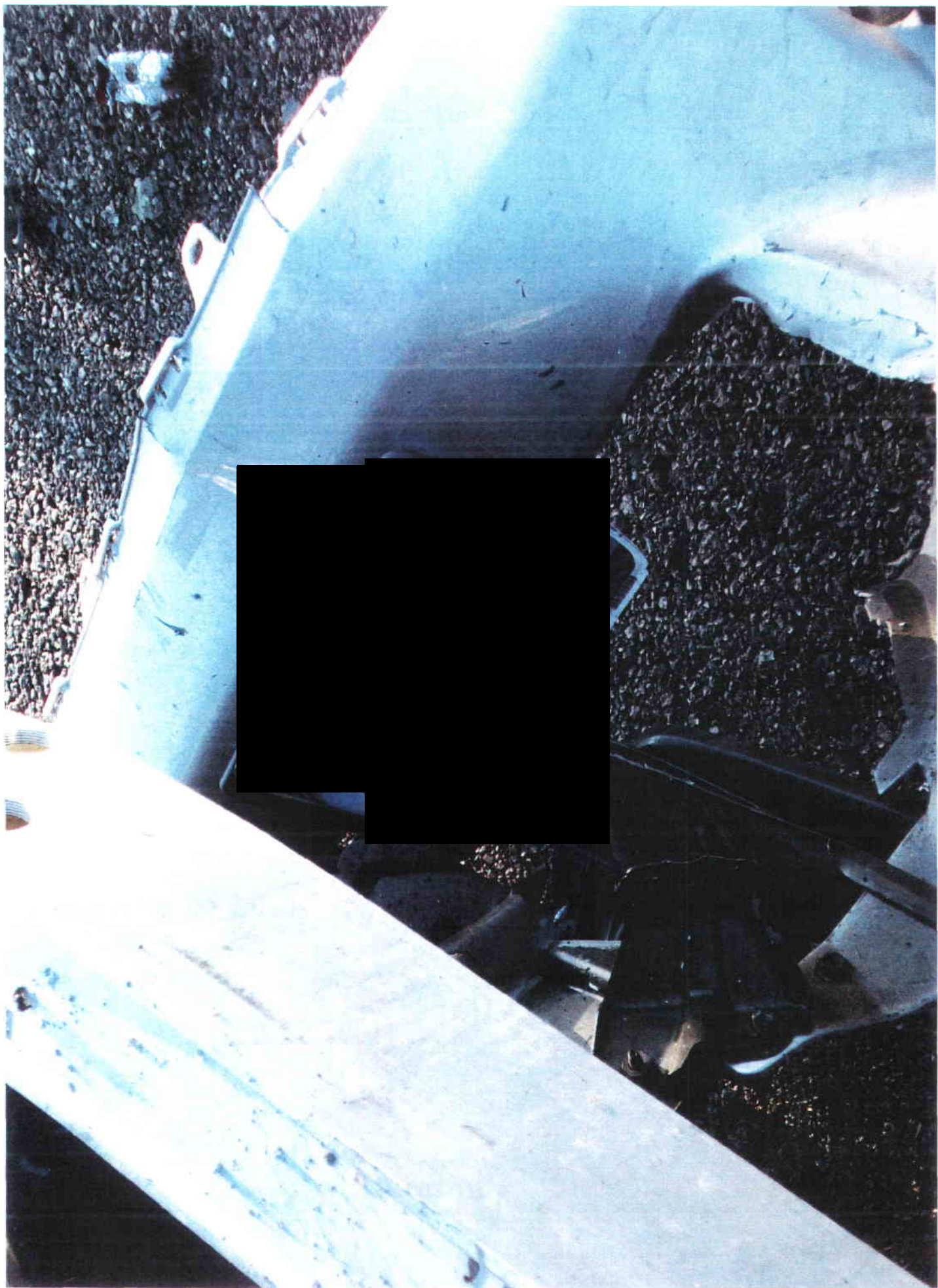
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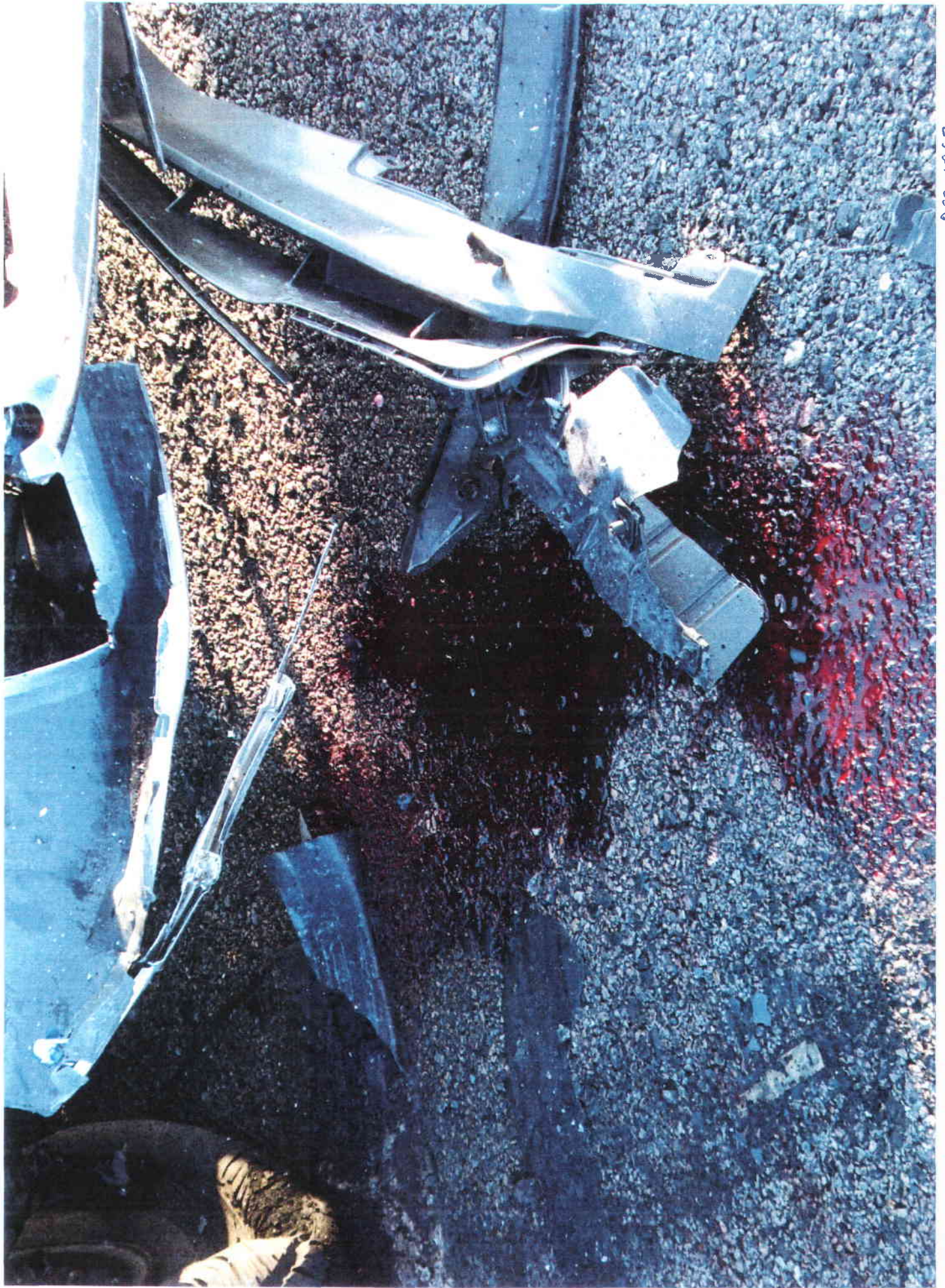
ASC 1060





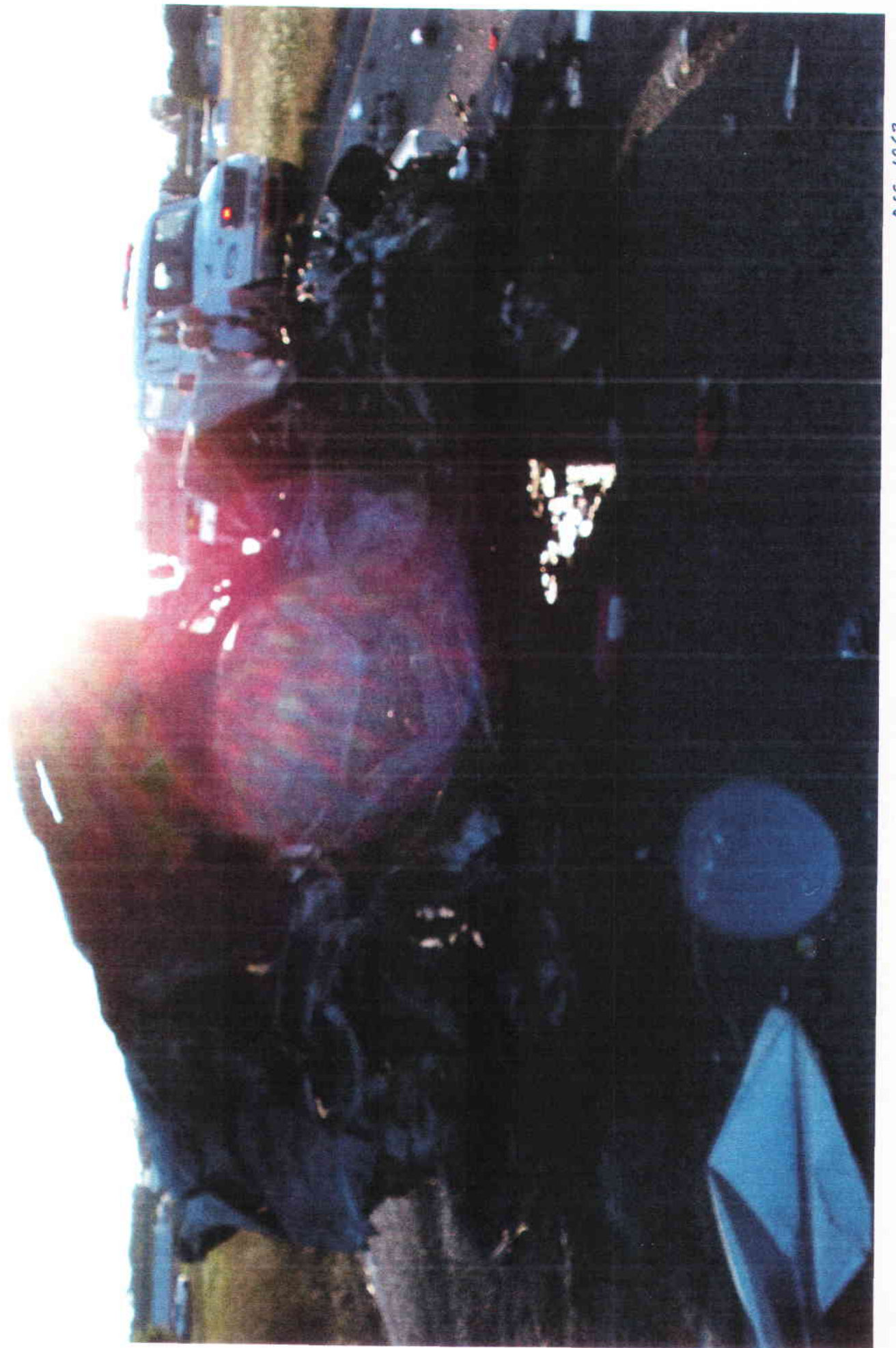
DSC 1061





DSC 1062





DSC 1063





DSC 1004





DSC 1085





DSC 1066





05C 1067





DSC 1008



EA12-005

TOYOTA

2/15/2013

Attachment-Response 4

d. Expert Deposition

Transcripts

Trooper Barkley

1634308-WE - 1 - Exhibit004

*Dawson*  
*4*  
*26/10*

PERICHO-SAYON, M. J.

Unit #1 and Unit #2 Skid Marks

Area of Impact (1)  
 Gouge Marks

Area of Impact (2)

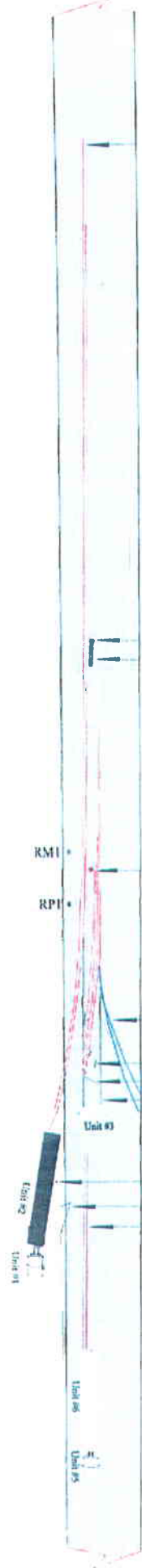
Unit #4 Skid Marks



Gouge Marks  
 DOT Bumper from Unit #6  
 Unit #3 Skid Marks

Guardrail Post

Guardrail

Unit #5 and Unit #6 Skid Marks



 Texas Highway Patrol Division	 N
	Type of Crash: Three Fatality Crash Involving CMV Date of Crash: May 28, 2010 Time of Crash: 6:25 PM Driver Unit #1: [Redacted] Driver Unit #3: [Redacted] Driver Unit #4: [Redacted] Driver Unit #5: [Redacted] Langston Deceased Passengers from Unit #3: [Redacted]
Roadway: IH 20 Investigating Agency: THP Terrell Scene Scaled By: Ttp. T. Anderson, Sgt. B. Neigel, Ttp. C. Countyman, Ttp. B. Bush, Ttp. D. Barkley Date of Scale: May 28, 2010 Drawn By: Trooper T. Anderson II	County: Kaufman County Investigating Trooper: Trooper D. Barkley Scale of Diagram: 1" = 70'



Point	X	Y	Z	Description	Protac	Audio	History	Note
1	0.000	0.000	100.000	RP1	<input type="checkbox"/>			
99	0.000	24.529	100.085	RM1	<input type="checkbox"/>			
1000	-5.799	413.847	97.064	EP1	<input type="checkbox"/>			
1001	6.408	413.404	98.005	FL1	<input type="checkbox"/>			
1002	18.533	412.536	98.241	CL1ST	<input type="checkbox"/>			
1003	18.382	402.243	98.230	CL1	<input type="checkbox"/>			
1004	30.600	414.212	98.435	YL	<input type="checkbox"/>			
1005	36.072	415.832	97.960	EP2	<input type="checkbox"/>			
1006	8.783	357.782	99.158	SM1	<input type="checkbox"/>			
1007	10.091	319.190	99.319	SM1	<input type="checkbox"/>			
1008	8.192	308.221	99.324	SM1	<input type="checkbox"/>			
1009	9.852	307.188	99.380	SM2	<input type="checkbox"/>			
1010	8.064	266.748	99.507	SM1	<input type="checkbox"/>			
1011	9.708	266.513	99.537	SM2	<input type="checkbox"/>			
1012	9.356	193.843	100.019	SM2	<input type="checkbox"/>			
1013	7.593	125.659	99.928	SM1	<input type="checkbox"/>			
1014	9.045	125.312	99.966	SM2	<input type="checkbox"/>			
1015	7.088	41.008	100.284	SM1	<input type="checkbox"/>			
1016	8.497	40.852	100.266	SM2	<input type="checkbox"/>			
1017	6.168	10.153	100.402	SM1	<input type="checkbox"/>			
1018	6.183	10.178	100.405	FL1	<input type="checkbox"/>			
1019	7.742	10.197	100.408	SM2	<input type="checkbox"/>			
1020	5.232	-1.363	100.315	SM1	<input type="checkbox"/>			
1021	7.732	-1.417	100.451	SM2	<input type="checkbox"/>			
1022	4.828	-18.943	100.306	SM1	<input type="checkbox"/>			
1023	6.714	-19.984	100.454	SM2	<input type="checkbox"/>			
1024	2.602	-45.654	100.243	SM1	<input type="checkbox"/>			
1025	-0.015	24.530	100.101	RM1	<input type="checkbox"/>			
1026	3.764	-45.932	100.338	SM2	<input type="checkbox"/>			
1027	-1.980	-73.037	100.162	SM1	<input type="checkbox"/>			
1028	-0.781	-73.729	100.211	SM2	<input type="checkbox"/>			
1029	-7.580	-95.179	99.231	SM1	<input type="checkbox"/>			
1030	-6.224	-95.747	99.579	SM2	<input type="checkbox"/>			
1031	-10.766	-105.995	99.143	SM2	<input type="checkbox"/>			
1032	-12.792	-105.870	99.117	RTC1	<input type="checkbox"/>			
1033	-4.588	-107.020	99.976	LTC1	<input type="checkbox"/>			
1034	12.116	122.570	100.037	AOI	<input type="checkbox"/>			
1035	10.661	124.632	100.050	GOU1	<input type="checkbox"/>			
1036	10.701	122.300	100.034	GOU1	<input type="checkbox"/>			
1037	12.947	121.670	100.030	GOUBOX	<input type="checkbox"/>			
1038	12.323	111.236	100.077	GOUBOX	<input type="checkbox"/>			
1039	10.798	111.274	100.022	GOUBOX	<input type="checkbox"/>			
1040	11.309	121.884	100.021	GOUBOX	<input type="checkbox"/>			
1041	18.297	85.815	100.215	CS1ST	<input type="checkbox"/>			
1042	18.237	75.687	100.265	CS1	<input type="checkbox"/>			
1043	18.221	44.985	100.401	CS1ST	<input type="checkbox"/>			
1044	18.229	34.930	100.441	CS1	<input type="checkbox"/>			
1045	18.258	4.223	100.571	CS1ST	<input type="checkbox"/>			
1046	18.323	-5.963	100.807	CS1	<input type="checkbox"/>			
1047	10.989	18.197	100.409	AOI2	<input type="checkbox"/>			
1048	39.048	-108.308	100.435	RF4	<input type="checkbox"/>			
1049	41.117	-108.795	100.282	RFT4	<input type="checkbox"/>			

Point	X	Y	Z	Description	Protec	Audio	History	Note
1050	-0.015	24.530	98.202	RM1	<input type="checkbox"/>			
1051	49.827	-108.692	99.708	RRT4	<input type="checkbox"/>			
1052	51.148	-109.081	99.623	RRC4	<input type="checkbox"/>			
1053	50.821	-114.376	99.750	LRC4	<input type="checkbox"/>			
1054	50.072	-114.988	99.813	LRT4	<input type="checkbox"/>			
1055	42.080	-114.846	100.318	LFT4	<input type="checkbox"/>			
1056	39.047	-113.807	100.469	LFC4	<input type="checkbox"/>			
1057	13.561	-72.446	100.733	GOU2	<input type="checkbox"/>			
1058	13.221	-78.013	100.761	GOU2	<input type="checkbox"/>			
1059	7.762	-80.272	100.690	BUMP6	<input type="checkbox"/>			
1060	15.524	-83.758	100.817	BUMP6	<input type="checkbox"/>			
1061	5.301	-94.871	100.860	UNIT3	<input type="checkbox"/>			
1062	7.414	-94.375	100.860	UNIT3	<input type="checkbox"/>			
1063	9.868	-93.487	100.798	UNIT3	<input type="checkbox"/>			
1064	16.128	-93.118	100.913	UNIT3	<input type="checkbox"/>			
1065	18.646	-93.543	100.976	UNIT3	<input type="checkbox"/>			
1066	19.456	-95.991	101.028	UNIT3	<input type="checkbox"/>			
1067	18.586	-98.394	101.010	UNIT3	<input type="checkbox"/>			
1068	16.338	-99.603	100.999	UNIT3	<input type="checkbox"/>			
1069	11.938	-98.968	99.054	UNIT3	<input type="checkbox"/>			
1070	7.602	-100.614	99.686	UNIT3	<input type="checkbox"/>			
1071	5.496	-99.878	98.663	UNIT3	<input type="checkbox"/>			
1072	4.977	-97.763	100.631	UNIT3	<input type="checkbox"/>			
1073	15.564	105.777	100.117	SM3	<input type="checkbox"/>			
1074	14.537	26.910	100.422	SM3	<input type="checkbox"/>			
1075	-0.014	24.520	98.205	RM1	<input type="checkbox"/>			
1076	14.547	-19.615	100.587	SM3	<input type="checkbox"/>			
1077	11.288	-54.606	100.654	SM3	<input type="checkbox"/>			
1078	6.216	-79.824	100.728	SM3	<input type="checkbox"/>			
1079	15.651	62.533	100.239	SM4	<input type="checkbox"/>			
1080	15.154	27.130	100.434	SM4	<input type="checkbox"/>			
1081	15.728	-24.287	100.629	SM4	<input type="checkbox"/>			
1082	10.596	-64.650	100.705	SM4	<input type="checkbox"/>			
1083	7.609	-80.286	100.705	SM4	<input type="checkbox"/>			
1084	8.237	-50.931	100.543	GQU3	<input type="checkbox"/>			
1085	7.806	-53.840	100.571	GQU3	<input type="checkbox"/>			
1086	7.745	-56.515	100.576	GQU3	<input type="checkbox"/>			
1087	9.868	-52.594	100.602	GQU4	<input type="checkbox"/>			
1088	9.777	-54.634	100.618	GQU4	<input type="checkbox"/>			
1089	11.065	-68.374	100.703	GQU5	<input type="checkbox"/>			
1090	10.280	-70.610	100.709	GQU5	<input type="checkbox"/>			
1091	14.184	31.106	100.382	SM5	<input type="checkbox"/>			
1092	13.039	-11.060	100.539	SM5	<input type="checkbox"/>			
1093	11.598	-45.484	100.581	SM5	<input type="checkbox"/>			
1094	6.312	-75.171	100.680	SM5	<input type="checkbox"/>			
1095	12.969	15.658	100.452	SM6	<input type="checkbox"/>			
1096	12.128	-11.048	100.528	SM6	<input type="checkbox"/>			
1097	9.765	-44.665	100.561	SM6	<input type="checkbox"/>			
1098	8.666	-53.921	100.584	SM6	<input type="checkbox"/>			
1099	7.309	-63.767	100.615	SM6	<input type="checkbox"/>			
1100	-0.027	24.520	100.105	RM1	<input type="checkbox"/>			
1101	15.481	-29.291	100.596	SM7	<input type="checkbox"/>			



Point#	X	Y	Z	Description	Protect	Audio	History	Note
1102	16.406	-38.658	100.652	SM7	<input type="checkbox"/>			
1103	19.888	-55.546	100.759	SM7	<input type="checkbox"/>			
1104	27.951	-80.739	101.036	SM7	<input type="checkbox"/>			
1105	35.512	-86.553	100.865	SM7	<input type="checkbox"/>			
1106	15.538	-38.163	100.638	SM8	<input type="checkbox"/>			
1107	18.509	-48.743	100.685	SM8	<input type="checkbox"/>			
1108	28.845	-74.306	101.046	SM8	<input type="checkbox"/>			
1109	36.340	-88.390	100.685	SM8	<input type="checkbox"/>			
1110	16.059	-41.979	100.680	SM9	<input type="checkbox"/>			
1111	16.022	-71.531	100.758	SM9	<input type="checkbox"/>			
1112	16.210	-82.768	100.950	SM9	<input type="checkbox"/>			
1113	7.314	-15.429	100.442	GOU6	<input type="checkbox"/>			
1114	7.166	-94.114	100.802	GOU6	<input type="checkbox"/>			
1115	7.783	-116.558	100.871	SM10	<input type="checkbox"/>			
1116	9.093	-115.792	100.860	SM11	<input type="checkbox"/>			
1117	8.512	-211.350	101.149	SM11	<input type="checkbox"/>			
1118	7.095	-211.291	101.204	SM10	<input type="checkbox"/>			
1119	15.071	-211.473	101.333	LRT6	<input type="checkbox"/>			
1120	14.901	-269.428	101.527	LFT6	<input type="checkbox"/>			
1121	7.403	-269.379	101.415	RFT6	<input type="checkbox"/>			
1122	6.849	-211.269	101.245	RRT6	<input type="checkbox"/>			
1123	-12.520	-169.247	99.442	LRD1	<input type="checkbox"/>			
1124	-13.283	-174.164	99.533	LRD2	<input type="checkbox"/>			
1125	-0.028	24.520	100.099	RM1	<input type="checkbox"/>			
1126	-13.346	-174.169	99.452	LFC1	<input type="checkbox"/>			
1127	-22.184	-173.911	99.147	RFC1	<input type="checkbox"/>			
1128	-6.487	-129.606	99.900	POST	<input type="checkbox"/>			
1129	-4.354	-141.249	100.293	GRX	<input type="checkbox"/>			
1130	0.668	-139.291	100.847	GRX	<input type="checkbox"/>			
1131	-1.908	-145.881	100.590	GR	<input type="checkbox"/>			
1132	-4.402	-154.732	100.465	GR	<input type="checkbox"/>			
1133	-3.483	-179.562	100.417	GR	<input type="checkbox"/>			
1134	-0.926	-303.742	101.204	GR	<input type="checkbox"/>			
1135	-0.926	-303.742	101.203	EP1	<input type="checkbox"/>			
1136	6.439	-304.522	101.597	FL1	<input type="checkbox"/>			
1137	30.987	-308.053	101.938	YL	<input type="checkbox"/>			
1138	36.970	-305.281	101.465	EP2	<input type="checkbox"/>			
1139	-0.036	24.520	100.104	RM1	<input type="checkbox"/>			
					<input type="checkbox"/>			